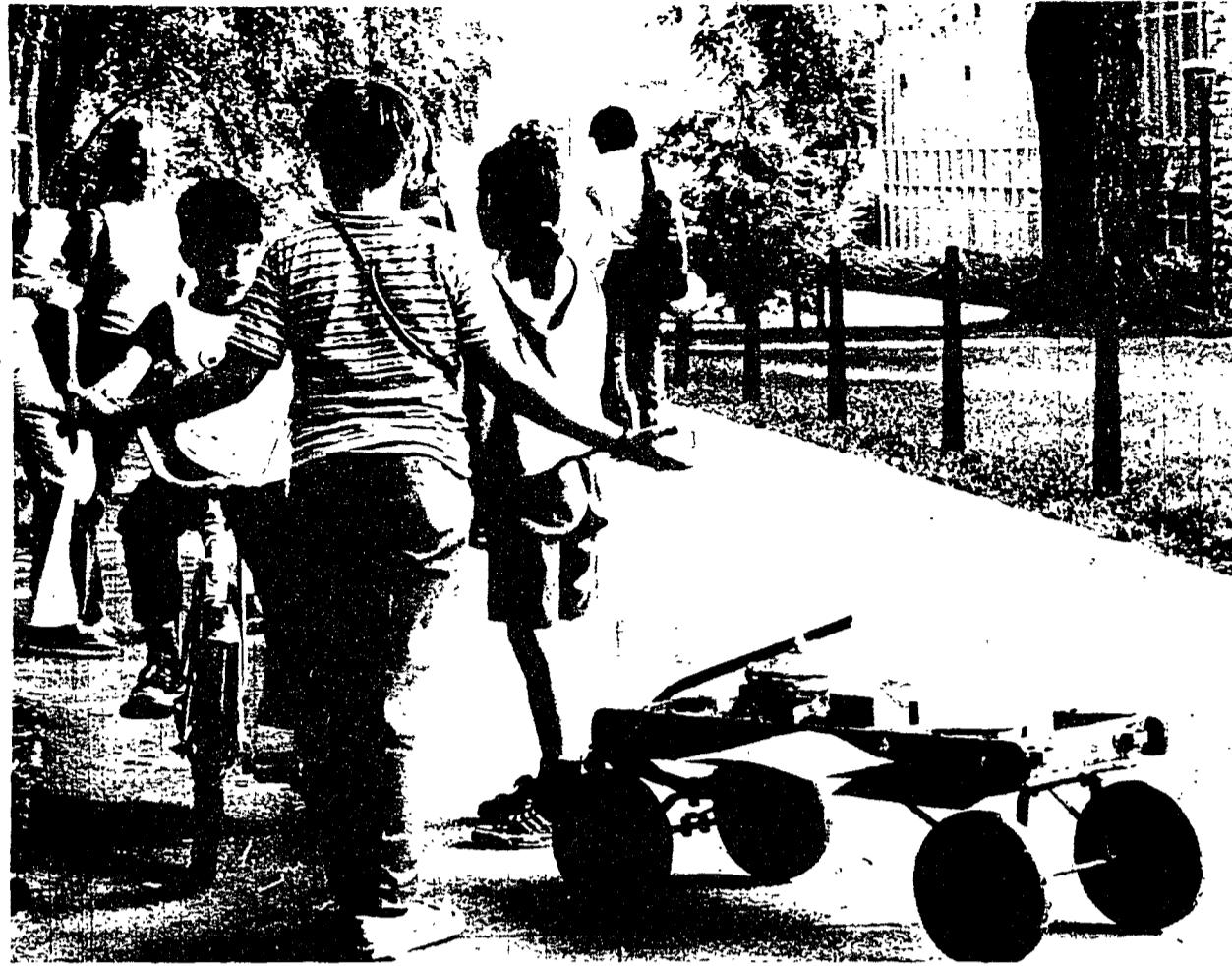


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Three cents a glass

## Campbell reserves judgment in Kaleidoscope Travel hearing

By JEFF DeBRAY  
Collegian Senior Reporter

After hearing four hours of testimony, Centre County Court Judge R. Paul Campbell yesterday reserved judgment on two charges of fraudulent conversion of property filed against John Maes, president of Kaleidoscope Travel, Inc.

Calling for the prosecution and the defense to submit briefs detailing the case's legal arguments, Campbell said, "This is a highly technical thing. The prosecution must show, and beyond reasonable doubt, that fraudulent intent was involved."

Maes, arrested March 6 in Grand Rapids, Mich., is charged by Centre County District Attorney Charles Brown with fraud in connection with December's aborted Sugar Bowl trip which left about 70 area residents stranded at Harrisburg International Airport Dec. 29 when the plane failed to arrive.

Maes collected about \$15,000 from area residents for the trip, sponsored by the Interfraternity Council. Area residents Frank Royer and Ronald Tressler testified they received letters postmarked Jan. 8 from Kaleidoscope, promising their money would be refunded within ten days.

But the money was not returned, prompting Royer and Matthew Lucchesi to file charges against Maes for "obtaining goods on false pretenses."

Maes testified the Sugar Bowl trip fell through because the plane he had chartered from Regal Travel for the flight to New Orleans was grounded in Santo Domingo and unable to fly to Harrisburg.

Another flight was arranged for 3 a.m.

Dec. 30, but area residents were unwilling to take a bus from Harrisburg to Pittsburgh, where the flight would have originated.

Questioned about hotel accommodations, which were to be included in the \$189 price, Maes said he did not make any definite reservations "because I wanted to keep things loose, since I was not sure how many people would be going on the trip."

Maes added he "certainly intended" to refund the money by arranging other trips, specifically a Jan. 14 trip to the Super Bowl. But this trip fell through and he lost several thousand dollars on it as a result of adverse publicity from the cancelled Sugar Bowl trip, Maes testified.

Under cross-examination by Brown, Maes said it was "difficult to tag exactly what happened with the money from IFC because it all went into the same account, but the Super Bowl flight lost a lot of it."

He said it has not been his policy until now to put the funds he receives in escrow so he can refund it if something goes wrong with a planned trip.

Maes is now employed by a New York City-based travel agency, One Price Europe, since Kaleidoscope no longer is functioning because of a lack of funds. He said he is willing to use his salary, as well as \$12,000 from another proposed flight he is arranging, to repay the money he owes.

In his closing argument Maes' attorney, William Donovan, said, "The case presented has been one of a debt owed by a poor businessman, not fraudulent activity. No fraudulent intent

existed in John Maes' mind.

"Certainly if he's convicted and sent to the penitentiary, there will be no possibilities for payback."

But Brown, citing other court decisions, argued that the case was not just an attempt to collect a debt.

"The breach of trust is the key here to this crime," Brown said. Mr. Maes diverted other people's money away from the purpose they gave him the money. The fact he stated he intends to repay the money is not a defense to this case.

"The title stayed with the people who gave him the money," Brown said.

Questioning Brown's argument, Campbell said, "Carried to the logical extreme, every one who charges bankruptcy would be charged with fraudulent conversion."

Noting the displeasure at the judge's decision to reserve judgment by several courtroom spectators who lost their money on the trip, Campbell said he sympathizes with them.

"In the meantime, I hope the defendant (who will remain free on bail), will pursue every possible opportunity to show good faith to return the money," he said.

After the trial Brown expressed displeasure with the decision.

"I am not finished with the legal arguments. This case is very complicated," he said. "It is not easy to determine the criminality of the defendant, but it is the mishandling and misdirection of funds of others that makes this a crime."

Maes refused to comment on the trial on the advice of his counsel.

## Hartranft: scene of age conflict

By STEVE IVEY  
Collegian Staff Writer

Following three weeks of major and minor fires and assorted acts of vandalism and destruction in Hartranft, the residents of the third, fourth and fifth floors were moved to Hoyt earlier this week.

Although most residents said they feel safer in their new dorm, some were upset.

Kip Kitt (4th-edition) said he thinks it was "unfair that we had to move out while the vets stayed."

"There were more of us than there were vets," Kitt said.

"They could have placed us in a closer dorm than Hoyt. Instead, they put us in the farthest dorm," he added.

"I'm very bitter about the move," Michael Radasky (11th-theater arts) told The Daily Collegian. "Putting us in Hoyt was obviously a punishment. They wanted to isolate us."

The trouble in Hartranft had been brewing for the past three weeks and University officials have blamed the peculiar combination of students assigned to the dormitory.

The first two floors are assigned to the Veterans' College Preparatory Program, while the upper three floors housed special speech and hearing therapy students, students participating in the Educational Opportunity Program and regular undergraduates.

The trouble first started when ceiling tiles in the lobby were poked out and broken. Red cleaning fluid was sprayed around the lobby and on furniture.

The vets blamed the other students for the damage. The students on the upper floors put the blame on outside students.

The situation quickly escalated to what one student said were nightly incidents of harassment. The harassment took the form of stopping up toilets and flooding different floors, fires in the janitor's closets, vandalism on the vending machines, and a major blaze on the unoccupied sixth floor last Thursday night.

That fire brought the situation to a head, and the next day M. Lee Upcraft, director of residential life programs, decided to move some of the residents out.

Gary Walker (1st-music) was in the fifth floor study lounge the night of the fire.

He told the Collegian he "was studying with two other guys when we looked up at the lights and saw some smoke. I went up the stairs and found the whole sixth floor filled with smoke. It was too smoky and too dense for me to see the alarm. I felt along the wall for it, and rang it. I ran back downstairs and started to wake everybody up."

Walker said it was hard to get the speech therapy students out of bed because they could not hear the alarms.

He added that as the building was being evacuated, someone ripped the water hoses out of third-floor washing machines, drenching the floor.

Some vets and the resident assistants succeeded in putting out the burning paper and five burning lounge chairs.

That night Campus Patrolmen were stationed at the dorm for the protection of the residents, Upcraft said.

All of the students interviewed — vets, EOP and regulars — agreed that the conflict did not have a racial overture.

Veteran Wayne Watson (1st-broadcasting) blamed the tensions and conflict on the age differences. The vets, he said, "are men."

"We know more about life and we are older than those teenagers," he said.

Watson added that he thinks the privileges the vets have by being over 21 antagonized the younger students.

Another vet, Dennis Durkin, said the younger students resented the vets. "Maybe we did tease them about it sometimes," he said.

Durkin said most vets found it hard to get close to the other students because of the age difference.

While Durkin said he believes "the upstairs people

were screwing themselves and causing the damages," Watson said he thinks it was an outside individual who caused the damages.

"I refuse to believe that any vet had anything to do with the destruction of the building, and I couldn't say if the upper floors did damage," he said.

He added, "No one with a sane mind would destroy their own home."

Don Sturgis, former third floor RA, said that "there were a lot of outsiders coming in and out of the building because of the vets." He also said he thinks that an outsider caused the damages.

One student said he saw the damages as a result of conflict between two "very tight and close groups that failed to try to understand each other at all."

Sturgis said, "It was a bad move on the University's part to put freshmen and vets together. Plus, with EOP and speech therapy students mixed in, things were bound to happen."

Upcraft said that before last Thursday's fire, he had tried to get both groups together. The fire prompted him to decide between splitting the students up or imposing what he called concentration camp security on the students.

He and other University administrators Friday morning decided to put the EOP and regular students in Hoyt. The speech therapy students were assigned to Nittany at their own request.

No one interviewed knew the amount of damages incurred in the last three weeks of conflict. Estimates ranged from \$1,000 to \$1,900.

A meeting is scheduled for this morning to determine the exact amount of damages and how the cost will be distributed among the students.

"I think the students have suffered a great deal," Upcraft told the Collegian. "They are the real losers."

## Nixon challenged

WASHINGTON (AP) — President Nixon yesterday defied demands from Congress and the government's special prosecutor for Watergate-related tape recordings and documents. The Senate Watergate committee voted unanimously to sue him, and the prosecutor challenged him in court.

Nixon said through a White House spokesman that he would abide by a definitive ruling by the high court and expressed confidence that the eventual decision would uphold him.

Yesterday's events began unfolding when Nixon notified the Senate Watergate committee by letter that he would not comply with the committee's two subpoenas. They demanded that he turn over his tape recordings, memoranda and documents bearing on the Senate's investigation of last year's wiretapping and burglary at the Watergate headquarters of the Democratic National Committee.

"You can't identify a document you've never seen."

The committee vice chairman, Sen. Howard Baker, R-Tenn., then proposed that the committee take the President to court and the motion was adopted unanimously.

"The chair recognizes that there is no precedent for litigation of this nature," Ervin said. "I think this litigation is essential if we are to determine whether the President is above the law, and whether the President is immune from the duties and responsibilities of this kind that evolve upon all the other mortals that dwell in this land."

At issue are Nixon's contention that executive privilege and the doctrine of separation of powers permit him to withhold the tapes and documents, and the committee's insistence that its charter from the Senate permits it to subpoena White House material relevant to the Watergate investigation.

Ervin branded that response totally unacceptable.

"We are not clairvoyant," he said.

## Ehrlichman cites probe

WASHINGTON (AP) — John D. Ehrlichman told the Senate Watergate committee yesterday that there was another White House "plumbers" unit investigation that cannot be made public.

Ehrlichman said revealing the activity would compromise national security.

The disclosure came hours after the committee voted to challenge President Nixon in court over his refusal to turn over tape recordings and documents bearing on the Watergate scandal. Ehrlichman, a former top aide, defended the President's stand.

Sen. Howard H. Baker Jr., R-Tenn., noted that a memorandum in evidence before the committee had one paragraph

left blank and asked Ehrlichman if he could provide it.

"I'd probably be violating two or three statutes if I provided this," Ehrlichman said. He added it involved a 1971 investigation no way related to the Watergate affair.

"Is it a co-mining of Watergate and other matters?" Baker asked.

"Not inherently," said Ehrlichman, but an inquiry into Watergate leads to an inquiry to this matter which would compromise it.

The known activity of a special White House investigative unit known as the plumbers includes the break-in of Daniel Ellsberg's psychiatrist's office, investigation into leaks concerning the Strategic Arms Limitation Talks, and a

probe into publication of White House discussions about the Bangladesh civil war.

Ehrlichman's lawyer, John J. Wilson, produced a recent letter from White House special counsel J. Fred Buzhardt "directing us to claim executive privilege on a matter identified only as a fourth instance of the activities of the plumbers."

Ehrlichman said he would tell the senators about it in closed session if the White House approves.

Ehrlichman had intimated Tuesday that other activities of the plumbers had not come to light, but this was the first specific exploration.

## PSUBranch charges unfair practices

## PLRB decision awaited

By RICK NELSON  
Collegian Managing Editor

The question of whether the University used harassment and coercion in denying a Penn State faculty member sabbatical leave awaits a Pennsylvania Labor Relations Board decision, according to a PLRB Spokesman.

Arguments in the case were heard Wednesday by a PLRB hearing examiner at Centre County Courthouse in Bellefonte.

The case, filed by PSUBranch, the Commonwealth Campus collective bargaining organization, charges that Lita L. Schwartz, associate professor of educational psychology at Ogontz Campus, was denied sabbatical leave because of her participation in PSUBranch.

PSUBranch negotiator Thomas Badger said Schwartz submitted her application for leave Oct. 18 to S.F. Nicol, assistant director for resident instruction at Ogontz, to forward to University Park before the application due date of Nov. 15.

Badger said Nicol testified he did not forward the request before the Nov. 15 deadline because the absolute deadline was April and more time was needed to study the feasibility of granting leave.

Badger said Nicol cited a faculty

shortage as the reason for delaying Schwartz's leave request.

Nicol yesterday would not tell The Daily Collegian if he ever submitted the request. He said, "I don't think it's appropriate to make any comment at this time."

PSUBranch also presented testimony charging other instances of unfair treatment of PSUBranch participants by the University at the hearing.

A PLRB spokesman said PLRB should reach a decision in three of four weeks.

The Schwartz complaint is one of three PSUBranch cases currently before PLRB.

A complaint filed May 18 on behalf of the Commonwealth Campus science faculty charges the University with harassment and "alteration of initial conditions of employment." It charges the College of Science with demanding research in addition to a full teaching load.

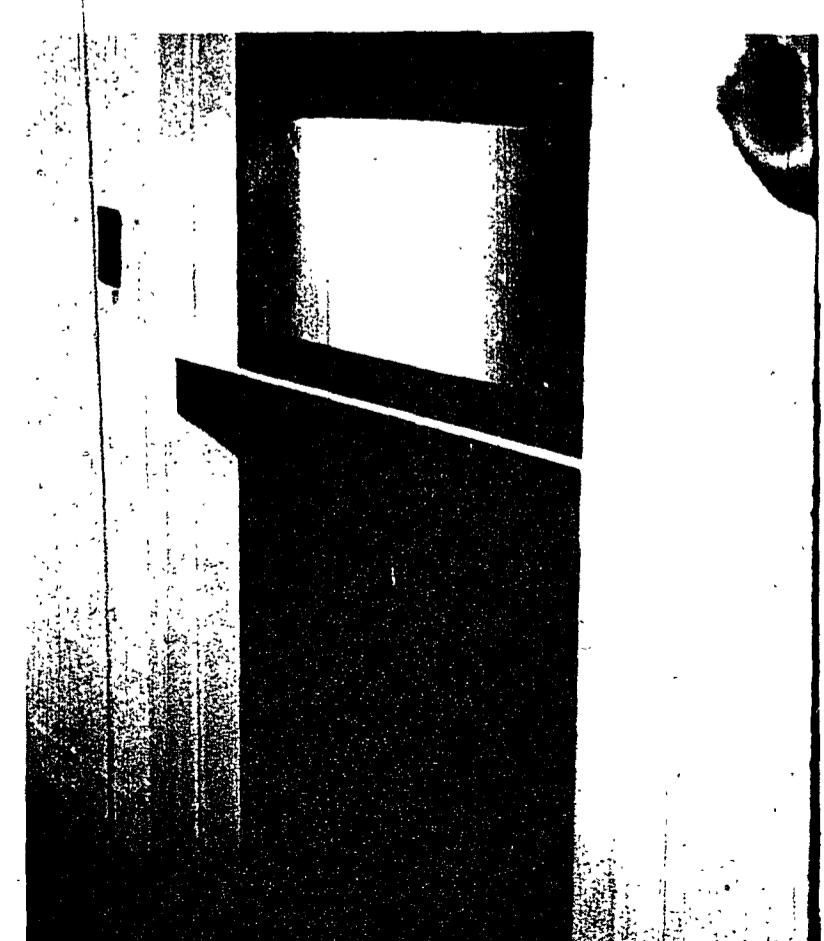
PSUBranch also has filed before PLRB exceptions to a June 6 PLRB ruling that PSUBranch cannot organize branch campus faculty separate from University Park faculty.

The exceptions are scheduled to be heard Sept. 19.

A PLRB decision refusing to let University of Pittsburgh at Johnstown faculty members organize separately

## Weather

Cloudy today with showers this morning; high of 76. Fair and cooler tonight; low of 68. Mostly cloudy Saturday with showers in the afternoon; high of 76. Variable cloudiness and cool Sunday; high of 72.



Barricaded doors . . .

Photo by Steve Ivey

. . . WILL PREVENT THE VETS on Hartranft's first two floors from going any place but down. The students on the upper floor were moved to Hoyt following dorm-wide vandalism, flooding, and a major fire on the unoccupied sixth floor.