

the nation

Judge's order halts three train routes

WASHINGTON — Three money-losing Amtrak trains, kept running for an extra week during various court challenges, may have finally gone out of business for good.

Supreme Court Justice Byron White Monday overturned an order from the 10th U.S. Circuit Court of Appeals in Denver that had kept Amtrak from dropping the three trains — the Chicago-to-Houston Lone Star, the Chicago-to-Miami Floridian and the Chicago-to-Seattle North Coast Hiawatha — as part of a budget-cutting move.

White's brief order voided a ruling the appellate court had issued last Friday to keep the trains running until an Oct. 26 hearing. That hearing would have been on a request filed by the states of Kansas and Minnesota and the city of Nashville, Tenn., for a preliminary injunction. Those places claimed that dropping the trains would cause irreparable harm to their areas.

"We'll have to review the legal ramifications of this in conjunction with the attorneys for other states involved and try to find if we've come to a dead end," said Kansas Attorney General Robert Stephan, who had filed the original suit with a federal court in Wichita, Kan.

"It could be we're so far out of this ball game there is no logical or legal reason to continue," he said.

"We've always been convinced if they got those trains closed, the battle to (get) them open again would be just tremendous, almost insurmountable."

The Kansas official said if he had dreamed the Supreme Court would issue an order without going through the lower courts, he would have filed his original action directly with the high court.

"It's just that we've fought so hard and so long and so well," Stephan said. "No one in this office anticipated an order without a hearing."

An Amtrak spokesman in Chicago, Pam Dickson, said passengers Monday were being rerouted to alternate trains. "People were thoroughly confused," she said. "They weren't sure what was running and what wasn't."

None of the trains left Chicago Monday and the last train scheduled to arrive at its destination was the Floridian, due in Miami at 1:10 p.m. Tuesday.

Congress had seemingly sealed the fate of the three trains, along with the New York-to-Kansas City National Limited and the Boston-to-Caletsburg, W. Va., Hilltopper, with the passage of the 1979 Amtrak Reorganization Act, signed into law by President Carter.

But Stephan, along with the other state and local officials, challenged the order and U.S. District Judge Frank Theis in Wichita issued a temporary restraining order keeping the trains running past their scheduled Oct. 1 discontinuation.

Theis, however, dissolved his order three days later, saying he believed the decision by the President to sign the bill made any further attempts to keep the trains running futile.

The plaintiffs then took their case to the appellate court and won an 11th-hour reprieve only hours before the trains had once again been scheduled to make their last runs.

Students get diplomas — and dollars

LAFAYETTE, Colo. — Some high school students seem grateful just to receive their sheepskins on graduation day, but students at a Colorado school can graduate with a diploma and \$1,000 in their pockets.

The money represents four years of savings students at the 9-year-old Colorado Junior Republic school are forced to keep during their educational careers at the Lafayette facility.

"We're very structured here with supervised situations," said John Harmon, headmaster and chief administrative officer. "And the kids like it. They know what's expected of them."

The school day is divided between morning academic classes that apply toward a high school diploma and a work program in the afternoon.

The school is situated on a 400-acre farm which the owner and founder, C.B. Henderson, wanted to use to offer students a chance to accomplish more than "hanging around street corners," Harmon said.

The students are paid for their work with what the school calls "funny money." With their earnings, the students pay for their recreation, school supplies and personal items.

At graduation, the students receive a check for what they have earned over the four years, sometimes equaling more than \$1,000, Harmon said.

Rape law gets first test in California

United Press International
LOS ANGELES — Actress Carrie Snodgrass charged that a rock musician raped her with a pistol barrel Tuesday provided one of the first court outings for the so-called "Born Innocent" law, inspired by a television rape scene.

Snodgrass charged that Jack Nitzsche — who has worked with singer Neil Young and the Rolling Stones — broke into her apartment in June, beat her with a pistol, threatened her 7-year-old son and frightened away a guest, actor-director Paul Williams.

He then violated her with the pistol barrel, she charged.

Today's hearing was called to consider five felony charges against Nitzsche, 42, including a count of "rape by instrumentality."

The law traces its origin to the TV movie "Born Innocent," in which a teen-age inmate of a home for juvenile delinquents was shown being raped with a broomstick by other inmates.

In 1974, four San Francisco children assaulted a 9-year-old girl with a beer bottle, allegedly mimicking the scene they had seen on televi-

sion. Although a court refused to find the broadcasters liable for damages for allegedly suggesting such a crime, the film did leave its legal mark.

Rape law was traditionally interpreted to cover violation by the male organ. In 1978 George Deukmejian, then a Republican state senator and now California attorney general, introduced legislation extending the law to include assault with an "instrument."


The law went into effect Jan. 1, and Snodgrass' complaint was one of

the first three filed under its provisions, said Deputy District Attorney Marissa Batt. The other two cases have not come to trial yet.

Nitzsche, who is free on \$5,000 bail, is a musician, composer and record producer who wrote the score for the film "One Flew Over the Cuckoo's Nest" and worked with the Rolling Stones, Phil Spector and Sonny Bono in the 1960s.

Snodgrass, 33, was nominated for an Academy Award for her starring role in "Diary of a Mad Housewife" in 1970.

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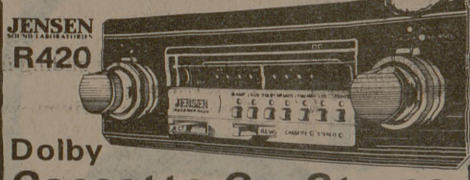
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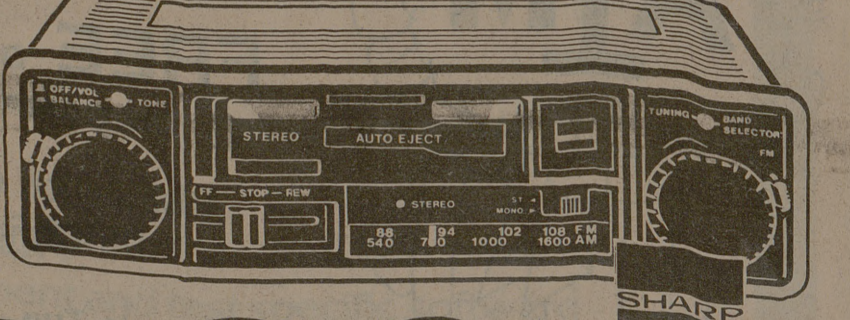


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