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Texas A&M

# The Battalion

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## O'Bryan's note misses governor

from staff and wire reports  
HUNTSVILLE — A federal judge Thursday denied "Candyman" killer Ronald Clark O'Bryan's stay request and another claim that lethal injection used in seven states is "unnecessarily cruel," removing two hurdles to O'Bryan's Saturday execution in the 1974 Halloween poisoning of his son for insurance money.

However, before the court's rejections, O'Bryan — from his cell 13 miles north of the Huntsville Unit's death chamber — appealed in a handwritten note to Gov. Mark White for a 30-day reprieve.

"I am prepared as a Christian for my death under any circumstances. However, I have no death wish," he said in the note handed to a former church associate, David Sefton, 27.

Sefton, a Texas A&M graduate student, delivered the letter to the governor's office Thursday, but was unable to arrange a meeting with White.

Sefton told The Battalion Wednesday that he believes in the justice system. He said he intended to be the one person to make the impact after being told by an official in the governor's office that nothing more could be done.

Sefton said he knew O'Bryan from the time both worked in the Second Baptist Church of Pasadena.

He met O'Bryan for the first time in nine years Wednesday after having promised the inmate he would deliver a letter to the governor. Sefton said he encouraged O'Bryan to write because he had the impression White thought O'Bryan had given up hope and wanted to die.

"This isn't some kind of postcard or something," Sefton said. "This is something that is life or death. Ron wanted to correct their impression. As a Christian he said he was ready to die."

The note requested a 30-day reprieve. "I do not want to die!" it read.

White, in Houston, said he was not inclined to delay the death that has been upheld by eight courts in nine years.

"Let me put it this way. I would not be inclined to grant a stay without good reason," he said.

U.S. District Judge Robert O'Connor Jr. in Houston refused a motion for a delay filed by O'Bryan's lawyer and the motion seeking a ban against the use of chemical in the injections, so far used three times in this country.

During the district court's oral arguments while considering O'Bryan's request, O'Connor asked American Civil Liberties Union lawyer Stefan Presser what method O'Bryan preferred if not injection.

"How does Mr. O'Bryan wish to die?" O'Connor said.

"Mr. O'Bryan does not wish to die," Presser said.

"Well then, what is your alternative?"

"I do not know of his choice in this matter."

Presser argued injection was unconstitutional because it took too long. He said it took 15 minutes for Texas to execute James David Autry March 14 "and the state cannot give assurances the next one will not take longer."

At that point, O'Connor interrupted.

"It might take a second if you increase the dosage," he said.

Presser said he would appeal O'Connor's decisions to the 5th U.S. circuit court of appeals.

The stay request claimed there was improper jury selection in 1975 because a juror was excluded for opposing the death penalty.

In recent months, as the case has been publicized, Sefton and other people have rallied to his defense. Texas A&M freshman Kim Mangano, a death penalty opponent whom O'Bryan wrote after he read her letter published in a newspaper, said she has agreed to witness the execution for "moral support."

Mangano told The Battalion in a March 21 interview that she thought the execution would never take place.

"I'm preparing to deal with his



Photo by DEAN SAITTO

A group of parents hold a candlelight vigil outside the Texas state penitentiary in Huntsville showing their support for capital punishment the night of the execution of James "Cowboy"

Autry. Demonstrators, both for and against the death penalty, are expected to be present Saturday night should the execution of Ronald Clark O'Bryan proceed as scheduled.

death as if I were dealing with the death of a close friend," she said. "If my presence in any way can help Ron deal with it all, I will be there."

O'Bryan, 39, a former Deer Park optician, maintains his innocence against the trial evidence that convinced a jury he mixed cyanide with granular candy in five Giant Pixy Styx candies and distributed them to his son, daughter and three neighbor kids.

Prosecutors alleged O'Bryan sought to collect \$60,000 insurance

on the deaths of his children.

O'Bryan claimed the real killer — unknown to him — walked free.

O'Bryan's son Timothy, 8, died from ingesting a massive dose of cyanide after a trick-or-treating expedition Oct. 31, 1974. O'Bryan's daughter, Elizabeth, and three neighbor children also received the poisoned candy. Only Timothy ate it.

Inmates call O'Bryan "Candyman" and in his eight years on death row he has been the target of hate mail.

O'Bryan's closest former neighbor, Jimmy Bates, has said there is no doubt O'Bryan committed the crime, but Sefton said Bates is wrong.

"Ron loved kids, there's no way he'd kill one — especially his own," Sefton told The Battalion.

Sefton also maintains that the allegations that O'Bryan committed the murder to collect on an insurance policy are incorrect. He told The Battalion that the policy had been taken out in 1971 and was frequently updated.

## Jackson criticizes rivals

United Press International

Jesse Jackson, the man in the middle between bickering Democrats Gary Hart and Walter Mondale, Thursday accused both of being little better than President Reagan on the issue of military over-spending.

The two leaders for the Democratic presidential nomination continued to sting at each other like scorpions in a battle as they all stumped in snow-clogged New York City for the big prize of 252 delegates at stake in the state's primary next Tuesday.

Results of an ABC-Washington Post "tracking" poll released late Thursday showed Mondale and Hart in a dead heat going into the New York contest, with Mondale getting 40 percent of the voters who said they would definitely go to the polls and Hart getting 35 percent. Jackson had 16 percent and 9 percent were undecided. A 5 percent margin of error made the contest virtually even.

All three candidates appeared separately at an urban issues forum at Hunter College Thursday, and Jackson got the most enthusiastic response as he cudgeled Mondale and Hart on their military spending proposals.

"You cannot raise the military budget as (Gary) Hart and Reagan and (Walter) Mondale propose to do and have the money left over to rehabilitate urban America," Jackson said. "You must make a choice."

Jackson — who played peacemaker during a nationally televised debate Wednesday night that spurred a Hart-Mondale melee over political advertisements — took the two to task for quibbling over non-issues rather than using their campaigns to "redirect" the party.

Earlier, Jackson said his "peace budget" would cut military spending by at least 20 percent. He said Reagan wants a defense increase of 13 percent, while Mondale and Hart are for increases of 5 percent and 4 percent.

He said the former vice president and the senator from Colorado both talk about scrapping certain weapons systems, but "they always add a new one."

"If we put money into bombs and bullets, we will not have food for our children," Jackson told the church crowd.

Hart stuck to the subject at the Hunter forum, saying "urban revitalization, infrastructure building, education and training opportunities for minorities and women ought to be the highest priorities of this nation in the 1980s."

## Twister leaves 63 dead, 800 hurt, and at least \$1 billion in damage

United Press International

BENNETTSVILLE, S.C. — Rescuers used bulldozers Thursday to search for more victims of killer tornadoes that cut a billion dollar swath of devastation through the Carolinas, killing at least 63 and injuring about 800.

"We apparently have had the worst disaster in 100 years," said North Carolina Gov. James B. Hunt after flying over some of the 300 miles of destruction caused by the deadly twisters. "This is the worst disaster I have ever seen in my life."

Fifty people were killed in 12 different North Carolina counties and

13 more died in three South Carolina towns when 24 tornadoes ripped a 50-mile wide path from central South Carolina to the upper North Carolina coast Wednesday night.

North Carolina officials said 571 were injured in that state, while the injury total in South Carolina was placed at about 200. About 500 people spent the night in emergency shelters in North Carolina and hundreds more, their homes left a mass of rubble, moved in with friends and relatives.

"I expect (the damage) will be in the billions of dollars," Hunt said as he walked through a residential area

of Ayden, N.C., where trees were snapped in half. "The deaths could easily have been five to 10 times as much. People did have a lot of presence of mind as far as protecting themselves."

"The damage will make you weep," said Tom Pugh, director of North Carolina Division of Emergency Management.

South Carolina Gov. Dick Riley pleaded for federal aid as he watched workers pick through 12 city blocks of debris that had once been the largest shopping center in Bennettsville.

It was the worst series of tornadoes since 350 people died on Easter

weekend in 1974 — most of them in Xenia, Ohio — and the worst natural disaster in South Carolina since a tornado killed 67 in 1924.

Nearly 700 National Guard troops were activated in the two states to aid in the rescue operation and stand guard against looters. Thousands were without electricity in both states.

"It just made toothpicks of some of our homes," said Mike Tardis, director of emergency services in Scotland County, N.C., just across the state line from Bennettsville. "Some of these homes were blown all over the fields, and there were people blown

all over the fields, too." When warning sirens began to scream in Bennettsville Wednesday night, "the sky was a greenish blue, like it was lit up," Sharon Crosland said. In five minutes the howl of the wind drowned the sirens and windows began to blow out.

She grabbed her two sons and hid under a blanket, she said.

"When we woke up it was raining hard on us," she said. "Dirt and everything was in our mouths. We couldn't move." Neighbors pulled them from the wreckage of their apartment.

## Alders, Swartzwelder prepare for run-off

By TRICIA PARKER and STEPHANIE ROSS

Staff Writer

The final vote has been counted, and the run-off between student body presidential candidates David Alders and Grant Swartzwelder is on.

In the elections this week, Alders received 31.3 percent of the vote and Swartzwelder received 27.6 percent. Only 218 votes separated the two in the first election. The 218 votes and the now uncommitted votes will be what the two candidates will be trying to change between now and the run-off elections Wednesday.

Swartzwelder, who is playing catch-up behind Alders, says he wasn't surprised to make the run-off. Alders wasn't too surprised to make it to the run-offs either, and said he felt "gratified" at the turnout.

"I think every candidate has to be

confident in the beginning if he's to have a chance of winning," Swartzwelder said. "I just don't believe that 200 votes out of 6,500 is that significant. We've got a lot of support but we just have to get it to the polls."

Alders referred to the run-off as a new ballgame.

"I consider it (218 votes) pretty small when you look at how many votes are now uncommitted." He said he doesn't plan to change any of his campaign strategies, except to possibly concentrate on more specific issues instead of broad ones.

"I think the word is out on how I stand on the main issues," he said.

The main issue that he still emphasizes is that the position of student body president, whomever that may be, will be an important position, especially in the next year.

"I think this is a big role because whomever we elect certainly will have

the potential to build a strong base for student input," he said, emphasizing that credibility will be important.

His main priority now will be to get out and meet some voters for the second time, and others he did not meet in the first round of campaigning.

Swartzwelder, who got 1,597 of the 5,800 votes cast, has no plans to restructure his campaign for the upcoming runoff. He says he will carry on as before with a lot of door knocking and speaking to student groups.

"We don't really have any bizarre plans or anything," he says. "We've got a lot of well-respected and well-liked people around here helping out."

Swartzwelder says his greatest strength lies in his accessibility to students and his willingness to work

with them to solve specific problems.

Campaign workers for Alders met Thursday night to plan out their next step in their effort to get him elected, says Madelon Yanta, a campaign coordinator for Alders.

"We're having a campaign meeting tonight to plan everything out," she said Thursday, "and we're trying to hit as many dorm council meetings as we can. We're also going to do a lot of door knocking."

Yanta says her major concern is keeping Alders' support motivated and getting them out to vote.

"That's the key," she says. "We're all fired up right now and we've got to stay that way. I also feel that David's support is harder, that people know who he is and what he stands for."

## In Today's Battalion

### Local

- International Week '84 begins Monday with cultural displays in the MSC main hall. See story page 3.
- Drivers will have to find alternate routes around the Grove area because construction of the bell tower will begin next week. See story page 9.
- The A&M debate team is going to the National Debate Tournament in Tennessee. See story page 6.
- The temporary walkway between the Blocker Building and Zachry will close Monday. See story page 7.
- Billie Sol Estes' daughter promotes her book in Bryan-College Station. See story page 4.