THE BATTALION Page 9A

Tougher standards set for use in sanity cases

day by which juries must measure the evidence in sanity hearings be- dence" standard is considered more fore a person can be committed to a stringent than the "preponderance mental institution for an indefinite of evidence" rule ordinarily used in period.

civil cases and the "beyond a rea-sonable doubt" rule applied in crim-The court responded to a U.S. Supreme Court guideline in a Gal- inal trials. veston case that had made its way through the Texas court system, and by Frank O'Neal Addington of Galsaid a person cannot be committed veston, who challenged a probate indefinitely to an institution unless court decision committing him in-

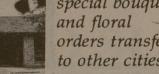
definitely to the Austin State Hospithe jury finds by "clear and convinc-AUSTIN — The Texas Supreme ing evidence" that the person is tal. Court set a new standard Wednes- mentally ill. The "clear and convincing evi-

The decision came on an appeal

A Civil Appeals Court reversed that judgment, however, contending proof of mental illness for an indefinite commitment should convince jurors "beyond a reasonable doubt.

The Texas Supreme Court, the first time it heard Addington's appeal, had upheld his commitment and ruled the "preponderance of the evidence" rule was the proper yardstick in mental illness cases

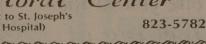
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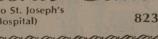
orders transferred to other cities.

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Lawyer's remarks send will case back for new trial

Just a little bit harder, fish...

ons in her will less than three eeks before her death was sent ack to a district court for a new trial Vednesday because an attorney's emarks that relatives of the woman ho helped her revise the will were ke circling vultures amounted to

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proper jury arguments. In a 1956 will, Mamie Chambless ad provided that her estate would redivided among her four sisters or heir heirs.

But she revised the will Nov. 19, 976, to leave the estate to her two

living sisters, and deleted any be- not mentally competent when the AUSTIN — A dispute over an year-old East Texas woman's re-died after the 1956 will was written. A trial court agree

Chambless died Dec. 5, 1976, less than three weeks after she signed the revised will at the Woodville nursing home where she was a the 1956 will was valid. patient. Her doctor said she was senile at the time of the will revision, and had "good days and bad days

Junior Isaac Vergara shouts encouragement as freshman

Joseph Yow of Company E-1 strains at the rope in the tug-of-war competition at the Corps' Fish Intramural Day. E-1 out-

E.O. Fortenberry and seven other nephews and nieces - all children of the two dead sisters -

A trial court agreed with their arguments the woman was not mentally competent to revise the will shortly before her death, and ruled

in Saturday's activities.

During that trial, the attorney for the nephews and nieces challenging the will changes told the jury, "The vultures were circling in the air and they swooped down on her."

pulled B Company Band to win the tug-of-war championship

Battalion photo by Jim Hale

The Beaumont Court of Civil Appeals overturned the trial court's filed suit challenging the will's revi-sion and contending Chambless was ments.

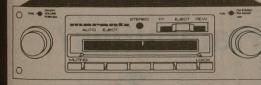
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