

Prosecution pay... Raises urged for district court officials

AUSTIN (AP)—State budget writers indicated concern Monday for the quality of justice in small towns when it recommended pay raises to district court officials.

The Legislative Budget Board obviously was aware of a financial surplus that is expected to reach as high as \$1.5 billion by next spring when the legislature is in session.

The 10-member board that includes Lt. Gov. Bill Hobby and Speaker Price Daniel Jr. recommended raising the salaries of dis-

trict attorneys and criminal district attorneys from \$16,000 to \$23,300 for the fiscal year starting next Sept. 1 and to \$24,800 the following year.

"Rural and middle Texas is suffering from a lack of prosecution, and we're not going to get it until we pay

for," said Sen. Tom Creighton, D-Mineral Wells.

The board recommended raising district judges' salaries from \$25,000 to \$31,000 in fiscal 1976 and \$33,000 the following year.

Under the board's proposal, as-

sociate justices of the Texas Supreme Court and the Court of Criminal Appeals would get \$5,000 raises—to \$45,000—with the chief justice and presiding judge pulling in an extra \$500.

On a motion by Rep. Terry

Doyle, D-Port Arthur, the board recommended raising the salary of the state's attorney from \$26,000 to \$33,100 to make the job—in Doyle's words—a "much sought-after position."

The state attorney represents the state before the Court of Criminal Appeals in cases appealed from lower courts, and Doyle said often he is all smaller counties can rely on.

Doyle noted in stressing the importance of the job that the state attorney is preparing "to argue the constitutionality of the death penalty in Texas."

The board also rejected a two-year \$7,412,021 proposed budget for the East Texas Chest Hospital at Tyler in favor of a \$15,650,011 budget that includes additional responsibilities.

The staff also was told to study the

hospital's request for a new \$17 million facility.

"Whatever it takes to continue the fine work at the hospital I'm for," said Rep. W.S. Heatly, D-Paducah.

The new responsibilities would include study and treatment of heart and cancer and other disease related to such chronic respiratory problems as emphysema.

Creighton said he was upset by persons telling him "they couldn't breathe" and yet couldn't get in the hospital because it was full.

The additional money would allow the hospital to take care of an additional 125 patients over a two-year period—if there was space. The staff is to present some alternatives, including contracting for beds at other facilities, at the December board meeting.

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Briscoe campaigning shows poor example, charges Granberry

(AP)—The Texas governor's race went into its final two weeks Monday with Republican Jim Granberry claiming Democrat Gov. Dolph Briscoe has set a "poor example" of campaign ethics.

Briscoe canceled all scheduled campaign appearances this week because of the critical illness of his mother, Mrs. Dolph Briscoe Sr., 86, in a Uvalde hospital.

Granberry told a Big Spring news conference that "Briscoe has bought previous elections and he is trying to buy this one. Briscoe also has used the state's chief elections officer, Secretary of State Mark White, on two recent occasions to make campaign speeches for him. If I were governor I would never involve a state elections officer in partisan politics."

Granberry repeated his claim that Briscoe has poured more than \$1 million of his personal wealth

into his campaigns of 1968, 1972 and 1974, including more than \$350,000 this year.

In Austin, Texas AFL-CIO Harry Hubbard answered Granberry's challenge Saturday to say if Hubbard still supported Briscoe after the governor said he would oppose any effort to alter the present law that keeps employees from being required to join a union.

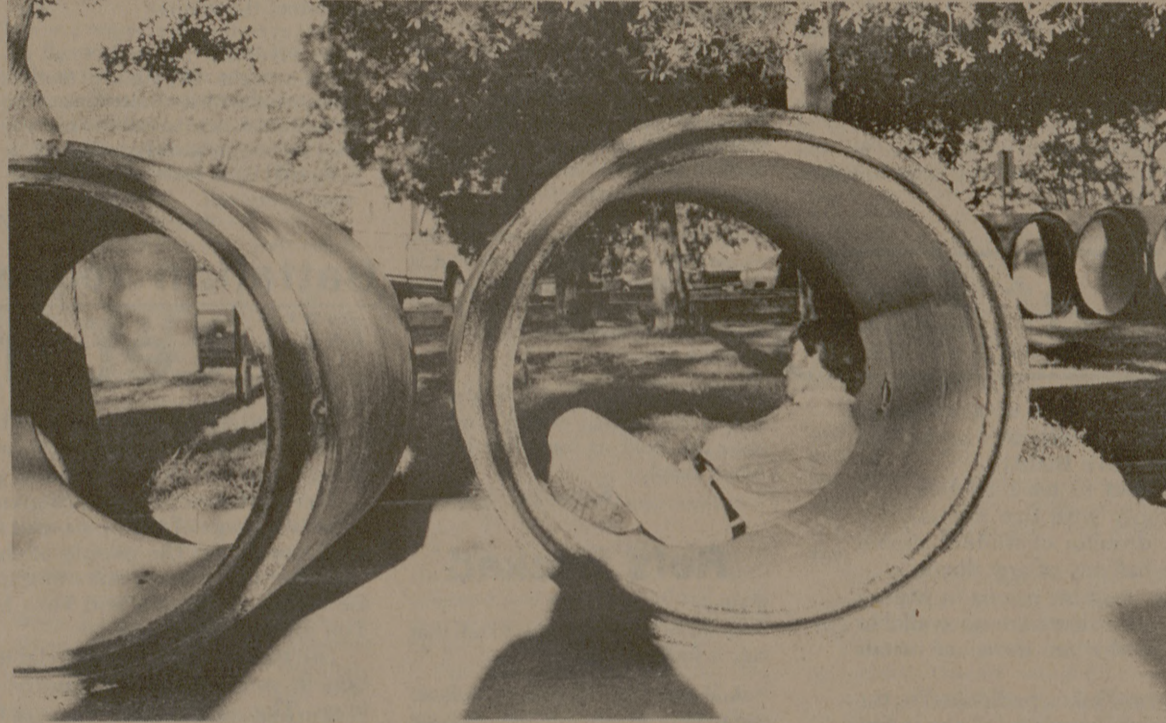
"I think that Texas' Committee on Political Education (COPE), the political arm of the AFL-CIO is in support of the Democratic nominees from top to bottom," Hubbard said. "The only thing that will bring us out of the chaos we are in is the Democrats . . ."

"We will be supporting an agency shop bill in the next session of the legislature," Hubbard said. "If we have the votes to pass the agency shop bill which would require non-union employees to pay union dues

we'll have enough votes to override the veto, whether it's Briscoe's or Granberry's."

On other political fronts, Bob Bullock, Democratic candidate for comptroller, said in a speech prepared for El Paso that the comptroller's office should hold tax case hearings in its regional headquarters instead of requiring all tax contests to come to Austin.

Bullock said "taking the comptroller's office to the taxpayers would probably result in more hearings on smaller dollar volume contests—proving that the present system is based on economics instead of justice."



NEW PIPE provides an unexpected place to catch some sleep for one student. The pipe is being laid near the drill field and the nearby day-student parking lot. (Photo by Chris Svatek)

Prospective jurors warned Kent State judge fears prejudice

CLEVELAND (AP)—Prospective jurors were warned Monday against being influenced by prejudice, publicity or sympathy as trial began for eight former Ohio National Guardsmen indicted in the 1970 Kent State University shootings.

Chief U.S. District Court Judge Frank J. Battisti told prospective jurors that "because of the publicity this case has received, some of you probably have read, heard or seen something" about it.

But that alone wouldn't warrant dismissal from the jury, he said, adding that they would be disqualified if they felt the publicity left them unable to render a fair and impartial verdict.

Battisti said he expected the trial to last about six weeks but that jurors would not be sequestered. He said court would be in session four days a week.

The eight ex-Guardsmen are

charged with willfully assaulting and intimidating four persons killed and another nine who were wounded during the May 4, 1970, confrontation between Guardsmen and students protesting U.S. military involvement in Cambodia.

The defendants also were charged with depriving the victims of their constitutional rights by firing at or near them and the crowd of demonstrators.

Three of the first dozen prospective jurors were excused as Battisti asked them and each of the others if they would be willing to present the case to a like minded jury as either the prosecution or a defendant in the case.

A defense attorney said it was unlikely the jury would be empaneled before the end of the week. The government has six preemptory challenges, under which it can refuse a juror without giving a reason, and the defense has 10.

Named in the indictment are Lawrence A. Shafer, 28, and James D. McGee, 27, both of Ravenna; William E. Perkins, 28, Canton; James E. Pierce, 29, Amelia Island, Fla.; Ralph W. Zoller, 27, Mantua; Barry W. Morris, 29, Kent; Mathew J. McManus, 28, West Salem, and Leon H. Smith, 27, Peach City.

Conviction could bring penalties ranging from a year's imprisonment and a \$1,000 fine to life in prison on those instances in which death results.

The trial was the first criminal action in the 4½-year-old incident. A federal grand jury called late in 1973 returned the three-count indictment. It was empaneled after then-Atty. Gen. Elliott Richardson reversed a decision by former Atty. Gen. John N. Mitchell against a

federal probe.

The shootings capped a series of demonstrations that began May 1 following announcement that American planes had bombed in Cambodia. The Guard was ordered to the campus by then-Gov. James A. Rhodes after the Army Reserve Officers Training Corps building on the campus was burned by demonstrators May 2, a Saturday.

Shafer, McGee, Perkins, Pierce and Zoller were charged with aiding and abetting each other in firing .30-caliber M1 rifles at or near the victims, including the four who were killed. Morris was charged with firing a .45-caliber pistol at or near demonstrators, and McManus and Smith with firing 12-gauge shotguns.

P&Z denies appointment request

By GERALD OLIVIER

Staff Writer

The College Station Planning and Zoning Commission "respectfully declined" to appoint members to a committee created by the City Council to study possible revisions of the zoning ordinance.

The committee, set up at last month's council meeting on a motion by Councilman Jim Gardner, will be made up of members from the City Council, the Zoning Board of Adjustments and other committees in the city.

Commissioner George Boyett said the council should take the responsibility to investigate the ordinance.

"I thought the City Council was the governing body of the city, not committees," Boyett said.

"We need to discuss this in open session with the council before making any decision," he said.

Commissioner Tom Chainey said the council should activate current committees rather than creating new ones.

The commission voted unanimously not to make the appointments.

In other business, the commission accepted the final plat for Brentwood subdivision, a Richard Smith development east of Texas Avenue and south of Highway 30.

Concern over drainage prompted the approval of three alternatives for Smith. The installation of a 30-inch concrete pipe across the width of the property is the alternative preferred by the city.

If an open drainage ditch must be used, it will have a gradual slope with an easement sufficient for city maintenance or a steep sided one maintained the owner.

The commission set a precedent for the city by requiring the notation of minimum height for foundations on the plat. This is to avoid possible flooding of structures built on the site.

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Weather

Partly cloudy and mild Tuesday and Wednesday. 20% chance of rain tomorrow. High today 79°; low tonight 57°; high Wednesday 82°.



TAMU comments

HEW guidelines criticized

By JUDY BAGGETT
A&M criticized the guidelines set up by The Department of Health, Education and Welfare (HEW) on Title IX of the 1972 Education Amendment because it offers entrance into areas previously excluded. HEW solicited comments on Title IX until Oct. 15.

Title IX deals with sex discrimination. The guidelines take the amendments further and apply them to specific areas, said Ed Davis, affirmative action officer for TAMU.

There is "no basis in statutory law" for regulation in the areas covered by the amendment.

In the comments sent to HEW, A&M stated the extension of the sex

with teams competing together. If revenue producing sports such as football are not excluded, the university may not be able to support other sports, Davis said.

A&M said that equality could not be given in medical care because it may be beyond the capacity of the

health center to treat pregnancy or perform vasectomies.

The portion of the regulation which stops institutions from offering a fringe benefit plan that does provide equally for both male and female was approved by the university.

The guidelines tend to stop the use of tests in admissions. A&M's letter suggested that tests given on a national basis such as the Scholastic Aptitude Test be validated on a national basis. In this way, there would be no discrimination. An explanation of the section was asked for.

Few action groups created in answer to Ford request

(AP)—Few states and local communities have followed up on President Ford's request that they set up citizen action committees to fight inflation, as Associated Press survey shows.

Most state and local officials surveyed say they are studying Ford's citizen group idea. A few states and cities already had groups that fit roughly into Ford's proposal. Many governors and mayors said they may set up groups soon, but a majority said no such groups had been created yet.

Ford mentioned the community action groups in his recent speech to Congress on the economy and reiterated it a week ago in telegrams to all governors and 150 mayors and

county executives. The telegrams also urged better speed violation enforcement and called for the elimination of outmoded state and local laws which increase the cost of goods and services.

Most state officials said they were already doing as much as they could to cut down on speeding and most said their states did not have the kind of inflationary laws Ford referred to, the survey also showed.

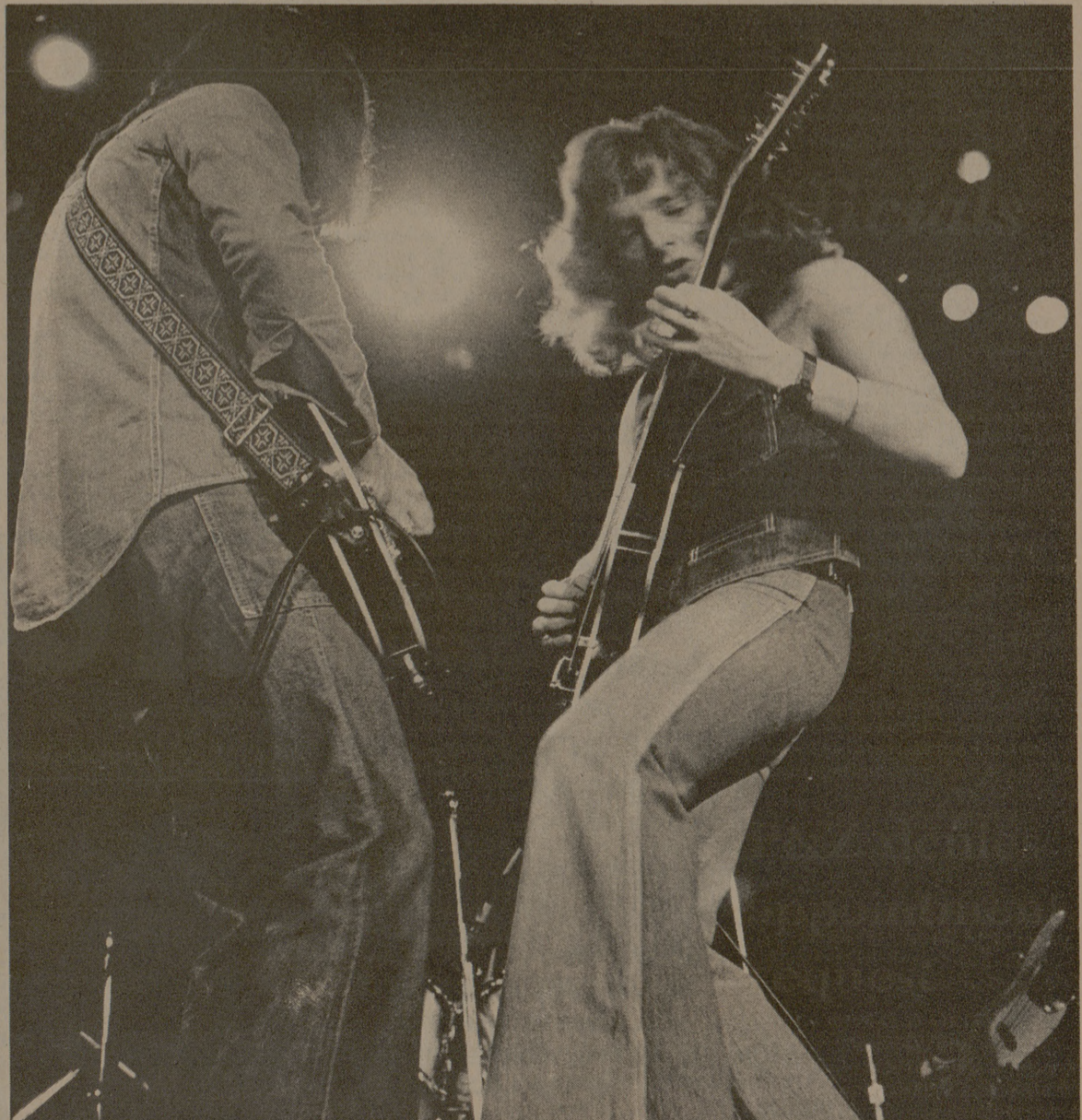
Gov. Francis W. Sargent of Massachusetts said he was passing Ford's citizen's group idea to his "Office of Citizen Participation" and asked his aides to decide whether the proposal is worth investigating further.

Gov. Mike O'Callaghan of

Nevada said he was sending some of Ford's anti-inflationary suggestions to all state agencies, but said that any volunteer citizen's groups "should come from the grass roots, local government level."

Gov. Philip W. Neel of Rhode Island said he asked his staff to come up with names for a citizen's action group which would make recommendations for anti-inflationary legislation.

Alabama Gov. George C. Wallace created a Governor's Committee to Fight Inflation just before getting Ford's telegram. When it's appointed, the committee will recommend ways for the state and private sector to fight inflation.



HARD ROCK selections were presented by the British group Trapeze at the Town Hall concert Friday night. Also on the program was the Hues Corporation. (Photo by Chris Svatek)