

'He Says They Lives Here,

# The Mining Journal

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## Upper Michigan's Largest Daily

### A PANAX PUBLICATION

AMES H. LUKE, General Manager

KENNETH S. LOWE, Editor

### Curbing Crime News

The American Bar Association House of Delegates has voted overwhelmingly to opt a code of standards for pre-trial retelling of crime news.

The code, developed by a committee headed by Justice Paul Reardon of the Massachusetts Supreme Judicial Court, is aimed at prosecutors, defense lawyers and the news as well as the mass news media. Its intent is to curb out-of-court talk by judges and other persons of the courts before the end of trial.

Before then the code would permit only

the name of the person accused of the crime, the time and place of arrest, information about whether the person resisted or was armed at the time of arrest, a description of any evidence seized and the charge.

Police would be barred from revealing any previous record, the results of fingerprinting and lie detector tests and whether the accused had confessed. Identify of witnesses could not be reported nor opinions on guilt or innocence.

For persons who violate the code, the ABA proposes court penalties, including contempt-of-court citations.

Newsmen would be free to print anything they could find out, except during the trial itself, when they would have a duty not to write anything that would affect the outcome of the trial.

It was generally expected that state bar associations would adopt the ABA rules and that many judges would apply them in their courts.

Newspapers reacted with dismay, fearful that in an effort to build up due process of law in the conduct of criminal trials, the bar was shortening up the First Amendment of the U. S. Constitution: "Congress shall make no law... abridging freedom of speech, or of the press..."

The Baltimore Sun said "the dangers the restrictions would allegedly avert are smaller by far than the dangers inherent in a removal of law enforcement officers, district attorneys and judges from sharp and constant surveillance."

Time Magazine said "Such worries seemed exaggerated, but if the rules are stringently enforced — which remains to be seen — reporting court cases will be very different and more difficult."

The Miami Herald said, "What the bar association now proposes is to manage the news about crime."

"An arrogant, presumptive move," said the St. Louis Globe-Democrat, and the Washington Post suggested, "What is needed is not less but more scrutiny of the country's police, prosecutors and judges."

If the result of the code is elimination of sloppy or sensational reporting that slurs and endangers accused persons, it will be an addition to justice. If it gives our legal processes excessive protection from scrutiny it will work against the public interest.

The public should remember that less than 10 per cent of all felony cases ever come to trial. The rest are settled by dismissals, or by guilty pleas, usually after a negotiation between defense and prosecution for probation, leniency of sentence or some other consideration.

The inside view of justice in America reveals some conditions that need correction, but the ABA method also raises some concerns. The code is already at work in American policing practice, and it becomes more difficult to learn what is happening. An ideal situation would be a general state of judicial restraint in reporting, but this is almost impossible to achieve, so we're trying to remedy the situation with one more set of rules.

### ★ THE ENDLESS WAR

Gen. Westmoreland, in an Associated Press interview in the Vietnam situation, re-emphasizes the official line, that "This is indeed a limited war with limited objectives fought with limited means."

The only thing about it that doesn't seem to be limited is its duration. Under the Johnson administration policy of gradual escalation, the Vietnam war has no foreseeable end. — Milwaukee Sentinel



## Andrew Tully: Symington's Proposal

WASHINGTON — With the administration still pressing for a 10 per cent income tax surcharge whose burden would fall mainly on the working stiff, there is increasing interest on Capitol Hill in a proposal by Sen. Stuart Symington, D-Mo., which would provide more troops for Vietnam and still save money.

Symington has been urging that the U.S. send some of its 225,000 troops stationed in West Germany to Vietnam. In fact, the Missouri senator, a former Secretary of the Air Force and long expert in military matters, would limit U.S. forces in Europe to one division. His proposal echoes a comment made years ago by Gen. Eisenhower that one division "can show the flag" as well as a dozen.

The men in West Germany are already being paid, fed and quartered by the U.S. government. It would cost no more to transport them to Vietnam than to transport troops from the United States.

More important, transferring

these troops to Vietnam would make it possible to reduce draft calls and thus reduce the cost of maintaining our armed forces. It cost \$40,000 to train and transport a soldier to a foreign theater, a not inconsiderable amount to the citizen who is being badgered by federal, state and local tax collectors at every turn.

In addition, reduction of our troop strength in Europe would do much more to redress our present balance of payments deficit than any travel tax dreamed up by Lyndon Johnson's tame thinkers. Senate Majority Leader Mike Mansfield has pointed out that pulling out even one division from Europe would save the \$300 million a year which is the travel tax goal.

Aware of the increasing support for the Symington proposal, the State Department recently dispatched Harlan Cleveland, ambassador to NATO, to Capitol Hill to try to stave off a full-scale congressional revolt. Cleveland has called

## Editor's Mail

(Contributions are invited. Letters should be limited to less than 300 words. Only signed letters will be considered for publication. Personal attacks on individuals will be eliminated.)

that we are criticizing the administration and taking it into the courts.

### Freedom Tradition

Dear Sir: The advertisement, "Northern Michigan University Has a Long Tradition of Academic Freedom," is the most farcical declaration ever printed. Of the 213 names listed, only 53 individuals are true instructors and can state academic freedom exists at Northern.

An administrative assistant, a supervisor of maintenance services, or a security officer has nothing to do with education on campus. Women's Job Corps is operated through public services, an arm of the university; therefore, those names associated with Job Corps can be eliminated. The two doctors (M.D.s) listed are new to the school and can not state Northern has a "Long Tradition." Administrators, themselves, have to agree with administrative policy.

Of the different departments listed for the instructors, only health, physical education and recreation lists a majority of its personnel.

There are approximately 180 instructors, I believe, teaching at Northern. If only 53 signed their names to the advertisement, doesn't it present a different viewpoint — Northern Michigan University does not have a long tradition of academic freedom?

JAMES SCHEID  
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Northern Michigan University  
Marquette

### On 'Ad' Signers

Dear Sir: The advertisement supporting the administration of NMU in Saturday's edition of The Mining Journal was so general, however, its intent was so obviously to influence public opinion in the McClellan case that some answer is obligatory.

It is good that so many of our non-academic colleagues have concerned themselves with the question of academic freedom, and we defend their right to express their views. Moreover, we agree with them that Northern has a long tradition of academic freedom. It is because of our concern with the maintenance of this tradition

It should be noted, also, that a large majority of the signers of Saturday's advertisement (133 of the total 213) are not on the official list of faculty members. These people have expressed no previous interest in the McClellan case, have not attended faculty meetings where it was discussed and have not received the informational statements distributed by the faculty senate or the board of control. Indeed, one cannot help wondering why they have suddenly become interested in the case and whether this interest is really voluntary.

This leaves only 80 signers on the faculty list, among whom a maximum of 45 are real teaching faculty (the majority of whom are in non-academic categories). Thus, if 50 per cent of the teaching faculty have signed the advertisement, as compared to 53 per cent of the teaching faculty who have joined the suit against the administration. Similarly, although the advertisement lists a full list of names of administrators, the list includes only one academic administrator, the rest having apparently refused to sign.

Thus we have a situation where the academic personnel at Northern, to whom academic freedom is crucial, feel obliged to go to the courts for freedom, while the non-academic personnel, to whom academic freedom is remote at best, advertise their belief in its presence on campus.

Since the case is to be tried in the courts, we do not think it proper to try it in the public press. But we do feel it necessary to respond to attempts by the administration and its supporters to confuse the issue.

The public is also entitled to know that the joint committee of faculty senate and board of control members, set up at the January meeting of the board, was dissolved by the board last week. Although the board allegedly stated that this was done because 140 faculty members joined Dr. McClellan in his suit, the fact is that this action did not take place until the board cancelled two proposed meetings of the joint committee. The faculty regret the termination by the board of the joint committee set up to try to settle the case without litigation.

JOHN M. ALLSWANG  
228 S. Arch St.  
Marquette

## Peninsula Rambulator

Services were held in Menominee Thursday afternoon for Harry E. Scott, 74, well-known nominee businessman who died after a long illness. He owned and operated the Scott-Of Service for more than 40 years. Mr. Scott was a veteran of World War I and was a past member of the Menominee American Legion Post. He was active in Grace Episcopal, Sons, Elks and Eagles affairs.

The Marinette (Wis.) City Council, despite proud objections by a group of citizens, officially reaffirmed its policy concerning the mainent closing of the old Menekaune bridge. Mayor Edward Parsek said that when his bridge closing, the span will be swung, ending the present pedestrian crossing. Menominee and Marinette. Vehicular traffic has not moved across the bridge for a year.

sonal College, in anticipation of its 75th anniversary in 1971, has embarked on a \$3,000 development program to cover three years of construction. The first phase calls for erection of a \$1,820,000 dormitory and a \$1,200,000 building, with only \$200,000 in per county support needed for the project. A second phase of the long-range program will include remodeling of Nikander Hall, establishment of a "little theater," construction of a chapel and religion building, and other other campus improvements totaling \$600,000. Erection of a new science building at a cost of \$980,000 will be phase three of the program. Curly a campaign is underway to reach a total of \$350,000 to erect a new physical education facility. About \$270,000 already has been provided. Ground for this building is expected to be broken about May 25.

ans for expansion of the Delta County Historical Museum in Escanaba's Ludington building were approved by the Escanaba Planning Commission. The society has accumulated approximately \$7,000 in an expansion fund and is asking the city to pay the remainder of an estimated \$14,500 needed for project.

## From The Journal Files

### 60 Years Ago

the course of an address before a number of Marquette saloon men in Siegel's Hall, national statement made by Alderman Donovan was that some of the votes were bought. More than 30 saloon men died the meeting, which had been called against the \$250 increase over the \$500 state liquor tax. It was toward the close of the meeting that Alderman Donovan was called upon to speak. After stating that bribery of members of the city council had been committed, he said he thought the Peters measure could be repealed. It was his opinion that sufficient votes to do this could be obtained. He said he felt he could remove at least 100 votes.

expected the membership will be doubled at the meeting, and the following officers were elected: President, R. L. Nichols; vice president, Guy F. Canfield; secretary, John K. Keith; treasurer, Charles Sundblad.

The Rev. C. Ziegler, pastor of Grace Church, has been joined by his wife. They are now occupying a new house at the Adelphi Rink. It was evident after the fourth inning they were capable of putting up a much better game than they played at the start. The Pioneers made all their runs in four innings. In the first they obtained eight and in the second five more. Most of the far men were at the mercy of Everett Sporely, the Pioneers' pitcher, and there were many strikeouts.

Members of the Fat Men's indoor baseball team are not satisfied with their showing in the game with the Pioneers at the Adelphi Rink. It was evident after the fourth inning they were capable of putting up a much better game than they played at the start. The Pioneers made all their runs in four innings. In the first they obtained eight and in the second five more. Most of the far men were at the mercy of Everett Sporely, the Pioneers' pitcher, and there were many strikeouts.

W. H. Mitchell was the only one who made third base, and he was put out in an attempt to steal home. The game was the most amusing ever played at the rink.

### 30 Years Ago

h the sponsorship of the Trades and Council of Marquette, a social security forum will be held March 19 in the room of Graveras: High School. The purpose of the meeting, which has been arranged by Wheelock P. Chamberlain, manager of the Marquette office of the social board, is to acquaint workers with their rights, benefits and privileges under a social security act.

the pre-nuptial physical examination went into effect in Michigan Nov. 1. Couples have been married here under the new act; it was stated yesterday by Michael J. Khoury, county judge of the city commission yesterday authorized

state board of control for vocational education.

—Isbeping—  
Selection of a candidate for mayor having been made in advance, the Republicans Tuesday night will go through the motions of nominating Vining L. Bjork for reelection to that office, a nomination which means election, because there will be no other candidate in the field.

The board of public works has no money with which to remove snow from one sidewalk on North Third St., as suggested in The Mining Journal today and last Monday, a member of the board asserted today, adding that strict police enforcement of auto speed ordinances would help improve conditions in that street.

Scout troops from Marquette, Negaunee and Isbeping will compete Tuesday night in the Central Grade School gymnasium in that city. For contact: Eight troops are entered — six from Negaunee and one from Isbeping.