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### Witness testifies Bower was in Sherman before

**United Press International** 

SHERMAN — A woman who runs a vegetable market testi-fied Wednesday she met Lester Leroy Bower Jr. last fall in the company of one of four men he is accused of killing in an ultralight hangar on a north Texas

Bower and his attorney, Jerry Buckner, have said the capital murder defendant was never in Grayson County before he was arrested in January at his home in Arlington, a suburb of Dallas, and taken to the Grayson

County jail. Bower, 36, is accused of shooting to death four men last Oct. 8 on property owned by Bob Tate, a Sherman building contractor. Authorities say the motive was the theft of an ultralight aircraft, valued at about

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\$4,000, that Tate was advertis- moved here from Colorado," ing for sale.

The other victims were Grav-Good, 29; former Sherman policeman Ronald Mayes, 37; and self-employed house remodeler Jerry Mack Brown, 51.

Sherman vegetable market in at her market and he was exlate September with Good, who tremely friendly. was a regular customer of hers.

Carr said she recognized Bower from his physique and from the nose up, because the man she saw had a beard. Bower had a beard until just before his trial began earlier this

She said she chatted with the large bearded man she identified as Bower about naval oranges, which he wanted but which were out of season, and about the relatively cool autumn weather.

'If you think the Texas county. weather is cold you should see

Carr testified.

Bower, a native of Tulsa, son County Deputy Phillip Okla., moved to Texas from Good, 29; former Sherman po-Grand Junction, Colo., late last summer

Pressed by District Attorney Stephen Davidchik about why Marjorie Carr said she met she would remember Bower, Bower when he came to her Carr said it was a slow morning

"He was just a large man and he was real friendly with me," she testified. "It was slow that morning and it was sometime between 10:30 and 11:30. I don't get many customers with beards. Most of my customers are regulars and he was a

Carr said she recognized Bower as soon as she saw pictures of his arrest in January but did not contact authorities until she heard Buckner say his "He laughed and he said to client had never been in the

Buckner said Wednesday he the weather we have in Colo- did not consider her testimony rado.' He said he had just a surprise.

# Court

**United Press International** 

AUSTIN - The Texas

Citing an error in jury instructions by a lower court, the state's highest appeal court or-dered a new trial for Charles County, who was convicted of the March 20, 1976, murder of Chere Buffington.

court last year because two ju-rors were improperly excluded from hearing the case.

"lewd, immoral or offensive to the public decency."

The court's decision stemmed from charges brought against Herman Bernard Wishnow, a Houston bar owner. Wishnow was convicted of allowing a patron in his bar to with steel contaminated by Co-fondle the breasts of another balt 60, a radioactive isotope

He was fined \$500 and sentenced to three days in jail.

## overturns sentence

Court of Criminal Appeals Wednesday overturned the capital murder conviction and death sentence of a San Antonio man who was the alleged hit man in a 1976 murder-for-hire

Buffington's nude body was found in her car, which had been abandoned in the parking lot of a San Antonio junior high

According to San Antonio prosecutors, County was hired for the killing by James Buffington, the victim's ex-hus-

In another case, the high court struck down as unconstitutionally vague a portion of the Texas Alcoholic Beverage Code that forbids anyone authorized to sell beer from allowing concontaminated steel in January, duct in their business that is

customer while dancing.

# Around town

#### Williams to conduct final class

Clayton W. Williams Jr. will conduct the final session the Management 489 and 689 classes Friday from a p.m. in 307 Blocker. He has been conducting the days semester. Williams will speak from 2 to 3 p.m. and had discussion with students from 3 to 4 p.m. The session

#### APO to help at Special Olympics

Members of **Alpha Phi Omega** will work with the Second Philosophics Friday at Bryan High School. All proceeds benefit the handicapped Boy Scouts.

#### Seminar applications available

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Musicia

Applications are being accepted for the Student speers' Seminar which will be offered during the fall seminary The seminar is designed to prepare students to spea behalf of Texas A&M

Seminar sessions will include topics such as the med ics of speaking, speech preparation and delivery, of asked questions and answers and practical expenence. seminar will be informal and designed to be useful bo fore and after graduation.

Places are limited to 15 sophomore or junior (or fifth year senior) students with a moderate to heavy in ment in campus activities. More information and app tions are available in the Student Activities Office, 200 vilion or by calling 845-1133. Deadline for application

#### Orchestra finishes season Sunday

The Brazos Valley Symphony Orchestra will final concert of the season April 29 at 3:30 p Bryan Civic Auditorium. The orchestra will fe Ann Hudson, formerly of Bryan, of the San An phony. It will be under the direction of Thomas guest conductor and principal hornist with the Symphony. Ticket prices are \$5 for adults and \$4 for dents and senior citizens.

#### Group sponsors fax workshop

Diversified Tax Planning Inc. will host a tax sem night at 7:30 p.m. in the community room of Manor Mall. The seminar will feature Jeff A. Schnepper, author How to Pay Zero Taxes." Schnepper was a guest on Phil Dinahue Show in 1983. Admission is free.

#### MCAT moved to Heldenfelds

This weekend's MCAT has been moved from Har ton to Heldenfelds, but will start at the time given. Fen with the last names Aboukhair to Ellis should report Heldenfelds, Elsner to Hoelscher to 105, Hornedo to kay to 107, McKnight to Sampeck to 109, and Sandord

### Buffington also was tried for capital murder, but his conviction was overturned by the high levels of radiation

JUAREZ, Mexico — A total of 193 people were exposed to but only two face serious health problems, federal officials said der of Cobalt 60 had bed Wednesday.

Dr. Juan Rauda Esquivel said the two patients, a 16-year-old boy and a 28-year-old man, may be sterile as a result of contact used in radiation therapy.

ered in January in steel rebars at Los Alamos National Laboratory, Los Alamos, N.M. The rebars were returned to El Paso.

Texas where Texas and le the steel to a junkyard in rez, across the border fro with dar

house and sold as scrap to expected for \$10. The Cobalt 60 contamin val, while

scrap metal sold by the will get yard to a foundry in Children day after City, 240 miles south, when was made into steel and ported to the United States small to

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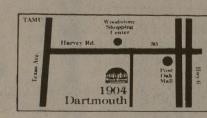
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