

VIEWPOINT

THE BATTALION
TEXAS A&M UNIVERSITY

FRIDAY
FEBRUARY 3, 1978

Justice too speedy

Yes, something was done, but at what price? The judicial board disregarded some common court procedures in its hearing Wednesday night when it issued writs of mandamus to three student government officials, including the student body president and a vice president. The board acted hastily in hopes of proving its independence and power. Instead, it damaged its reputation by overlooking due process.

For instance, both sides asked the board to delay the hearing eight days. Defense and plaintiff said legislation pending at next Wednesday's student senate meeting could establish definite procedures for checking grade requirements. They wanted to "clear things up" before the board made a decision.

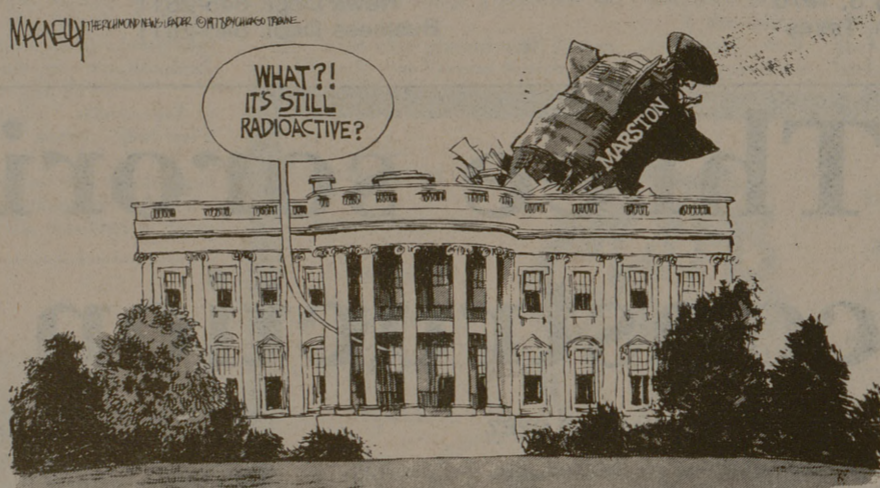
According to Chris Kling, student legal adviser, a delay is generally granted if the defense asks for it and almost always granted if both parties request it.

In this case, the plaintiff who initiated the hearing asked for the delay. Unusual.

Everyone wanted a delay but the judicial board. It defended its action and continued the hearing in a burst of independence, saying any decision would be ex post facto. No real reason, it seems.

Further, they didn't clarify one of the central issues in the case — which part of the student body constitution affects executive committee members (president, vice presidents, and others). No one knew whether they have to post a 2.0 grade point ratio for the semester, maintain a 2.0 GPR or only avoid scholastic probation to stay in office. No one knows now, either.

Perhaps a more significant example of rejecting common law was the defense's main point — that a writ of mandamus citing negligence of duty can only be filed when that duty is clearly and concisely stated.



The writ cannot be issued on mere interpretation, the defense said, and they cited cases supporting that notion. Normally, courts of law base their decisions on precedents.

The judicial board decided otherwise... Elected student leaders should be required to show they have the grades as stated, if unclearly, in the constitution.

But abandoning due process and accepted court procedure is not the way to do it. L.N.

Passing the buck of the national debt

By ED SCOTT

Bein the loyal reader of the Batt that I am I eagerly began to work my way through Wednesday's paper when I was brought to an abrupt halt by a startling headline. Thinking that surely I'd misread it I again went through the words, this

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time in a more methodical manner. Nope, no mistake about it. There it was in bold black type: "Clayton says Texas growth should stop." Well, you can just imagine my total astonishment at anyone from this great State, let alone the Speaker of the House, callin for a halt to Texas growth. I felt certain there had been a most grievous error committed, and so I immediately began to read further.

"Oh thank God," I thought to myself as

I breathed a sigh of relief upon discovering he was only referring to growth in gubernatorial spending. What a relief to learn that ole Bill hadn't any intention for Texas to stop growin. Bein so relieved I decided to read on. Referring to the national debt ole Bill pointed out that everyone's share came to \$114,800. Instant depression! What were my creditors going to say when they found out about this? My thoughts went immediately to the impact on my credit rating. Knowin I'd never again be able to borrow money with so big an uncollateralized debt, I decided the only solution was to pay my share off. Marshallin all my worldly possessions (and a few that've been termed out-of-this-world) I began my assault on the pillars of bureaucracy.

Marching into a nearby office of the Treasury department I demanded to settle my share of the gubernatorial debt. The little ole clerk behind the counter came cautiously over to where I was standing, and after seeing the article from the Batt pa-

tiently explained that I didn't really owe the \$114,800. Instant exhilaration!

But then I asked how was it if I didn't really owe that sum how was it ole Bill could say I did? "Well, you see sir," she said, "most all the federal debt is owed by our government to our own citizens. You might say that on a per capita basis the federal government owes everyone of us \$114,800." Euphoria! Here I'd gone into this place thinkin I was gonna have to plunk down a chunk of change to bail myself out of hock and I discover I got \$114,800 comin'. Whoopie!

Not knowing how long this debt to me had been outstanding I figured it had to be long past due so I demanded payment in full right then-n-there. Well, I guess I got so plumed over excited that I musta nearly shert that little girl half-to-death. She jumped back from that counter and started hollerin for her superior. Instant panic. Well, out comes her supervisor looking like maybe she was a moonlit as a D.I.

for the marines so I figured I'd just better settle for any interest I had comin an git the --- outa there. I told her I'd even take it in instalments but she wouldn't listen. Just kept mumblyin something bout the fact that the guberniment didn't owe me and I didn't owe it and to jest git the --- outa there. Total confusion! Here I was, I'd started in hock \$114,800, found out instead I had that comin to me, and then lost it to some damn ex-marine. Reckon bout the only way to settle this mess is read one a them econ books. Maybe I could git ole Bill to read it also. Better yet maybe the two of us put together could take that ole gal and we could each git our \$114,800. Well, I'll let ya know what I decide to do next, but for now I'm just gonna go on to the next article in your paper. Shore hope it ain't so confusin.

Editor's note: Ed Scott is an assistant professor of accounting. Opinions expressed in this column are the author's only and not necessarily those of this paper.

Carter puts the bite on freeloaders

By DICK WEST

United Press International

WASHINGTON — At his news conference this week President Carter again linked tax cuts with tax reform. One proposed reform would reduce deductions for business entertainment expenses by 50 percent.

This attack on the so-called three-martini lunch has caused great consternation among businessmen, who insist entertainment is a vital part of commerce, and

The Lighter Side

among restaurateurs, who depend on expense account patrons for much of their trade.

Also taking a strong stand against the cutback are the people who are guests at affairs that are written off as business expenses.

Bernie Flackhorn, director of the National Society of Freeloaders, estimates that a 50 percent cut in business entertainment deductions would cause a corresponding decline in business entertainment invitations.

"A retrenchment of that magnitude could result in genuine hardships," he said.

Letters to the editor

Different views on publicizing assault

Editor:

I'm writing in support of Charlie Andrews and Mark Brenckman. Charlie wrote a letter to the Batt questioning school policy concerning the withholding of information about campus rape attempts. Mark's letter cited a rape attempt that he had personally heard of and the lack of publicity thereof.

I am that victim in question. The rape attempt took place a week before bonfire in the Academic building restroom. I was hospitalized after the assailant beat and cut me with a bottle and forced my arm through a window. Campus police investigated the incident and the Battalion was notified the day after the attack.

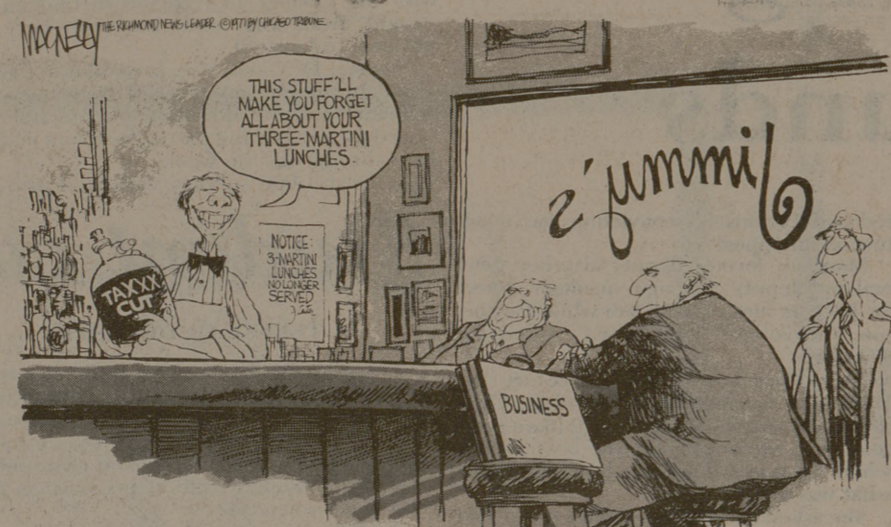
Do campus officials cover up such assaults to protect students from the unpleasant facts of life? If they want to protect us, they should alert everyone to the precautions of preventing rape. A&M may be perfect but it's not isolated. Rape is a reality. You can't hide it. We must learn to live with life — not run from it.

—Shelly Greider, '79

Who benefits?

Editor:

O. K., Charlie, imagine this: COLLEGE STATION, Texas (UPI) — Two female students were attacked and raped while returning to their dorm late Friday night. Both of the girls were rushed to the hospital where one has been held for observation because she still remains in a highly disturbed emotional state, and the other was examined and treated for minor injuries



"I'm not suggesting we would actually go to bed hungry but I do foresee some of us occasionally being forced to dine Dutch treat."

I patted him on the shoulder consolingly. "There's nothing more pitiable than a check-splitting freeloader," I said.

"It's more than a matter of bread and

butter, or of gin and vermouth," Flackhorn continued. "This strikes at the very heart of western civilization as we have known it."

"If you read your Gibbon closely you will find that the fall of the Roman Empire was preceded by a decline in tax breaks for business entertainment."

I said, "There must have been a lot in his

and later released. Campus police...

Where is our sense of ethical discrimination? As I see it, no one has benefited from reading this article. However, many students may feel threatened by its implications — who knows who will be next.

It is inevitable that rape and assault will happen, but have we accomplished anything beneficial by printing a story about it — other than establishing the fact that two students were raped? I don't think that anyone is trying to hide the facts. By suppressing this type of news, however, we may redirect our attention to more beneficial topics.

Regarding your reasons for reporting this news: 1) how many students do you think considered the number of rapes per year at a given school before applying, and 2) do you think that if you saw a rape story printed in the Batt next week your skepticism towards University policy and opinion would change?

I also feel that school spirit has absolutely nothing to do with the matter whatsoever. (Unless, of course, we are confronted with a kinky rapist who beats his victims with maroon and white pompoms!) I realize that A&M does have "these types of problems," but I certainly don't think they should be emphasized by printing them.

—Danna Richey, '80

Apology demanded

Editor:

I admit that since I did not attend the A&M-Rice game Saturday, Jan. 28 at G. Rollie White, to some I may be classified as a two percent. But that isn't my reason for writing. While viewing the game

on TV during a study break, I was very upset when Marvin Tate referred to the Aggie fans and the "Fightin' Texas Aggie Band" as "a lot of background noise" during an interview at half-time. The Aggie Band does not make "noise" and as far as the fans — the "Spirit" is still alive and well. Therefore, I feel that Mr. Tate owes the fans and the "Texas Aggie Band" an apology.

—Emery N. Lange Jr., '78

Aggie in need

The following letter refers to an article in the San Antonio Express-News, in which a former student was found to owe a San Antonio hospital \$36,394 for infant care. While at first reluctant to accept this offer, Mr. Gaddis has discovered that his newborn child may also be deaf, forbidding more bills. At his request, then, this letter has been released.

Editor:

The sad plight of a fellow Aggie, Howard W. Gaddis Jr., '76, was brought to my attention in the news item. Hospital bills like this would discourage young Aggies from producing future Aggies.

I do not know Gaddis personally, nor do I know how he will feel about my suggested solution to his problem. I do agree with him that bankruptcy is not the best solution.

I would like to suggest that all former students and those now enrolled send Gaddis one dollar (\$1) apiece. If he takes in more than he needs he can use it to help the unnamed father with the \$72,000 hospital tab.

—Henry A. Miller, '53

Ed. note: Howard Gaddis Jr., 12927 Henderson Camp, San Antonio, Texas 78233

The other side

Editor:

A lot has been printed lately about Robert Harvey, the student body president, and his grades. But only one side has been told. Maybe it's time the other side was presented.

Harvey did openly tell the senate and student body that he posted below a 2.0, but it was never brought out in The Battalion that he has a 3.0 overall in Mechanical Engineering, that he is a National Merit Scholar and that he made an exceptionally high score on the LSAT, 795 out of 800. The Battalion has made a brilliant person look like an idiot.

Harvey said he told the reporter both sides of the story, but apparently only one side was reported. Although these facts weren't brought out at the meeting, it is the job of a good reporter to investigate both sides of an issue and to dig deeper to present the whole picture, so the Communications Department at Texas A&M University teaches.

As journalists, The Battalion reporters should be responsible for investigative reporting, just like any professional reporter is. Harvey spends countless hours making sure student government is working for the students. There are few nights that he leaves the student government office before midnight. We feel that the Battalion owes Robert Harvey an apology for damaging his reputation as a student leader because of their irresponsible reporting.

—Leesa Chiodo, '78,
Sue Rudd, '78,
Mary Hardin, '79

TOP OF THE NEWS Campus

KAMU-TV receives satellite signals

KAMU-TV has begun receiving Public Broadcasting System signals from the communications satellite Westar I, allowing the Texas A&M University-owned and managed station a choice between satellite signals and those coming in over conventional land lines. The educational television station became one of the first five in the nation to ready itself to receive the signals with installation of a 10-meter dish antenna in late October.

State

Westbrook files for office

An East Texas minister who was the first black to play in a Southwest Conference football game has filed to run for lieutenant governor. John Hill Westbrook, who played football at Baylor from 1965 through 1969, said he was prompted to enter politics because Lt. Gov. William P. Hobby ran unopposed in 1974. Westbrook said it is time that the people be given a choice of candidates for lieutenant governor. He contended Hobby represented only special interest groups.

Bristol-Myers gets new trial

The Texas Supreme Court ordered a new trial for the Bristol-Myers Co. concerning a suit filed by a Corpus Christi man who lost his hearing because of taking one of the company's antibiotics. The high court's ruling reversed a decision by the 13th Court of Civil Appeals in Nueces County which awarded \$400,000 to Ramon Gonzales. The supreme court agreed with the drug company's contention that the trial court erred in excluding evidence concerning an out-of-court settlement between Gonzales and the doctor who treated him.

Inmate not transferred in time

If a Mexican-American inmate who died in the Ector County jail was mentally ill, as alleged by the sheriff, he should have been transferred to a psychiatric ward, according to the assistant director of the Texas Jail Standards Commission. Bob Viterna said Wednesday a law enacted by the 1977 Legislature makes it mandatory for a psychiatrist to ascertain a prisoner's mental stability before making such a transfer. The sheriff's department claimed Larry Ortega Lozano died of injuries inflicted upon himself by battering his head against the window of a jail cell door. Lozano's family contends he was the victim of police brutality.

Nation

Sugar industry endangered

Falling sugar prices and the increased cost of its production has doomed the Louisiana sugar industry, farmers and refiners said. A sugar refining company has announced the closing of two more mills and Louisiana officials predicted the closings mean the end of the state's sugar industry. Southdown Sugars, Inc., president Richard D. Andregg said Wednesday 50 employees will lose jobs due to the closing of Cedar Grove sugar mill in White Castle and Amant mill at Vacherie. The firm has already ceased operations at a Terrebonne Parish mill. Louisiana farmers said it costs more to grow sugar cane than the crop is worth on the market because of cheap foreign imports. "While sugar prices won't be affected, the state's economy will," said a spokesman for Milliken and Farwell, Inc., another mill considering closing its refinery.

EPA denies poison use

The Environmental Protection Agency has rejected Wyoming's proposal that EPA's restrictions be lifted on the poison 1080 for predator control. State Agriculture Secretary Larry Bourret said Thursday. State officials met in Denver Wednesday with EPA administrator Donald Costle. "The administrator told us our request was being denied and the requests of Texas and Montana for experimental registrations on 1080 for predator control were to be denied or have been," Bourret said. The state of Montana and Texas A&M University had applied for licenses to use small amounts of 1080 in an experimental program for controlling predators, particularly coyotes, which have been represented as the bane of sheep raisers. Cattle ranchers have also said coyotes prey on their livestock. The EPA has maintained that 1080, as a predator poison, is dangerous to the environment because the doses necessary are harmful, sometimes fatal, to dogs and other wild animals.

World

World's largest pot bust

Colombian authorities are calling it the world's greatest marijuana bust. Police announced Wednesday they had seized 165 tons of marijuana from a landing strip and a warehouse in La Guajira, a sparsely populated state on Colombia's northern Caribbean coast bordering Venezuela. "This is the biggest confiscation of marijuana in the world. The value of the marijuana on the illegal market is at about \$90 million," said Rudolfo Garcia of the attorney general's office. Police said they also arrested 13 persons and confiscated an airplane and eight vehicles in a helicopter raid on the site. Inside the warehouse, police said they found three large presses used to compact the marijuana. "We lifted these presses with helicopters and dropped them in the sea," Garcia said. "The marijuana was burned."

Weather

Cloudy with a 20 percent chance of drizzle this morning with a gradual decrease in cloudiness this afternoon and tomorrow. High today upper 40's, low tonight mid-30's. High tomorrow near 60. Winds from the North East at 6-12 mph. Partly cloudy skies and seasonable temperatures for the weekend.

THE BATTALION

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