River City Records

Owner admits to Who ticket fraud

By DIANE DIRRKS and MARK WORSCHIEHN
Senior Staff Reporters

The owner of River City Records, who has planned to use tickets sold by un­authorized "ticket brokers" as part of his Oct. 5 and Dec. 8 Who concert packages, has admitted last night that he had authorized "ticket brokers" as part of his Oct. 5 and Dec. 8 Who concert packages. The packages, offered for $149, each included a reserved seat for the performance in Chicago's Rosemont Horizon, round-trip bus transportation from South Bend and refreshments. Peter Kernan, River City's proprietor, had sold 280 packages for the first show and 100 for the second. He cancelled both bus trips within two days of the scheduled concerts.

Kathy Johnson — a representative of Co-ordinate Productions of St. Louis, one of the Who's promoters of the Who's Chicago shows — said yesterday that Kernan "had no way at all to get that many tickets without getting any permission from us, and he never did." According to Johnson, tickets were sold on a mail order basis only, with a six-ticket limit on any order. Blocks of tickets were distributed to some radio stations, but only with the approval of Co-ordinate Productions, she said.

"Nobody legitimate would be able to supply that many tickets to Kernan," she added. "It's a scam." After cancelling the Oct. 5 trip, Kernan offered his customers a choice — either a full refund or first priority to purchase bus trip packages for the Dec. 8 concert.

Kevin Finger, a sophomore from St. Ed's, said that he still was waiting for a refund from Kernan for the Oct­ober trip. "There were no tickets left for the concert," he said. "When we went to get our refund, he said to wait, call back later and then we'd have the money. He (Kernan) later gave us a check for $117 for all those tickets."

"When we went to get it cashed, it bounced," Finger continued. "The bank said he had no money to cover the check."

"We still don't have any money from him and are seeking legal recourse," he said.

Kernan replied that he thought most of the tickets were received and cashed and their refund checks. "It's not my fault that several hit the bank after the account was closed," he said.

"Others who received refund checks found that they only could be cashed at St. Joseph's Bank, where Kernan's account is in account. According to Pat Toole, a junior from St. Joseph's, "we gave him a check which he had to take to his bank and have the president OK it."

See WHO, page 6

Reeves concludes democracy is improving

By MARGARET FOSMOE
Saint Mary's Executive Editor

In 1831, Alexis de Tocqueville saw America as a successful democracy, noted by its policies, but getting better all the time. And in 1982, dedicated political columnist Richard Reeves sees America in much the same way.

Reeves came to this conclusion in 1979 after completing a modern version of Tocqueville's famous nineteenth-century journey to study American democracy. De Toc­queville was a noted French political philosopher, historian, columnist, author, and writer for New Yorker magazine, reflected on his modern journey last night as he lectured in the Library Auditorium.

While preparing for the tour, Reeves studied 11 notebooks and numerous letters that de Toc­queville wrote while making his 6-month journey. Reeves said de Tocqueville is most famous for the book he wrote about the trip, Democracy in America, but the notebook project that he later made descriptive impressions of de Toc­queville.

Reeves took the same journey as de Tocqueville and put the same questions to the modern counter­parts of the Americans de Toc­queville questioned. Like de Tocqueville, Reeves concluded that "there is such a thing as an American." The characteristic and values are the same ones de Toc­queville saw. There were no good old days.

De Tocqueville found the latest newspapers in homes on the American frontier, according to the columns he composed. Reeves found "Brazil" nineteen 60 Minutes, talking about Mike (Wallace) and Morley (Safer) they going back to their IBM terminals.

Reeves said that a traditional Sun­day Catholic Mass in Alaska con­cluded "this is America." He found the same dress, language, spirit, and habits along his journey.

Secondly, Reeves concluded that the U.S. is among the world's most viable and stable societies and that American democracy is indeed working very well.

"Democracy may not be doing what individuals want it to do, but it does the major candidates into life, liberty, and happiness." Reeves emphasized that com­See REEVES, page 5

Canadian strikers

Chrysler reaches tentative pact

HIGHGLEN PARK, Mich. (AP) — The Chrysler Corp. and the auto workers reached tentative agreement yesterday on an im­mediate wage increase that paves the way for the 10,000 U.S. Chrysler workers and the signing of a new contract for the 85,000 U.S. Chrysler workers.

"The Chrysler (bargaining) commitment voted unanimously to recom­mend the terms of a new economic agreement to the members," Fraser said.

"I'm glad it's over," added Thomas Miner, Chrysler vice president of in­ternational relations.

Neither side would detail terms of the agreement, although Fraser said there is a "big difference" between the U.S. and Canadian pacts.

A new Canadian agreement terms had been announced yesterday morning in Toronto, and top negotiators immediately flew back to Detroit to complete the U.S. talks. UAW bargainers also had refused to reveal the size of the Canadian pay raise, but earlier this week they had rejected a cents an hour raise for the left and file demand at least 14 hours.

The raise, negotiated in talks that began Nov. 22, was "substantial," said Ken Gerad, president of the Canadian UAW bargaining commit­tee. "We're ready to see that the company came here with the amount of money that we were looking for. I'm sure the membership will ratify it without any problems." U.S. workers wanted at least 50 cents an hour boost, local union offi­cials said.

Ratification voting for the 10,000 Canadian Chrysler workers was tentatively scheduled for Saturday and Sunday and the striking Canadian auto workers should be able to return to work Monday, Robert White, director of the Canadian UAW said at a Toronto news conference.

Fraser said U.S. local unit-offi­cials would decide when to hold ratification votes.

"We don't have to hurry," he added.

About 4,600 U.S. Chrysler workers were laid off because of parts shortages from the Canadian strike, and they probably will return two or three days after Canadian plants resume operation, Miner said.

The sides planned to con­clude bargaining later yesterday and meet again today to finish up any loose ends, officials said.

The latest round of talks begin­ning Nov. 22 was designed to reach agreements simultaneously in the U.S. and Canada. Earlier U.S. talks snagged over the pay raise issue Oct. 18 and negotia­tions broke off. Canadian talks had ended Nov. 5.

Chrysler Chairman Lee Iacocca said last week that Canadian workers must be back on the job by Monday or Chrysler would recall in Canada and the United States until January. He said it would not be worthwhile to resume Canadian production briefly before the tradi­tional weeklong Christmas shut­down, when workers look forward to six paid days off.

Athletic department 'willing to share' bill

By ANNE MONASTYRFSKI
Senior Staff Reporter

Although the Athletic Department said it will pay the bill for damages to the Transpo buses incurred after the Pitt game, the depart­ment is "willing to share" (the bill) with the student body, according to Joe O'Brien, assistant director and business manager of athletics. Father John Van Wolvel, vice president of student affairs an­nounced at the Tuesday's Board of President's Council meeting that O'Brien would pay the damages incurred by the students.

"We have a good long-term relationship with Transpo. When a bill comes, we're going to pay it," O'Brien said that he will wait for Student Body President Lloyd Boykin's committee to complete the investigation.

Burke stands by the Student Senate's decision not to pay the bill because of the "risk" involved. He believes that if the student govern­ment paid for the damages, the act would "set a precedent" holding student government accountable for any action, regardless of who sponsored the event.

See SENATE, page 6

The Independent student newspaper serving Notre Dame and Saint Mary's

VOL. XVIII, NO. 70

FRIDAY, DECEMBER 10, 1982

'82 movies - page 8

Author, columnist and writer Richard Reeves reflected on American Democracy in a lecture last evening in the Library Auditorium. Reeves completed a journey of the United States in 1979 and concluded that democracy is working very well. (Photo by Scott Rower)
I.

Authorities said the restaurant's bull often is snatched by teen-agers for good grades to come in," Betty Ruczynski, operator with her husband, seemed resigned to the plan. "We want to encourage the kids with every A and two tokens for every B. No rewards are given for lower grades, said Joseph Mischley, principal of Thunder Bay Junior High. He appreciates "anyone in the business community recognizing the hippos' figure has been upstaged by competing wildlife — the hippo is frequently used in parades all over the country and it seems years away as we prepare for this semester's battle with final exams. Last-minute cramming to review in time to mention studying for next week's finals, has taken the place of any possible thoughts on what the best deal on Aunt Jane's nightgown. She may just have to settle for a genuine bookstore bought picture of the good ol' Gold Room. When one thinks about things like these, one begins to wonder what in the world we are doing here until the 22nd of December anyway. The logic of this idea eludes me. There really seems to be no logical reason to keep 9,000 people here until three days before Christmas. It seems that nothing but problems can develop from running the semester so close to Christmas Day.

First of all, even the lucky students who manage to return home a few days before the rest of us are faced with a hard time studying for finals. No matter how much work students are faced with, visions of sugar plums cannot be far off. Also, with the unpredictability of South Bend's weather, chances are that when this holiday season comes we will all leave to join our families. Lake Michigan will turn on us and hit us with the first major storm of the year. Anybody for Christmas Eve at Michiana Regional?

The answer to this problem is to end the semester a week earlier. No, that doesn't mean Emil will only have time to give 11 quizzes. We'd simply start the semester a week earlier.

So, now don't get mad, it really isn't that bad an idea. We would come back to South Bend a week earlier, when the weather is normal, prettily nice, and we could leave a week earlier, giving us all time to get ready for Christmas Day.

Just think of the bargain you could get on that nightgown with nearly two weeks to shop for it instead of two days.

In the meantime, we guess we'll just have to do the best we can. If we can't go home, we can't, we guess we'll just have to bring the Christmas season to campus. The tree in the window seems to be changing from the loft (though it never seems to work) into simple ways of making the best of the situation, and they do make Christmas seem closer, despite the fact that it is at least four final exams away.

In the meantime, I guess one has no choice but to carry on. It is really all about, or wish someone a Merry Christmas, specially trip to the grotto to remember what Christmas is really all about, or wish someone a Merry Christmas, especially a special trip to the grotto to remember what Christmas is really all about, or wish someone a Merry Christmas, is really all about, or wish someone a Merry Christmas.

Good grades in school are being rewarded at two video game arcades in Alpena. Mich. by promoters who have given away $15,000 to token young students in a week. School Night, a large bull statue. Sometimes early Wednesday, pranksters abducted the life-size fiberglass Angus bull statue that stood watch outside the Black Angus Restaurant. "Apparently, someone got in (our) building and..."

The Observer
Out-of-court settlement reached

By MARY ANN POTTER
Staff Reporter

A federal court suit filed against the city of South Bend after the arrest of seven women who were accused of underage drinking has resulted in a settlement.

Each of the seven women named in the suit were awarded $1,500 in compensatory damages. In addition, $3,000 was allocated for the payment of court costs. The suit stated that the women's rights under the Fourth, Fifth and Fourteenth Amendments and federal law had been violated.

The suit was filed by the women against the city of South Bend, the police chief, and the city's police department.

The settlement was reached after the city and the women's attorneys negotiated a settlement. The city agreed to pay the women $1,500 each in compensatory damages and $3,000 in court costs.

The suit was filed in September 1981 and was set for a trial in January 1982.

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The suit was filed in September 1981 and was set for a trial in January 1982.

Attention All Juniors:

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Friday, December 10, 1982—page 3
**Greg Sobkowski**

**Per couple**

Lost when you thought night, and on Sunday nearly everyone attending Mass pauses in front of the shrine for a few minutes. (AP Photo)

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**Lech Walesa walks past the new construction of St. Bridget’s Church in Gdańsk. In one corner of the church stands a shrine to Solidarity which attracts about 50 people an hour on a Saturday night, and on Sunday nearly everyone attending Mass pauses in front of the shrine for a few minutes. (AP Photo)**

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**The Notre Dame Student Union presents:**

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Dec. 12 - "DIAL"

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Dec. 15 - "TO CATCH A THIEF"

Dec. 16 - "HIGH SOCIETY"

All shows 8 pm

Engineering Auditorium — $1.00

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**SALT LAKE CITY (AP) — Barney B. Clark today began his second week of life sustained by an artificial heart that has "worked beautifully," with doctors hopeful he may soon leave the critical list after treatment for seizures.**

Clark has been responding well to diet and medication aimed at correcting a chemical imbalance blamed for a series of seizures early Tuesday, said Dr. Chase Petersen, vice president of health science for the University of Utah.

The 63-year-old retired dentist can be moved off the critical list in a day or two if no more complications develop, Petersen said Wednesday.

"Dr. Clark is not now primarily an artificial heart patient. He is simply a seriously ill post-operative surgical patient," Petersen said. "The pump, in all cases, has worked beautifully. It hasn't missed a beat. It's been an asset."

But Petersen said doctors are still cautious. "He's had a number of complications and could have worse," he said.

Clark was near death from an inoperable degenerative heart disease Dec. 2 when his heart was replaced with a polyurethane device powered by compressed air — the world's first permanent artificial heart.

Still on a respirator, Clark is "two-thirds of the way out of this last complication, able to respond to words and to 'point and raise his arms and legs,'" Petersen said.

Doctors were giving Clark a thin "semi-digested" grain of natural nutrients through a stomach tube in an attempt to balance his body chemistry.

"What we want to do is give him a range of foods and salts from which he will pick up what he needs," Petersen said.

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**Sealys resumes tale of infant death today**

**CHARLOTTE, Mich. (AP) — Ken-**

**neth Sealys will continue the somber**

**tale of his infant daughter's death for**

**an Eaton County jury today as he**

**defends himself against charges he**

**caused her to die.**

"My child was improving," the 25-year-old surburban Lansing man told a circuit court jury Wednesday as he took the witness stand in his own defense.

Prosecutors accuse him of "gross negligence" and have charged Sealys with involuntary manslaughter for his refusal to provide adequate medical care for his child because of his religious beliefs.

Sealys testified that he delivered the baby in his Delta Township apartment 11 days before her death March 11. It was an Ashen color that was disappearing, he said, the infant had little trouble breathing, eating or moving until the day before her death.

Even though the child had stopped breathing once, repeatedly had apparent seizures and was expelling a dark substance from her nose or mouth, Sealys said, he did not seek medical help because the baby was in serious danger.

However, early on March 11, the baby stopped breathing again and this time could not be revived.

"She just stopped breathing," a sobbing Sealys said. He said he and others tried to bring her back to life but failed.

"I held onto my baby for awhile. I fell asleep with her on my chest," he told the jury. About 10 hours later, he took her under his sweater into a Sheriff's Department station.

Sealys and his wife Bonnie — who goes by real Jan. 3, — face up to 15 years in prison if convicted.

The infant's death was attributed to dehydration and pneumonia, and she also suffered from jaundice. Doctors have testified all the ailments and could have been saved if medical care had been sought up to the day before her death.

Although six adults were present in the apartment in the hours before Cari's death, no one called a doctor, Sealys testified.

Earlier, just before resting his case, Assistant Prosecutor Michael Hocking read an interview with Sealys in which he described his religious beliefs.

"I don't go to doctors personally," Sealys told the officer. "I'm responsible to a higher authority."

Sealys said he was a member of an "assembly" of about 100 people who held similar religious views, but which does not have an official name.

"I am seeking a physician or doc- tor when I am seeking the Lord for God can't help her, no man can," he said.

"I didn't know she was deathly ill until she died," he said of the baby. The trial is scheduled to resume today after a day off yesterday.

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Three specific criteria that are legally presumed dead, more than seven years after they vanished, can he co mur said.

Teamsters President James R. Hoffa said.

The younger Hoffa petitioned the court in July for a presumption of death, and a notice was published once a month for four months to

America, however, is moving toward "mass" democracy. Americans have learned that "representative government" should be at the center of the nation's political life, said H e

One man Reeves encountered on his trip concluded that the trends in American democracy are not wholly bad. "The people are happy," quoted Reeves, "if there were one demagogue, we'd be in trouble. But there are so many, they cancel each other out."

Reeves views modern America as being democratized by electronic communication. "Leaders are losing the ability to control communication," he said, "we (the public) get the information at the same time as the president."

Reeves is the author of a number of books, including "Ford," "Lincoln," Old Faces of 1976, Con

Reeves and "important" hope. Reeves remains hopeful about the possibilities of dealing with racism. "Being American is believing we can be better as a people than we see ourselves," he said.

Democracy is getting better Reeves concluded from his journey. Reeves concludes the story of his American journey.

The Observer

The Observer wants you.

Look for job opportunities and meetings at the beginning of next semester.

The Observer continues from page 3

their purposes of setting his estate. The younger Hoffa petitioned the court in July for a presumption of death, and a notice was published once a month for four months to

hinder anyone who may have claims to the estate. No one has been made.

The FBI continues to investigate Hoffa's disappearance. FBI spokes

Jim Webster and his wife pause to inspect the rubble stream around their home in the flood stricken town of Marysville, Ohio. City officials say the town was virtually destroyed by the flooding Meramec River. Several years ago, residents of the town had voted not to participate in the federal flood insurance program. (AP Photo)

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L I M I T E D  R E G I S T R A T I O N
Michigan eyes prisoners' laws

LANING, Mich. (AP) — Time off from prison for good behavior — eliminated for many criminals by state voters in 1978 — would be available again to all inmates under two bills that cleared the state House yesterday.

Under the legislation, which now goes to the Senate, inmates not now eligible for "good time" credit could get up to a week lumped off their sentences for each month of good conduct behind bars.

When voters passed Proposal B in 1978, they barred "good time" for inmates convicted of assaultive crimes and most crimes against property.

All inmates previously were eligible for up to 22 days off for each month of good behavior.

The proposed scaled-down system of "disciplinary credits" is meant to encourage good conduct among the most difficult inmates in Michigan prisons by giving them an incentive to behave.

The bills sponsored by Rep. Alan Cropsey, R-DeWitt, cleared House on votes of 90-10 and 86-13 without debate.

A three-fourths vote of the House, or 85 votes, was needed to pass each bill since they would amend legislation.

The new system is supported by the state Department of Corrections, Michigan sheriffs and police chiefs, and state prison guards who hope it will help maintain order in the penal system.

In addition, the Michigan Prison Overcrowding Project estimated the legislation could save the state up to $916 million in future costs by helping to control the population of the state corrections system.

Oakland County Prosecutor L. Brooks Patterson, who led the petition drive that placed Proposal B on the 1978 state ballot, blasted it as an attempt to get around the will of the people.

Under the new plan, inmates deemed "good time" could automatically earn five days of "disciplinary credit" for each month in which they committed no major misconduct.

They could win another two days of credit for any month in which their behavior was especially good.

House Corrections Chairman Jeffrey Padden, D-Wyandotte, who helped guide the bills to passage, admitted they faced an uphill battle in the state Senate, since little time remains before the lame-duck legislature adjourns.

Supporters of the legislation maintain that voters were misguided into believing that passage of Proposal B would reduce crime by barring excessive leniency for felons.

The Michigan crime rate in 1978 was 55.5 per 1,000 people, compared with 67.7 per 1,000 people in 1981, according to a House analysis.

...Who

continued from page 1

The Notre Dame Credit Union would not cash any of River City's checks.

Kernan had told "The Observer" Monday that he had reserved three buses from Indiana Motor Bus Co., but a representative for the company said that no reservations were made. Last night, Kernan claimed he had spoken with a dispatcher for the company two to three weeks before the Dec. 8 concert, advising him that he may need buses, but admitted that no formal reservations had been made.

"In practice, I had the ability to get the buses even as late as the day of the trip," Kernan said.

Kernan cancelled the first trip after his ticket source backed out of an alleged verbal contract. He blamed the upcoming video telecast of a Who concert in Stepan Center for a rash of cancellations of the Dec. 8 package. He said that only 35 people remained committed to the trip.

Kernan said that if he could not put together a bus package for the Dec. 8 concert, he did not want to sell the tickets at a scalper's markup.

Though he said he was purchasing tickets at inflated prices from a Chicago ticket broker, he commented, "I was not interested in selling tickets to customers over the counter. I chose not to handle tickets in that fashion." he said, claiming it would be "unethical."

Kernan said he wanted to "keep his options open," and therefore, did not cancel the trip until Monday. "Even when money is tight, a lot of business can be obtained right before the show." However, the last advertising that Kernan could recall placing was on radio station WAOK during the week of Thanksgiving, two weeks before the concert.

"Why keep dumping money into these thing?" Kernan said.

Kernan said that certified checks were being prepared and would be mailed this weekend to all who had purchased the Dec. 8 package. The checks should arrive early next week, he said.

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Bubba Smith and Dick Butkus

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Jeffrey L. Masson

Wednesday, December 8, 1982 — page 7

The Observer

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December 10, 1982 — page 7

Hello the world of cellular radio

Were you the first person on your block to have a "Fong" game? Did you buy a "Walkman" before they became a fad? Have you looked into getting a wide-screen television set for the living room back home? Well, here's good news for you. There is a new technological fast-to-be — cellular radio, and it's just around the corner. In the last month, the FCC has begun granting licenses for cellular radio. Estimates vary, but the estimated market size for cellular radio is a major city. Cellular radio really has little to do with the kind of radio that plays the latest hits. It is a system of remote telephones that will eventually be able to total all the phones in the area. The concept is similar to that of today's increasingly common cordless phones. It is also similar to the concept of "beepers," the ringing devices that doctors wear on their belts.

The concept is simple. First of all, many of its members feel that many of its rules are never changed, and if they are it is done so reluctantly and without the consent of the majority of the members. Together, these laws are binding, but each case is different. These laws can be enacted ranging from such major issues as the rhythm method is okay, the pill isn't. On the other hand, abstinence makes a marriage null. What's the point? The point is that there are regulations on everything from parking on a street on odd-dated Tuesdays. These laws are binding, but each case is different. These laws can be enacted ranging from such major issues as capital punishment as a means of maintaining law and order in a hostile society. Capital punishment is supported by cruel and unusual methods used to prevent him from doing any harm to society. The use of capital punishment may appeal to the lowest level of human civilization, but it is cruel, senseless, and part of the most savage elements which remain in humanity. In other words, capital punishment should be abolished forever. The Church was meant to be a divine institution, yet translated into human terms it becomes hierarchical. There is no thing wrong with that. However, when the Church becomes too hierarchical, most of its members feel that many of its rules do not apply to them, it's time to bring the congregation and the hierarchical body back together. A democracy, majority rules. Laws are enacted ranging from such major issues as murder and abortion to issues as subjective as parking on a street on odd-dated Tuesdays. These laws are binding, but each case is different. These laws can be enacted ranging from such major issues as capital punishment as a means of maintaining law and order in a hostile society. Capital punishment is supported by cruel and unusual methods used to prevent him from doing any harm to society. The use of capital punishment may appeal to the lowest level of human civilization, but it is cruel, senseless, and part of the most savage elements which remain in humanity. In other words, capital punishment should be abolished forever.

This is where the Church stands. The Church is the institution of order and justice. The Church is the institution of the right thing to do. It's all scientific now because two lives have been taken, both unfortunately, the second one is the death of a woman who had been pregnant. In all of the righteous talk about law and order, few people have seen the fitful words of Thomas Jefferson in a Declaration of Independence about an unreasonable right called Life. Also forgotten seems to be the Constitution, which says that the right to life is a natural right. Life is such a precious and mysterious quality that it is neither understood nor appreciated by human beings. I don't understand how the legal system can play God and determine that someone must die. What I find tragic is that in the eyes of many of the members of the society, all are accomplices to a public sanctioning of murder through our passive acceptance of the death penalty.

I've heard all of the rhetoric about the need for capital punishment as a means of maintaining law and order in a hostile society. Capital punishment is supported by cruel and unusual methods used to prevent him from doing any harm to society. The use of capital punishment may appeal to the lowest level of human civilization, but it is cruel, senseless, and part of the most savage elements which remain in humanity. In other words, capital punishment should be abolished forever.

Jesus Christ can look at the present state of his institution and shake his head and say: 'You've missed the point, my 20th century friends.' Catholicism has lost a lot in the translation from principles to practice. 'The Church was meant to be a divine institution, yet translated into human terms it becomes hierarchical. There is no thing wrong with that. However, when the Church becomes too hierarchical, most of its members feel that many of its rules do not apply to them, it's time to bring the congregation and the hierarchical body back together. A democracy, majority rules. Laws are enacted ranging from such major issues as murder and abortion to issues as subjective as parking on a street on odd-dated Tuesdays. These laws are binding, but each case is different. These laws can be enacted ranging from such major issues as capital punishment as a means of maintaining law and order in a hostile society. Capital punishment is supported by cruel and unusual methods used to prevent him from doing any harm to society. The use of capital punishment may appeal to the lowest level of human civilization, but it is cruel, senseless, and part of the most savage elements which remain in humanity. In other words, capital punishment should be abolished forever. This is where the Church stands. The Church is the institution of order and justice. The Church is the institution of the right thing to do. It's all scientific now because two lives have been taken, both unfortunately, the second one is the death of a woman who had been pregnant. In all of the righteous talk about law and order, few people have seen the fitful words of Thomas Jefferson in a Declaration of Independence about an unreasonable right called Life. Also forgotten seems to be the Constitution, which says that the right to life is a natural right. Life is such a precious and mysterious quality that it is neither understood nor appreciated by human beings. I don't understand how the legal system can play God and determine that someone must die. What I find tragic is that in the eyes of many of the members of the society, all are accomplices to a public sanctioning of murder through our passive acceptance of the death penalty.

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The best movies of 1982

Ensemble finds unity in variety

Percussion music ranging from an Elizabethan chamber pieces to ragtime, the 13-member ensemble demonstrated yesterday afternoon that the quality of performance need not be sacrificed in order to present an assortment of musical styles. The 13-member ensemble

Tori Brown

music review

In music, how I ever came up with such a title sounds like something remaining pieces required three brass instrumentalists on trumpet. The basic filmic yearn of “show what you really want the audience to see” has remained in many films. The urge for something different however led to the success of so many films such as those produced by Georges Melies. Melies was known for playing with his image in films like A Trip to the Moon, which marked the birth of the particularly important motion picture element that reality can only exist in films.

In any case, not to say you are looking for a drum roll going in your head, here, in a phrasal order, are my selections for the five best films of 1982:


A lot of you might be wondering how I ever came up with such a diverse lot of films. Well, as you may well have already guessed, I’ve not given an explanation at all. Many film historians argue that most film developed from two major roots. The Lumiere brothers made some of the first commercial films in the 1890’s featuring single shot cinematic events such as Truth Departing at Main and Workers Leaving the Lumiere Factory. In time audiences got bored with looking at simple real-time events. The basic filmic yearn of “show what you really want the audience to see” has remained in many films. The urge for something different however led to the success of so many films such as those produced by Georges Melies. Melies was known for playing with his image in films like A Trip to the Moon, which marked the birth of the particularly important motion picture element that reality can only exist in films.

For any of you who have chosen for your last list of films to consider a reality that however close to mine these two extremes. The most important element they all share is the authentically human characters which people each of the films but doesn’t really mean that it is the way in which the reality exists in the real world before the images are imposed upon it by the audience. Most impressive was the versatility of the ensemble while drawing the audience into the enjoyment with which they performed.

The ensemble, small as it was, was able to unify the sound of the various instruments and present a wholeistic picture of music.

Conductor Bryant explained that “flexible arranging,” a technique which enables everyone part to be covered by a variety of instruments, was employed in Bach’s “ Prelude and Fugue.” There was a considerable difference in character in the two sections. Bach’s prelude seemed to demand virtuosic talents, causing them to strive more for accuracy of technique while the instrumentation in the prelude, character of the piece at times it was apparent that there was a certain amount of hesitation on the part of the instrumentalists. The jazz interpretations various parts lacked cohesion and clarity in rhythm. What makes E.T. succeed by showing the propelling force behind the fugue. The international musical was performed with excellent precision. The ensemble, small as it was, seemed to be instinctive, allowing the musicians to provide the cohesive force behind the Canon section, the contrast to Wilson’s trombone in the Fantasia section and the blend of the Ayre section. The “true” winner of the most engaging selections of the entire program. E.T. is a film that one can’t wait to see again. Some of the audience members even played along with the music as they listened to the performance.

Herr’s the movie column you’ve been waiting for. Yes, it is once again time for the best movies of the year — in my opinion at least. This year, more than any other, I feel as though I might be doing more of a service than just giving Notre Dame the year — in my opinion at least. This year, more than any other, I feel as though I might be doing more of a service than just giving Notre Dame the

Dennis Chafouleas

movie review

cable TV movie channels in America’s living rooms, the opportunity for the public to see some of the year’s best movies has also increased. Maybe you’ll get to see what I’m talking about.

In addition, I should also state that this list represents selections I’ve made according to the movies I’ve seen. I’ve seen, Tintin, and Rob, or Flaming Hour might very well have been magnificent films, but I’ve never had the chance to see them.

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Friday, December 10, 1982 — page 8

SHOWCASE

Ensemble finds unity in variety

Performer music ranging from an Elizabethan chamber pieces to ragtime, the 13-member ensemble demonstrated yesterday afternoon that the quality of performance need not be sacrificed in order to present an assortment of musical styles. The 13-member ensemble demonstrated yesterday afternoon that the quality of performance need not be sacrificed in order to present an assortment of musical styles. The 13-member ensemble
The Viper's sin

Hypocrisy is such an egregious sin — smacking of breath with pride and conventions — that our Lord denounced it as a generation of vipers. I was thrilled the other day to read in the paper that Lay people only have to accuse a cleric of being a thief, a liar, a libertine, an idolater. ...In our day, he thought, because as a boy, he had吹过. It hurt him deeply to have a son who wanted to be a thief, a liar, a libertine, an idolater. It is the priest's duty to wear it. If I play the hypocrite, I know my conscience admits to the unfailing attention of the worm that dieth never.

Hypocrisy is the priest's entitles him to the unfailing attention of the worm that dieth never.

A priest, if he's been around for twenty years or more, is probably not much better or worse than your own father. Man everyday 1 have to talk about sex, a lot of it, to keep people from thinking that I'm just a homosexual. I wish you would go easy with the label "sexologist". The Church expects her priests to make serious mistakes, and encourages them to go to confession with the expectation that they will always be able to come back. The Universe is big, and we may not be able to survive.

I would never quitter in print with a student's opinion. I try to be faithful to all I believe, but I don't usually suspect 1 sin an idea he's not understanding. We have to be like him. We are not going to the seminary. Catholic priests were the arch-adulterers and drunkards to hypocritical preachers.

The University of Notre Dame Chapel, under the direction of Father Paul Marotz, will present a Christmas concert Sunday evening at 8 p.m. in the Engineering Auditorium. The evening will feature Matt Winn, concertmaster of the University Symphony Orchestra; Donald Pearsall, associate director of Notre Dame University; and Paul Marotz, director of the University Symphony Orchestra. The concert will include works by M. H. Praetorius, J. Bach, F. Mendelssohn, and F. Schubert.

Juggler: For closet intellectuals

A juggler, Juggler: For closet intellectuals, is the same as a sometime juggler of the South Bend Avenue porch of a South Bend Avenue, who cannot remember the days of the Fox Trot, the Boogie Step or the dances that became the rage in the marathon days of the thirties. Dan O'Day of the Dan O'Day Dance Studio, will give lessons starting at 8:30 p.m. At the end of the instruction period, approximately 9:30 p.m. Mr. O'Day and his partner from the studio will demonstrate the technique. Anyone who has learned the moves, the dance itself, will be permitted to dance with them.

The Observer Features Section

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CEN Colleges enjoy many unique entertainment events like The WHO presented live via satellite. You can share in this historic event with millions of WHO fans at CEN campuses and large screen concert video centers everywhere.

FOR MORE INFORMATION CONTACT YOUR STUDENT ACTIVITIES BOARD OR YOUR LOCAL ROCK RADIO STATION.
Men's and women's swimmers will travel to one of the nation's fastest pools tomorrow as the Irish take on the Wake Forest Demon Deacons. The meet will be held in less than a week at Crypto.com Arena. The Demon Deacons will host the meet on March 18th at 9:00 AM, and all tickets are free.

The Irish swimmers will headline a meet against the Demon Deacons on March 18th. The meet will be held at 9:00 AM on March 18th at Crypto.com Arena. The Demon Deacons will host the meet at 9:00 AM on March 18th at Crypto.com Arena. The Irish will headline the pool for the meet on March 18th.

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continued from page 16

a capacity of 3022. Walk on Karl
Love saw his first action of the
season and three seconds after he
entered he was fouled. Love did not
waste the opportunity, converting the
two-point shot from the foul
line. Students cheered for Stag
pitcher Greg Schwartz to get into
the game. The 6-2 freshman from
Birmingham (Michigan) Brother Rice
High School (same school that
produced Irish center Tim Andreo) failed to score in his two minutes of
action but did haul down one
rebound to prompt a thunderous
ovation.

Yesterday's Results
Notre Dame 92; Fairfield 70
Fairfield (70)
M FGA FT A R P
Yerna 74 29 6 0 0 1 4
Johnson 29 16 6 1 0 0 1 6
Thompson 16 6 1 0 0 1 1 6
Mar 38 15 6 1 0 0 1 6
George 38 16 4 8 1 2 2 2 2
O'Toole 5 1 1 1 1 1 1 0
Leonard 11 0 1 0 1 1 1 1 1
Caravella 2 0 1 2 0 1 1 1
Schwatt 2 0 1 0 0 0 2 2
Pitts 3 2 0 0 0 0 0 0 6
Byrne 5 3 6 0 0 0 6
Golden 7 0 4 0 0 0 2 7 0
200-267-1928 25 71

Notre Dame (92)
M FGA FT A R P
Voler 31 14 5 0 0 1 4
Kempsey 21 10 6 1 0 0 1 6
Browne 31 17 5 1 0 0 1 6
Rapon 37 7 1 1 2 2 2 1 4
Proch 31 17 5 1 0 1 0 0 2
Buchman 6 0 0 0 0 0 0 0 0
Dolan 3 1 1 0 0 0 0 0 0
Dolan 3 1 1 0 0 0 0 0 0
Clairs - Rich Weiler, Eric Harmon, Ed
Hightower (All Big Ten A. 10 250)

NOTRE DAME STUDENT UNION
PRESENTS
SPRING BREAK IN DAYTONA BEACH

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• Seven nights accommodations in the exciting Plaza Hotel of
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most demanded hotel on the strip at that time.
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pool deck parties and belly flop contest.
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night. The hotel is a four story brick, red roofed hotel, four bars, retailer, live music, and plenty of action. Parties are
always happening here but this hotel is maintained by super
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continued from page 16

Steve Ely (19) rushes into last Friday night's hockey fray to help
NJ>.

A  NO REFUNDS
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• Round trip motor coach transportation via modern highway
coaches to Daytona Beach, Florida leaving Friday, March 11.
• Seven nights accommodations in the exciting Plaza Hotel of
Daytona Beach. Located at 600 North Atlantic Ave., it is the
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Big Green rolling into ACC

By RICH O'CONNOR
Sports Writer

Notre Dame's win over a tough Fairfield team last night was another step in the right direction for Irish basketball. Notre Dame hopes to continue its progress as it plays host to an improved Dartmouth squad tomorrow afternoon at 1:30 at the ACC.

Two starters return from the Big Green's 7-10 team a year ago. That may not seem like an improvement, but juniors Paul Anderson and Brian Burke have learned much from the experience. While Dartmouth's expectations do not include either a national or even an Ivy League championship, there has been progress.

Anderson holds down the center spot for the Big Green and averages 13 points and six rebounds a game. He led the team in scoring, rebounding, and shot blocking last season. Anderson's total of 174 rebounds in 26 games also led the Ivy League —although he is only 6-5.

Burke, a 6-5 forward, averages 13 points and five rebounds from his spot. 6-6 senior Matt Stewart also returns to inherit the remaining front court slot. Stewart is averaging 12 points and six rebounds a game for Dartmouth.

With backcourt players Taylor Conlan and Derek Sells, both sophomores, rounding out Dartmouth's starting five, the Big Green shows signs of breaking their string of losing seasons at three — and searching for only their fifth winning season in the last 20 years.

The improvement is already noticeable. Dartmouth comes to the ACC with a 2-0 record after wins over Bowdoin (81-65) and Harvard (63-61). Against Bowdoin, Dartmouth placed 13 players in the scoring column, with three in double figures. The victory over Harvard was the first for the Big Green over the Crimson since 1979, and they did it in the final five minutes. Dartmouth converted 1 of 18 attemps last season Harvard defeated Dartmouth, 90-66.

The main difference in the play of these teams is in their two games this year. Big Green coach Tim Cohane played 14 people in one game, and in the other, senior captain Steve McNamara, sophomore Aaron Hill and a nine player freshmen class are among the major contributors.

"Overall, the team will be improved in all areas from last season," says Cohane. "We feel we've had three recruiting classes in the past three years that — if combined — match up with the top four in the Ivy League. Now we need one more year of development and recruiting to move into the first division.

"We're very excited about playing Notre Dame. It'll be a good experience for the kids. We have absolutely nothing to lose by going there to play."

While no one will mistake Dartmouth for an Indiana, a Kentucky or a UCLA, the game will be a test for Notre Dame's freshmen to see how well they've learned the lessons of the past week.

"The freshmen learned that they can play with the best college basketball has to offer," says Irish coach Digger Phelps. "Now we'll use what we learned to make us a better basketball team.

In Dartmouth's first action since the completion of final exams, Phelps should have the opportunity to play most of his 13-man squad.

"We're still experimenting with some things in this stage of the season," says Phelps, "but more than anything, we're trying to get the freshmen comfortable with their roles and feeling comfortable asserting themselves when they're on the court.

"These guys have talent, and these early games tell them and tell us as coaches where they stand, and where they need work. We also hope that having some success will give them the confidence to go out and play on a consistent basis.

After tomorrow's game, the Irish will take ten days off for their own finals. Their season resumes Wed., Dec. 22 against Valparaiso.
Hockey weekend

Ely leads fractured defense

By STEVE LABATE
Sports Writer

Irish defenseman Steve Ely, here cracking up a shot from the point, will try to play despite injuries in this weekend's series against Ohio State. See Steve Leahy's story at right. (Photo by Paul Cifferelli)

What does Ely think of his streak of bad luck? "I can't believe it," he commented. "I'm going to try and play Friday (tonight), and if I can't, I'll be ready Saturday. I've been sleeping all week." Coach Lefty Smith isn't as optimistic. According to Lefty, Ely is out for tonight's game and has a 75 percent chance of suiting up tomorrow. Smith expects a physical series this weekend as the Irish play host to the Buckeyes of Ohio State. If he plays, Ely (1.2. 205 pounds) could be a significant factor in the series.

Coach Smith lamented, "Steve being out could hamper us. We hope that it (Ely not playing) doesn't have a dunning effect on us." These words may sound somewhat strange when you consider that Steve Ely has not scored a goal or assisted on one so far this season. What is then that adds to the team that makes him so valuable?

"He's very physical, very enthusiastic, and it rubs off on the team," commented Smith. "With his size and strength he provides us with muscle back there (on defense)."

Although he has only come as of late, Ely will be the first to tell you that his play is the result of hard work and determination. A secondsemester ineligibility was a real set back for him because he was not allowed to skate with the team. "Yeah, I've been very pleased with my progress. My confidence is very high right now," remarked Steve. "I don't feel that I've reached my peak though, there's a long way to go."

Ely showed just how far he has come last Saturday afternoon against MSU in the third period of a game already decided. It was then that he played like a man possessed. He hit everything in a green uniform. But don't call Steve an enforcer. "I don't like the word enforcer, maybe a motivator is more like it," Ely continued. "I'm just a friend of my goalie."

Ely's best performance came on a weekend in which the Irish Hockey team appeared to come into its own. At least Lefty Smith is inclined to think that way. "Their enthusiasm and work ethic has really been excellent this week in practice. Their spirit has been the best the best it has been since the beginning of the season."

They will need excellent performances again this weekend if they are to sweep Ohio State. Coach Smith assessed the Buckeyes, "Ohio State is an excellent club. They beat and held Bowling Green, so that should give you an idea of how good they are. They have an excellent goalie (John Dougan, 2.90 goals against) and are strong up front. I expect it to be a very difficult series."

The Buckeyes are coming off a win and a tie against Northern Michigan. They are 6-4-2 in CCHA play (5th place). Juniors Dave Kobryn (7 goals, 23 points), Andy Browne (7 goals, 16 assists) and twin brothers, Paul and Perry Pooteay (16-20 points respectively) will lead the Ohio State offensive attack.

Trying to keep the puck out of the net for the Irish will be senior goalie Bob McNamara, who returns to action after missing the MIU series with a concussion. On defense, Rex Bellomy will shift from his normal center spot to defensemen should Ely sit out.

However the Irish could certainly use a strong body like Ely's this weekend. His presence gives the whole team more confidence on the ice. Ely admits, "I think they (his teammates) enjoy seeing me out on the ice. I suspect I will see a lot of ice time."

Ely served warming to the Buckeyes by concluding, "Never mind the infection, I'll be ready and it will be physical."

The opening face off will be 8 p.m. at the Athletic and Convocation Center.

When the party is BYOB (Bring Your Own Brush), you find out who your friends are.

Friends aren't hard to find when you're out to share a good time. But the crowd sure thins out when there's work to do. And the ones who stick around deserve something special.

Tonight, let it be Löwenbräu.

Löwenbräu. Here's to good friends.
Doonesbu

Simon

Hey T r u e d a u l !! W h a t ' s T h i s ?? Y o u G o n n a Q u i t P ? ?

What are you? Some kind of "Whoop!"?

Garry Trudeau

(Left) (Right)

Fate

So, this is the Third Floor. It's kinda quiet and smoky up here.

Here this is you m a n y t i m e s. I h a d n ' t b e e n h e r e s i n c e m y last v i s i t . W h a t ' s Y o u ll g o t h i n t h e n e x t ? "

That's father's rule. W o u l d y o u r e f e r t o t h a t ? "

They called me 'W O U L D Y ' . I t ' s n e a t , I g u e s s . W e ' l l c o m e t h i s a g a i n , m y f a t h e r ."

The Daily Crossword

ACROSS

1. Manuf. — 32. Make a touchdown
2. Perth — 33. Sacred image
5. Pore — 34. Solo
10. Historic island — 35. Solo
12. Of a chain — 36. Solo
15. Of blood — 37. Solo
16. Garish light — 38. Solo
17. Mirage, perhaps — 39. Solo
20. Tiny — 43. — Rosenkavalier
21. Footless — 44. — See DIA
22. Verve — 45. Weekend part
23. Proper — 46. — See Colabration
24. Seagull — 47. Sage
26. Scale — 48. — See Colabration
29 — Brit — 49. Expect
30. Highland headwear — 52. Briels
31. Sign

THURSDAY’S SOLUTION

ACROSS

1. Manuf. — 56. Al Pacino film
2. Perth — 57. Yang’s
3. Of a chain — 58. With 44A, star of "Shame"
5. Of blood — 59. Unused
10. Historic island — 60. Producer
15. Of blood — 61. Needle case
17. Mirage, perhaps — 63. With 44A, star of "Shame"
20. Tiny — 64. Watergate name
22. Verve — 66. Stark
23. Proper — 67. Stage
24. Seagull — 68. Stage
26. Scale — 69. Stage
29 — Brit — 70. Stage
30. Highland headwear — 71. Stage
31. Sign

DOWN

1. Radiate — 27. Make a touchdown
2. Ready for plucking — 28. Promising one
3. Poker stake — 29. Testiness
4. Enjoy Aspin — 30. Used a stopwatch
5. Worked with city — 31. Antilles Island
6. Spartan slave — 32. Far from tidy
7. In the center of — 33. With 44A, star of "Shame"
8. Lace type — 34. With 44A, star of "Shame"
9. Building extension — 35. With 44A, star of "Shame"
10. Follow — 36. With 44A, star of "Shame"
11. Wraths — 37. N oted
12. 100’s shape — 38. Arrow
14. City on the Orin — 40. Apple
15. Less comedy — 41. Apple
16. City on the Orin — 42. Apple
17. With 44A, star of "Shame" — 43. Apple
18. With 44A, star of "Shame" — 44. Apple
19. Less comedy — 45. Apple
20. City on the Orin — 46. Apple
21. The orin — 47. Apple
22. With 44A, star of "Shame" — 48. Apple
23. The orin — 49. Apple
24. Hole — 50. Apple
25. Beach stuff — 51. Apple
25. Beach stuff — 52. Apple
27. Make a touchdown — 55. Apple
28. Promising one — 56. Apple
29. Testiness — 57. Apple
30. Used a stopwatch — 58. Apple
31. Antilles Island — 59. Apple
32. Far from tidy — 60. Apple
33. Sacred image — 61. Apple
34. Solo — 62. Apple
35. Solo — 63. Apple
36. Solo — 64. Apple
37. Solo — 65. Apple
38. Solo — 66. Apple
39. Solo — 67. Apple
40. Solo — 68. Apple
41. Solo — 69. Apple
42. Solo — 70. Apple
43. — Rosenkavalier — 71. Apple
44. — See DIA — 72. Apple
45. Weekend part — 73. Apple
46. — See Colabration — 74. Apple
47. Sage — 75. Apple
48. — See Colabration — 76. Apple
49. Expect — 77. Apple
52. Briels — 78. Apple
53. Sign — 79. Apple

T.V. Tonight

7:30 p.m. — 16. All in the Family
22. Family Feud
28. Tic Tac Dough
34. Triangle Talk
5:15 p.m. — 16. The Powers of Mathew Star
22. Dukes of Hazzard
34. Triangle Talk
8:30 p.m. — 28. The New Odd Couple
34. Women's Weekly
9 p.m. — 16. The Powers of Mathew Star
22. Dukes of Hazzard
28. Tic Tac Dough
34. Triangle Talk
30:30 p.m. — 28. The New Odd Couple
34. Women's Weekly
6 p.m. — 10. Knight Rider
16. Keenmantearth
22. Dallas
28. Solid Gold Christmas Special
34. Inside Business Today
9:30 p.m. — 16. The Powers of Mathew Star
22. Dukes of Hazzard
28. Tic Tac Dough
34. Triangle Talk
10 p.m. — 16. Keenmantearth
22. Falcon Crest
28. The Quest
34. Inside Business Today
11 p.m. — 16. NewsCenter 16
22. Keenmantearth
28. Newscenter 28
34. Inside Business Today
11:30 p.m. — 16. Tonight Show
22. C.B.A. Late Movie
28. Solid Gold Christmas Special
34. Inside Business Today
12:30 p.m. — 16. SCTV Comedy Network
**Freshman scores 26**

Kempton busts out, ND romps

By WILL HARE

Sports Writer

It was back to business for the Notre Dame basketball team last night, as the Irish stormed past Fairfield University, 92-70.

After three consecutive losses, no teams ranked among the top five in the nation, it was a chance to leave the national spotlight and get back to using fundamentals to win a basketball game.

Digger Phelps' gameplan of working the ball inside to his young frontline in a new physical team was executed well in the first half as the Irish built a 57-34 lead by halftime.

Freshmen Ken Barlow and Tim Kempton combined to make 10 of their first 12 shots in the opening stanza. Kempton led all scorers with 26 points, tallying 15 in the first half.

"Our guards were looking to get the ball inside early," said Kempton, "so we could get the ball back outside for shots later in the game."

One of the keys in the Irish defeat, which was the lead in the beginning of the second half. That was obvious, perfectly corrected last night as Notre Dame outscored its opponents 12-1 in the first five minutes of the second half!

"We were not as bad as we were projected," assured Coach Teremy O'Connor of his youthful team, now 3-0 in the all-time series with Fairfield.

"They look to put up Hate,"

SEE WOMEN, page 12

By MIKE RICCARDI

Sports Writer

The Notre Dame women's basketball team, rolling toward the final wire break with a three-game winning streak plays a pair of difficult Midwest opponents this weekend in Miami University of Ohio and the University of Michigan.

Tonight's game with Miami, set for 7:30, marks the ACC debut of Notre Dame's freshman wing Linda Mallender, who sprained an ankle in the Rutgers game and is coming off a two-game layup against Hofstra.

"Our guards were looking to get the ball inside early," said Kempton. "They're just a consistently good team.""}

"They hold up the ball," said DiStingo. "Their defense was sloppy against Hofstra, Boston College, Maine and Hofstra."

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