

feated:

Commission Splits Proposal To Buy Property In North

Marquette Monday night at that the 12 acres and Wright's national pur-

oyd H. Price buy the parquette De offered Money de the Vet- to be ear-

Price's motion was supported by Commissioner Edward L. Downey Jr., and Mayor C. Fred Rydholm joined Price, and Downey in voting for it.

Commissioners Leonard W. Brumm Jr. and Leonard J. St. Cyr cast "no" votes, however; and because a four-fifths vote of the commission is required for the purchase, sole or lease of real estate, the motion failed.

The commission, acting on a

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Opinion Expressed At City Defers In Three Projects

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Marquette Monday night; on the nee projects: curbing and i St., from ms St.; (2) r and sewer e St., from feet west; n of water strial Park-

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Ridge St. and had not part in the petition for improvements. It was signed, only by Robert Gerndt, who built a new home on Ridge and petitioned for sewer and water.

Willard C. Cadeau, 245 Lincoln Ave., said he received notice he would be assessed since the proposed mains would serve his property. McNabb pointed out that property now owned by Cadeau has never been assessed, since it is served by private sewer and water lines, but, if benefitted, as proposed, it would have to be assessed.

Cadeau also objected to the high estimated cost (\$1,100) and said he was perfectly satisfied with the situation, as it stands.

Would Lose Trees

Carl Oberg, 902 W. Bluff St., objected to the fact that his lot would lose four large shade trees on the east, if the city-

Feb. 12 suggestion by Downey, had authorized City Manager Thomas R. McNabb to investigate the possibility of buying the land, located north of Wright St. and west of Presque Isle Ave. Price and Rydholm supported the original motion. Brumm and St. Cyr were out of the city, at the time.

Letter From Myler

At Monday's meeting, the commission heard a letter from B. J. Myler, president of Marquette Development Corp., indicating that organization's willingness to sell the property under certain conditions. The sale would have been contingent on a land use restriction prohibiting construction as long as Cliffs Dow-Chemical Co. or a corporate successor was conducting a manufacturing operation at the present site, and on a retained easement for noise, smoke, dust, odor, etc.

The sale also would have been predicated on agreement that the city would cause improvements to be made to the land within a reasonable period of time. The development corporation noted it had "in mind such things as recreational facilities in the nature of a ball park or skating rink."

Uses Eyed

Commission consensus on Feb. 12 was that the city should look into the possibility of acquiring the land (formerly owned by Cliffs Dow but purchased by Marquette Development Corp. last year) because, even if it were never used for a community center, it could be used to advantage for ball fields, playgrounds, etc.

The commissioners favoring purchase of the land said Monday they believed the city should acquire property when it becomes available; that the parcel could be developed as free fill (from Northern Michigan construction sites) became available; and that city ownership of the property would guarantee its improvement. They also noted that the asking price was lower than two previous prices placed on the property.

Brumm indicated he was "perfectly willing to look at the land" with an eye to filling it in for use as a ball field or

Attorney For NMU's Board Comments On McClellan Dispute

Signing of a petition in support of Dr. Robert F. McClellan by 140 of his fellow faculty members at Northern Michigan University "speaks well for the climate of academic freedom that 'exists' at the university, according to an attorney for the NMU Board of Control.

George Bushnell, Detroit, of the law firm of Miller, Canfield, Raddock & Stone, said, "The report that 140 faculty members have signed this petition reflects only credit on the present administration and board of control. It is a rare situation where employees can act with such freedom and indeed such

lack of knowledge of the true facts with the consent and approval of their employers."

Dismissed Last Summer

The Committee for Defense of Academic Freedom at NMU said Friday that signing the petition made the faculty members joint complainants with McClellan in a threatened suit against the NMU president and the board of control. An assistant professor of history, McClellan was dismissed last summer on charges that he interfered with university policies and practices.

Bushnell questioned whether signing the petition made the faculty members parties of the threatened suit.

"There is no question but what, in the pursuit of the exercise of individual rights, any member of the NMU faculty may sign any statement he chooses to sign," the attorney said. "I cannot agree, however, that the mere signing of a petition by anyone automatically makes him a party to a lawsuit. This is particularly true when the lawsuit has not yet been commenced and specifically because the court must ultimately rule as to whether or not these volunteers have any standing in a court of law."

Not Filed Yet

John Frey, CDAF president, said Friday the lawsuit would be filed Monday in federal court in Detroit.

However, Bushnell said today that the suit has not yet been filed and that "when and if it

is filed, I anticipate that it will be commenced in Marquette and not Detroit."

Roland O'Hare, Detroit, one of three attorneys who will represent McClellan, said today that the suit would be filed "no sooner than Wednesday and no later than Friday."

Ku Klux Klan Act

McClellan will sue under the Ku Klux Klan Act of 1871, O'Hare said. This act, he explained, forbids state officials from interfering with the exercise of constitutional rights by individuals.

Under the KKK act, McClellan will sue Dr. Edgar L. Harden, president of NMU at the time of the professor's dismissal; Ogden E. Johnson, Harden's successor as president, and the individual members of the board of control, O'Hare said.

O'Hare and Erwin Ellman, also of Detroit, will represent McClellan through the American Civil Liberties Union. A Marquette attorney also will be registered with the suit.

Charge Rights 'Imperiled'

O'Hare said the faculty members who signed the petition charge that their constitutional right have been "imperiled" because of the "arbitrary actions against Dr. McClellan."

McClellan's attorneys say they also will charge that the university "violated its own rules in the manner (in which) they discharged McClellan." In the university's manual, O'Hare added, there is a provision that faculty members will be notified by June 1 of their dismissal. Harden did not notify McClellan until the end of July O'Hare said.

Skis have been found in Scandinavian bogs which are known to have been made over 4,000 years ago.

NMU Board Eyes Future Of Job Corps

Future of the Women's Job Corps Center at Northern Michigan University will be a prime topic for discussion at this week's meeting of the NMU Board of Control.

Board members will meet on campus Wednesday for their February session. A tour of the Job Corps Center, starting at 2, will precede the dinner at 6. The board session will follow.

Also on the agenda are the following items: report on second semester enrollment; report on meeting of Michigan Council of State College Presidents; discussion of revised annual leave policy; status reports on construction and land acquisition; and report on planned meeting of executive committees of Northern and Michigan Technological University, regarding institutional cooperation in public services.

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