

The Battalion

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Correction

WASHINGTON (AP) — The Associated Press reported erroneously Tuesday night that the veterans' education bill which President Ford vetoed and Congress overrode raised the rates for a veteran with two dependents to \$336 a month.

The rate for full-time institutional training was raised from \$298 to \$366 a month.

Today's election defies injunction

By BARBARA WEST
Staff Writer

Freshman election run-offs and a referendum on constitutional amendments are being held as planned despite an injunction filed by Mike Perrin of the Student Body Judicial Board, Karla Mouritsen, member of the student government election commission, said.

The injunction was prompted by complaints from James W. Crawley, freshman, journalism major, and Douglas Winship, senior philosophy major, that the scheduled election and referendum were in violation of university regulations. They allege that proper notification was not given as stipulated in Section II, part 70 (2) (a) of the regulations, which states that elections must be announced in The Battalion at least 10 class days prior to the date of the election.

The decision to hold the election Dec. 5 was not made by the Student Senate until Nov. 20, which made the earliest possible date of an-

nouncement nine class days prior to the election.

Susan Warren, election commission chairman, said that "it is no fault of the election committee; it's the fault of The Battalion." She alleged that despite her efforts to have notices printed, this was not done.

"It's not our duty to fulfill the legal obligations of the Student Government," said Greg Moses, Battalion editor. "If it is their obligation to print notices, they should buy a legal notice in the classified ads."

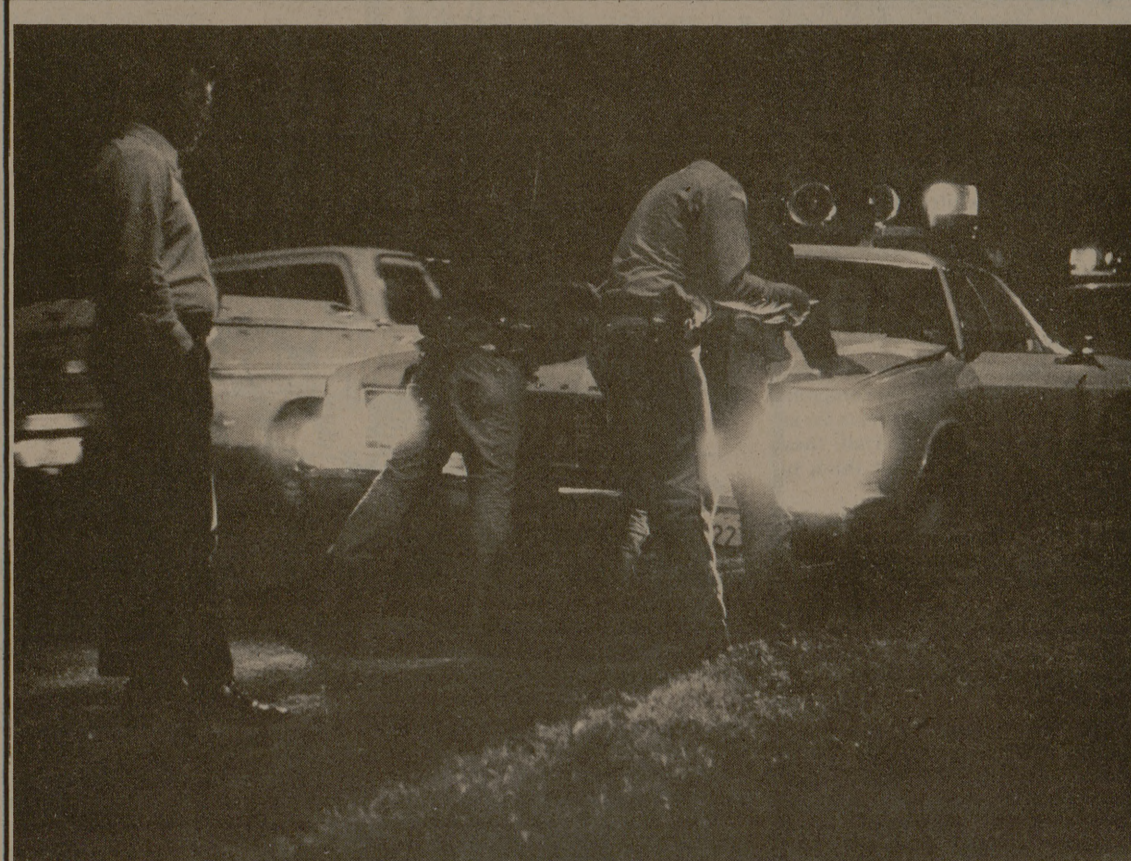
Steve Eberhard, student president, backs the decision to hold the election as planned, on the grounds that the election should be contested after it's held. In his opinion the election needs to be held now for the sake of the freshman class, and that the outcome would not be affected whether it is held now or later.

"It wouldn't bias the voting in favor of one candidate over another," he said.

Eberhard also mentioned doubt about the validity of the injunction, because he felt that the judicial board did not have the power to enjoin. By his interpretation of the constitution, the only injunctive powers of the board are to stop illegal campaign practices. He also noted that in the board's own by-laws there is a considerable extension of the powers granted in the constitution.

Further action on the case must be at the request of at least one student, said Mike Perrin, judicial board member.

After the election is held, a request would be made to have the results declared invalid and have a new election held, adhering to the regulations. The board would then hear the case and make its ruling. If they decide in favor of the students, the election commission would be instructed to reschedule the election. Failure to comply could result in the removal of the commission members.



Hobos frisked by College Station Police

Hot boxcar hobo home

ALAN KILLINGSWORTH
Photo Editor

Four hobos came to College Station last night, stayed awhile and then kept on going.

They were riding aboard an empty Southern Pacific boxcar with their sleeping bags and all the things they needed to get to New Orleans and Mardi Gras. Chances are that hobos ride the rails through College Station all the time and go unnoticed. But these four made one mistake. They got cold so they built a fire.

The fire got a little out of hand when it caught on some hay. When the engineer spotted it he called the fire department and the police because the hobos had refused to give up their warm little retreat.

The four were arrested and taken off to jail. There was the chance that the four could be charged with trespassing and arson but Southern Pacific Railways refused to press charges and by now the four are probably on their way to New Orleans and, of course, Mardi Gras.

Today

Inside

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Weather

Mostly cloudy Thursday with scattered showers. Cooler Friday. High both days 67°; low tonight 54°. SE winds 8-14 mph.

'Law of the land'... not necessarily law on campus

By JIM CRAWLEY
Staff Writer

Due process and rights of the dormitory judicial board are established by the individual dorms and are not necessarily in line with the "law of the land" (U. S. Constitution), Dr. Charles Powell, director of student affairs, said in an interview Wednesday.

Due process within the residence halls and this office is not the same as court procedures of due process, said Powell.

The individual dorm rules are not the same as those of the University, Powell said.

Fowler Hall presently has a constitution and judicial board Bill of Rights that states the University Rules are the rules and regulations of the dorm.

Questions have been raised about the presence of the accuser at dorm judicial board hearings. Powell said that the defendant must request that the accuser be present at the hearing, and that the board doesn't have to present the accuser unless requested.

"The defendant has the right to be confronted by the accuser, but that doesn't necessarily say that the J-Board will bring the accuser in there," said Ron Blatchley, associate director of student affairs.

Powell said that the rules concerning the due process in the individual dorms are to protect the students and are in force at all times. Additionally, the dorm rules must be in accordance with the law.

When asked how the board determines guilt if the accuser is not

present, Powell said, "They first ask the person if they did what was charged against them."

Powell said, "There's nothing (in the due process) about them admitting that they're guilty or not guilty. They don't have to admit if they don't want to, I suppose, but they would be lying."

The present University Rules and Regulations state, "Each student subject to disciplinary action arising from violations of University regulations shall be assured procedural due process. At all judicial hearings, an accused student shall be assumed innocent until proven guilty, and, in initial judicial hearings, the burden of proof shall rest with those bringing the charges."

Powell said the dorm J-boards don't have the power to punish students but only advise that certain punishment be executed. Punish-

ment can take the form of a reprimand, visitation restrictions and if serious, conduct probation.

Both parties, males and females, are responsible and can and should be brought before their respective dorm J-boards, Blatchley said.

Presently, the dorm judicial process begins with the report of infraction of dorm rules. This may be done by any resident of the hall. The dorms judicial board then sets a time for the hearing and notifies the defendant in advance.

Then in open or closed meeting, depending on the defendant's choice, the hearing is held and the defendant may call his own witnesses. These are usually character witnesses. Judicial board members can ask questions of the defendant or any witnesses.

The board in closed session, decides the guilt or innocence and the

punishment, if necessary. The defendant is then notified of the decision and may appeal the ruling.

The appeal usually goes to the appropriate area coordinator or the director of student affairs office.

In some cases, for instance, a record of the hearing and the following decision are sent to the Dean of Women.

Powell denies any records are kept of dorm judicial proceedings, unless the student is given a conduct probation by the university. Conduct probation is given to a student who did a "crime" with a punishment less than dismissal from the university.

Blatchley said there is a higher number of girls brought before the dorm judicial boards because the boys don't care if they are violating visitation rules and go the girls' dorms anyway.

Tracks to go? Agencies considering study

By GERALD OLIVIER
and ROXIE HEARN
Staff Writers

The wheels of local government are turning in an effort to do a feasibility study on moving the railroad tracks out of Bryan-College Station (B-CS).

"We would love to see a study done on the possibilities of moving the railroad," President Jack K. Williams told The Battalion Tuesday.

The railroad in its present location presents two major problems. First, it hampers access to the area

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west of Wellborn Road. TAMU is planning a multi-million dollar agricultural campus in this area. In a speech before the B-CS Chamber of Commerce this summer, Williams cited the railroad as the major restriction to westward expansion of the campus. The chamber unanim-

ously voted to support William's proposal.

Some local officials say a second problem presented by the railroad is the traffic hazards it creates in downtown Bryan. The tracks bisect the business district, crossing many principal streets and resulting in safety problems as well as traffic jams.

In August a presentation was made by the city of College Station to the Governor's Council on Planning and Coordination, listing the needs and priorities of the Bryan-College Station area. The need for a transportation plan, including railroad relocation, was given top priority.

Restriction of right-of-way at major intersections, bisection of the community, condition of the roadbed and interference with other modes of transportation were

cited in the presentation as reasons for moving the railroad.

The Brazos Valley Development Council (BVDC) is prepared to look into funding for the feasibility study, Executive Director Glenn Cook said.

If the four local entities involved (the two cities, the county and the university) will request action from the BVDC, the executive council will be happy to consider the proposal, Cook said.

Councilman Don Dale of College Station has agreed to support a resolution before the CS Council asking the BVDC for financial backing for the study.

"I think the whole council would be in favor of this," Dale said in a recent interview.

"I think we all feel the same, at least it ought to be looked into," Larry Bravenec, another CS councilman, said.

In Bryan feelings are mixed. Mayor Julius Skrivanev thinks the study would be a "waste of the taxpayers' money."

"Anybody with common sense can look at this and see the pros and cons," Skrivanev said. "The move would be too expensive to even consider."

Bryan Councilman Buddy Sledge thinks the study is a good idea.

"I would like to see the railroad moved," he said. "I think we can get the council to approve it." He said he will have the item placed on the

(See TRACKS, page 3)

School vandalisms costing thousands of dollars yearly

By ROSE MARY TRAVERSO
Staff Writer

Vandalism, a "perennial" problem for school districts across the country, is costing local school districts thousands of dollars yearly.

"We have never had the kind of vandalism problem that has rocked the inner cities but even a broken window takes money and labor to replace," said Wesley Summers, Bryan School District superintendent. "Vandalism cost the district \$2,000 last year."

To prevent window and door breakage, which are damaged most, an "unbreakable, plastic glass" is

being used in a number of the schools, he said.

Doors are being replaced "as rapidly as we can" with metal exterior doors and metal "solar screens" are being put on windows to reduce chances of break-ins, Summers said.

No private security group has been employed by the district, Summers said. "If it ever got bad enough, then of course, we'd move in (to tighten security)," he said.

Bryan Police patrol nightly and officers "stake out buildings in which a problem has been identified," Summers said. "We have also attempted to reduce the problem by staggering custodial help to keep somebody in the building during vandalism prone hours — of course, this doesn't cover weekends," he said.

Weekends and holidays are the periods when the vandalism rate is highest, said Lt. B. G. Maddox of the Bryan Police Department. "This is when we step up our patrols," he said.

"We work with administrators of the schools and call them when we hear about the break-ins," Maddox said. "Janitors and teachers often leave their doors and windows unlocked, unknowingly."

"The schools on the west side of town are hit the most. The schools hit most often are Sul Ross Elementary, Anson Jones, Bowie and Carver," he said.

"Areas close to a high concentration of people are vandalism prone," Summers said.

Summers observed that most of the vandals are "juvenile youngsters whose motive are not usually burglary. Schools just don't have anything valuable enough," he said.

Lt. Bobby Riggs narrowed the average age of vandals to between 10 and 15 years and gave a different perspective of the vandals' motives. "It's not like it used to be," he said. "The children used to break in the

schools and mess things up to get back at a teacher or principal, but now it is to steal an item in the school and things get messed up in the process."

School property most often stolen is money, typewriters, tape recorders, adding machines and radios, Maddox said.

"They (vandals) are pretty hard to catch, but we have cleared about 50 per cent of the cases and sometimes more," Riggs said. "For adequate protection all of the doors and windows have to be wired to an alarm system. I don't think the schools have enough money for it — it's pretty expensive."

Summers said he feels satisfied that "most get caught." "The kids like to talk and it's not hard to find out who is responsible," he said.

"We have to report every break-in to the police to protect ourselves but we don't want to go an eye-for-an-eye," Summers said. "We first try to work with parents but if they are unwilling to make restitution or in a case of repeated offenses, we turn it over to the police."

"We are not interested in sending anyone to Gatesville," Summers said.

The A&M Consolidated School District pays an insurance premium of \$1,375 yearly to cover vandalism, said Fred Hopson, Consolidated superintendent.

"The insurance does not cover glass breakage, which is the most frequent damage," Hopson said. "Glass breakage is what brings our losses into the thousands, whether it be for lights, doors or windows."

Hopson said the district had no definite figures of the past year's damage. "Our maintenance and repairs don't reflect what were normal repairs and what were the results of vandalism," he said.

The problem is not bad in College Station, said CS Police Chief Marvin Byrd. "Not many have occurred" (See VANDALISM, page 5)

Last arguments heard today on Zipper Lounge murder

Final arguments were to be heard this morning at nine in the 85th District Court in the murder trial of Bob Maddox, charged in the death of Charles W. Greer of Bryan.

The Navasota man is accused of stabbing Greer to death on the night of April 26 in the parking lot outside of the Zipper Lounge on Highway 6 across from the Texas World Speedway. Greer was stabbed during a fight involving his brothers, his cousins, Maddox and some of Maddox's friends.

Testimony was heard all day Wednesday from defense witnesses. The trial is being presided over

by 20th District Judge W. C. Wallace, visiting from Cameron.

Initial testimony was heard Tuesday afternoon from Grimes County Sheriff John Darby, who told the court he was asked by the Brazos County Sheriff's office April 27th to assist in the investigation of the stabbing. Maddox was picked up by Darby after receiving a list of names from Brazos County Sheriff J. W. Hamilton on which Maddox's name appeared.

Hamilton said that Maddox gave up voluntarily and took Darby to the spot where Maddox had hidden the alleged murder weapon.

District Attorney Tom McDonald and his assistant, Bradley Smith, called several witnesses, including members of Greer's family who were also involved in the fight.

Donald Greer, the victim's cousin, testified he was on probation after serving 10 months in the Texas Department of Corrections for theft at the time the fight occurred.

Maddox's attorneys, Richard Fields of Conroe and Neeley Lewis of College Station, introduced testimony to the jury that indicated that Greer was convicted of a crime and they should treat his testimony with skepticism.



Falstaff spins a tale

Falstaff explains to Hal how he fought off a group of robbers when, for real, Hal was in on the caper. The National Players presented a performance of Henry IV Part One in the Rudder Auditorium last night.