

Supreme Court to look at claims that Army spying on civilians

WASHINGTON (AP) — The Supreme Court agreed Tuesday to take a look at claims by civilians and peace groups that the Army is engaged in unconstitutional and speech-inhibiting spying.

The court acted at the behest of the Justice Department. The move at least delays a full-dress federal District Court hearing into Army spying.

The government will argue that individuals cannot bring

suit against an Army surveillance system unless they can show first that they were spying victims.

The case will be considered by the justices early next year.

The court by then will be up to full nine-member strength if the Senate confirms nominees William H. Rehnquist and Lewis F. Powell Jr., both of whom are conservatives.

The District Court hearing was ordered last April by the U.S. Circuit Court here in a suit filed

by the American Civil Liberties Union in behalf of seven antiwar groups, five individuals and the American Federation of State, County and Municipal Employees. The Circuit Court called for a determination of whether Army spying was unrelated to its "mission as defined by the Constitution."

The Supreme Court could kill the suit if it decides to overrule the Circuit Court. The Justice Department contends the ACLU

is seeking an advisory opinion on "indefinite and abstract assertions."

In a 6-1 decision, the high court barred Montana and all states from denying welfare assistance to new residents. The case concerned Victor Pease, a ranch hand who migrated from the state of Washington and was denied unemployment benefits in Cascade County in 1969 because he had not lived in Montana for at least a year.

In a 1969 ruling the court struck down one-year residence requirements for welfare programs funded in part by the federal government. In the Montana case the welfare came entirely from county funds.

The ruling said the source of the money "is irrelevant to the constitutional principles involved," including the right of poor people to travel. Chief Justice Warren E. Burger dissented, saying the court should

have heard argument on the issues before reaching a decision.

In other actions the court: —Blocked, 5 to 2, trial of Arnold Maxwell Harris in Clark County, Wash., on a charge of slaying his infant son since he has been acquitted of a related murder. The decision was based on the double jeopardy provision of the Fifth Amendment. Burger and Justice Harry A. Blackmun dissented.

—Agreed to rule on a Tennessee

law that requires a defendant to be the first defense witness if he chooses to testify for himself. Kentucky has a similar law.

—Agreed to rule on the jurisdiction of federal courts to handle discharge suits by military reservists who say they are conscientious objectors.

—Agreed to decide in a Georgia railroad case whether discharged workers can sue for damages before their grievances are taken up by the National Railroad Adjustment Board.

Esten

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too, and that's what came out." Since that first game in 1950 Esten has never missed a game as the public address announcer at Kyle Field, be it high school, freshman or varsity football.

His football days go beyond his announcing, however.

In fact, after getting his master's degree, Esten started by coaching high school athletics in Texas for five years before returning to his native New England where he taught school until joining the faculty in 1946.

Aside from playing, coaching, and announcing football, he has also gotten into the game from the officials viewpoint and was a member of the SFOA College Station chapter until he called it quits in 1962.

When he came to A&M he had no idea he would become the stadium's announcer. His interest at the time was his job with the English Department.

He accepted the task of building up a drama group, the Aggie players, when he came to A&M.

"I've built it into a respectable organization," he said. "We now have 57 hours in theater courses and also give a teaching certificate in drama."

None of those was around when he started.

With 20 years of experience, Esten knows some of the good things to success in announcing is to say as little as possible.

"Don't tell the obvious. Just say who's carrying the ball and who makes the tackle and shut up."

"Never second guess an official. It's not your job to do that."

He recalled an instance in a game during the Aggies' unbeaten 1956 season when they were playing Texas Christian University.

The Aggies and Horned Frogs were playing a toughie that day, that eventually was decided by a single point, 7-6, as there was a dispute on whether TCU crossed the goal line on one of its drives.

"I didn't say a word. I figured if I did it would cause a panic and we really would get somebody hurt."

"Some nut tried to come into my booth and get on the mike and tell everyone about the tornado but I was able to get him out of the way and everything went okay."

Esten works in a small room. It contains only the machinery used in the PA system, and its climatic conditions are not exactly what you would call ideal, he said.

On his desk is the microphone and some switches but behind him is a large machine that controls the loudness and tone of the speakers in the stadium.

There are 64 speakers in the stadium, Esten pointed out.

"In my booth you can't open any windows and when the amplifiers get warmed up during the game it gets hot."

"There's one little window at the top of the booth that will open but it doesn't bring enough air to make a difference."

Everywhere C. K. Esten goes people may not know him but they recognize his voice.

He's now 63 and nearing retirement, but he says when he retires it probably won't have any bearing on his announcing.

"As long as I've got a voice, I guess I'll keep going."

He is the voice of Kyle Field.



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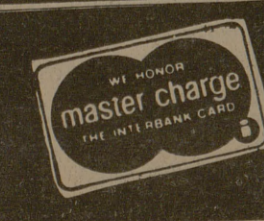
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A full-length color movie, The Hunters, will be shown in room 201 of the Veterinary Medicine school at 7:30 p.m. Wednesday.

The film is about the life and culture of the Bushmen in South Africa's Kalahari Desert. It is authentic in every detail and recognized as one of the best records of the original life patterns of the Bushmen.

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