Ballot tampering causes SMC re-vote

Alteration of forty Augusta Hall ballots in favor of Eileen Fitzpatrick caused yesterday's Saint Mary's Student Body Presidential election to be invalid. According to Eileen Seymour and Sue Welte, who were in charge of the election, the voter turnout of approximately 75.8 percent of the undergraduate student body was the highest turnout in any Student Body Presidential race in the last seven years. Out of a student body of 6400 students, 4855 voted yesterday, the weakest showing came from off-campus, traditionally a light voting area, with only 285 voting.

The 36 percent figure is not nearly enough to give Kersten a first-ballot victory, though. Instead, he will face Ombudsman Paul Dziedzic in a runoff election tomorrow.

Dziedzic collected seven hundred sixty-nine votes, or 15.8 percent of the electorate to outdistance SLC Vice-chairman Floyd Kersten by 103 votes, or 15.8 percent of the electorate. Kersten carried all halls save Burns, Keenan, and St. Joe's in heavy voting turnout. He managed to win the last according to Kersten and his running mate Ron Pogge, in Badin, his home hall.

Student Government Ombudsman, Dziedzic took two halls, Keenan and St. Joe, but did not score a majority in either.

Kersten, SLC towers representative, collected over 200 votes from the high-rise dormitories and ran well in Farley, Holy Cross and Dillon.

Kersten racked up a total of 666 votes or 13.7 percent of the total, while Hall Life Commissioner Bob Higgins garnered 9 percent of the vote, with 439 ballots.

That total was nearly matched by Joe Schlussler, off campus junior who came in fifth with 437 votes, for 9 percent. Schlussler came in second off campus, losing it to Bob Kersten. Higgins ran strongly in Alumni, home of his running mate Ron Pogge, in Radin, his home hall, and in Zahm and Morrissey.

Bob Kersten, a joke candidate whose campaign was organized by Sue Welte, ran only nine votes behind front runner Bob Kersten there. Across the rest of campus, it was a different story with Kersten coming in sixth with 254 votes. The only other place he ran strongly was Fisher, his home hall. Kersten, home of his running mate Walter Spaak, gave the ticket 17 votes.

Crowd around WSND table in La Fortune student center watches Kersten comment on the election as final results are released.

Kersten, Dziedzic slated for runoffs

by T.C. Treasurer

Observer Assistant Editor

Bob Kersten, a joke candidate whose candidacy became more and more serious as the campaign went on, last night polled 748 votes - 15.8 percent of the electorate - to lead the field of nine Notre Dame Student Body Presidential contestants.

The voter turnout of approximately 75.8 percent of the undergraduate student body is the highest turnout in any Student Body Presidential race in the last seven years. Out of a student body of 6400 students, 4855 voted yesterday, the weakest showing came from off-campus, traditionally a light voting area, with only 285 voting.

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Dziedzic collected seven hundred sixty-nine votes, or 15.8 percent of the electorate to outdistance SLC Vice-chairman Floyd Kersten by 103 votes for the second spot and a right to appear on the ballot with Kersten.

Kersten carried all halls save Burns, Keenan, and St. Joe's in heavy voting turnout. He managed to win the last according to Kersten and his running mate Ron Pogge, in Badin, his home hall.

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None of the Above, on the ballot for the first time this year, got 189 votes, or 3.8 percent of the total, thus ousting four of the candidates. The heaviest voting for none of the above was in St. Ed's, Dillon and Cavanaugh. Across campus it failed to gain more than 12 votes in any single hall.

Suzanne Keesee

Paul Dziedzic

Zahn, where one vote separated him from Floyd Kersten and eight from Bob Higgins and Joe Schlussler.

Michael Cunningham and A. Dennis Thomas were distant eighth and ninth place finishers respectively. Cunningham, with a total vote of 83, or 1.7 percent ran well in Dillon, his home hall. Across the rest of campus he failed to get above ten votes in any hall. Thomas managed to garner eight votes on campus, with twenty coming off from off-campus. His total was 28 or 6 percent.

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(continued on page 4)
CAC plans cancellations to balance overspending

by Joe Powers

The Cultural Arts Commission will cancel the Spring Folk Festival and will attempt to break contracts with Tom Rush, Duke Ellington, and the Chinese Dance Company in a last ditch effort to balance their over-spent budget.

CAC Commissioner Robert Brinkmann also assured in a statement made last night, that "there will be no changes, whatever," in plans for the Sophomore Literary Festival.

When Cass Rejent, Student Government Treasurer, was asked to estimate how deeply the CAC had over spent its funds, he replied, "I'd rather not talk figures, it might scare people. Let's just call it a substantial amount."

While Brinkmann stated that he did not have a present figure to give, he expressed the hope that the deficit could be whittled down to $1,600 by the end of the year. "However," he admitted, "the CAC will lose more if it can't get out of the contracts."

Tom Rush is contracted for an April 30 appearance in Stepan Center. He was to have been the feature artist in the now defunct Folk Festival. Duke Ellington was scheduled to appear April 6, also in Stepan. The Chinese Dance Company, as part of the Performing Arts Festival, is booked for the end of March. Brinkmann felt the Ellington concert would break even but anticipated a $1,000 loss if the CAC could not escape from the contract with the dance group.

Rejent, a senior business major, cited mismanagement in contract dealings as one of the major reasons behind the CAC's financial woes. "I'd explained, "Brinkmann has unilateral control over all contracts."

"When they're written up, there's never a clause allowing the CAC to back out."

Rejent pointed out a bungled incident earlier in the year when Brinkmann allegedly signed a contract with a company that "promised X artist at a certain time and date and demanded a 50 per cent deposit immediately." The artist cancelled out due to "illness" but the CAC's still not received a refund of the deposit, which Rejent estimated to be $4,000.

Brinkmann admitted that he had signed such a contract, that he had, in fact, signed two contracts with the company mentioned, neither of which materialized. Brinkmann explained that Neil Young cancelled out because "they said he was sick," and "We decided to cancel Sea Train when the price jumped $2,000." The booking firm which contracted the artists still holds the $6,250 deposit.

Phillip J. Pacencza, Vice President and general counsel for the University, was contacted Monday by the CAC to arrange for a return of the deposit. He stated that he was "still checking into the matter," but that it appeared to be nothing more than a "routine business problem."

Speculation that some of the speakers for the Sophomore Literary Festival would have to be cancelled was squelched at a meeting last week between Brinkmann, Ray Funk, chairman of the festival, and Student Union Director Bill McGrath. Brinkmann explained that many professors had synchronized their course reading lists to concur with the authors.

sports parachuting - skydiving

For those of you who missed the first ND-SMC Parachute classes

Hurrah! We are now starting our second set of classes.

For more information phone S.B. 291-6565

The Observer is published daily during the college semester except vacations by the students of the University of Notre Dame and St. Mary's College. Subscriptions may be purchased for 58 per semester from The Observer, Box G, Notre Dame, Indiana 46556. Second class postage paid Notre Dame, Ind. 46556. 

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"Hello, Chief? Pocahontas and I just eloped!"

"Delicate" news is so hard to communicate in a letter—and so much more graciously said with a long distance call. Costs so little, too, when you dial direct (about ½ the cost of person-to-person). For example, a direct-dialed call to Niagara Falls after 5:00 p.m. would cost less than $1.00. The tactful way to "break news" is to call. The economical way is to dial the call direct.

Indiana Bell
by Greg Rowinski

Insight Staff Writer

The Notre Dame-Saint Mary's Voter Registration Drive, co-sponsored by Pat Coyle and Joe Myers, has been active since its inception in early September. The impetus for the drive was provided by SBP John Barkett, according to Coyle, who supplied the interested Coyle and Myers with the information. Student Government had received from national voter registration groups which outlined campus registration campaigns.

Notre Dame posed a difficult problem for any such campaign, since 40 per cent of its students are from out of state. ND's drive required a unique approach.

At the time of the group's organization, it was nearly impossible for non-residents to register in Indiana. Since then, the situation has improved.

The group's initial approach was to encourage students to register at home. An early poll resulted in a 33 per cent already registered figure. Since then, the percentage of registered voters has increased to 70 per cent.

Posters obtained from national organizations were displayed around campus, urging students to register at home. Permission was obtained from University President Fr. Theodore M. Hesburgh, himself a member of the National Advisory Board for the Student Vote, and then acting SMU President Sister Alma Peter to include a registration reminder with the tuition statements mailed out during Christmas vacation.

Since Christmas, efforts have continued. Absentee-registration request forms were made available at the dining halls. Coyle reminded any interested in requesting such forms to be sure to contact their boards at least a month before the elections.

The St. Joseph County Board of Elections has clarified its stand and made it possible for non-residents to register here.

To meet changes, the group has had two of its members, Joe Howard and Sheila Callahan, deputized to register voters in Indiana.

This registration campaign will take place from March 1 to 14. It is aimed primarily at the 30 per cent still not registered, but will also involve any of the 70 per cent who wish to void their home state registrations to vote in the Indiana elections. Thus, any student who did so would be eligible to take part in Indiana's May 2 primary.

Coyle has also worked with ombudsman Paul Distel to send delegates to the Emergency Conference for New Voters, which provided information on how to organize registration drives in the delegates' home states.

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**Voter Registration Drive nets 70% success**

**Check your state -- and vote this year**

Some states provide registration only on certain days throughout the year and are marked by a $. Call the local official early to be sure of time you can register. Some states provide complicated procedures for those who turn 18 after the registration deadline but before the elections and are marked by a #. All other states allow those who haven't turned 18 to register if they will be 18 by the age deadlines listed in column six. States holding primaries for the President at the same time as local contests are marked (P).

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Brother Ryan discloses to HPC

New appliance ban proposed

by Don Hopfer

Last night at the Hall President's Council meeting, Brother Kieran Ryan opened himself to suggestions for alternatives to the appliance ban recently proposed by the University.

The Assistant Vice-President for Business Affairs also explained the rationale behind the ban, the aid of a five-page release including a letter from the University's insurance company, Royal-Globe, which said that the use of refrigerators should be discontinued and also a fact sheet from I&M Electric Company.

The letter from the insurance company to Mr. C.S. Reddy, Notre Dame Insurance Officer, said, "The practice of installing used domestic type refrigerators in dormitory rooms by students should be discontinued. The reasons cited for this suggestion included breakdown in electrical wiring, thus bringing about fire situations, lack of accommodation for these facilities in older dorms, and the possibility of leaking gas in an older unit using ammonia refrigerant.

The fact sheet showed that such appliances as air conditioners, "domestic type" refrigerators, televisions, toasters and hot plates had an average load exceeding 400 watts, and, in the case of the air conditioner, approached 1800 watts. Ryan considered this to be creating "a dangerous peak load," especially between the hours of 10:30 pm to midnight, when usage increases greatly.

Emphasizing that the proposal has not been implemented but is only under consideration, Bro. Ryan felt that the University had no alternative save for banning certain high wattage appliances "for reasons of health and fire safety."

"If it has been drafted for consideration only and represents the position I think we more or less have to take," Ryan said.

Rewiring of Interest

He added that the rewiring factor was of particular interest. In a letter to John Bartlett from Bro. Ryan dated Feb. 18, 1972, the cost to date of rewiring seven halls was quoted at $272,172. The total in refrigerator fines collected to that date was just over 50 thousand dollars. He said the fines have a twofold purpose; namely, to deter the students from the use of appliances and to defray the cost of rewiring.

In effect, the statement prohibited for the provision of air conditioners, broilers, rotisseries, skillets, toasters, and hot plates. It further limited the, "cubical feet concerning the fact, Ryan said that he had heard that there are units with capacity up to 4.6 cubic feet which would not be much different from the smaller units and that their acceptance was under consideration. Notwithstanding this ban, all refrigerator operators would be fined next year at the rate of $20.00 per semester. Television sets also, would be subject to a fine of 10 dollars a semester.

HPC Comments

Bro. Ryan stressed the fact that he was "completely open to suggestions" and at the end of his presentation several hall presidents had some prepared as well as comments on the policy.

Dave Learing of Keenan wondered whether the funds to be allotted by the Trustees could be utilized to defray the cost of rewiring. Bro. Ryan said that there were other priorities which had been put off for a few years which would have to be taken care of first.

- - "Both Joe Markoeke of Farley and John Kitchin of Morrissey questioned the validity of making it the responsibility of students presently at the school to pay for depreciation that has been taking place for forty years. Furthermore, they thought that halls which do not need rewiring were being unjustly taxed for the renovation of older halls.

After Bro. Ryan's departure, the HPC considered a proposal to form a committee to investigate possible alternatives to the ban and related fines, but the consensus was that the presidents should get back to their respective halls for opinions first.

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**The OBSERVER**

**Higgins, Kezele throw support to Dziedzic**

by Jerry Latkoun

Defeated SBP candidate Bob Higgins came out with a strong statement of support for run-off opponent Paul Dziedzic last night in post-election activities. Earlier in the evening, runner-up Floyd Kezele urged students to "get out and work like hell for Paul Dziedzic." Other candidates had to be reached failed to throw their support into the camps of either Dziedzic or primary winner Bob Kersten.

In his statement, Higgins said, "We wholeheartedly encourage everyone to consider the future of Student Government and support the Dziedzic-Borrell ticket.

Higgins also confirmed the support of coalition ticket mates Joe Lin, Don Mizel, and Sue Welte in saying that they fully endorse Dziedzic and Borrell.

The Hall Life Commissioner noted that Dziedzic "more fully demonstrates the spirit of cooperation we worked for."

Chuck Laken, candidate from Pangborn Hall, failed to support either run-off candidate claiming that he could not be honest with himself if he told people who to vote for. "We've been fighting against enforcemtends this whole campaign," he said. "In an election like this no one should tell someone else who to vote for."

Laken expressed happiness at the student dissatisfaction with Student Government that was mirrored in the Kersten vote. "I think the vote for Bob demonstrates a need for an alternative," he claimed. "Throughout the campaign, his approach was one of an alternative, but noted that Kersten was a "radical alternative."

The Student Senator noted the possibility of a Student Government in-exile saying that there are many thinking of it if Kersten wins. Laken insisted that "I still think he'll (Kersten) win."

When Joe Schlosser was reached, he revealed that he was very happy with his showing. He also related that he could be in direct support of one of the run-off candidates.

"We really needed to turn Notre Dame over in this election and we did," Schlosser commented. "We're still carrying for the off-campus students, also.

In his statement, Higgins said, "We really needed to turn Notre Dame over in this election and we did," Schlosser commented. "We're still carrying for the off-campus students, also.

for as I know, there is now no process for evacuation," Tobben said.

Fr. Chambers proposed establishing hall damage control boards in each hall. These boards to be composed of 3 or 4 members of the hall judicial boards, would relieve pressure on the hall presidents, Tobben said.

**Father Chambers sets up displaced students rules**

by Sue Prendergast

Badin and Walsh residents will move into other halls and be placed in a quota system established by Fr. Thomas Chambers, rector of student residence, and an ad-hoc housing committee of hall presidents.

The displaced students will hold equal rank with their classmates in other dorms in selecting rooms. "Time in Badin and Walsh equals time in any other hall," according to Dave Tobben, secretary of the committee.

More than 325 beds will be available to Badin and Walsh residents, although only 276 are expected to be needed, Tobben said. The extras will be assigned to freshmen.

The committee consulted each hall president in setting the quotas which range from 36 in Flanner and Grace to 10 in Fisher, Holy Cross, Howard, St. Ed's, and Sorin.

"There will be some flexibility in these figures, but we (Office of Student Residences) will try to stay close to them," Tobben said.

In other business, Fr. Chambers told the committee that all beds and partitions in the rooms will be removed this semester or this summer at the latest, since they violate regulations and create fire hazards.

The committee agreed to institute fire drills in the halls. "As
SMC girls comment on merger: tell of disappointment, anger

by John Cominsky

Editor's note--Mr. Cominsky researched this story with St. Mary's students on Tuesday afternoons, following the announcement of the Notre Dame-St. Mary's merger negotiation cancellation.

Final cancellation of merger negotiations will force St. Mary's students to make serious decisions concerning their academic futures. The consensus of student opinion seems to be that St. Mary's has committed institutional suicide, and that those students who entered SMC because of the promised merger no longer have a stake in the college's future.

In speaking to students yesterday, they, especially sophomores, are under extreme pressure to decide immediately whether to stay at St. Mary's, attempt to transfer to Notre Dame, or to leave the two institutions completely. The nature of application deadlines is such that many of these decisions will be hasty, and many others will be resolved through inaction. Those unable to transfer out will feel imprisoned by circumstance, and the resultant apathy will kill community at St. Mary's, according to some SMC students.

No Merger Regretful

Many students, with a genuine love for the friends they have made here, and the institutions themselves, regret the decision not to merge, and see no future for St. Mary's. They believe that this is not the first and foremost of all institutions, and that some present students would regret the decision to stand in the way of academic excellence and a more realistic financial and organizational stalemate should not be allowed to stand in the way of academic experience and a more realistic social situation. Merger with a previously existent institution may be the best method by which to ease into cooperation.

General discontent, and talk of negative recruitment, indicate that some present students would discourage applicants from attending St. Mary's. Without a steady influx of students genuinely interested in St. Mary's, the school could become an alternative for Notre Dame's cast-offs, and an aura of second class citizenship would arise.

Basically Merger Oriented

Since St. Mary's appeal to its present students seemed to be basically merger oriented, it would also seem that whatever appeal SMC had previously no longer exists, or is overshadowed by present mistrust. The need for a Catholic women's college may no longer exist, or may call for an institution radically different than those now in existence. St. Mary's obviously cannot remain a sister school, on an equal basis with a co-ed Notre Dame. Tenion and rivalry will replace the present community and mutual interest.

Jazz Festival announces schedules and judges

Jazz-rock percussionist Aynsley Dunbar of Frank Zappa's "Mothers of Invention" has joined the list of distinguished judges participating in the 14th annual College Jazz Festival at the University of Notre Dame March 9-11. Other nationally famous personalities on the panel include Herbert v. Portnoy, editor of Down Beat magazine; James Acker, reed player, and Hubert Laws, winner of the 1972 poll by Down Beat as best jazz flutist.

Sixteen major university bands will participate in competition on March 10-11 in Sloane Center, and 15 midwest high school bands will compete all day March 11 in O'Laughlin Auditorium. The adjoining Saint Mary's College campus. The top band in this group will perform at the Saturday evening finals of the collegiate group. In addition, three guest bands are scheduled.

Participants in the festival, which Down Beat has described as "the first and foremost of all college jazz festivals," will be bands from Arizona State, Massachusetts Institute of Technology, University of Illinois, Ohio State and Michigan, Southern University of Baton Rouge, Shenandoah Conservatory of Virginia, Malcolm X College of Chicago, and others.

Festival judges will participate in a symposium "The Current State of Jazz," at 7:30 p.m. March 9 in Notre Dame's Center for Continuing Education. This session and a talk by Morganstern on "Jazz History" at 2 p.m. March 10 in the Memorial Library Auditorium are open to the public without charge.

Admission to evening sessions March 10 and 11 is $3. The afternoon session March 11 is $2, or one can purchase admission to all sessions for $5.

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THE OBSERVER

Wednesday, March 1, 1972
The leading scorer for the Wildcats is 6'4" junior guard Tom O'Mara, who averaged 18.5 points per contest, along with 10.2 rebounds. Ford, who had his minute penalty, and a $10.00 fine for...well for...ah, trying to expose Eagle female co-captain.

The leaders of the club are two holdovers from last year's fine team which beat Notre Dame badly at the Palestra. Hank Siemontkowski is 6'7" and averages 18.5 points per contest, along with 10.2 rebounds. Ford, who had his minute penalty, and a $10.00 fine for...well for...ah, trying to expose Eagle female co-captain.

All of this, the whole exhibition seemed to be a rather boring insult to anyone with an I.Q. of over 50, who paid to see twenty eight and half times. It was a bad show and a badDerby. But the resident Hoosiers loved it; those 2,000 plus who showed up. And actually it would be fair to mention that all the participants in the January exhibition (including the teams good skaters). But that is as far as any athletic excellence goes.

More important than being able to skate, is the ability to give an dramatic stunts for the Roller Derby artists seems to have been one important move in an endless repertoire of moves which beat Notre Dame badly at the Palestra. Hank Siemontkowski is 6'7" and averages 18.5 points per contest, along with 10.2 rebounds. Ford, who had his minute penalty, and a $10.00 fine for...well for...ah, trying to expose Eagle female co-captain.

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To renovate the Student Center

LaFortune contest open to all

University Vice-President for Student Affairs Fr. James Shilts and Student Government Research and Development Commissioner Ed Ellis announced yesterday a contest with a fifty dollar first prize for students interested in renovating LaFortune Student Center.

In a statement released yesterday, Fr. Shilts noted the request of the Board of Trustees for a "student survey... taken to include the physical facilities that would enhance social life in the residence halls and in a reconditioned LaFortune Student Center that could operate around the clock, possibly with all its present offices transferred elsewhere."

Fr. Shilts continued, "We are asking all interested students to draft and submit to the Office of the Assistant Vice-President for Student Affairs plans incorporating ideas for such renovations."

Items to be considered in the plans include the current location of the administrative and student offices in LaFortune, potential student usage, and cost.

Fr. Shilts said that some of the offices may be moved, but since this was not certain, plans could be submitted with or without the offices.

Proposals should be submitted to the Office of the Assistant Vice-President for Student Affairs by Friday, April 21. The proposals will be judged by a "qualified panel," and fifty dollars will be awarded to the author of the best plan, with 25 dollars going to the runnerup.

Editorial

"breach of contract" and "negligent misrepresentation.

Individual sophomores and juniors will also have grounds for suit if they feel they are receiving an inferior education, or believe they were demoted in salary to SMC with the impression that merger was imminent.

Although Singer has been contracted by student government, if the new class fails to extend the issue into a court case.

At a recent meeting the freshmen class promised to do so, but this decision was contested by the women members, who have scheduled a meeting for Thursday at Carroll Hall.

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Student Affairs plans in draft and submit to the Office of the Assistant Vice-President for Student Affairs.

Proposals should be submitted to the Office of the Assistant Vice-President for Student Affairs by Friday, April 21. The proposals will be judged by a "qualified panel," and fifty dollars will be awarded to the author of the best plan, with 25 dollars going to the runnerup.

Fr. Shilts, Collins, Didion and Vot. To get your gourmets with the Christmas season, English Michael Gracia, Sunshine Books, gastronomical celebration of life.

New 7th & 8th grade classical, Latin, Math and Science teachers. At least 1st year, 1st year. We're looking for instructors: Graduates of liberal arts. See Planners for details.

Keno Party Friday Night. All the kids you can handle, Cake free. Bring some good music. Contact: User LIPS. All ND students in residence. First Floor in the Legion Room. Michigan Avenue next to Morris's. Food and drink included. Admission: $2.00 (D), $1.50 (I).

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