

Jailer Asks What Good Behavior?

NORTH HAVERHILL, N.H. — Wednesday was a bitter-sweet day in the life of Grafton county Jailer Harold Brown.

Brown didn't know whether to rejoice or complain when he got his orders to release 40 Dartmouth College demonstrators jailed last month for contempt of court.

The 30-day sentences given the protesters who took over Parkhurst Hall on May 9 were shortened by three days as a reward for good behavior.

"I'm glad this thing is finally over," Brown said, "but I'm not sure the behavior in some cases was that good."

Brown, ordinarily an amiable sort, made no secret of his chagrin at having to release the prisoners before Sunday morning, when the sentences would have expired normally.

"Let me just say that if it was anybody else, they wouldn't have gotten the three days," Brown said.

"They were all right at the start, but some of them got a little troublesome as time went on."

Brown also appeared miffed at having been one of the last to find out about plans to free the 40 prisoners.

"I didn't know a thing about it till this morning when I got a call," he said. "I understand the press and radio had it last night."

Brown got the news from Grafton's county Sheriff Herbert Ash, who, on Tuesday, had expressed some reservations about allowing the demonstrators time off for good behavior.

"I didn't think they were entitled to it in the first place," said Ash. "I felt they were jailed for 30 days and should have served 30 days."

Ash said he felt the good behavior allowance could not be made in cases of persons jailed for contempt of court.

New Hampshire Superior Court Chief Justice John R. Lahey on Tuesday ruled otherwise, however, on a motion brought by defense lawyers.

Sheriff Ash said a final decision on whether to release the prisoners was left nonetheless to Grafton county authorities.

"They were about on the borderline as far as behavior went," Ash said.

The decision could have gone either way in the judgment of the turnkeys.

"To be realistic about it," Ash said, "we were bursting at the seams and we are just as glad to get them out."

The sheriff said the jail population has been enlarged by persons confined for drunkenness, non-support and other minor crimes.

Coping with Confrontation

The two worst ways to handle student protest are surrender and repression. Either choice splits a campus into angry factions and almost guarantees future disorders. Is there a third way—a method that retains reason yet permits confrontation?

At Dartmouth College, strong sentiment against the Viet Nam war has long focused on the nearest target: ROTC. In democratic fashion, the college last month submitted the issue to a student referendum. Duly reflecting the results, the faculty then voted to abolish ROTC over a four-year period so that incoming freshmen who are counting on military scholarships will not be penalized. The plan did not satisfy a radical minority led by members of Students for a Democratic Society. Calling for the immediate abolition of ROTC, they vowed to stage "an act of civil disobedience."

Instead of adopting fluster or bluster, Dartmouth's President John Sloan Dickey coolly warned that he would seek a court injunction and summon police if any buildings were seized by students. Both sides thus knew precisely where events were taking them, in sharp contrast to recent campus collisions across the country.

Ancient Aberration. When 100 radicals seized the Dartmouth administration building, Dickey & Co. went to work. Armed with an injunction, the local sheriff read it over a bullhorn and ordered the invaders to leave. Two hours later, a deputy warned the occupiers that they were liable for contempt of court. Meantime, New Hampshire Gov-

ADRIAN N. BOUGHARD



DARTMOUTH'S DICKEY
No fluster, no bluster.

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At 3 a.m., twelve hours after the occupation began, the cops left their riot clubs behind and headed for Dartmouth. With equal calm, one radical announced over a bullhorn: "We want no violence. Do not taunt the cops. The people inside will not resist."

No one suffered a scratch. Hauled limply out of the building, 45 dem-

Rutland Daily Herald

Monday, May 12, 1969

Dartmouth's New Role

Dartmouth, a latecomer to the campus wars, may be headed for a leading role in the search for a solution to the vexing national problem. The role may be painful and involve a degree of martyrdom unforeseen by the handful of radical students and their allies, or by the college administration and Gov. Walter Peterson.

When a group of Students for a Democratic Society last week seized the Dartmouth administration building as a way of pressing their demands that ROTC be abolished on the campus, the college administration reacted with restraint. To avoid needless violence, such as Harvard's brief but bloody battle at dawn on April 10, Dartmouth decided on the court injunction tactic which worked well at Stanford and Columbia later in April. But where Stanford and Columbia SDS groups walked peaceably out of buildings they had occupied, rather than defy a court order, Dartmouth's smaller group stood fast, and soon felt the wrath of a New Hampshire Superior Court judge.

The result was that yesterday, while many Dartmouth students were bidding farewell to their Green Key week-end dates, 32 others along with 13 allies, including five young women, were locked up in various New Hampshire jails and facing 30-day terms imposed by Judge Martin Laughlin and upheld

by the state Supreme Court in a special Saturday session.

It is a curious situation. Dartmouth won praise for the "humane" way in which it dislodged the radicals from the college building when they defied the court order. New Hampshire state troopers, under instructions from Gov. Peterson, a Dartmouth graduate and ex-officio trustee of the college, were careful to avoid conspicuous over-reaction in handling the outlaws. And now the Dartmouth radicals, including some who hope to win degrees in June, are in jail. Harvard's radicals, numbering more than 150, may have been bloodied but they got off with nominal fines for violations of the civil complaint of trespass.

A lot has transpired since Harvard joined the ranks of the embattled schools last month. Not all has been bad. Several schools, including Amherst and the Massachusetts Institute of Technology, have held campus-wide symposiums in apparently successful efforts to stop violence before it has a chance to start.

Judge Laughlin's harsh sentence, doubling the recommendation of the state's prosecutor, has caught both liberals and conservatives by surprise. Just what the effect of his iron-fist will be, whether it stiffens the weak defenses of the universities or incites the radicals across the nation to greater militancy, remains to be seen.

CHRISTIAN SCIENCE MONITOR

MAY 14 1969 Zap and Dartmouth

The extraordinary coincidence which occurred to the New York Times, this past week, underlines the complexity and danger of the problem of youthful unrest and revolt. On Thursday that newspaper carried a feature article on colleges where there appeared to be little student tension or bent for trouble, featuring the University of North Dakota. One day later an estimated 2,000 students, including large numbers from this same university, wrecked the business district of the small North Dakota town of Zap.

This coincidence underlined still more. It showed the extent to which permissiveness and unrestraint in American society, the failure of school authorities to end the trend towards unlawful campus disorder, the failure of public authorities

quick to take advantage. Conversely, youth is equally swift to recognize when authority means business and will put up with no foolishness.

That is why we wish that more college authorities and more judges had done what has just occurred in the Dartmouth College case. There the college obtained a court injunction against student occupation of a building. The students ignored the injunction, were removed by the police and 45 were given 30-day jail sentences. In short, they were treated like the adult lawbreakers they were.

Such treatment of student lawbreakers is strongly supported by the new and liberal United States Commissioner of Education, Dr. James E. Allen, who declares that such students should be punished "in

over a four-year period so that incoming freshmen who are counting on military scholarships will not be penalized. The plan did not satisfy a radical minority led by members of Students for a Democratic Society. Calling for the immediate abolition of ROTC, they vowed to stage "an act of civil disobedience."

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No one suffered a scratch. Hauled limply out of the building, 45 demonstrators, including five girls, were fined \$100 apiece and sentenced to 30 days in jail. It was the harshest mass punishment of student protesters so far. It was also a proud experience for the demonstrators, who willingly paid the price for what they considered an antiwar stand. Dartmouth itself emerged with equal integrity. "My concern," says President Dickey, "is that youth's perennial commitment to a better human future should not today be betrayed by the most ancient aberration of hard-pressed humanity—the notion that anything goes in having your own way."

TIME, MAY 23, 1969

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This coincidence underlined still more. It showed the extent to which permissiveness and unrestraint in American society, the failure of school authorities to end the trend towards unlawful campus disorder, the failure of public authorities to make it unequivocally clear that all public disorder will bring swift and sure countermeasures, open the door to greater and greater danger.

Regardless of what some others may say, we firmly believe that most of the campus lawlessness which has afflicted the United States during the past several years would not have occurred had the students been early shown that such acts would be immediately met with punishment severe enough to discourage a repetition. Youth has a sure sense of when its elders are cringing and wavering, and is

quick to take advantage. Conversely, youth is equally swift to recognize when authority means business and will put up with no foolishness.

That is why we wish that more college authorities and more judges had done what has just occurred in the Dartmouth College case. There the college obtained a court injunction against student occupation of a building. The students ignored the injunction, were removed by the police and 45 were given 30-day jail sentences. In short, they were treated like the adult lawbreakers they were.

Such treatment of student lawbreakers is strongly supported by the new and liberal United States Commissioner of Education, Dr. James E. Allen, who declares that such students should be punished "in the way they would be punished anywhere else."

We have repeatedly stated our belief that the time has come to rectify the many legitimate complaints which students raise against higher education. These demands are supported by a large majority of the law-abiding college population. But the time is past when America must put up with fascistic, Ku Klux Klan-type of action and thinking by student radicals, particularly the misnamed Students for a Democratic Society. Zap shows one of the dangers. Dartmouth shows one of the remedies.

Dartmouth Head Firm On Court Injunction

HANOVER, N.H.—John Sloan Dickey, president of Dartmouth College, told some 2,000 Dartmouth students yesterday he will not ask discontinuance of a court injunction forbidding the occupation of the administration building until he feels "the atmosphere of coercion and disruption is at an end."

The court order was issued last week to end the occupation of the college administration building by rebels who wanted an immediate end to ROTC on campus. Technically, the order is effective until September.

Dickey, seven college trustees, representatives of the faculty and representatives of various student groups met with a large group of the student body for a general discussion of the situation at the Hanover campus.

In the 2½ hour meeting, Dickey said he didn't know how long the college will support the court order or when it will ask that it be terminated.

Last Friday 45 young per-

sons, most of them Dartmouth students, were jailed and fined for criminal contempt in seizing the building May 6. Judge Martin Loughlin, in Grafton County Superior Court, at Woodsville, sentenced the 45, including five girls, to serve 30 days and pay \$100 fines.

A three-judge panel of the U.S. Circuit Court of Appeals Tuesday denied bail to the group, but the judges left the door open for defense counsel to renew the bail request when the court hears appeals Friday in Boston.

(Associated Press)

Maine Panel Opposes Easier Abortion Law

AUGUSTA, Me.—A bill liberalizing the Maine abortion law came out of the legislative judiciary Committee yesterday with an adverse 8-2 report.

The House leadership assigned the bill and report for debate today.

(Associated Press)

Until Air Clears Dartmouth Warned Injunction Remains

By ALEXANDER GHISELIN
Staff Writer

HANOVER, N.H. — Dartmouth College Pres. John Sloan Dickey warned students yesterday a court injunction now in force on campus would not be lifted until he was satisfied "the atmosphere of coercion and disruption," was at an end.

The injunction was ordered May 6 two hours after anti-war militants physically evicted officials and barricaded themselves in the administration building.

Dickey, ordered from his office during the takeover, maintained yesterday that

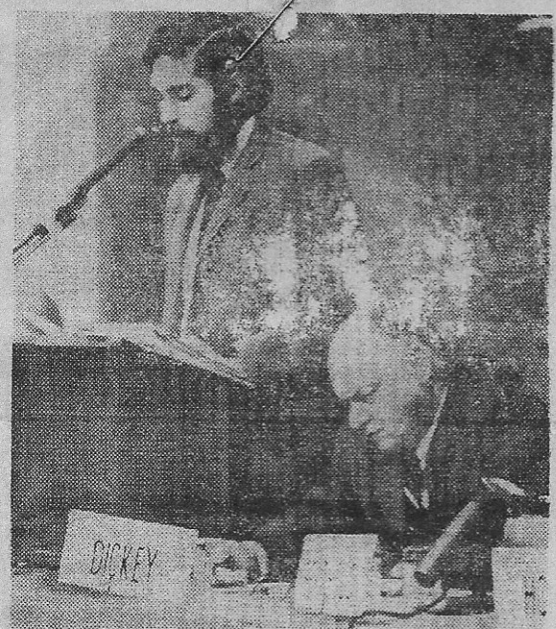
the college's petition for court action was the "mildest response possible" under the circumstances.

The injunction forbade unauthorized seizure of campus buildings under pain of being considered in criminal contempt of court.

He also contended that Dartmouth as an institution should not be drawn into national political debates if it wanted to maintain its exemption from political control.

DARTMOUTH
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Step Taken for



DARTMOUTH PRES. John Sloan Dickey listens as John Beck, a senior from Indianapolis, speaks during a student-faculty convocation on R.O.T.C. and other issues. (AP)

Dickey Seeks to End Political Involvement

★ DARTMOUTH

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He compared the situation to problems now facing philanthropic foundations which he said "may lose their tax exempt status" for becoming involved in political controversy.

Dickey, college trustees and spokesmen for various faculty and student committees representing a wide range of political opinion, fielded questions from an audience of 1500 in a campus wide convocation yesterday.

College officials agreed to the session, the second in two weeks, in an attempt to settle student turmoil over ROTC and the arrest of 55 demonstrators, 45 of whom are now serving 30-day jail sentences for criminal contempt.

An appeal from those jailed will be heard Friday by the First Circuit Court of Appeals, Boston. At least one student convicted now claims he was not in the building when state police arrived for the raid last Wednesday.

The student, Michael Roberts, of Houston, Tex., was reportedly pushed into the corridor of the building during the raid. He was arrested about 100 yards from the building. His brother, a lawyer, is now collecting affidavits from other students who claim they were not in the building.

The campus has been quiet since the raid.

week and the convocation yesterday was held more in response to moderate students seeking a voice in college government than to radical demands.

About 200 striking students, demanding amnesty for those jailed, have failed to gain support, although at least half of the audience yesterday seemed in favor of leniency.

The college's disciplinary body has rejected arguments that further penalty, including possible expulsion, constitutes double jeopardy and that seniors involved will not be allowed to graduate until their cases have been investigated.

The college has agreed to terminate ROTC contracts by 1973, but militants want the program ended abruptly as a symbol that Dartmouth repudiates the war in Vietnam.

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Justice Loughlin Sentences 45 College Demonstrators To 30 Days In County Jail



VICTORY SIGN — Some 45 demonstrators arrested Wednesday morning for occupation of Dartmouth's Parkhurst Hall in defiance of an injunction and restraining order were found guilty of criminal contempt Friday in Grafton County Superior Court. Many of the 45, nothing daunted by the prospect of 30 days in jail, left the court house with fists or victory gestures held high. (News photo—Larry McDonald)

Attorneys May Appeal Decision; 10 More Are Given Continuances

By MIKE O'DONNELL

Valley News Staff Writer
WOODSVILLE — In a crowded and muggy courtroom Friday, 45 young people were sentenced to 30 days in jail and fined \$100 for their occupation of Dartmouth's Parkhurst Hall this week.

Judge Martin F. Loughlin pronounced the sentences and soon afterwards, all 45 were shipped off on buses to the county lock-up in North Haverhill. Many of the group were Dartmouth students, a few were graduates or employees of the school, and five were women.

Another 10 of the more than fifty students arrested for criminal contempt in the early hours of Wednesday morning were granted continuances until May 19 as they had not obtained counsel until Friday morning.

The former demonstrators will be housed in the North Haverhill cellblock until other county jails are designated by Grafton County Sheriff Herbert Ash. The present jail is far too small to hold all 45 prisoners.

Attorneys for the defense, William A. Baker and Ridler W. Page of Lebanon, stated after court adjourned that an appeal would be taken as soon as possible.

Though hesitating to release much information to the press, Baker indicated that he would seek a writ of habeas corpus from the New Hampshire Supreme Court.

Equal Treatment

Baker also remarked that he had had very little time to speak with his clients, and as of the court session Friday had not even spoken with all of them.

Prosecuting Attorney N. George Papademas of Lebanon asked at the close of evidence that all defendants be treated equally.

He recommended punishment of 15 days in the House of Correction and \$100 fines for the 45, "with some hesitation".

During the hearing of evidence, Papademas attempted to show the continuity of events between the evacuation of the demonstrators in Parkhurst Hall and their final identification in the Lebanon National Guard armory Wednesday morning — to show, in effect, that the defendants in the court room were actually those found by state police inside the college building.

The court heard testimony from various state policemen and sheriffs Herbert Ash and Robert K. Turner, and passed judgment after several recesses and a nearly three-hour-long identification of each defendant's photo by Hanover Patrolman William Moore.

The entire session lasted for about six hours.

A large number of Dartmouth students and faculty members were present for the session, and many appeared shocked when Court Clerk William E.

(Continued on Page 18)

— COURT

Lovejoy read out the sentences, one by one.

Papademas had requested 15 days in the House of Corrections rather than the county jail, but after the delivery of 30-day jail sentence, it was learned that one convicted of criminal contempt may not "work off" a sentence in a House of Corrections.

Those convicted, with their Dartmouth class in parenthesis, were the following:

Howard S. Becker, 18, Milwaukee, Wis. ('72); Joseph M. Bonomo, 22, Plainview, N.Y. ('68); Guy F. Brandenburg, 19, Washington ('71); John E. Brelsford, 18, Terre Hill, Pa. ('72); Hugh D. Carpenter, 22, Santa Barbara, Calif. (Special Student); Lorenz Costello 3rd, 22, Palo Alto, Calif. ('69).

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Jonathan J. Frost, 19, Columbus, Ohio. ('71); William Geller, 19, Hewlett, N.Y. ('71); Thomas G. Goulet, 18, Warren, R.I. ('71); David H. Green, 19, Baltimore, Md. ('71); David H. Guest, 25, Norwich, Vt. ('66); Robert E. Heitzman Jr., 19, Convent, N.J. ('70); Fred G. Hodgson 3rd, 19, Atlanta, Ga. ('72).

Edward M. Levin, 22, Waban, Mass. ('69); J. Daniel Logan, 20, Webster, Mo. ('71); Alexander M. MacKie 3rd, 18, Avon, Conn. ('72); Henry W. Menzel Jr., 19, Greenwich, Conn. ('72).

Paul E. Mirengoff, 20, Silver Springs, Md. ('71); Neville K. Wody, 22, Fort Bombay, India ('69); Robert G. Nichols, 21, Manndale, Va. ('69); George J. Berst, 21, Darien, Conn. ('70); James W. Ockenfels, 20, Ramse, N.J. ('71); Michael N. Paine, 19, Dallas, Texas ('72); Pierre D. Payne, 20, Iveyland, Pa. ('70).

Glenn D. Rennels, 18, Mountain Lakes, N.J. ('72); Oscar T. Roberg 3rd, 18, Chicago, Ill. ('72); Michael W. Roberts, 19, Houston, Tex. ('71); Frank M. Rugg Jr., 19, Westfield, N.J. ('71); William A. Sokol, 20, Beverly Hills, Calif. ('70); Stephen J. Stoll, 22, Hanover ('68).

Vladimir W. Svesko, 21, Demarest, N.J. ('69); Stephen E. Tozer, 19, Springfield, Ill. ('72); James A. Van Hoy, 21, Lebanon and Richmond, Va. ('70); David S. Weisbert, 21, New York City ('69).

Also, Paul W. Beach Jr., 23, of Philadelphia; James L. Egan, 20, of Hanover; Donald E. Miller, 21, of New York City; Bruce V. Pacht, 23 of Hanover; James C. Taff, 22, of Woodbury, Conn.; and five women, Nicole Daley, 23, of Lyme Center; Ellen M. Kennedy, 26, of Lebanon; Susan Laird, 20, of Lyme Center; Norine McKey, 22, of Norwich, Vt.; and Linda Megantz, 20, of Scotia, N.Y.; and Daniel W. F. Paggart, 20, Carlisle, Pa.

Dartmouth Pair Cleared of Contempt

PLYMOUTH, N.H. (AP) — Dunfee dismissed contempt charges against two Dartmouth students yesterday, ruling that the state failed to prove they had violated a court injunction.

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The judge freed Michael W. Roberts, 19, of Houston, Tex., and Jonathan J. Frost, 19, of Columbus, Ohio, on motions from their attorneys.

Frost was freed after his lawyer, David J. Killkelley, argued that the state was straying from the prosecution's goals outlined before the trial.

Dunfee agreed that the prosecution had voluntarily stated beforehand that it would seek to prove the students violated a provision of the injunction which barred them for unauthorized occupancy of any Dartmouth building.

Killkelley contended the state was trying instead to prove that Frost interfered with police.

Trial of three other students will continue Monday. The five won retrials on orders of the U.S. Circuit Court of Appeals.

In dismissing the charge against Frost, Dunfee said that although the state's case was "wholly lacking with respect to the specific contempt charge," Frost's conduct was "far from exemplary . . . his conduct was far short of

peaceful, as was his lack of respect for the law.

"However, it is his good fortune that he was not tried on charges with respect to that particular conduct."

THE JUDGE said that although Frost "has now had his rights preserved and protected by the very system he admittedly and openly attacked, hopefully there is a lesson in all of this for himself, and I hope all others who undertake to break the law to achieve their own ends."

Dunfee also noted that when the students previously were convicted they presented no defense.

Frost testified he deliberately stepped into the path of police officers to express sympathy with the young

demonstrators who took over the building in an anti-ROTC protest.

Killkelley called five students as witnesses to testify that Frost was outside the building when police arrived. During yesterday's testimony, Legrand Beinap, 24, a Dartmouth junior, testified that he saw Roberts shoved into the cordon of officers outside the building. He said he also had seen Roberts throughout the evening.

Roberts' roommate, Timothy Green, 20, a Dartmouth sophomore who is serving a jail sentence for his part in the takeover, told the court he was inside the building during the evening and never saw Roberts there.

He said he was surprised when he saw Roberts among

those arrested because he knew from previous discussions that Roberts opposed the takeover.

Another student, Girard Del Junco, testified he also saw Roberts outside the building throughout the evening and had dinner with him.

Also on trial are Michael N. Paine, 19, of Dallas, Tex., Vladimir W. Svesko, 21, of Demarest, N.J., and Thomas G. Goulet, 18, of Warren, R.I. They were granted new trials by the U.S. Court of Appeals in Boston when they filed affidavits contending they were not in the building. The five were among 48 young persons convicted on contempt charges. The other 43 currently are serving 30-day jail terms. They also were fined \$100 each.

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