

The Battalion

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Gay service organization sues A&M

By GLENNA WHITLEY
The Gay Student Services Organization (GSSO) filed suit yesterday morning in federal district court against Texas A&M University in an effort to gain recognition as a student organization. GSSO applied for official recognition in April 1976, but after keeping the request under advisement for eight months the university denied their request last week. "It's their legal right to file suit," said John Koldus, vice president for student services. "That's what the judicial system is for."

University President Jack K. Williams yesterday said that the Former Students' Association met Saturday night and voted petition A&M not to recognize the GSSO.

Michael Minton, senior electrical engineering and math student, Keith Swartz, sophomore history student, and Patricia Woodridge, junior in environmental design, are named as plaintiffs in

the suit. Minton is the president of GSSO and Stewart is the vice president. Minton says GSSO has a membership of 20 A&M students, both gay and straight (heterosexual).

The plaintiffs are financing the suit themselves Minton said, but they hope for donations to alleviate some of the cost.

The group's Austin attorney, Bobby Nelson, led a successful attempt to permit a gay student organization on the University of Texas campus.

Minton said that the group wants to be allowed to distribute literature, hold panel discussions and bring speakers to the campus to talk about gay lifestyles. The group presently operates a telephone service that refers gays to professional counselors.

The GSSO's April application for recognition was not treated routinely. Koldus said in April that since he disagreed with a gay liberation group receiving recognition, he asked that the GSSO application come directly to him.

Minton said that the gays were assured by Koldus in April that a rejection would be quickly rendered.

But no rejection or acceptance came until the group's lawyer asked the University to give the group an answer or face a lawsuit in court. Koldus then gave the GSSO a letter of rejection.

Koldus wrote, "Homosexual conduct is illegal in Texas and therefore it would be most inappropriate for a state institution to officially support a student organization which is likely to excite, promote and result in acts contrary to and in violation of the penal code of the state of Texas."

A member of GSSO who did not want his name used said, "What he's basically saying is our group is not going to do anything other than get together and pair people off and have wild sex orgies. I find that personally offensive. That's like saying every time there's a faculty party because they are all heterosexual they swap wives."

Yesterday Koldus said that he waited eight months to give the group the rejection because he was watching how the "Gay Lib vs. University of Missouri" decision (1976) was handled in the appellate court. The court finally decided in favor of the university.

Dr. Kenneth Nyberg, sociology professor and faculty advisor to the GSSO, said that there was no real point in Koldus using the Missouri case as a precedent since there are many more cases that have been found in favor of the gay groups.

Koldus said that he believed the case was appropriate because it was the most recent judgement and because Missouri laws concerning homosexual activity are similar to Texas laws.

"I think it's a sure thing that we're going to win so I'm pretty comfortable in doing it," Minton said. "The legal history of gay organizations suing state institutions in this nation, with the exception of one case, has always been in favor of the gay organi-

zations." He said this includes approximately 45 cases.

Stewart said in a recent interview that one of his reasons for filing the suit was his desire to present people with the facts on homosexuality and let them see that the stereotypes of gays as effeminate men and masculine women are warped views.

Stewart said that if people choose to stereotype gays, it's alright with him. But he says it is not a valid conclusion because they do not have all the facts.

Minton agreed and added, "Prejudice is a personal attitude. There's still prejudice against blacks and chicanos even though the federal government has seen fit to pass legislation not permitting discrimination. We think that by educating people, there will be a decrease in prejudice."

"Another reason I'm suing," Stewart said, "is because my constitutional rights have been stepped on. I don't want them to do this to any other student. I don't care who he goes to bed with." He said that he sympathized with all the gay persons on

campus who can't let their homosexuality be known. "I know how it feels because I was in their shoes."

Minton said, "The primary reason I'm suing is because I do not think there is anything wrong with being gay. And I think it's a travesty for any one society, particularly an institution of higher education, to perpetrate the attitude that gays are sick, unproductive and should try to change."

He said that the gay issue is surfacing nationally now. "I feel that this University, as the bastion of conservatism in the south is going to be a very, very important case for gay rights. It's going to receive a lot of national attention."

The suit names as defendants Koldus, President Jack K. Williams, Executive vice president Clyde Freeman and the Board of Regents, individually and as representatives of the University.

The Texas Attorney General's office will handle A&M's defense in court.

Most businesses still comply Blue law meets opposition

By PHYLLIS LEE
On Sunday you can sell a hammer but the nails to go with it, or you can sell a camera but not a camera to take the pictures, said the manager of the College Station Wal-Mart.

Manager Jeff R. Brown said his store complies with the law because a violation is a misdemeanor. He said, however, that the law is unfair.

Brown was referring to the Texas "blue laws" that prohibit the sale of certain goods both on Saturday and Sunday.

The prohibited items are listed in Article 9001 of Vernon's Annotated Civil Statutes. The article states that any person or employer shall be guilty of a misdemeanor for selling clothing, clothing accessories, wearing apparel, footwear or jewelry on both of the consecutive days.

Also contained on the list are home business, office or outdoor furniture, kitchenware, kitchen utensils, china, home appliances, stoves, refrigerators, air conditioners, electric fans, radios, television sets, washing machines, dryers,

cameras, hardware and tools, excluding nonpower-driven hand tools.

Jewelry, precious or semi-precious stones and silverware are on the list along with watches, clocks, luggage, motor vehicles, musical instruments, recordings, toys excluding items customarily sold as novelties and souvenirs, mattresses, bed coverings, household linens, floor coverings, lamps, draperies, blinds, curtains, mirrors, lawn mowers and cloth piece goods.

Terry Ripperda, manager of the Culppepper Plaza Safeway, said the law changes with interpretation.

"It is a matter of interpretation, one time you can sell an item and later that product will be prohibited," he said.

Ripperda said Monday that a sign is posted at the front of the store which lists the items that cannot be sold on Sundays. During the training period, the checkers spend hours learning company policy and the blue laws, he said.

J. W. Heime, manager of the Bryan Weingarten's store, said that on Sunday all

of the items are roped off and the checkers have a list of the prohibited items on their registers.

"I can't understand why they put the law into effect," Heime said. "Some of the items are necessary every day of the week."

"There shouldn't even be a law like that, if you are open, go ahead and sell it. It seems to me that some retail stores don't enforce the law as strictly as we do," Heime said.

Sunday morning, James Daves, an electronics technician at Ellison Radio and TV, bought a kite at Piggly Wiggly No. 54.

The assistant manager of that store, Robert O'Keefe, said the slip may have been caused by a new checker. He said the store is only four days old.

"We do try to comply with the law," he said. "When a person comes through the line, we inform them if the item cannot be sold on Sunday."

Later in the afternoon, Daves went to Skaggs where he observed a man purchasing a Texas Instruments digital watch.

"The salesman seemed eager to sell the watch and would show watches to any customer at the counter," Daves said.

Richard Gallimore, the Skaggs employee, said he did not realize that it was Sunday when he sold the watch.

"When you work seven days a week, you can completely forget what day it is," Gallimore said.

James Oney, manager of the Skaggs grocery department, said he had no idea how this accident happened. He said there are some new checkers and cashiers that may not exactly understand the law.

Daves said yesterday that he does not agree with the blue laws but believes that the stores should comply because it is a Texas law.

Local police departments and any law enforcement agency may enforce the law, Lt. Bobby Maddox of the Bryan Police Department said.

Maddox said the officers would confer with Brazos County Attorney Roland M. Searcy to determine whether or not blue law violations should go to court.



Battalion photo by Pat McAuliff

College Station to decide park location

By DAVE TEWES
The College Station City Council must decide within 60 days whether or not to develop another park in an area of the city that already has a majority of the city's parks.

The 60 day limit, set by the Council Thursday, will allow time to study the necessity of a park on an area of land called the Holik tract. It is near the intersection of Welsh Avenue and Holleman Drive in west College Station.

There are already quite a few parks in this area of the city," Gary Halter, College Station city councilman, said Friday. "I'm not sure another one is needed in this particular area."

Already in the area are Dexter Park, Anderson Street Park and Bee Creek Park. The South Knoll Elementary School and A&M Consolidated High School also have green areas for recreation Halter added.

Location is the main factor being considered by the council, Paul Wojciechowski, College Station director of parks and recreation, said Saturday.

"The Holik tract is located on the outskirts of the service area of several parks," he said. "It will probably complement the other parks in the area."

The National Parks and Recreation As-

sociation determined the average park to have a service area of a half-mile, Wojciechowski said. This is only a guide referring to the accessibility of a park.

"To me, service area isn't the question," Jerry Duncan, a resident in the Holik tract area, said Saturday. "The formula doesn't take into consideration the unique factors of the land."

Duncan, who initiated a petition requesting the City Council study, said the bullfrogs, turtles, fish and hawks living on Holik tract were magnificent.

The signers of the petition are trying to get the park developed by convincing the City Council the Holik tract is ecologically important, Halter said.

"I got the impression that it was some kind of ecological wonder," Halter said. "Perhaps if you scrape away the beer bottles it is."

College Station already has one nature park in that part of College Station, he said.

"There is a real nice nature area right down Dexter (Street)," he said. "It is left in pretty much of a natural state."

The land first became available to the city when Dale Fitch, local land developer, decided to build houses on the tract, Halter said.

The College Station park dedication

regulation states that a land developer must donate a specified amount of land or money to the city when land is developed. The amount of land or money is determined by the number of dwelling units to be built.

Fitch must donate seven-tenths of an acre of land or the money equivalent to seven-tenths of an acre of land. The council chose to take the land.

The council is considering buying approximately 10 acres of land from Fitch to add to the donated land.

The College Station comprehensive development plan, which provides long-range park planning, shows a need for a park in the area, Halter said. The need is based on the population of the area and its future needs.

Duncan said he began work on a petition for development of the park Feb. 19. This was two days after the City Council first discussed the idea of a park in the area.

"The petition specifically asked for a study to determine what resources were on the Holik tract," Duncan said. "I don't think people were aware of the unique natural resources on the land."

He said 221 signatures were collected in four days. All six of the College Station wards were represented, but most of the signatures came from the wards closest to Holik tract, Duncan added.

"There is an obvious community desire to preserve the area," he said. "About 30 per cent of the people that signed the petition said they would donate time or money for the park."

There is a need for parks in other areas of College Station, said City Councilman Jim Gardner, Saturday.

"There are four or five areas in the city that are short of parks," he said. "It wouldn't be fair to pour all the city's money into one area."

Areas of the city that need parks are the east and far south parts of College Station, Gardner said.

Some of the persons signing the petition said the park was necessary because of the high-density growth rate in the area. High-density growth rate refers to the number of dwelling units per acre.

"I was absolutely flabbergasted when they (local residents) came to my office to talk about high-density growth in their area," Halter said. "I have never heard of anybody accusing single-family dwelling of being high-density."

Halter said some of these people were using high-density growth as an excuse to exclude persons of certain income brackets from building in the area.

Duncan said some of the persons may have signed the petition with that reason in mind. Most wanted to preserve a unique area of land, he added.

Wet sponge throw

Edward Williams receives a blow from a wet sponge tossed by participants of the "All Night Fair" held Friday night at the MSC. Student watching on is Jim Ramsey.

Train derails near Navasota, spills flammable fluid from car

A 13-car train derailment north of Navasota last night caused a highly flammable liquid to leak from one of the cars in the derailment.

Traffic was rerouted for almost four hours along Highway 6 while a Southern Pacific Railroad hazardous material expert determined the extent of the leak.

Expert L. M. Gilbert of Houston said that only about a gallon of nitrotriacous benzol was spilled when a valve on one of the derailed cars broke open. He said the spilled liquid quickly evaporated.

The derailment occurred as the Missouri Pacific train was traveling south on the Southern Pacific track a short distance outside of Navasota.

Law enforcement officials set up roadblocks along Highway 6 near the der-

ailment while railroad employees investigated the damage.

"You could think of this product like gasoline...just a little more toxic," Gilbert said of the spilled liquid.

He added that there was no real danger after the liquid evaporated.

"It could have been a lot worse than it was," he said.

He also said that there was no hazardous material on any of the other derailed cars. Seven of the derailed cars were actually overturned.

Missouri Pacific employees involved in the accident refused to comment on the possible cause of the derailment.

Representatives for both companies involved will be investigating the cause of the incident.

Housing officials mail manual, claim no fall housing shortage

Texas A&M University officials began mailing out the updated off-campus housing manual to Texas high school counselors yesterday with a letter denying that there will be a student housing shortage here this fall.

Karen Dawn Switzer, student development coordinator, said housing shortage rumors are particularly intense in the Houston and Dallas areas.

"Indicators are that there will again be ample housing for those who plan to attend Texas A&M next fall," she told the high school counselors.

University officials said, however, that the only housing available for next fall is off campus and may not offer a wide choice of cost and locations.

Texas high school counselors will receive the manual, published by the Student Affairs Office, to provide students basic information on the University, including leasing an apartment and finding a roommate, costs of living off-campus, transportation and other "facts of life."

The manual is also available to transfer students entering A&M.

Prospective students may apply for on-campus housing through the housing office 15 months prior to expected enrollment, Switzer told the counselors. Students should learn if their on-campus applications have been accepted or rejected by April 1.

CERTIFICATE NUMBER (for official use only)		Election Pct. #	VOTER REGISTRATION APPLICATION Mail or deliver application to your County Tax Assessor Collector 30 days prior to an election.		APPLICATION NUMBER (for official use only)
LAST NAME		SOCIAL SECURITY NO.	TYPE OR PRINT IN INK		IF NATURALIZED, COURT OR ITS LOCATION
FIRST NAME (do not use husband's first name)		BIRTH DATE	SEX (M/F)		NAME OF COUNTY
MIDDLE NAME		BIRTH PLACE	PHONE #		IF NOW REGISTERED IN ANOTHER TEXAS COUNTY
MAIDEN SURNAME IF MARRIED WOMAN PERMANENT RESIDENCE ADDRESS:			CITY OR COUNTY OR FOREIGN COUNTRY		LAST RESIDENCE ADDRESS IN COUNTY
STREET & APT. # OR ROUTE # OR LOCATION (not P.O. Box)		STATE		CITY ZIP	
CITY MAILING ADDRESS IF DIFFERENT FROM ABOVE:		I certify that the applicant is of legal age, is a citizen of the United States, has met all legal requirements, and holds legal residence in this County. I understand that the giving of false information to procure the registration of a voter is a felony.			
STREET OR P.O. BOX		SIGNATURE OF VOTER/AGENT			
CITY		X Agent must be a registered voter and must be only: (Check one applicable) Husband Wife Mother Father Son Daughter			
STATE ZIP		The disclosure of social security number is voluntary only, is solicited by authority of Section 45B, Texas Election Code, and will be used only by election officials to maintain the accuracy and integrity of the registration records.			
Register to vote					
Wednesday at 5 p.m. is the deadline to register to vote in the April 2 municipal elections. To register fill in the form and mail to Raymond Buchanan, Tax Assessor-Collector Brazos County Courthouse, Bryan, 77801.					

Weather

Sunny and mild today, becoming partly cloudy tonight and tomorrow. South to southeasterly winds increasing 12 to 18 mph this afternoon and tonight. A 20 per cent chance of showers is expected tomorrow. High today, lower 70s; low tonight, mid-50s. High tomorrow, mid-70s.