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Texas A&M The Battalion

Serving the University community

Vol 80 No. 12 USPS 045360 12 pages

College Station, Texas

Tuesday, September 18, 1984

Federal judge denies parent/child privilege

United Press International

HOUSTON — A federal judge, calling grand jury testimony a citizen's obligation, Monday denied an appeal by a Houston couple held in jail on contempt charges for refusing to testify in a murder investigation focusing on their son.

U.S. Judge James DeAnda said he found no legal grounds supporting the claim by Bernard and Odette Port that they should be granted immunity from being forced to testify against their son. DeAnda's ruling upheld a state district judge's order that the couple be jailed for contempt of grand jury.

The Ports have refused to answer questions concerning the alleged involvement of their son, David, in the June 7 death of letter carrier Debora Sue Schatz.

Schatz disappeared while delivering mail in the Ports' west Houston neighborhood. Her body was found June 9, a day after Port, 17, was arrested on murder charges.

He is free on \$20,000 bond while his parents are in jail.

The Ports were ordered jailed last Wednesday by District Judge I.D. McMaster after the Texas Court of Criminal Appeals refused to overturn his ruling holding the couple in contempt.

The Ports have refused to answer questions before two separate grand juries, claiming it violates a constitutional right to parent-child privilege similar to that given spouses under state law.

The couple also cites Jewish law which prohibits them from testifying

against a relative and that by testifying, they risk incriminating themselves, a violation of their 5th Amendment rights.

Though they have been granted immunity from prosecution, defense attorney Randy Schaffer questions whether a state judge has the right to grant such immunity.

DeAnda, in his 25-page ruling, called arguments for a parent-child privilege "aberrations."

"Traditionally parents have borne the responsibility for disciplining wayward children in various ways," the judge wrote, "so that it cannot be reasonably said that parents should be shielded from giving testimony against children accused of criminal behavior."

"Citizens are not constitutionally immune from grand jury subpoenas and the duty to testify reflects basic obligations which every citizen owes to his or her government and to society at large," DeAnda wrote.

Schatz said he was encouraged by the mere length of the judge's decision and said he had already begun steps to appeal the contempt case to the 5th U.S. Circuit Court of Appeals in New Orleans.

"We have to keep the train on the tracks," he said. "In light of logic and reason, the arguments make good sense and ought to be the law."

He said he is preparing to appeal the case to the Supreme Court if the appellate court in New Orleans refuses to grant bond for the Ports or upholds the previous rulings.

Of the Ports, he said they are in good spirits and "making new

friends" in the Harris County Jail.

"They are getting letters from inmates who tell them to hang in there. I can't say they are enjoying their stay, but it isn't as bad as they feared," he said.

Meanwhile, in a dramatic development to the investigation, the Harris County district attorney's office said a prosecutor and a homicide detective had gone to Frankfurt, Germany, to try to find a possible witness in the case.

Prosecutors believe there was a woman with Mrs. Port when she returned to her house June 7 and found blood stains and bullet holes in her house. A district attorney's spokeswoman would not identify the possible witness, who reportedly was transferred to Germany by her computer company.

A candlelight vigil in support of the victim's mother, Barbara Schatz, was planned Monday night by Parents of Murdered Children and Survivors, a spokeswoman said.

"It is something we have been planning for a month," said spokeswoman Joyce Knoll. "It is only a coincidence that the Ports are back in the news today. We cleared it through the district attorney's office to be sure it would not disrupt the case."

Mrs. Schatz has filed a \$5 million suit against the Ports, claiming negligence in the death of her daughter and the subsequent death of her husband from heart disease. Relatives said the shock of the death of the daughter contributed to her father's death.



Photo by DEAN SAITO

Governor Mark White and his wife Sarah the "Roast" Monday night at the Brazos meet with Calvin and Jenna Guest prior to Center.

Democrats honor Guest with humor, testimony

By JAMES WALKER
Staff Writer

Democrats from Bryan-College Station and throughout the state were entertained Monday night at the Calvin Guest Roast put on by the Texas Democratic Party.

The former party chairman, 56, has had a hand in the selection of virtually every Democratic party candidate and appointee for top state office in the last decade including State Treasurer Ann Richards and Railroad Commissioner Buddy Temple.

Guest was head of Dolph Briscoe's campaign in 1972 when he selected Mark White as an assistant. He jokingly boasts that any Democrat seeking office in Texas must first come and kiss his diamond ring.

With such influence, Guest has become involved in the lives of many Democrats. More than 800 of whom took the time to honor the "father of the party" in last night's roast at the Brazos Center.

Those more intimately acquainted

with Guest addressed the audience for nearly two hours with humorous recollections of past experiences and personal testimonies of Guest's character.

Before the barrage of friendly barbs, Dan Kubiak, warned his fellow Democrats, "thou shall not ever make fun of the godfather."

Gov. Mark White instigated the verbal barbeque, saying, "Calvin, I told them that we were going to tell the truth, and they said that was the ground rule that I had to follow, and I guess that's the reason this thing has turned into a roast rather than a tribute."

Dwayne Holman, executive director of the Texas Democratic Party and White's campaign manager in the gubernatorial race, remembered a comment made at the time Guest was selected to be the state party chairman. "The party always needs money and Calvin Guest is a man of untold wealth," Holman said. "He

has never told the IRS how much he has."

The Democrats did allow one Republican, Henry Seale to share some of his experiences with the audience.

"I don't mind telling you that I feel out of place here tonight," Seale said.

Seale, did not appear to be intimidated at the roast when he referred to Guest's use of the English language calling him a demon deacon "who works on those little short words. He adds a whole new flavor to their vocabulary."

State Treasurer Ann Richards, the first woman to be elected to a state office in 50 years, had some very choice words for Guest.

"Calvin, I'm sure that all of these people here are bound to be creditors of BrazosBanc, because I know damn well you don't have this many friends."

Guest was president of Brazos-Banc until June of last year.

First offshore well tapped in basin off Chinese coast

United Press International

PEKING — An American-led consortium has tapped the first offshore oil well in the South China Sea, Chinese state oil officials announced Monday.

The well, producing 429 tons of crude oil per day, is in the Pearl River Mouth Basin of the South China Sea, one of the last frontiers for offshore oil, the officials said.

Eso-China Ltd., a subsidiary of Exxon Corp. of the United States, drilled the well with Nanhai Western Petroleum, a division of the state-run China National Offshore Oil Corp.

Exxon and its partner, the Royal Dutch Shell Group, won the right to search for oil in the area when it signed a contract with CNOOC last year. The commercial value will not be known until further drilling is completed.

"This latest breakthrough is very inspiring," CNOOC. "We believe that with the ongoing exploration, more oil reserves will be discovered."

The discovery is the only bright news to come from the South China Sea basin since drilling began this year. Ten other wells have been dry and overseas

concerns no longer are predicting a quick oil bonanza.

Twenty-seven foreign companies have signed contracts with China to explore the South China and Yellow Seas. They are committed to spend \$800 million to \$1 billion.

Despite the lack of success, China is planning a second round of bidding this fall for additional offshore lots.

The Pearl River Basin, about \$63 miles south of Hong Kong, is considered the South China Sea's most potential area.

Students excavate sunken city to create picture of life in 1600s

By MARY ANGELA LEBLANC
Reporter

Off the south coast of Jamaica lies a sunken city named Port Royal. And in June, six Texas A&M students explored the underwater city.

Every summer since 1981, a Texas A&M archaeology class under the direction of Dr. D.L. Hamilton, assistant professor in anthropology, has been excavating a large six-room brick building in the sunken city.

In a disastrous earthquake on June 7, 1692, two-thirds of the city sank into Kingston Harbour in just a matter of minutes killing 2,000 people.

Hamilton showed the project's progress during the past four years in a slide presentation Thursday sponsored by the Texas A&M Anthropology Society.

"Any success we achieve at Port Royal is based on the students," Hamilton said. "They should have all the credit for all the accomplishments we've achieved at Port Royal.

They do an awful lot of work, very strenuous work. Archaeology is exciting, it's challenging but it's really very hard work."

Hamilton said the underwater archaeology class is a graduate level course that lasts from six to 11 weeks. Hamilton said that the June students paid a \$500 lab fee and paid for their transportation. Food and housing was provided.

He said the project was supported by the Institute of Nautical Archaeology, Texas A&M and the Jamaican government. Most of the students, Hamilton said, came from other universities. The June class had a total of 18 students, six were from A&M.

"We dive with no stops," Hamilton said. "Somebody is diving through lunch also, because we found we lost too much time if we stop everything and shut down for lunch."

While diving, the students found many artifacts, Hamilton said, including a table leg, corked bottles,

hundreds of smoking pipes, a fish basket, leather shoes, pewter mugs, silverware, a couple of foot bones and a finger bone. Hamilton said finding artifacts was not the project's purpose.

"What we are actually trying to do is reconstruct everyday life, what everyday existence was for different strata of the social class," Hamilton said.

Prior to the earthquake, Port Royal was a British trade center which looked like a typical English town, Hamilton said.

"We are constantly recording all the architectural details in each one of the rooms so that we can probably draw a fairly accurate reconstruction of what this house would look like," Hamilton said.

The house excavated was chosen from the location calculated from maps, he said.

"The excavation of this house was the first time that archaeologically we've been able to conduct an exca-

vation when we know exactly where the location is," Hamilton said. "We know exactly how it is positioned in reference to the streets."

Hamilton said even though the city is 10 feet below the surface, there is no difference from land excavation.

"Overall, the excavations at Port Royal are no different than a normal excavation of a historic town sight," Hamilton said. "We just have to make allowances for being under water, but other than that, we are doing the same thing."

Hamilton is an expert in the conservation of archaeological materials from under water sites. He is an adjunct professor with the Institute of Nautical Archaeology and is the conservator of the Conservation Research Laboratory at Texas A&M. He has been active in nautical archaeology for 10 years and has been the director of the Port Royal project for the past four years.

In Today's Battalion

Local

• A unique flea collar is on the market, but Texas A&M entomologists doubt that the ultrasonic device will be effective in controlling insects. See story page 5.

• Texas A&M Debate Forum holds debate on the recognition of Gay Student Services Organization. See story page 3.

• The Brazos County Democrats are officially opening their party headquarters. See story page 5.

State

• The coral snake in the Houston Zoo may look deadly, but the poor dummy isn't really as bad as he seems. See story page 7.

• A 12-year-old Fort Worth girl has been charged in the shooting death of her 11-year-old playmate. See story page 6.

• Texas Secretary of State Myra McDaniel announces a voter registration drive. The goal is 1,000 new registered voters. See story page 8.