

State

Daniel waived rights in trial, judge says

United Press International
LIBERTY — The judge presiding in the Vickie Daniel case Tuesday denied a defense motion to allow previous court testimony, which was obtained during child custody battle, about the shooting of her husband, former House Speaker Price Daniel Jr.

hearing earlier this year she did it voluntarily.

"The court (judge) has decided the Fifth Amendment waiver was a free, voluntary, knowing and intelligent waiver," Giblin said.

The testimony from the custody battle, which led to Daniel's being allowed to keep custody of her two sons by Price Daniel, detailed the shooting death.

Daniel had said that she had no choice but to testify during the six-week court fight to keep cus-

tody of her two sons. In the custody battle, she testified that she accidentally shot her husband.

Her lawyer, Jack Zimmerman, wanted to block the testimony from her murder trial that is expected to begin today before an eight-man, four-woman jury.

Giblin also planned to hear more pre-trial motions Tuesday including a defense motion to suppress statements that Daniel made to law enforcement officers following the shooting.

Price Daniel, 39, son of former Texas Gov. Price Daniel Sr., was killed in the couple's ranch home following an argument in January. Daniel had filed for divorce from her husband only weeks before the shooting.

According to previous court testimony, the Daniels were fighting because she refused to sign a divorce settlement document without her attorney present.

Mrs. Daniel told Giblin Monday she testified in the earlier civil case about the shooting only be-

cause she feared losing her two children to her sister-in-law, Jean Daniel Murph of Richardson.

She said she was told by her attorney Richard "Racehorse" Haynes that if she did not waive her right and testify, her chances of losing the boys increased immensely.

Haynes was called as a witness Monday, along with the judge who presided over the custody trial.

Haynes said if he had to do it all

over again, "I'd do it the same way."

Daniel's right to a fair trial would be violated if the state uses her statements from the previous trial in her murder case, Zimmerman said Monday.

"There was no threat by anyone in authority to coerce the defendant (Daniel) to testify against her will," District Attorney Wilborn said. "The waiver of her Fifth Amendment right (to self-incrimination) has been shown to be voluntarily made."

Quirks in the news

Actor sends flowers to jailers

United Press International
STOWE, Vt. — English actor Oliver Reed says he's been arrested before — "in Communist countries" — but had never spent a night in jail until his arrest following what local police said was a bar fight.

Reed, 43, was to be arraigned Tuesday in nearby Hyde Park on charges of disorderly conduct, unlawful mischief and simple assault.

"I've sent a whole load of flowers to the police station," the actor said Monday following his release. "This is the first time I've had to spend the whole night in jail."

Reed was taken away in shackles from the Pub following the fight.

Classes scratched 3 days for lice

United Press International
WEWOKA, Okla. — Public school students have the rest of the week off to rid themselves of a head lice outbreak that began in August.

"After seven weeks, teachers were a little on edge," superintendent Earl Anderson said. "We just didn't seem to entirely get rid of it."

Anderson called off classes Monday, Tuesday and today for 1,100 students. Wewoka's schools already were scheduled to be closed Thursday and Friday because of a state teachers' conference.

Anderson said school officials would screen each student Monday and send home anyone who carried lice nits, either dead or alive.

"We have done this (screening) numerous times previously," Anderson said. "We've got faith. We think we'll do it this time. We've got to."

Bandstand goes to Smithsonian

United Press International
HOLLYWOOD — Records and props from Dick Clark's popular "American Bandstand" program, television's longest continuously running network variety series, will soon be on display at the Smithsonian Institution.

Clark announced Monday the items will be assembled in a special exhibit going on display in March 1982.

Among items donated by Clark is the painted canvas backdrop that served as the original "American Bandstand" set when the program began 30 years ago on WFIL-TV in Philadelphia.

The podium from which he hosted the program since 1957, his personal collection of 30 phonograph records containing the No. 1 hit records since 1951, and hundreds of photographs will also be donated to the Smithsonian.

Number comes up lucky twice

United Press International
ALBANY, N.Y. — New York and Connecticut now have more than a border in common. Monday, lottery officials in the two states drew the same number.

The number 037 came up in Daily Number drawings in both states, and a spokesman for the New York game said it was the first time another state lottery number had matched an Empire State selection since New York began its daily numbers game in September 1980.

But Lottery Division spokesman George Yamin said it had happened in other states before. "The odds are one in a thousand for any three-digit number to come up," Yamin said.

Sand ordered for desert pool

United Press International
CHARDON, Ohio — A Middle Eastern sheik needing a supply of sand might be expected to look to his backyard, but an Ohio firm received the order and filled it — 9 tons of sand for the sheik's pool filter system.

Best Sand, which is accustomed to dealing with foundries, chemical plants and other industrial users in the Midwest, said the sheik, whose name was not disclosed, wanted a filtering system to recycle the limited water available for his pool.

He settled on a high-quality filter made by another Chardon firm for which Best regularly supplies the sand.

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