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State

Says Carter right to freeze Iranian assets

Muskie urges Reagan to honor Iran agreement

United Press International
SAN ANTONIO — Former Secretary of State Edmund Muskie says the country must not forget the hostage ordeal, but must put it behind and go on.

"We have to decide where we go from here," he told students at Trinity University Tuesday. "It's a good thing for our country that the hostages are home, that we can begin the future at the outset of a new administration with the hostage problem out of the way."

Included in the new beginnings, he said, must be relations with Iran. "There is a spirit of nationalism sweeping the country, but there needs to be a normalizing of relations

with all countries, Iran in particular. Bearing grudges is not the way to do it.

"We have a responsibility as a super power to try to build a better life on this planet," he said.

Although he called the hostage situation "a despicable, criminal act" and acknowledged the 52 Americans endured beatings and mental cruelty throughout their stay, Muskie urged the agreement that brought their release be honored by President Reagan.

"The policy has been set by this agreement," he said. "In light of the terms of the agreement, the normalization of relations with Iran should begin."

He urged that trade resume with Iran because "that was one of the stipulations of the agreement. We would lift trade restrictions."

"Eventually the time comes when more normal relations will be perceived in the interest of both countries. But it is going to take some time."

Of the negotiations, he added, "If we didn't do it as efficiently as possible, we did it and the country is better off for it."

Muskie said former President Carter's first steps in freezing Iranian assets turned out to be the right action at the right time.

"The steps that were taken in

November 1979 were the steps that persuaded Iran to take the steps that led to the release," he said.

He added that, ironically, the freezing of assets also complicated the release because of banks and creditors that brought suit against Iran: "The assets became tangled in a can of worms."

Muskie, a Maine Democrat who served in the U.S. Senate, was appointed secretary of state by former President Carter after Cyrus Vance resigned from the position following the aborted rescue attempt of the hostages in April.

Muskie joked he felt a close re-

lationship with the hostages.

"I was a hostage to the hostage," he said. "I would never have been secretary of state but for the hostages and but for the hostages I might be continuing at secretary of state. In the 53rd hostage that has been released by the events of last week."

Muskie revealed one of the bright moments of the 444-day ordeal was the release of hostage Richard Queen.

"They released him because he did not want a dead hostage on his hands," he said. "(We) inferred from that there would be no dead hostages."

Counsels for indigents warned to do good job

United Press International
AUSTIN — A Criminal Appeals

Court judge directed a "strong message" Wednesday to the state's

judges and to attorneys appointed to defend indigents — the court expects defense attorneys to do more than stand by while their clients plead guilty.

Judge Marvin Teague was among four judges dissenting in an Ector County case in which a man sentenced to 15 years for aggravated robbery contended he was not provided effective assistance by a court-appointed lawyer.

Records in the case show the attorney was appointed after Leonard Ortega Diaz Jr. already was in court, the attorney talked with his client for only about 15 minutes, then stood beside the client as he pleaded guilty and was sentenced.

Teague said the court, in deciding against Diaz, "missed a golden opportunity to bury, once and for all,

the 'cop-out man,' the 'expeditor,' and the 'warm body attorney' who, for all practical and constitutional purposes, does not in my opinion meet the requirements of the 6th amendment to the Constitution of the United States."

"The right to counsel means, to me, more than just having a warm body, whatever he may be denominated, standing beside some accused who enters a plea of guilty or nolo contendere in a court of law."

Teague warned against the appointment of what he called "stand-in warm body attorneys" who appear only so the court record will show an indigent defendant had an attorney present.

He said the appellate court cannot in one opinion establish the duties of a court appointed attorney, but said

such appointment, "certainly does not mean appearing in court simply to put the seal on the record to show the accused had counsel, or to put it colloquially, it does not mean merely appearing in court after the accused is 'greased' and ready to plead, as appears to be the case here."

Three other judges also wrote dissenting opinions critical of the actions of the defense attorney in the Diaz case and of the majority opinion upholding Diaz's conviction.

Teague said he could have merely joined in one of the other dissents, but "I personally feel a stronger message should be sent to the bench and bar that I, as member of this court as other members of the court also feel, will not countenance the mere presence of a 'warm body' to mean effective assistance of counsel."

50% legislative pay increase proposed as 5.1 to 6.8% argued for other employees

United Press International
AUSTIN — Rep. Bill Heatly, D-Paducah, has proposed an increase of 50 percent in the pay of legislators and a 66 percent increase in their daily expense allowance.

The proposed constitutional amendment would raise legislators

pay from \$600 a month to \$900 a month and their expenses from \$30 a day to \$50 a day. Per diem expenses are paid only for the first 120 days of the 140-day session.

In the meantime, the Legislature is debating the merits of a 5.1 or a 6.8 percent pay raise for other state em-

ployees. The pay of legislators has not been raised since 1975, when the current levels were set.

Heatly's proposal must be approved by a two-thirds vote in each house, then be submitted to Texas voters for ratification.

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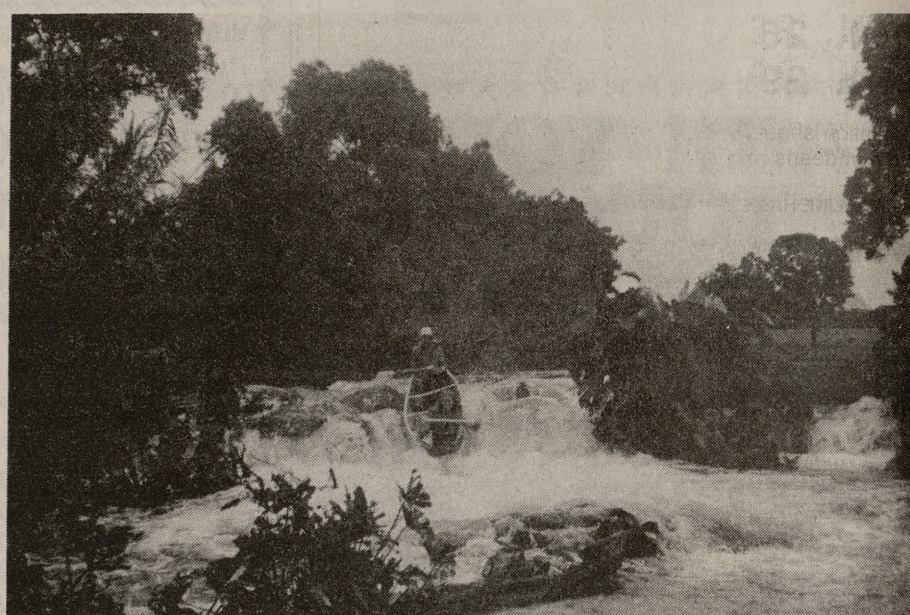
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