

The Daily Collegian

Budget Prorastination
and PHEA Loans
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Seven Cents

SDS Stages Protest of Berkeley Death



On the Old Main Steps . . . Again

BARRY STEIN, member of SDS and unsuccessful candidate for the USG presidency, speaks to a crowd of more than 200 dissident students yesterday who were protesting the death of a bystander at the May 15 demonstration at the University of California at Berkeley.

Old Main Flag Lowered by Dissident Students; Returned to Full Mast by University Officials

By **ROB MCHUGH**
Collegian Staff Writer

University officials marched through a crowd of more than 200 dissident students yesterday, pushing aside those in front of the Old Main flagpole, returned the American flag to full-mast.

The flag had been lowered to half-mast two hours earlier by students protesting the death of a bystander at a May 15 demonstration at the University of California at Berkeley.

About 4 p.m., several officials, including Dean of Student Affairs Raymond O. Murphy and Director of Security William C. Pelton, came out and asked Barry Stein, member of Students for a Democratic Society and an unsuccessful candidate for the Undergraduate Student Government presidency, if the group would raise the flag again.

Not a Leader

"I don't know where you got the idea I'm any kind of leader here. If you want the flag raised, ask the people," Stein said. He then called for a voice vote from the crowd, which loudly rejected the suggestion.

The officials then left, but returned a short time later. The crowd cleared a path to the flagpole, but several students refused to move from the base of the pole.

Pelton and several other security men forced their way in and used a crowbar to break the lock on the pole. At that time State Trooper Daniel

Brody grabbed a student who refused to move and pushed him from the base of the pole into the crowd.

When one student shouted an obscenity at Pelton, he grabbed the student and demanded his name, but the student broke away.

Immediately afterward, several fistfights broke out in the crowd, but the trouble lasted only a few minutes.

Chants of "pig, pig" were pushed from the base of the flagpole, some people in the crowd started chanting "pig, pig." Then students both for and against the action became involved in fistfights, broken up by others in the crowd including Murphy.

In an interview with reporters from The Daily Collegian, Vice President for Student Affairs Charles L. Lewis said, "We follow the traditions of the country and the state when it concerns the flag. There is a certain protocol involved. The flag was flying inappropriately."

Asked what action would be taken if the flag were lowered again, Lewis said, "We'll do that as courteously as possible."

Lewis said a meeting had been held to determine how to handle flag lowering. He said he, University President Eric A. Walker, Vice President for Business Ralph E. Zilly and others had been at the meeting.

Stein opened yesterday's rally, sponsored by SDS, with an explanation of the events at Berkeley.

Shortly afterwards, Stein declared that Old Main lawn "from the sundial down to People's Park East. That's liberated territory, that's for us."

Stein also said he would be asking for a statement from the Administration on the tactics being used in Berkeley. "As long as things like this are going on in Berkeley, we'll be here every day."

Stein and two other students went into Old Main to ask for a statement from the Administration. When attempts to see Walker, Provost J. R. Rackley and Vice President for Resident Instruction Paul Althouse failed, they left a request with Althouse's secretary asking for "a statement by tomorrow night from the Administration on their opinion of the tactics being used at Berkeley to quell the dissent over 'People's Park.'"

Stein said he felt the request was "reasonable" and that they could supply Althouse with a pamphlet "telling him what's happening" there. He also asked that some kind of response be made, even a "no comment."

Rally Planned Today

Another rally has been planned for 2 p.m. today. At an SDS meeting held last night, no official strategy was formulated, but it was announced that the two SDS co-chairmen (Scott Gibbs and Jon Wincelund) "will not lower the flag again tomorrow and will encourage others to not lower the flag."

Robert H. Barnes, special secretary, said yesterday the rally and flag

lowering was "malicious mischief" and was not a "question of freedom of assembly."

Trouble at Berkeley, has centered on the closing of the "People's Park," established there by local hippies and radicals. The park was set up on a vacant lot owned by the university and located six blocks off-campus. The founding of the park was supported by many different segments of the community, Gibbs said. Many improvements were made and poor people in the area were given free meals.

The murder victim, James Rector of San Jose, died Tuesday in a Berkeley hospital. He had been a bystander to a demonstration protesting the closing of the park when he was shot. Gibbs said police started using guns supposedly loaded with "just buckshot" but that 38 caliber bullets were removed from several of those wounded, including Rector.

Tuesday National Guard helicopter flew over the campus and dropped powdered tear gas on several hundred students, faculty members and demonstrators.

"The violence grew out of a silent 'funeral march' being held in memory of Rector."

About 500 marchers Tuesday advanced on the home of Berkeley Chancellor Roger W. Heyns and were dispersed by security guards using tear gas and bayonets. Many of the demonstrators were chanting "murderer."

\$10 Donation Requested from Congressmen

USG Bill Seeks Aid

By **PAT DYBLIE**
Collegian Staff Writer

A resolution calling for a \$10 donation by Undergraduate Student Government members in Appalachia will be considered by Congress tonight.

Ted Thompson, USG president, and Joe Myers, USG congressman, will present a resolution "to show a positive protest against the war in Vietnam" and to amend previous legislation.

USG on May 8 passed by a vote of 17 to 12 a resolution calling for a two-week vigil and fast to be conducted in the Hetsel Union Building courtyard from last Sunday through June 1.

The new resolution calls for a committee to investigate ways funds could be utilized "in terms of food, clothing, and other specific" for people in Appalachia.

Regarding the USG vigil and fast, the resolution states, "All individual congressmen or congresswomen shall be free to take part, as he or she sees fit."

Congress also will consider a bill to provide a \$75-per term salary to elected USG congressmen. If passed, the legislation would become effective when Congress reconvenes Fall Term 1969.

Elected USG Congressmen currently receive no pay.

The bill's intent is "to provide a monetary sum as an incentive and reimbursement to USG congressmen for devoting extensive time and effort in the betterment of student government."

Thompson also will present to Congress a bill which calls for the creation of a commission to formulate policy and policy statements for the USG Executive and Congress.

The commission would be responsible "to formulate policy which is applicable to a specific situation and/or crisis."

"The primary purpose of this commission is to act quickly in the name of Congress," Thompson said.

Thompson said that Congress could rescind a policy statement which was issued by a two-thirds majority vote within two weeks of the release.

Congress will reconsider the transfer of sponsorship of certain USG social activities to the University Union Board.

Dennis Stimeling, West Halls congressman, and Tom Worzul, Inter College Council Board representative to USG, are sponsors of a bill to transfer immediately

sponsorship of Cinema X, Model United Nations, College Bowl, Spring Arts Festival and Spring Week. Homecoming would be transferred to UUB in Fall Term 1970.

Congress defeated a similar bill on May 8. Thompson voted for USG to retain sponsorship to break a tie vote in Congress.

Bob Lachman, chairman of USG's Steering Committee to Protest the War in Vietnam, announced last night that a year-in scheduled in conjunction with the fast and vigil would not be conducted this afternoon because of a rally by Students for a Democratic Society. The hearing will be held at 2 p.m. Tuesday.

Lachman said, "Dale Winter, religious affairs associate, will be the keynote speaker. The Learn-in will be broken up into six groups to discuss different aspects of the war in Vietnam."

Becomes New Chief Justice

Burger Named To Court

WASHINGTON (AP) — Warren E. Burger, a 61-year-old federal appeals court judge, was chosen by President Nixon last night to be chief justice of the United States.

The white-haired, 61-year-old Minnesota, who has sat for 13 years on the U.S. Court of Appeals for the District of Columbia, told the President: "You pay tribute to all of the sitting judges of the federal system with this nomination."

If the Senate confirms the nomination after what may prove to be the closest scrutiny ever given a Supreme Court appointee, Burger will succeed Earl Warren in the highest judicial seat in the land.

Warren is retiring next month at age 78 after 16 turbulent years as chief justice and at a time when the court itself has become a center of controversy.

But the timing of the ap-

pointment of a new chief justice—when Nixon could have waited until summer to choose Warren's successor—promised a overshadow to some degree the tempest created when Justice Abe Fortas resigned last week under criticism for his off-the-court financial dealings.

Fortas was nominated to the top judicial post by former President Lyndon B. Johnson last summer. Senate

Republicans led a fight to defeat the nomination, however, citing his continuing close ties to Johnson and his acceptance of outside fees while sitting on the court.

Nixon's choice remained a secret yesterday after the White House announced the President had reached a decision and would take to nationwide radio and television to make known his selection of a jurist who has won a reputation as a "law and order" judge on the appellate court.

Only when Nixon marched into the East Room of the White House with Burger at his side did the verdict become known—at least, to those able to recognize the tall, white-haired judge.

Cabinet officers and other high government officials—but not Supreme Court justices—were awaiting the announcement in the East Room.

So were the chief justice-designate's family: his wife, Elvera, his son, Wade, and his daughter, Margaret.

"I believe," the President said, standing with Burger before a microphone, "that the most important nomination the

president of the United States makes during his term of office is that of chief justice of the United States.

"The chief justice is the guardian of the Constitution of the United States. Respect for law in a nation is the most priceless asset a free people can have. The chief justice and his associates are the ultimate custodians and guardians of that priceless asset."

"And when we consider what a chief justice has in the way of influence on his age and the ages after him, I think it could fairly be said that our history tells us that our chief justices have probably had more profound and lasting influence on their times and on the direction of the nation than most presidents have had."

Terminating Burger "superbly qualified," Nixon paid tribute to the judge's education as "one that he got the hard way—he went to law school at ed during the daytime—but he made a brilliant academic record."

As the ornate chamber resounded with applause, Burger, smiling slightly, stepped to the microphone.

Discusses USG Positions

Thompson Answers Questions

By **CONNY BERRYMAN**
Collegian Staff Writer

Ted Thompson, Undergraduate Student Government president, discussed positions USG is taking on current campus issues at a meeting of Young Americans for Freedom last night.

Thompson dispensed with formalities and answered questions from YAF members on subjects ranging from the current USG vigil protesting the war in Vietnam to USG's inability to obtain a quorum at several of its meetings last term.

Asked if USG should have obtained student approval by holding a student referendum prior to the USG vigil, Thompson replied there was no time to hold such a referendum. "The congressmen who voted in favor of the vigil were elected by students in different living areas to represent the student body," he said. "USG wants to work on a wider range of issues than simply getting more student parking places and better campus lighting," Thompson added.

Concerning the lack of a quorum at past USG meetings, Thompson said that there will be a "tightening up" on congressmen who continuously are absent from meetings.

A question arose concerning two of YAF's 10 proposals for University reform, presented to University President Eric A. Walker and Jacob J. Kaufman, director of the Office for Student Discussions. After looking at the first and at a time when the court itself has become a center of controversy.

Thompson said, "I campaigned on that issue myself."

However, concerning the proposal that guidelines be set up to insure peaceful student demonstrations, Thompson said, "USG has no spelled out guidelines regarding disruptions, to the best of my knowledge." He added that USG does not want to formulate a code of student behavior.

The question of guidelines led to discussion of proceedings three weeks ago when YAF took out an injunction against demonstrators in the Hetsel Union Building who were blocking passage to the Navy recruiter's table.

Thompson said he viewed the injunction as unnecessary. "It didn't help cure the situation, but caused more

members who continuously are absent from meetings."

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Student Awaits Hearing

John K. Fetters, 18, of Bellefonte, is in Centre County jail awaiting a preliminary hearing on charges of robbery by assault and force on campus.

His arrest by State Police on Saturday was in connection with a Feb. 2 attack on Wesley Litzinger of Indiana, Pa., a sophomore, who was attacked shortly before midnight in Parking Area 80. The money in his wallet was taken and he was treated at the Ritenour Health Center for lacerations to the right eye.

AP News Capsules

U.S. Spokesman Defends Battle for Peak

SAIGON — Allied troops dug more enemy bodies yesterday from Dong Ap Bia as a U.S. spokesman defended the 10-day fight for the mountain as a battle to spare the old city of Hue.

A bloodied battalion of U.S. paratroopers that captured the mountain top Tuesday was pulled out to tend its wounds, but another battalion was flown in to meet any North Vietnamese counterattack from nearby Laos.

U.S. officers answered indirectly a charge by Sen. Edward M. Kennedy (D-Mass.) that the attack on Dong Ap Bia was "senseless and irresponsible."

A spokesman for the U.S. Command, emphasizing that "we don't comment on what senators say," said the battle for 3,000-foot Dong Ap Bia on the north was "a real fine operation from our point of view."

"We are not fighting for terrain as such," he continued. "We are going after the enemy. Relative casualties is one way to measure it."

Israeli Jets Battle Egyptian MIGs

Israel's jets fought Egyptian MIGs over the Suez Canal yesterday while its ground forces shot up a guerrilla base in Jordan and Israeli and Arab gunners exchanged fire on two fronts.

Israel claimed three MIGs were brought down, but Egypt claimed none was lost.

A spokesman in Tel Aviv said Israeli planes downed two Egyptian fighters and damaged a third after intercepting the raiders sweeping in from the Great Bitter Lakes area.

Another Egyptian formation came in from Port Said, the spokesman said, and a ground-to-air missile sent one crashing inside Egyptian territory.

Cairo radio claimed, however, that the dogfight occurred after three groups of Israeli planes violated Egyptian airspace over the northern sector of the 103-mile waterway.

Kennedy Asks 'Compassion' for Sirhan

LOS ANGELES — Sen. Edward M. Kennedy pleaded yesterday for "compassion, mercy and God's gift of life itself" for his brother's assassin, Sirhan Bishara Sirhan.

A letter from Sen. Kennedy said, "My brother was a man of love and sentiment and compassion. He would

not have wanted his death to be a cause for the taking of another life.

The same jury that convicted the 25-year-old Jordanian of murder in the gunshot death of Sen. Robert F. Kennedy last June ruled after a penalty hearing April 23 that he should die in the gas chamber.

A judge has the power to overrule the jury and reduce the penalty to life imprisonment. Superior Court Judge Herbert V. Walker has done so once in 19 similar cases, and then at the suggestion of state penal authorities.

Congress May Pull Down Tax Shelters

WASHINGTON — Wealthy Americans will find much of their currently well-protected income exposed to federal taxes if Congress passes administration proposals to pull down some tax shelters. And it could be that Congress will go further than the President has proposed.

Administration researchers cite the case of a man who paid no federal income tax at all on an income of \$7.1 million in a recent year. With the Nixon proposal enacted, the man would face a \$957,730 tax bill on the same income.

The administration prescription to tax the wealthy comes in two parts, with the core proposal called the Limit on Tax Preferences—LTP. Tied in with it is a requirement for allocating itemized deductions between taxable and tax-sheltered income.

Voters Reject Judicial Reform Proposal

PHILADELPHIA — Pennsylvania voters turned down a proposed change in the method of selecting judges for state courts, late returns from the state's primary election revealed yesterday.

By a narrow margin, the electorate chose to retain the present system of choosing judges by popular, partisan vote, rather than accept the new plan under which jurists would be appointed initially by the governor.

Rejection of the suggested constitutional amendment, which had the endorsement of Gov. Shafer and two former chief executives, set the trend of balloting which could be characterized by a single word—negative.

The vote on the state judge selection proposal was 607,077 in favor and 628,480 against with only 45 precincts of Pennsylvania's 9,504 still to be heard from.

Ground Control Says 'Go'

Astronauts To Survey Moon

SPACE CENTER, Houston (AP) — Ground controllers gave the Apollo 10 astronauts a "go" yesterday to fire a rocket burst behind the moon and settle their spaceship into a hazardous orbit 69 miles above the lunar surface.

Air Force Col. Thomas P. Stafford and Navy Cmdrs. John W. Young and Eugene A. Cernan prepared to start their 24-day survey of the moon with a five-minute rocket burn performed while the crew is blocked off from earth, flashing over the moon's back side.

The crew was to pass out of touch with their home planet at 4:38 p.m. and fire the rocket some seven minutes later.

Cooper countered that NSA would represent a monopoly on campus and that there should be a student referendum on the question before USG decided to join NSA. "NSA has never won an election on campus and left Penn State four years ago after a CIA investigation. Cooper said that the NSA is a leftist organization and 'students should be able to vote on whether NSA will be allowed to represent the students on this campus.'"

Rockets to Slow Craft

The rocket fire will slow the fleeing spacecraft from 5,500 to 3,500 miles an hour at the end of the 17-minute telecast, ground controllers asked if they could see the sun setting behind the sun or the moon. The astronauts said it seemed to be getting darker.

The crew was allowed to sleep two hours longer than planned.

They awoke to the musical strains of "On A Clear Day" a short time after their spacecraft passed into the gravitational influence of the moon and began arcing toward earth's only natural satellite.

"Everybody's up and everybody feels great," a sleepy-sounding Stafford replied a few minutes later.

The 24-day flight about the moon must go nearly perfect for America's land men on the moon as planned 61 days from now.

Stafford and his crewmates will try out the navigation and guidance techniques the crew of Apollo 11 must use to land on the moon and return to earth successfully.

If Apollo 10 discovers problems as yet unknown, the planned landing could be delayed, perhaps indefinitely.

A gravitational game of tug-of-war between earth and moon ended at 10:19 a.m. yesterday when the spacecraft moved into the lunar gravity field and immediately started to accelerate from its low speed of 2,000 miles an hour to 5,700 miles an hour.

Apollo 10 had gradually been slowing down ever since it was launched toward the moon on Sunday. It began

the color television camera into the spacecraft interior and showed his crewmates and himself.

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its outward flight at 24,196 miles an hour, but the pull of earth slowly robbed it of speed.

Once in orbit about the moon, the Apollo 10 astronauts begin man's most hazardous space adventure.

Cernan and Stafford today will crawl from the command module into the attached lunar lander. They will undock from the mother ship and fly alone around the moon.

The moon machine will be guided to within 9.3 miles of the surface and then out to 229 miles above the lunar backside.

During the near pass of the moonman's closest approach to another celestial body—Stafford and Cernan will take pictures, test a landing radar set and record their own observations.

Apollo 8 orbited the moon 10 times last December in man's first journey to another celestial body. But that flight was not nearly as complex or daring as the Apollo 10 lunar venture.

Landing Zone 'Z'

The Apollo 10 astronauts will be looking for the so-called Apollo Landing Zone Z, a flat, smooth area in the Sea of Tranquility east of the moon's center and just above a crater called Moltke.

While Stafford and Cernan fly the filmy lunar module—which will be called "Snoopy"—Young will continue to circle the moon in a 69-mile Apollo 10 orbit. Young will be the only help available to the lunar module crew should they become stranded in their independent orbit of the moon.

The lunar module is unable to return to earth. Stafford and Cernan must rejoin the command module to survive.