



### Autocross race

# Headline causes problem

By ROXIE HEARN  
Assistant Editor

The Ombudsman is a reader service that fields questions, complaints or comments about The Battalion. This column is a discussion of calls and letters received throughout the week.

If The Battalion were keeping a "most gross errors list," Friday's preview of the Sports Car Club's autocross would be at the top.

A sports story said the club

### Ombudsman

would hold an autocross race Sunday. That part was fine, but the headline above the story shouted in half-inch high letters that the event was scheduled for Saturday.

That sort of error can't be corrected, so if you got up at 8 a.m. on the wrong day, we're sorry. Our coverage of the race appears on Page 8 today.

Financial problems are still taking their toll on The Battalion. At the end of last month, we showed a loss of almost \$3,500. Until we can get back on our feet fiscally, the weekly "Special Section" will be discontinued. (Hopefully, with the emphasis off feature and entertainment, our in-depth campus coverage will improve.)

An editorial is a statement of opinion, and simply because of that it's bound to get comments.

Usually these comments wouldn't involve an ombudsman, but this week they did. Several people called about Tuesday's editorial which criticized the ticket distribution system and said the facts in it were wrong. Spring preregistration is not held in the spring as the editorial stated, but in the winter. A correction was printed in "Top of the News" the following day.

Other callers simply disagreed with the editor's statements. Not too much can be done about that sort of complaint, but since they felt they deserved equal time, Thursday's Battalion ran a letter to the editor supporting the present distribution system.

One final item brought to my attention this week was our incorrect use of TWU. The cor-

rect name of the institution is Texas Woman's University, not Women's.



### Part 1 of 9

# The constitution proposal

Associated Press

AUSTIN — On Nov. 4, Texas citizens will have the first opportunity in a century to vote on a complete revision of the Texas Constitution.

The proposed revision, submitted by the 1975 Legislature, is in the form of eight separate amendments, each of which revises a particular portion of the present constitution.

One article will not be on the ballot for a decision. That is Art. 1, the Bill of Rights, which contains the constitutional guarantees of

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equal rights, freedom of speech and religion, and the right to speedy public trial by an impartial jury.

Modern legislators and constitution writers felt the guarantees written in 1876 are just as good today.

But on the other eight propositions on the ballot there have developed wide differences. Some of the most controversial issues include:

—A proposal that the legislature meet every year, instead of biennially.

—A plan to combine the Texas Supreme Court with the Court of Criminal Appeals, and let the 14 courts of civil appeals handle criminal cases.

—A proposal that each of the almost 200 state agencies, except colleges, return to the legislature every 10 years for authority to continue operations.

Voters have a choice on each of the eight propositions. Each amendment will succeed or fail according to the popular vote.

If a portion, or all, of the new constitution is voted down, then the corresponding part of the 99-year-old current constitution will continue in effect.

Texans have lived under six different constitutions since 1836 when the first document was adopted to form the Republic of Texas.

The present constitution was written in 1875 by a constitution convention in Austin and approved by voters in 1876. Since then it has been amended 220 times and grown to 63,000 words. One outmoded provision still gives the governor power to call out the militia to "protect the frontier from hostile incursions by Indian or other predatory bands." A section added in 1966 contains only three sentences, but one of them is 750 words long.

Actually much of the deadwood in the constitution was removed by voters in 1969 when they repealed 50 obsolete sections.

In 1971 the legislature proposed, by constitutional amendment, a constitutional convention in 1974 with the 181 state legislators as convention delegates. The voters approved the convention, and it met for seven months but failed by three votes to approve anything to be submitted to voters.

Then in 1975, with the urging of most high state officials, the legislature picked up the constitutional convention's work. On April 16 the legislators set the Nov. 4 vote on the eight amendments that closely resemble the unsuccessful convention version.

Some proponents argue the new constitution should be adopted if for no other reason than it is only 18,000 words, instead of 63,000. They also say that it is flexible enough to serve the state for years to come and that it is understandable to the average Texan.

"I don't agree with everything proposed in the new constitution but I think it is so much better than what we have today that I think it would be wise for us to adopt the revision," says Associate Justice Price Daniel Sr. of the Texas Supreme Court, a former Texas governor and U.S. Senator.

Opponents have the argument that a state charter that has stood the test of time for 99 years should not be discarded for an untried document. One of their main arguments is that too much power has been taken away from the

people and turned over to the legislature.

Sen. Peyton McKnight, D-Tyler, chairman of a statewide opposition group said "it is a real booby-trap. . . They have thrown away the concept of public restraint on the powers of the government

and made political office-holders, especially the legislature, the true ruling class in Texas."

Next: The proposed new constitution and the changes it would make in the powers of state legislators.

### Political Science prof

# Benton urges study of charter

By JACK HODGES  
Battalion Staff Writer

The proposed revision of the 1876 Texas Constitution may fail unless people carefully read and research the articles, Wilhoim E. Benton, author and political science professor at Texas A&M University said Monday.

"With Briscoe's stand there may be some doubt for its passage, but I don't think that any one man's opinion should sway everyone's vote," Benton said.

People should study the critical matters and vote on their own convictions, he added.

The referendum for the constitutional revision is Nov. 4 and there are eight amendments in question. The Bill of Rights, which is not on the ballot, will be retained in full without change.

Voters could approve passage of all or part of the proposal package, most of which would become effective in late 1976.

According to Benton, the most important articles are the terms of the legislative sessions and the court system.

"We need the yearly sessions because this state has grown so much since 1876 when the largest city in Texas was Galveston," Benton said. "Texas government is a big operation and there is a need for year to year operation."

With the legislature meeting every year it should "tone up the whole government system in Texas," he said.

As the constitution stands now, the legislature meets during odd-numbered years with special ses-

sions called by the governor on even-numbered years.

"The proposal to combine the Texas Supreme Court with the Court of Criminal Appeals would speed up the present court system without the many delays we have now," Benton said. "A number of other states have it this way and a number of judges and lawyers in Texas favor the idea."

Right now, the court of Criminal Appeals and the Supreme Court are separate. The Supreme Court hand-

les all civil matters and the Court of Criminal Appeals has jurisdiction over criminal appeals. The proposed amendment will combine these two and make one new Supreme Court. The court would consist of a Chief Justice with at least eight justices that sit in session with no fewer than five at a time.

The chief justice of the Texas Supreme Court would become the Chief Justice of Texas and the judges of the Criminal Appeals Court and associate judges of the

present state Supreme Court become justices of the new Supreme Court, according to the proposed revision.

"I am in favor of all eight proposals which will completely revise the 100-year old constitution," Benton said.

The best part of it, he said, is that it is worded in a simple style. It's well-organized and it's easily understood, he added.

"The legislature should be commended for all of its work," he said.

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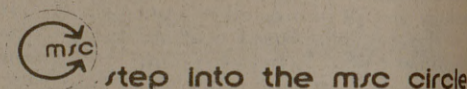
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Address correspondence to Listen Up, The Battalion, Room 217, Services Building, College Station, Texas 77843.

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Represented nationally by National Educational Advertising Services, Inc., New York City, Chicago and Los Angeles.

The Battalion, a student newspaper at Texas A&M, is published in College Station, Texas, daily except Saturday, Sunday, Monday, and holiday periods. September through May, and once a week during summer school.

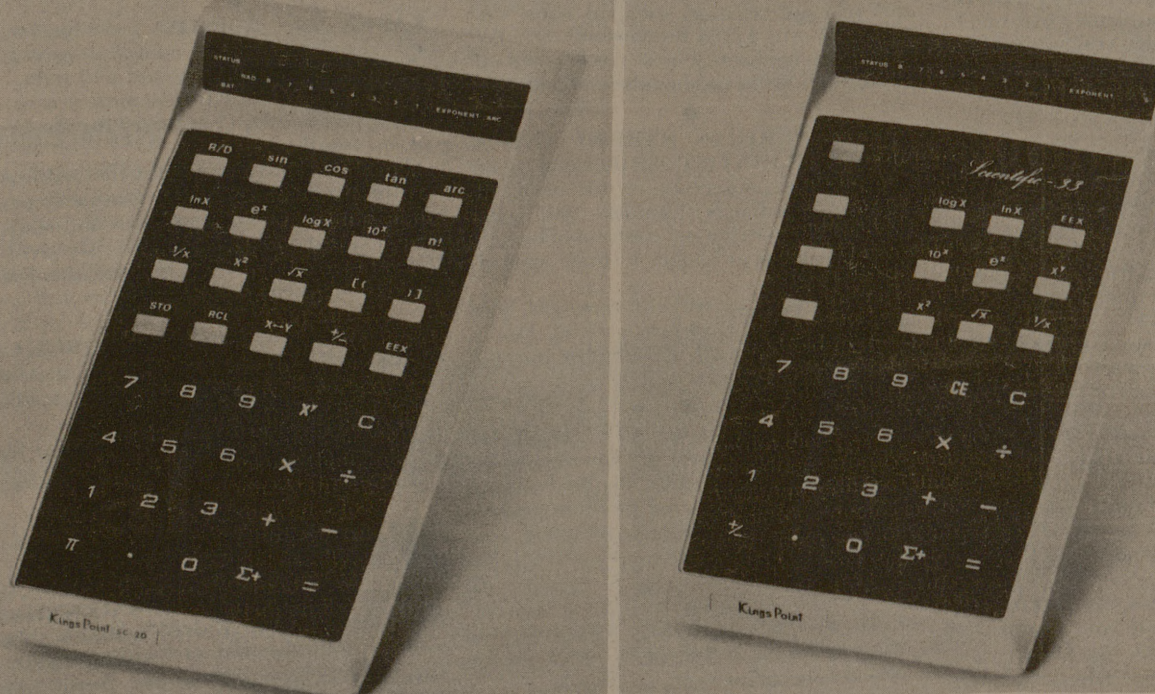
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