

# State and Local

## TDC officials say lockdown halted potential clashes

**Associated Press**

ROSHARON — One week of tight security and severe restrictions on Texas prison inmates probably halted brewing gang warfare and saved dozens of inmates on gang "death lists," officials say.

"We had inmate gang members coming up to us and saying, 'Thank you, if you hadn't done something we would have been pulled into it,'" said Capt. Steve Holloman of the Texas Department of Corrections' Ramsey I Unit in Brazoria County.

On Sunday, James Parsons, TDC board secretary, conducted the first public tour of three of the 13 prisons where many inmates have been locked in their cells around the clock.

Wardens, TDC investigators and guards said that the wholesale confining of one-half of the TDC's 38,000 inmates has short-circuited a bloody gang turf battle that has left eight prisoners dead this month.

However, prison employee involvement in drug trafficking and inmate rackets is a growing problem that may eclipse the gang fighting, officials said.

Ramsey I Assistant Warden Bruce Thaler said, "Right now, the inmate relations are not all that bad. Our biggest problem is with employees running these narcotics to the inmates. It's scary."

Parsons inspected the Ramsey I and Ramsey III units and the maximum-security Darrington Unit near Rosharon. Three homicides took place at Darrington last week.

## A&M student still receiving praise for rescue

By TAMMY KIRK  
Staff Writer



Joe Mercurio

If chivalrous acts for damsels in distress seem to have disappeared with the Middle Ages, then Texas A&M Cadet Joe Mercurio would seem to be a courageous knight misplaced in time.

"Oh my God! Someone help me! Oh God! Please help me!" were the screams that urged Mercurio, 19, to aid a woman whose life was being threatened in Lindenhurst, N.Y., June 11.

Mercurio described the events leading up to the rescue as a day of shopping with his mother and his grandmother in a local shopping center.

After shopping, Mercurio went to get the car.

On his way back to the shopping center, he stopped at a 4-way stop within the mall area and that's when he heard the screams coming from his left and saw a woman running from a car.

Long Island Newsday later re-

ported that the woman was running from a man who had thrust a screwdriver into her face and forced his way into the driver's seat of her car, saying, "Move over! I'm not gonna hurt you. I'm only gonna rob you."

Police said the man had ordered the woman to fasten her seatbelt, presumably to discourage escape.

Mercurio said the woman was in her car when he first heard the

screams, but that he later figured out her escape came when the man tried to drive the car away.

"He couldn't drive holding onto the steering wheel and the stick (shift) while also holding a screwdriver in the lady's face," Mercurio said.

But without knowing at the time the reason for the woman's screams and without hesitation, Mercurio put his foot to the gas and made a beeline for the other car, managing to cut it off.

The 185-pound man left the woman's car and started running down an alleyway. Mercurio, 140 pounds and a former track star for St. John the Baptist High School, took off after him.

"I know it sounds surprising to you," Mercurio said, "but I didn't even think about what kind of danger I might be in and I wasn't even scared."

Mercurio said that the man turned and punched him square in the nose, but he said he was not seriously hurt.

Mercurio said he pushed the man against a wall and then threw him off balance.

"I held him in an old wrestling move called a half-nelson when he hit the ground and I kept his face pushed against the ground so the guy couldn't move," Mercurio said.

Two men helped Mercurio hold the man down until the police got there about three or four minutes later.

Police charged the man with first-degree robbery, second-degree assault (for punching Mercurio) and unlawful imprisonment. He was also charged with burglary in an unrelated investigation, and previously had been convicted for assault, burglary and robbery.

A letter sent to inform the University of Mercurio's deed was written by a neighbor, Rosanne Bonanno, and said: "What the article (written in the Long Island Newsday) didn't state was that this man had an arsenal of weapons in his possession. Joseph could have been seriously hurt

and we, his neighbors and friends, are very proud of him."

Although this happened while Mercurio was home for the summer, he is still receiving letters of commendation for his actions since his return as a sophomore to the University. Mercurio is an aerospace engineering major in Squadron 11 of the Corps of Cadets.

Some excerpts from the letters of commendation are:

- "All of us at Texas A&M are proud of you, for you risked your life for a stranger while others merely stood by." Written by Frank E. Vandiver, president of Texas A&M, on July 16.
- "Your efforts are an outstanding example of your devotion to duty and reflect very favorably on you, Squadron 11, the Corps of Cadets, and Texas A&M University." Written by Col. Donald L. Burton, commandant of the Corps, on Sept. 3.

## British bagpipers to play Aggie War Hymn at Sesquicentennial

Associated Press

AUSTIN — To mark the Texas Sesquicentennial, Joe Lane is arranging to fly 80 British infantry bagpipers to Texas in February and is asking them to learn a couple of songs — "The Yellow Rose of Texas" and "The Aggie War Hymn."

"We thought if we got two or three spirited songs that Texans,

even Longhorns, like, then we might be able to raise some money," said Lane, 58, an investment banker.

He said Randy Matson, executive director of the Texas A&M Association of Former Students, sent him a tape, which he sent to the bagpipers, so they could practice.

Scotland to the Alamo Inc., a sesquicentennial committee, plans to have three bands travel through

Central Texas for two weeks, playing the tunes to fundraise, Lane said.

If all goes well, the bands would arrive Feb. 28. Lane said about 10 percent of the estimated \$40,000 needed has been raised.

The celebration also will be a personal way to commemorate his great-great-uncle, Richard Ballantine, who died at the Alamo. Lane

said his name was misspelled on brass plaques on the walls of the Alamo and on a monument on the grounds of the Texas Capitol.

Lane has offered organizations in several area communities a performance in exchange for contributions to pay the costs.

The bands have requested a \$20,850 fee for the performances.

**PUBLIC NOTICE**  
BRIEF EXPLANATORY STATEMENTS OF PROPOSED  
**CONSTITUTIONAL AMENDMENTS**  
GENERAL ELECTION  
NOVEMBER 5, 1985

**PROPOSITION NO. 1 ON THE BALLOT**

Sections 1 and 2 of House Joint Resolution 6 propose a constitutional amendment that would authorize the Texas Water Development Board to issue an additional \$980 million of Texas Water Development bonds.

The additional bonds to be issued will be dedicated for deposit in the Texas Water Development Fund, with \$190 million of those bond proceeds to be used for water supply loans and facilities acquisition and with \$400 million of those bond proceeds to be used for state participation in the acquisition and development of facilities for storage, transmission, transportation, and treatment of water and wastewater.

Of the remaining bonds authorized, \$190 million will be dedicated for use in water quality enhancement projects, and \$200 million will be dedicated exclusively for flood control projects.

The amendment would also allow the legislature to provide for the creation, administration, and implementation of a bond insurance program to which the state pledges up to \$250 million of its general credit to insure payment of the principal of and interest on bonds or other obligations issued by political subdivisions of the state for water conservation, water development, water quality enhancement, flood control, drainage, recharge, chloride control or desalination. Unless authorized to continue by a two-thirds vote of the members of each house of the legislature, the bond insurance program will expire on the sixth anniversary of the date on which this section becomes a part of the constitution. Bond insurance issued before expiration of the program will not be affected by such expiration.

The amendment would authorize the legislature to create and appropriate money to special funds in the state treasury to make grants, loans, and other financial assistance available to governmental entities for certain enumerated water planning purposes. Also, the legislature would be permitted to extend the benefits of constitutionally approved water projects to nonprofit water supply corporations.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to authorize the issuance of an additional \$980 million of Texas Water Development Bonds, to create special water funds for water conservation, water development, water quality enhancement, flood control, drainage, subsidence control, recharge, chloride control, agricultural soil and water conservation, and desalination, to authorize a bond insurance program, and to clarify the purposes for which Texas Water Development Bonds may be issued."

**PROPOSITION NO. 2 ON THE BALLOT**

Section 3 of House Joint Resolution 6 proposes a constitutional amendment that would allow the Texas Water Development Board to issue and sell Texas agricultural water conservation bonds in an amount not to exceed \$200 million, if authorized to do so by a two-thirds vote of the members of each house of the legislature. The Texas agricultural water conservation bonds would be general obligations of the State of Texas, and would be paid from the first money coming into the state treasury in each fiscal year. The amendment would allow Texas agricultural water conservation bonds to be issued and sold only for four years after the date on which this Act becomes a part of the constitution.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the issuance and sale of \$200 million of Texas agricultural water conservation bonds."

**PROPOSITION NO. 3 ON THE BALLOT**

House Joint Resolution 54 proposes a constitutional amendment that would permit the legislature to authorize a city or town to spend public funds and levy assessments for the relocation or replacement of water laterals on private property if such relocation or replacement is done in conjunction with or immediately following the relocation or replacement of the water mains serving the property. Any legislative enactment permitting the expenditure of funds for such purposes would authorize the city or town to fix a lien on the property, with the owners' consent, for the cost of relocating or replacing the water laterals, and would provide that such cost shall be assessed against the property, with repayment by the property owner to be amortized over a period not to exceed five years at the rate of interest set by law. Such liens could not be enforced until after five years from the date the liens were affixed.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to authorize the legislature to enact laws permitting a city or town to spend public funds and levy assessments for the relocation or replacement of water laterals on private property."

**PROPOSITION NO. 4 ON THE BALLOT**

Senate Joint Resolution 21 proposes a constitutional amendment that would authorize the use of the proceeds from the sale of permanent school fund land to acquire other land for the permanent school fund. Currently, the constitution requires that proceeds from the sale of such land be invested in certain bonds and other securities.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing proceeds from the sale of land dedicated to the permanent school fund to be used to acquire other land for that fund."

**PROPOSITION NO. 5 ON THE BALLOT**

House Joint Resolution 89 proposes a constitutional amendment that would enable the legislature to regulate the provision of health care by hospital districts by determining

the services the district must provide, by setting requirements a resident must meet in order to qualify for services, and by determining any other relevant provisions necessary for providing health care to residents.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to authorize the legislature to regulate the provision of health care by hospital districts."

**PROPOSITION NO. 6 ON THE BALLOT**

Senate Joint Resolution 6 proposes a constitutional amendment that would enable the State of Texas to enter into an agreement with another state to confine inmates from the state of Texas in penal or correctional facilities of the other state.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to permit state prisoners to be placed in penal facilities of another state pursuant to an interstate agreement."

**PROPOSITION NO. 7 ON THE BALLOT**

House Joint Resolution 27 proposes a constitutional amendment that would authorize the commissioners court of Chambers County to divide Chambers County into not less than two and not more than six justice precincts. Under current constitutional law, Chambers County may be divided into not less than two and not more than five justice precincts.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing Chambers County to be divided into two to six precincts."

**PROPOSITION NO. 8 ON THE BALLOT**

Senate Joint Resolution 9 proposes a constitutional amendment that would grant an additional \$500 million in bonding authority to the Veterans' Land Board for the veterans' housing assistance program. Under the current constitution, the Veterans' Land Board is authorized by Article III, Section 49-b-1 to issue and sell not more than \$800 million in bonds, \$500 million of which may be used for the Veterans' Housing Assistance Fund. This amendment would increase that authorization to permit the issuance and sale of up to \$1.3 billion in bonds, \$1 billion of which would be used for the Veterans' Housing Assistance Fund. In addition, the amendment would remove the current definition of "veteran" from the constitution and permit the legislature to redefine "veteran" as the changing times and circumstances require.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing \$500 million in additional bonding authority for the veterans' housing assistance program and changing the definition of those veterans eligible to participate in the veterans' land program and the veterans' housing program by authorizing the legislature by law to define an eligible veteran for the purposes of those programs."

**PROPOSITION NO. 9 ON THE BALLOT**

House Joint Resolution 72 proposes a constitutional amendment that would permit the legislature either to enact a statute or to attach a rider to the General Ap-

propriations Act to require prior approval of the expenditure or emergency transfer of any funds appropriated by the legislature to state governmental agencies.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to protect public funds by authorizing prior approval of expenditure or emergency transfer of state appropriations."

**PROPOSITION NO. 10 ON THE BALLOT**

House Joint Resolution 19 proposes a constitutional amendment that would authorize the legislature to provide for the issuance of general obligation bonds, the proceeds of which would be deposited in a fund to be known as the farm and ranch finance program fund. The fund would be administered by the Veterans' Land Board and would be used to make loans and provide other financial assistance for the purchase of farm and ranch land. The amount of bonds outstanding at any one time would be limited to \$500 million. The principal and interest that becomes due on such bonds in each fiscal year would be paid from amounts remaining in the interest and sinking fund at the close of the prior fiscal year, with the balance due to be appropriated from treasury revenues in the fiscal year when such amounts become due.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the issuance of general obligation bonds to provide financing assistance for the purchase of farm and ranch land."

**PROPOSITION NO. 11 ON THE BALLOT**

Senate Joint Resolution 16 proposes a constitutional amendment that would define indictments and informations as instruments charging a person with the commission of an offense, and would delete certain technical requirements as to the form of writs and processes.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment relating to the manner in which a person is charged with a criminal offense and to certain requirements applicable to state writs and processes."

**PROPOSITION NO. 12 ON THE BALLOT**

Senate Joint Resolution 10 proposes a constitutional amendment that would grant the Texas Supreme Court and the Texas Court of Criminal Appeals jurisdiction to answer questions of state law certified from federal appellate courts. In addition, the two courts would promulgate rules of procedure relating to the review of those questions.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment granting the Supreme Court of Texas and the Court of Criminal Appeals of Texas jurisdiction to answer questions of state law certified from a federal appellate court."

**PROPOSITION NO. 13 ON THE BALLOT**

Senate Joint Resolution 14 proposes a constitutional amendment that would create a board with responsibility for the reapportionment of judicial districts, subject to legislative approval. The amendment would provide for the continued power of the legislature to provide for judicial reapportionment, and would provide that reapportionment

will be the responsibility of the Legislative Redistricting Board if the Judicial Districts Board fails to make a timely reapportionment. The amendment would provide for the creation of judicial districts smaller than a county in counties where the creation of such districts has been approved by the voters at a general election. The amendment would provide for more than one judge for a judicial district. The amendment would rename supreme judicial districts as courts of appeals districts. The amendment would provide that the jurisdiction and terms of court of district and county courts may be as provided by law. The amendment would provide for the jurisdiction of justice courts, which may have additional jurisdiction as provided by law. The amendment would provide for rules of judicial administration and civil procedure to be promulgated by the Supreme Court, and would provide that the legislature may delegate additional rule making power to the Supreme Court or to the Court of Criminal Appeals. The amendment would provide that courts and judges in existence at the time of its adoption remain in existence until otherwise provided by law.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing for the reapportionment of the judicial districts of the state by the Judicial Districts Board or by the Legislative Redistricting Board, and providing for the administration and jurisdiction of constitutional courts."

**PROPOSITION NO. 14 ON THE BALLOT**

Senate Joint Resolution 27 proposes a constitutional amendment that would abolish the office of County Treasurer in Andrews County and transfer the powers and duties of that office to the County Auditor. The amendment would also abolish the office of County Treasurer in El Paso County if, at the statewide election at which this amendment is submitted to the voters, a majority of the voters who vote in El Paso County favor the amendment. The functions of the office of El Paso County Treasurer will be performed by a person employed or designated by the El Paso County Commissioners Court. The amendment also provides for the abolition of the office of County Surveyor in Denton, Randall, Collin, Dallas, El Paso, and Henderson Counties upon approval of such abolition by a majority of the voters who vote on the question at an election called by the commissioners court of the county. If the office of County Surveyor is abolished in any county, the commissioners court may employ or contract with any qualified person to perform the duties of the office.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to provide for:

- (1) the abolition of the office of county treasurer in Andrews County and El Paso County;
- (2) the abolition of the office of county surveyor in Collin, Dallas, Denton, El Paso, Henderson, and Randall Counties."

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