

Prosecutor Petitions To Dismiss Black Students' Court Case

Marquette County Prosecutor Edward A. Quinnell today filed a petition in district court here to discontinue prosecution of six black students at Northern Michigan University on grounds of insufficient evidence.

Charged with having created a disturbance in connection with a sit-in on the campus last Dec. 17-18, the students were defendants in a district court trial that lasted five days last month before being declared a mistrial.

The 19-hour sit-in stemmed from a protest over disciplinary action recommended against a black student who was accused of having a woman in his dormitory room after hours.

Jury Tampering Claimed

The student later was acquitted in a hearing by the Student-Faculty Judiciary, but black students meanwhile occupied the office of Dr. Allan L. Niemi, NMU, vice president of student affairs, and allegedly held Niemi and damaged the office and equipment.

The six defendants were Patrick Williams, Saginaw; Vernon Smalls, Marquette; Loren Lobban, New Rochelle, N.Y.; Christopher Poole, Clarkston; David Williams, Detroit, and Philip Harper, Inkster.

Judge George E. Hill declared a mistrial after the filing of a joint stipulation by Quinnell and J. Kent Bourland, Hancock, defense attorney. The stipulation claimed that the jury had been contacted "by a person or persons and that the identity and motive of such person or persons is unknown and that the impact, if any, of these contacts is impossible to ascertain." The stipulation also claimed that "the reporting of this case in The Mining Journal

has been inaccurate, inflammatory, misleading, slanted, unfair and incomplete."

Five Reasons Given

Quinnell listed five reasons for filing the petition, which, if granted, would result in dismissal of the case:

"1. Testimony introduced during five days of trial . . . was not as persuasive as originally expected, such that the ability of the people to prove the guilt of these defendants beyond a reasonable doubt is questionable at best. There is no proof available as to the identity of the person or persons who were personally responsible for the damage which was shown; proof which is available indicates that these defendants did not engage in destructive conduct.

"2. To the best of your petitioner's knowledge and belief, there is no relevant testimony available to the people beyond that which was introduced during said trial.

"3. This petition has been discussed with the administration of the university, which has no objection to its being granted.

"4. The Black Students Association wrote to Dr. Niemi on Jan. 16, 1970, expressly disavowing any intent to do damage or detain anyone and expressing concern over the unintended events which gave rise to the prosecution. In fact, testimony introduced at the trial showed conclusively that these defendants exerted a calming influence on the demonstrators. The Human Rights Commission of Northern Michigan University has recommended to the administration that all university disciplinary charges against these defendants be dropped, in deference to the human and academic concerns for these six students. The university has done so.

"5. In view of all of the foregoing considerations, the ends of justice do not require further prosecution. . . .

A ruling on the petition by Judge Hill is expected upon his return to Marquette on May 17 from a vacation.



RUDY SEPPALA

R. J. Seppala Officer Of State Group

Rudy J. Seppala, general agent for the Lutheran Brotherhood Life Insurance Co., Marquette, has been re-elected regional vice president of the 4,500-member Michigan State Association of Life Underwriters.

The association is holding its annual convention in Traverse City this week.

Began In 1955

Seppala entered the life insurance business in 1955 and has completed training programs offered by the Life Underwriter Training Council.

He is also a past president of the Marquette Association of Life Underwriters, has served as president of the Whitman School PTA, and was secretary of Covington Township Schools for six years.

He was president of the Marquette Senior High School PTA in the 1968-69 school year.

Seppala and his wife, Ruth, have four children, Randy, Janice, Nancy and Cathy. The family resides at 1511 Garfield Ave.

The State Association of Life Underwriters and its 32 local associations are affiliated with the 110,000-member National Association of Life Underwriters, with headquarters in Washington, D. C.

Cecil Brown Dies At 67 In St. Mary's

Cecil L. Brown, 67, of 226 West Ohio St., Marquette, died at 1:45 Monday afternoon in St. Mary's Hospital, where he was a patient for three weeks.

Born Aug. 26, 1902, in Vandalia, Ill., Mr. Brown was raised in North Dakota, where he helped maintain the Standing Rock Soo Indian Reservation. He also taught school for several years near Shields, N.D.

Mr. Brown came to Marquette after having served overseas during World War II. He was an employee of Northland Motors Co. and later became a civil service employee at K. I. Sawyer Air Force Base, retiring in August 1967.

Services On Thursday

Survivors are his wife, Margaret L., Marquette, and a son, Larry C., Houghton.

The body is in the Fassbender Funeral Home, where friends may call from 7 to 9 Wednesday evening.

Services will be held at 11 Thursday morning in the funeral home with Rev. William Greer, pastor of St. Paul's Episcopal Church, officiating. Burial will be in Park Cemetery.

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Young Man Injured In Car Crash

A young Marquette man is being treated at St. Luke's

