

NYTIMES

S, FRIDAY, JUNE 26, 1970

Governor Naming 2 for Inquiry on Hobart Disorders

By WILLIAM E. FARRELL

Governor Rockefeller will appoint two lawyers from Rochester to act as special prosecutor in an inquiry he has ordered on student disorders on the Hobart College campus in Geneva and the activities of a police undercover agent known as "Tommy the Traveler."

Sources in Mr. Rockefeller's office said yesterday that the Governor, with the concurrence of Attorney General Louis J. Lefkowitz, will name E. Garrett Cleary and Leon N. Armer, both former assistant district attorneys in Monroe County, to head the state-ordered investigation.

The inquiry will also involve the convening of a special grand jury and an extraordinary term of the State Supreme Court.

"We've discussed the prospect with them [Mr. Armer and Mr. Cleary] and both have indicated their willingness and desire to do it," one source said. Both men have previously served as special prosecutors at the Governor's request.

Animosity Intensified

Last year, Mr. Rockefeller appointed them to investigate charges of criminal misconduct in the fiscal affairs of the town

of Arietta in Hamilton County. They obtained guilty pleas from six defendants.

The two lawyers will be investigating a controversy that has led to a flurry of court actions and has heightened the animosity between residents of Geneva, a resort town in the Finger Lakes region, and the campus communities of Hobart and William Smith Colleges.

The most recent court action occurred in Rochester yesterday when Edwin R. Schulman, a lawyer for three Hobart students charged with rioting on the campus, filed a complaint in the Federal District Court.

The complaint, brought in behalf of Rafael Martinez, Sean Campbell and Bruce Davis, charges, among other things, that local officials acting "under cover of their legitimate authority" had deprived the students of their constitutional rights.

Aspects of Inquiry

Some of the officials named are the Ontario County District Attorney, Willard C. Best, who asked the Governor to supersede him and appoint a special grand jury; the County Sheriff, Ray Morrow, who has admitted hiring "Tommy the Traveler," whose name is M. L. Singkata Thomas Tongyai, as an undercover agent, and the Geneva

Chief of Police, Thomas J. McLaughlin.

Among other things, the inquiry is expected to be broad enough to cover the following things:

¶ Allegations that Mr. Tongyai, who is 26 years old, had incited campus violence by offering students bombs, guns and lessons in guerrilla tactics.

¶ The precise terms of Mr. Tongyai's employment by Sheriff Morrow and clarification of a comment the Sheriff made that Mr. Tongyai had "come highly recommended."

¶ Activities on the Hobart campus on the weekend of June 5 to 7 during which a narcotics raid became a confrontation between 50 policemen and 500 students when they learned of Mr. Tongyai's identity.

¶ Allegations that Mr. Tongyai, in the guise of an organizer for the Students for a Democratic Society, had visited other campuses in the area and had espoused violence.

¶ Reports from the Sheriff's office that during the melee on the campus three police cars were severely damaged and the policemen inside them kept hostage.

¶ The propriety of releasing five students arrested during the drug raid in an attempt to mollify the demonstrators.

¶ Charges by townspeople of

promiscuity and permissiveness on the campus.

¶ The arrests after the drug raid, of four students on rioting charges, including Mr. Martinez, a 37-year-old senior who has been involved in numerous demonstrations in New York City.

¶ Whether haircuts and shaves given by the Sheriff's staff to three of the students arrested for "sanitary" reasons was, as has been charged, nothing more than harassment.

The inquiry is also expected to study charges by Sheriff Morrow that Mr. Tongyai was "being made a scapegoat by radical leaders" eager to cover-up campus drug activities.