

THE BATTALION

Vol. 71 No. 162
8 Pages

Wednesday, June 14, 1978
College Station, Texas

News Dept. 845-2611
Business Dept. 845-2611

Inside Wednesday

- Off-campus housing abundant this summer - p. 3.
- Two-headed calf alive and healthy - p. 5.
- Braves' fate still undecided - p. 7.



Prairie View president files suit against mayor

By LEE ROY LESCHPER JR.
Battalion News Editor

Most of the damages Prairie View A&M President A. I. Thomas is seeking in his \$1.25 million law suit against the city of Prairie View and some of its officials are meant to show those officials "their conduct will not be tolerated," Thomas's attorney said Tuesday night.

Houston attorney Larry Watts said the three defendants — Prairie View mayor Eristus Sams, police chief B. T. Morgan and Gordon Parker, agent for a Bryan engineering firm — conspired to create a situation which would let Sams exercise authority over the university. That situation involved the city's laying two sewer lines across the Prairie View campus.

Watts was responding to remarks made earlier by Sams.

Thomas filed the suit in federal court in Houston Monday, charging that the defendants had harassed and humiliated him by ordering his arrest.

Sams ordered Thomas arrested by Prairie View police May 31 after university workmen removed sections of pipe from two city sewer lines connected to the university's sewage treatment plant. The city was preparing to put those lines into use. Sams had city police charge Thomas with

ordering university employees to destroy city property by removing the sections of pipe. But Thomas said he did not give that order.

"I didn't know the lines had been cut until after it had been done," Thomas said. "I have been harassed and humiliated," Thomas said after filing the suit. "I have been illegally arrested. I was marched out of my office under armed guard." Prairie View authorities had released Thomas after he posted a \$200 bond.

Thomas is seeking \$250,000 for damages done to his reputation and ability to operate as university president by the arrest, Watts said. He is also seeking \$1 million in punitive damages from the three defendants, the attorney said. Watts said Sams had exceeded his authority as mayor in ordering the arrest.

"Mayor Sams has acted in the best tradition of Idi Amin," Watts said. "What good can have been done by his (Thomas) being arrested?"

Sams declined to comment on the harassment suit Tuesday night.

The dispute involves what Thomas and Sams both describe as their respective responsibilities to the jobs they hold.

Sams says he is protecting city sewer lines which, he contends, he has every right to lay across the university campus.

Under a 1972 resolution, the city and university agreed to renovate the university sewage treatment plant with federal funds the city had received to build its own plant. The agreement provided for the university to handle the city's sewage whenever the city had completed its sewage lines to the university plant. But that agreement did not, as Sams contends, give the city the right to lay those lines across the university campus.

Thomas argues — with the support of the University System board of regents — that he is protecting the Prairie View campus by preventing connection of sewer lines which would interfere with future university construction. The two lines, one about 1,500 feet long and the other over 400 feet long, cross areas of the campus which are now open grassy fields but which university officials say are slated for construction projects within the next five years.

If those lines had been connected and put into service, there would be no way to move the lines later, university officials said. The Prairie View residents who would be served by those lines now have either septic tanks or primitive outhouses, Sams said.

"And you can't tell somebody to stop flushing his commode," Watts said.



Mayor Eristus Sams



Battalion photo by Lee Roy Leschper Jr.

This trench in Prairie View A&M University's front lawn marks the spot where university workmen removed a section from one of the two controversial sewer lines laid across the university campus by the city of Prairie View. The Prairie View campus "skyline" is in background.

Soviets counterattack U.S. charges Press says poison report an opening volley

United Press International

MOSCOW — The Soviet Union has named that its report that an "innocent man" died from poison supplied by a U.S. diplomat is just the opening volley in a counterattack against U.S. spy charges. The Soviet press repeatedly warned of such a counterattack if the United States continued to make an issue of a bugging device found in the U.S. Embassy last month.

The Soviet government newspaper Izvestia said Monday Martha Peterson, a former embassy vice consul, was caught in a room beneath a Moscow bridge hiding a rock filled with microphones, ruble notes and poison capsules.

As she tried to hide the rock, Soviet counterintelligence officers caught her, the newspaper said.

She yelled, "I'm a foreigner," the newspaper said, claiming she was trying to warn her spy contact.

The U.S. Embassy issued a brief statement late Monday saying "the U.S. government as a matter of policy does not comment on charges of alleged intelligence activity."

Mrs. Peterson, described as in her 30s, left Moscow in July 1977 at the time of the alleged incident. The U.S. Embassy would say only that the Soviet government had declared her persona non grata.

The newspaper said Mrs. Peterson had delivered equipment to the unidentified

spy before and "it turned out the poison, which was given to the spy previously, was used by him against an innocent man for criminal activities."

It did not elaborate or identify the victim, but said he died.

Izvestia said an embassy official asked the Soviet government to go easy on Mrs. Peterson because "she doesn't know anything. She was just carrying out things planned by others."

The newspaper said U.S. Ambassador Malcolm Toon told Soviet officials he would be grateful if the matter were kept quiet. It said the Soviet side agreed, based on the belief it would not happen again.

But the newspaper said the assurances were not upheld.

"The Peterson case is not the only one in the chain of those uncovered by Soviet counter-intelligence," Izvestia said.

The Soviet press warned last week it would begin exposing American espionage activities if the United States doesn't quit "aggravating" the issue of a bug found in the embassy May 25.

Employees making a security sweep discovered the listening device and traced it to a nearby apartment building, according to U.S. Embassy officials.

The Soviet press said the building was used only as a protection system against American electronic espionage being carried on from the U.S. Embassy.

Bryan man shot in local parking lot

A Bryan man has been hospitalized after being shot Tuesday in the parking lot of Manor East Mall.

Bryan Detective Bobby Riggs said Lonnie Idlebird, 19, was shot in the leg as he approached the car of his girlfriend, Carolyn A. Shirley, at about 11:30 a.m. A bystander, H. E. Foster, was treated and re-

leased at St. Joseph's Hospital for minor foot abrasions he received from flying fragments of metal.

Shirley, 21, was charged with two counts of aggravated assault, Riggs said.

Idlebird was listed in satisfactory condition Tuesday at St. Joseph Hospital.

Support growing to break filibuster

United Press International

WASHINGTON — Efforts to break a 15-day Senate filibuster against legislation to revamp federal labor laws have gained support, but the leadership still lacks the 60 votes needed to limit debate, Senate Democratic Leader Robert Byrd said Tuesday.

Byrd, commenting hours before a third cloture vote, said the leadership had picked up "half a dozen" additional votes to end unlimited debate. But a gain of six votes brings the total to 55, still five votes short. A cloture vote was scheduled in the afternoon.

Should the vote fail — as expected — the West Virginian said he hoped for cloture by Wednesday. But if that failed, Byrd said he did not know when he would try again. Byrd earlier had pledged daily cloture votes to end unrestricted debate on the administration-backed legislation to make it easier for union to organize employees and increase penalties on firms that consistently break federal law.

The Senate last week voted 47-42 against limiting debate and then 49-41 in favor.

Passage of the initial Wagner National Labor Relations Act in 1935 took only three days of debate.

Senate GOP Leader Howard Baker disputed Byrd's assessment, saying he was confident of holding on to 41 votes at least through a fourth cloture vote.

"If we survive this week, they (the Democrats) might take it down" from the calendar and drop the bill, Baker said, in a move that would be a victory for the business interests battling the measure.

Byrd Monday held out the possibility that the opposition tactic of weeks-long post-cloture debate on 600 stalling amendments would keep the Senate working late into the evening in the days ahead.

And as other bills come up behind schedule later in the year because of the filibuster, he raised the possibility of a lame-duck post-election session.

U.S. defector discusses returning to homeland

United Press International

LENINGRAD — Bernon F. Mitchell, a cryptographer at the supersecret U.S. National Security Agency who defected to Moscow 18 years ago, evidently wants to come home, informed sources report.

Mitchell, 49, and a colleague, William H. Martin, 47, were employed as junior mathematicians in the NSA's cryptography department at Fort Meade, Md., when they defected to the Soviet Union in the summer of 1960.

After turning up in Moscow Sept. 6, 1960, they told reporters they had defected "for moral and political reasons," saying they were disenchanted with U.S. intelligence methods.

Their defection caused an uproar in U.S. defense circles because it was believed they carried with them information concerning the inner workings of the agency.

NSA, the most secret of all American intelligence agencies, is concerned mainly with breaking foreign codes and protecting American codes. It also intercepts foreign communications with sophisticated monitoring equipment.

A U.S. Consulate official in Leningrad confirmed that Mitchell of Eureka, Calif., had been in contact with American officials

regarding the possibility of returning to the United States.

"Mitchell has visited the consulate two times this year to talk to a consular official," the American diplomat said. "The talks were mostly exploratory."

Informed sources said Mitchell visited the consulate three times this year to ask about legal questions regarding possible prosecution for espionage if he returned to the United States.

They said during the first two visits there were substantial discussions, but that on the third visit, Mitchell, who had to wait a few minutes until the consular official was free, suddenly got up and left without meeting the diplomat.

The sources said that the fact that Mitchell got past the Soviet militia (police) guard outside the consulate indicated the visits were carried out with the knowledge of Soviet authorities.

Mitchell currently lives in Leningrad and teaches at Leningrad University. Martin, of Ellensburg, Wash., also lives and works in Leningrad.

They said Martin, upon hearing that Mitchell wanted to leave the Soviet Union, "got very angry and has been trying to talk him out of it."

College Station resident killed in morning fire

A College Station man was killed in a fire that gutted the living room and front bedroom of his home early this morning.

Edward Chew, 76, of 101 Holleman Dr., who died in the blaze, was the only occupant of the house. He lived there for 52 years.

Cause of the fire is under investigation, however it appears to have originated in the living room. College Station Fire Marshal Harry Davis said. Smoke and water heavily damaged the back portion of the house.

Twenty-four firemen were dispatched to the scene when the call came in at 1:32 a.m. Three firemen were treated for smoke inhalation, but were not hospitalized.

Firemen fought the blaze until about 4 a.m. this morning. They were hampered by electrical lines that shorted out around the house until the electrical department arrived to disconnect them, Davis said.

Chew is survived by two children, Edward Chew Jr. of San Antonio and Odessa Haynes of Los Angeles, Calif. Services are pending in a local funeral home.



The living room and front bedroom of this house were completely gutted in a fire early this morning

that killed an elderly College Station man.

Battalion photo by Lee Roy Leschper Jr.

Outcome could affect electric bills

Hill tests his right to sue state agencies

AUSTIN — Attorney General John Hill goes to court today in a fight over the authority of the state's top attorney to sue state agencies — a fight that could affect the electricity bills of millions of residents of Houston, Austin and South Texas and the purity of drinking water in San Antonio.

Hill is appealing two decisions by district judges dismissing his suits against the Texas Water Rights Commission and Texas Water Quality Board.

The attorney general sued the agencies to challenge controversial actions on the South Texas Nuclear Project, which is supposed to supply electricity to Houston, Austin and San Antonio, and the Edwards

Acquifer, San Antonio's main source of drinking water.

The two agencies, since merged into the Texas Department of Water Resources, maintain the attorney general is supposed to defend whatever a state agency does and has no authority to contest their decisions.

Hill contends the attorney general must be able to defend the public interest.

"Any power of a government official or agency is subject to abuse," the attorney general's written argument contends. "The question before this court is whether abuse of the agency's power is subject to the check of judicial review initiated by the attorney general on behalf of the people of the state of Texas."

The three-man Water Rights Commission voted over Hill's objection in 1976 to allow Houston Lighting and Power Co. to pay the Lower Colorado River Authority for water to be used to cool generators at the South Texas Nuclear Project.

The project, a joint venture of Houston, Austin and San Antonio, is located in Matagorda County near the mouth of the Colorado River.

Hill said LCRA does not own the water there and got Houston to agree to pay only by blackmail and threats to oppose a federal license for the nuclear facility.

The Water Quality Board drew Hill's opposition over changes in pollution control regulations for the Edwards Aquifer,

an underground reservoir that provides water for more than one million people and is the principal source of San Antonio's drinking water.

The board set strict pollution control rules for the seven-county recharge area in 1975, but substituted new regulations with less stringent standards for rural counties in 1977.

Hill contends the changes "significantly lessen the degree of control of pollution causing activity over the recharge zone posing a threat of contamination of the reservoir which would be a hazard to those people dependent upon it for drinking purposes."