Battalion Classified

What's up

Wednesday
TAMU SPORTS CAR CLUB: general meeting at 7:30 p.m. in room 308 Rudder. New ideas for the Fall will be presented.

Thursday
CAMPUS CRUSADE FOR CHRIST: will meet at 7 p.m. in room 140 MSC.
TAMU SAILING CLUB: will meet at 7 p.m. in room 301 Rudder.

Heart disease still No. 1 killer

United Press International

NEW YORK — Heart disease remains the nation's No. 1 killer but people who live in the western half of the country are least likely to die of it, a study said Monday.

The report by the Metropolitan Life Insurance Co. found people living in West Virginia, Pennsylvania, Kentucky and other Middle Atlantic states had the highest number of deaths from heart disease.

States with the best chances of survival included Hawaii and New Mexico. The mortality rate in those states is 20 percent below the average 480.9 heart disease deaths per 100,000 Americans.

"No one really knows why one state has a rate twice as a high as another state," said Stanley Krancer who conducted the study.

The disease remains the No. cause of death in the nation. About 760,000 people died of heart disease in 1982, up from 753,000 in 1961.

But the report noted that mortality rate from heart disease declined. In 1968, 270 out of every 100,000 people died of heart disease. Preliminary figures from 198 show only 190 out of 100,000 people died.

The improved rate was credited to greater public awareness of the dangers of hypertension and smoking and better diets and exercise.

High Court grants stay to murderer

United Press International

One of four murderers facing death this week in the South won Supreme Court approval of a stay of execution Monday, but a scheduled double execution in Florida remained a possibility.

Edward Earl Johnson, 23, who shot and killed the town marshal of Walnut Grove, Miss., was scheduled to die in the gas chamber at Parchman prison a minute after midnight Wednesday morning. However, a federal judge granted him a stay on Friday, and Supreme Court Justice Byron White refused the state's plea Monday to lift the execution.

Florida scheduled two executions for Thursday morning — the first double execution since the Supreme Court lifted its ban on capital punishment in 1976 — and following a state Supreme Court ruling Monday there was a chance it could take place.

One of the condemned men, David Leroy Washington, appealed on the ground that his prosecutor told the jury that the lives of Washing-

ton's three victims — slain in a day outburst of violence in Miami— were worth more than his.

He won a stay Saturday from Dade County Circuit Judge Herbert Klein in Miami, who said he want to see how the federal courts ruled on similar appeals still pending. He did not rule on the merits of Washington's appeal.

After the state argued that the stay should be thrown out, the Florida Supreme Court ordered Klein rule on the merits of the appeal by 9:30 a.m. Tuesday without waiting for any federal rulings.

The second man scheduled for execution in Florida's electric chair at Starke was Jimmy Lee Smith, who killed a woman and her 12-year-old daughter in north Florida. His attorneys filed appeals Monday in a North Florida circuit court and with the U.S. District Court in Pensacola.

The Georgia Supreme Court heard arguments Monday from lawyers for Ivon Ray Stanley, who faces death in the electric chair Thursday at Jackson, Ga.

Railroad Commission hears UPS request

United Press International

AUSTIN — United Parcel Service, continuing an 18-year battle to pick up and deliver packages within the state, Monday urged the Texas Railroad Commission to abide by numerous court decisions and grant UPS an intrastate permit.

UPS is prohibited from picking up a package in Texas and delivering it in Texas, except within local zones of Houston, San Antonio, Dallas and Fort Worth. It can, for instance, deliver packages between Waco and Chicago but not between Waco and Amarillo.

The delivery firm since 1966 has tried to win permission to transport packages within the state from the Railroad Commission, which regulates the intrastate transportation industry.

The commission in 1972 ruled it had no jurisdiction in the UPS case since the firm did not meet legal standards of operating a regular transportation system. After a

lengthy court fight that began in 1974, the Texas Supreme Court in 1981 applied several lower court decisions and ordered the commission to hear the case.

The three-member commission Monday heard oral arguments on the examiner's recommendation from UPS and local freight companies and bus lines that have fought the proposal. No ruling is expected for several weeks.

Joe Kilgore, an Austin attorney representing UPS, said the Supreme Court's ruling — along with 10 days of hearings over the past 2 months — would be "a meaningless thing" if the commission decided to accept the hearing examiner's recommendation.

Kilgore said the courts had proven that UPS met legal definitions of a carrier that can be regulated by the Railroad Commission by providing "regular, consistent and pre-scheduled service."

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