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Some crops may rot, driver says

## 'Berlin Wall' slowing down truckers

United Press International  
A truck broker said Tuesday some perishable Texas crops may rot in the fields unless the Carter Administration knocks down a "Berlin Wall" of weight regulations set up by 11 states along the Mississippi River.

Millard Holden of Pharr, Texas, interviewed by telephone in Washington, D.C., where he attended a meeting with administration officials on the truck shutdown, said independent truckers trying to haul fruit and vegetables to population centers in the east were particularly upset about the states who have refused to go along with the 80,000 pound limit.

"Truckers call it the 'Berlin Wall,'" said Holden, who has traveled to Washington beginning with the Nixon Administration seeking deregulation measures and standardization of weights and measures.

"It's a real bottleneck. We've been complaining about it for four years but nobody does anything until it's too late."

Holden said while most of the nation adheres to the federally recommended standard of 80,000 pounds on highways, the states running north and south along the Mississippi have held to the old 73,280

pound limit, considerably diminishing the payload produce haulers can carry — hence revenues they can collect — en route to markets such as New York City.

"The consumers, the American people, have got to wake up. The federal government has got to get on these states like they did to enforce the 55 mile an hour limit and make them go along with the 80,000 pounds for face loss of federal funds," Holden said. "If something doesn't happen, they may see some of these vegetables being dumped (to rot)."

Bill Weeks, executive director of the Texas Citrus and Vegetable Growers and Shippers Association, said lack of trucks already was "getting to the critical point" in the Texas Lower Rio Grande Valley, the Winter Garden and the Pecos-Fort Stockton areas where melon and onion harvests are underway.

Weeks blamed the truck shortage, at a time perishable products need to be moved quickly to market, on "intimidation" of independent producer haulers by strikers at truck stops across the country.

"They are threatening indepen-

dent haulers to harm them or shoot at them or whatever, being intimidated and take action they'll just stay home," said.

Texas Agriculture Commissioner Reagan Brown and Chaloupka, president of the Farm Bureau, also called striking independents to produce trucks to move to market.

Weeks said his organization ported some of the aims of the truckers, such as standardizing of the weight limits.

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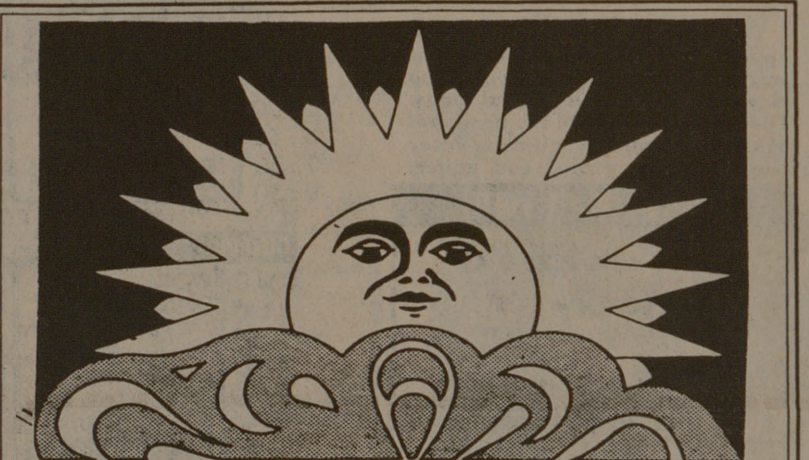
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United Press International  
AUSTIN — A U.S. circuit judge Tuesday refused to block the state's

## Evangelist loses plea; homes ordered closed



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planned closing of three unlicensed child-care homes operated by Texas evangelist Lester Roloff.

Judge Thomas G. Gee met privately with Roloff's attorney, Tad Williams, and a representative of the Texas attorney general's office, then issued a terse statement saying he would not grant a stay on an appeal by the parents of two students enrolled in the evangelist's homes.

Federal Judge Owen D. Cox had dismissed the case last week in Corpus Christi.

Meanwhile, about 100 Roloff supporters traveled from Corpus Christi to stage a rally in the Capitol rotunda, a gathering which drew the sympathy of Gov. Bill Clements.

"I have no recourse. It's in the hands of the attorney general and his job is to enforce the law," Clements told the group.

The attorney general and staffers of the Texas Department of Human Resources are scheduled to close the homes today and place the children in state facilities. If the homes are closed, it would culminate a six-year court battle between Roloff and the state for his refusal to obtain licensing.

TDHR staffers have been preparing to close the schools since last week when State District Judge Charles Mathews of Austin ordered the schools closed if Roloff did not obtain state licensing by Tuesday.

Training sessions have been conducted since last week to prepare the staffers for handling the transfer of the children and avoiding confrontations. Tuesday two additional sessions were held in Kingsville and in Zapata.

The Kingsville group is scheduled to take over the Rebekah Home for Girls in Corpus Christi and the Lighthouse Home for Boys in Kingsville. The Zapata group will close the Anchor Home for Boys in that town.

Bill Woods, TDHR spokesman, said there were about 250 students in the three facilities. He said TDHR officials were unsure what to expect when they attempted to close the homes on Wednesday.

"We're not in the strongest position," he said. "Of course, we know what we'll find down there. Removing more than 250 kids is a simple thing to do."

Woods said those children can't be turned over to parents. Guardians would be placed in Youth Council homes in Corpus Waco and Killeen.

Woods also said that a small initially would go into the homes and the other staffers would Roloff's people did not resist. Roloff has advocated resistance.

The Rev. James Brown of Blossom Baptist Church near Waco, Ind., traveled 26 hours after "witnessing" Roloff's stand against state.

"There's an element of promise," Brown said. "We're worried about losing their homes." Brown said. "We've been there but we've not marched or protested. They started breathing down our real hard."

"We kind of feel this is a ground for all of us," he said.

The Rev. Earl Little, pastor of Miller Road Baptist Church in Kingsville, said 50 churches around the state had pledged support for Roloff and had pledged to turn in their licensing for their schools. The number could grow to 200.

## Oil pricing policy is overruled

United Press International  
HOUSTON — A federal judge in Dallas has invalidated a Department of Energy regulation governing oil companies' pricing policy on petroleum products, Exxon said Tuesday.

Exxon said the decision followed the DOE's admission it had erred in imposing the regulation, which will have no effect on current prices.

In March 1977 the DOE set the base prices of their production using fixed prices contained in contracts entered into on May 15.

Exxon charged the ruling violated the DOE's existing regulation which allowed the oil companies to calculate base prices on the contracts with variable clauses.

In August 1977, Exxon and other oil companies in a suit filed in U.S. District Court in Dallas for an interpretation of the ruling and seeking a declaratory judgment.

Mobil Oil Corp., Shell Oil General Crude Co., Coastal Gas Corp., Copstal States Inc. and Union Petroleum also were plaintiffs in the suit.

On April 18, the DOE admitted of error and motion to dismiss the suit, Exxon said.

On June 8, U.S. District Judge H.O. Woodard issued a ruling that invalidated the DOE regulation and prevented the from making a reinterpretation of the future.

The judge also ruled that the DOE had acted illegally by moving the regulation without the oil companies an opportunity to comment on the ruling at hearings.

"The judge's decision would have any effect on our pricing," a spokeswoman said.

"But it substantiates that the DOE's March 1977 ruling was wrong and could have made the companies' base prices wrong," she said.

"The DOE regulation calls for some base prices to be up and down from what they should have been."

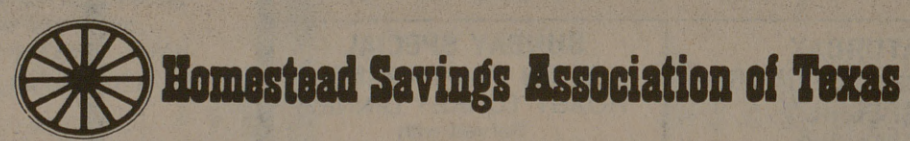
Exxon Senior Vice President O.L. Luper said the judge's decision was "another vindication of our position that many of the DOE's overcharge accusations and enforcement actions are unwarranted."

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