

Action, Please!

Receipt will get propeller back

Q — Before Thanksgiving I took a propeller for a 22-foot inboard — outboard boat to Nates Boat Shop, Inc. to be repaired. When I checked the store a couple of weeks ago to see what was happening with my propeller, I found the door locked and a notice posted about a public auction being held. No date for the auction was given. The telephone is disconnected.

How can I get my property back? I don't want it auctioned by mistake. (T.Z. of Ypsilanti).

A — Take your receipt for your propeller to Nates between 10 a.m. and 4 p.m. Sunday to retrieve your property.

Arnie Vix, auctioneer with Norton Auctioneers, Inc. of Coldwater, said the open house Sunday will give persons such as yourself an opportunity to claim their property. Also, persons interested in buying merchandise at the auction scheduled to begin at 10 a.m. Feb. 17 can use the open house as an opportunity to see what is available.

Nates Owner Les Keleman was not available for comment Thursday but is expected to be present at the open house and auction, Vix said.

Action, Please! is designed to help readers with their problems, cut red tape and get answers. Priority is given to questions of general interest. We regret we cannot answer, or even acknowledge, every inquiry. Mail questions to Action, Please! The Ann Arbor News, P.O. Box 1147, Ann Arbor, Mich., 48106.

Ann Arborite shot to death; suspect held

A 33-year-old man was fatally shot early Saturday morning in his apartment as an acquaintance broke through his door and fired three times.

Paul F. Powell, of 2238 Dexter Rd., was killed around 2:15 a.m. when the 40-year-old suspect, whose name is being withheld pending arraignment, broke into the apartment and shot Powell while he was in bed.

A witness to the shooting, the estranged wife of the suspect, called police and stayed at scene with the suspect until police arrived.

THE REASON for the slaying remained a mystery to police this morning. However, it is known the suspect had been separated from his wife since last September and had been out of the state reportedly looking for a job.

Powell was an emergency medical technician, most recently employed at St. Joseph Mercy Hospital, and had known the suspect. His former wife and eight-year-old daughter live in Adrian.

The suspect is expected to be arraigned on an open charge of murder tonight.

Huron High celebrates 'coming home'

In a turnabout from the traditional "homecoming," usually associated with fall and football, Huron High this week celebrated a "coming home."

Mike Stewart, a senior, was crowned king of the week's activities during half-time ceremonies at the Huron-Adrian basketball game Friday night.

The student body selected Stewart from a slate of five candidates, all from the senior class. In addition to Stewart, they included Jim Robertson, Dean Hopson, Cam Moody, and Steve Pennington.

Making up Stewart's court are 10th graders Dave Bloxam, Nolan Fredericks, and Dave Heston. Eleventh graders in the court are Sam Cox, Jim Lewis, Joel Megginson, and Sam Mullice.

The game and crowning capped a week-long series of events, including "Hat Day," "Costume Day," "Nerd Day," "Heart Day," "Dress-Up Day," and a Friday evening dance.

The fifth annual Coming Home week was sponsored by the basketball cheerleaders and the junior class.

The Ann Arbor News

College girls for fight to stay open

By William B. Trembl
STAFF REPORTER

YPSILANTI — The administration of Faithway Baptist College, bolstered by support from a state senator and a state representative from Ypsilanti, is prepared to challenge in court the authority of the State Board of Education.

"This fight isn't over by a long shot. We intend to take action if we have to protect our right to teach and practice our religion," says Rev. Donald Segar, director of development and planning for Faithway.

Faithway, a Christian-based church and school system with fundamentalist beliefs, is now in the preliminary stages of what promises to be a precedent-setting battle with state authorities over charter certification. State Board

of Education officials in Lansing have warned Faithway officials that they stand in violation of state regulations by continuing to operate the College without a charter.

THE COLLEGE is located in a former elementary school just east of Ypsilanti in Wayne County's Van Buren Township. The school has been at that location since 1976 when Faithway lost its campus in the village of Memphis in Macomb County because of finances. At the same time Faithway had to relinquish a state charter it had been leasing from a Catholic institution which formerly occupied the Memphis campus.

Rev. James O. Phillips, president of Faithway, has answered the State Board of Education's warnings about a charter by citing

the First Amendment to the U.S. Constitution.

"The amendment prohibits Congress or anyone else from making any law which prohibits the free exercise of religion. And that's what we're doing in our schools. The state doesn't have a copyright on education," Rev. Phillips says. At a recent meeting of the State Board of Education in Lansing a delegation of 20 Faithway supporters, including State Sen. John A. Welborn, appeared to voice their concern about possible legal action against Faithway College.

One of the speakers, Dave Sutphin, a senior at Faithway College and president of the student body, warned the state board it faces a class action suit if it moves to close the college.

ECHOING Rev. Segar's "take

action" mood, Sutphin said Faithway has qualified, dedicated teachers who provide individual attention to students. He said Faithway is not an "easy" school and scholastic requirements are strict. He said he chose Faithway because of his religious convictions and the Faithway philosophy.

"Will the board now deny me the freedom of choice?" Sutphin asked. "Will you tell me I can no longer attend my school, that everything I have accomplished here for the last three years is worthless?"

Sutphin said if the state Board of Education begins legal action to close Faithway he and other students at the college plan to file a class action suit against the state for violation of civil rights.

Sen. Welborn, a conservative

Republican who represents the Kalamazoo area, leveled strong criticism at the state board in the Faithway matter. A two-page letter Welborn composed and read at the Tuesday meeting was co-signed by Rep. Gary Owen, an Ypsilanti-area Democrat.

Sen. Welborn told the News Friday he would consider any action against Faithway by Attorney General Frank Kelley's office "a grave violation of the federal Constitution."

"Action against this school would be a deliberate effort to harass," Welborn asserted. "This is really an old fight. The state board has pulled this before. They've gotten in the back door to run or close church schools. And they've been inconsistent most of the time."

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FUN ON ICE — Kids who got new skates for Christmas and other eager hordes of skaters are finally getting a chance to have some fun on ice as the current cold snap lingers on. The five gleeful girls at left were



caught by staff photographer Robert Chase as they zoomed past him at Burns Park's skating area. They moved just too fast for him to get their names. At

right, playing something like "Here we go 'round the mulberry bush," are Susan Regezi, 9, Aimee Brophy, 8, and Katy Anderson, 8.

Jail term in deaths to start—at last

By Owen Eshenroder
COURTS REPORTER

Nearly four years after he was convicted of manslaughter in the 1973 traffic deaths of two Milan area teen-agers, Michael M. Cutler was ordered Friday to immediately begin serving a prison term.

"It's about time," assistant prosecutor Robert Cooper said afterwards.

Cooper successfully prosecuted Cutler, a 39-year-old former Ypsilanti meat cutter, and has been critical of numerous defense appeals which have delayed execution of his 1½ to 15 year prison sentence.

Cutler was found guilty in March 1976 by a Washtenaw County Circuit Court jury. Since then, he has lost appeals to the Michigan Court of Appeals, the state Supreme Court and the U.S. District Court in Detroit.

BUT FRIDAY, Judge Ross W. Campbell abruptly called an end to the series of delays by denying Cutler's motion for a new trial and revoking the bond which has kept him free ever since the Jan. 26, 1973, collision on Carpenter Road

south of I-94 in Pittsfield Township.

Killed in the mishap were Roy Hoeman, 18, and his girlfriend, Susan Layton, 14. The car in which they were passengers was struck head-on by Cutler's vehicle shortly

after he left a motel bar, where he had spent some seven hours drinking with fellow workers. Cutler was arrested at the scene for drunk driving, and later testified he could remember nothing of the accident.

"I've been waiting seven years for this day," said Helen Hoeman, the mother of one of the victims, after Cutler was led away to detention by sheriff's deputies. His wife sobbed as he left Campbell's courtroom.

The conclusion of the much-litigated case came with remarkable swiftness, in contrast to the sequence of delays which marked the legal proceedings both before and after Cutler's trial.

CAMPBELL ANNOUNCED he had written a seven-page opinion covering both the defense motion for a new trial and Cooper's motion for bond cancellation and execution of sentence. He handed attorneys copies of his opinion and then recessed court without oral arguments.

In his opinion, Campbell said the argument for a new trial was "insubstantial." He also noted the "protracted delay in commencement of sentence brought about by the successive appeals and post-trial motions filed by the defendant."

Hoeman and Miss Layton were on their way home from a drive-in movie theater when the mishap occurred. Both were killed instantly when the Cutler car veered over the center line of Carpenter Road and smashed into the other vehicle

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A 'Kittigate' coverup?

A "Kittigate" cover-up has been charged in connection with the mutilation and killing of a cat two months ago by five former University of Michigan fraternity members.

The ex-cook at the Alpha Delta Phi house, 556 S. State St., has accused the fraternity of a conspiracy aimed at protecting the identities of the cat-killers, who last month pleaded no contest to charges of animal cruelty in Ann Arbor District Court.

The five — including former fraternity president Douglas J. Hamlin, a junior from Grosse Pointe Woods — are to be sentenced Feb. 22. They were kicked out of the fraternity after the incident came to light.

IN A LAWSUIT filed Friday in Washtenaw County Circuit Court, Earl G. Carl III of Ann Arbor claims he was fired from his job as fraternity cook last Dec. 12 — six days after the house's pet cat was hung from a tree, had its paws cut off and was set

on fire — because he refused to go along with a cover-up effort.

Carl claims Hamlin instructed Alpha Delta Phi members not to discuss the incident with reporters, police or humane society officials. When Carl told Hamlin he would answer questions about the incident if asked, the suit alleges, he was threatened by Hamlin and told he could no longer work at the fraternity house.

Carl contends his firing was a breach of contract because he had signed an agreement to work as house cook until May. He also claims the circumstances surrounding his discharge caused him "emotional distress," and he is seeking unspecified monetary damages from the fraternity.

Named as defendants in the suit are Hamlin; former fraternity steward David B. Froikin of Dayton, Ohio, who also took part in the cat killing; and the fraternity's alumni association board of directors. The alumni association owns the house.

Chemical-filled barrels may be moved soon

Washtenaw County Prosecutor William F. Delhey said Friday he hopes to have some 45 barrels containing possibly toxic chemicals removed from a Sharon Township farm by next week.

Delhey met with representatives of Sycor Inc. Friday morning to discuss removal of the barrels, but the prosecutor would not disclose details of the meeting because of the pending criminal charges against the Ann Arbor computer firm.

Sycor and one of its employees have been charged with illegally engaging, employing or contracting with another to remove liquid industrial waste, a misdemeanor charge

under state law carrying a maximum penalty of 30 days in jail and a \$500 fine.

Sycor stood mute to the charge in 14th District Court Jan. 30 and pretrial hearing was set for Feb. 28.

THE CHARGE was based on a complaint filed by the state Department of Natural Resources which investigated the suspected dump after receiving a tip from a citizen. Northern Telecom Systems Corp. in Minneapolis, Minn., the parent firm of Sycor has declined to comment on the case while it is studying the facts surrounding the incident.

Delhey said the barrels are sealed and are not leaking now, but could leak in the future. The prosecutor said Sycor officials will be permitted to take samples of the contents of the barrels if they desire in preparing their defense in the criminal case.

Fears that the barrels might be leaking toxic chemicals and contaminating nearby wells led county and state health officials to advise some residents near the suspected dump site to stop drinking water from their wells last week. However results of well water tests, outlined to residents at a township meeting Thursday night showed no contamination in any of five wells closest to the site.