

Ruiz case will be retried in Austin

Associated Press
AUSTIN — State District Judge C.C. "Kit" Cooke ruled Monday that the David Ruiz robbery trial will be retried in Austin beginning Nov. 18. Cooke, a visiting judge from Cleburne, made his ruling after a day-long hearing in which seven of the local state district judges and Travis County District Attorney Ronnie Earle testified they thought it was possible to get a jury that would give Ruiz a fair and impartial trial here.

"I seem to be the only one who wants it moved," said Cooke, who had said earlier that he thought there would be "less problems" if the trial was held elsewhere.

Defense attorney Bob Looney opposed moving the trial. Ruiz was the state prison inmate named as plaintiff in the prison reform lawsuit that sparked major changes in the Texas Department of Corrections. Cooke declared a mistrial in the Ruiz trial Oct. 15 because a juror said he had had an alcoholic drink during lunch. Cooke said he considered moving the case to six counties surrounding Austin or to Hood or Johnson counties. Gov. Mark White and Attorney General Jim Mattox were subpoenaed three different times for Monday's hearing but neither appeared.

Looney said White and Mattox knew the pulse of Texas voters, "at least of the Democrats," and could testify whether Ruiz could get a fair trial in the Capital city. Sheriff's deputies said they served a subpoena on Mattox on the third try, but he never appeared. Officials were unable to find the governor to serve him with a subpoena. Looney had requested more than 100 subpoenas for the change of venue hearing, including all district and county judges in Austin and in surrounding counties. Prosecutors said they thought Ruiz could get a fair trial anywhere in Texas. Cooke declared a mistrial Oct. 15

after hearing two weeks of testimony and evidence on charges that Ruiz took part in a September 1984 armed robbery at an Austin apartment. On Oct. 16, Cooke notified attorneys that he was considering moving the trial. The judge said he was concerned about security problems and about the extensive news coverage given Ruiz's various court appearances. Ruiz, 43, faces a possible life sentence if convicted of aggravated robbery. He is serving a 25-year sentence now for aggravated perjury. Ruiz has been charged with rape but is being tried only on the aggravated robbery charge.

Texan could become youngest federal judge

Associated Press
WASHINGTON — President Reagan has told a 32-year-old Texas judge that he is being nominated to the federal bench, which, if confirmed by the Senate, would make him the youngest U.S. district judge in the nation, according to Sen. Phil Gramm, R-Texas.

"I am grateful to President Reagan for nominating me," State District Judge Sidney A. Fitzwater of Dallas said Monday. He said Reagan had called to tell him he was being nominated. Gramm's office said Gramm had

been told that Reagan would be making the call to Fitzwater. Mark Goodin of the Senate Judiciary Committee said as of Monday afternoon, Fitzwater's nomination had not arrived. Goodin said it would take a good deal of research to find out who the current youngest judge is. But he said Gramm's assertion that Fitzwater would be the youngest sounds like a fair assessment. Fitzwater was nominated last March by Gramm, who predicted at the time that the nomination would draw criticism because of Fitzwater's

age and experience. "I am proud that the president has accepted my recommendation," Gramm said Monday. "Sid Fitzwater will be an outstanding federal judge." The American Bar Association's federal judiciary committee, which makes its opinions of judicial candidates available to the Justice Department during the screening process, has set a standard of 12 years legal experience for judicial nominees. The ABA had expressed concern to the Justice Department about Fitzwater, who had eight years expe-

rience as an attorney, Gramm said. But last week Gramm said the ABA had withdrawn its complaint. In 1983, Julia Gibbons was 32 when she was appointed in the Western District of Tennessee, and Ricardo Hinojosa was 33 when appointed in the Southern District of Texas, said a Justice Department official who asked not to be named. Fitzwater has been a state district judge in Dallas since 1982. He would fill the Northern District of Texas seat that was vacated by Robert Hill, who is now on the 5th U.S. Circuit Court of Appeals.

What's up

Tuesday

SOCIETY OF PROFESSIONAL JOURNALISTS: is meeting at 5 p.m. in 003 Reed McDonald.

TAMU TENNIS CLUB: will meet at 7 p.m. in 410 Rudder. Annual dues will be collected.

AGGIE DEMOCRATS: will meet at 8:30 p.m. in 502 Rudder for a brief meeting followed by a reception.

ALPHA PI MU: will meet at 7 p.m. in 342 Zachry.

SADDLE-N-SIRLOIN CLUB: will meet at 5:30 p.m. on the steps of Rudder for yearbook picture.

TEXAS AGGIE MAJORITY FOR CLEMENTS: will meet at 8:30 p.m. in 510 Rudder.

INTRAMURALS: entries close for badminton doubles at 6 p.m. in 159 Read.

TAMU PREVENTION OF CRUELTY TO ANIMALS: will meet at 7:15 p.m. in 404 Rudder for officer elections.

ALTERNATIVE CINEMA: presents "The Servant" at 8 p.m. in the Architecture Auditorium.

STUDENTS AGAINST MULTIPLE SCLEROSIS: will meet at 8:30 p.m. in 410 Rudder.

Wednesday

MSC HOSPITALITY: will have a Halloween party for children of faculty, staff and students 7 p.m. to 8:30 p.m. in 201 MSC. Wear costume.

METEOROLOGICAL UNDERGRADUATE COUNCIL: will have an open house 6 p.m. to 9 p.m. on the 12th floor O&M Bldg.

EUROPE CLUB: will meet at 9:30 p.m. at Pizza Pub.

HISTORY DEPT. FILM SERIES: presents "The Seventh Seal" at 7 p.m. in BSBE 113.

MSC FRESHMAN LEADERSHIP DYNAMICS: will have a meeting for all freshmen interested at 7 p.m. in 228-229 MSC.

AMERICAN SOCIETY FOR METALS: will meet to hear Steve Owens of General Dynamics at 7 p.m. in 127B Zachry.

WILDLIFE BIOLOGY SOCIETY: will have a special lecture on the State Water Development Plan at 7 p.m. in 105 Harrington.

SULLY'S SYMPOSIUM: will be held at 11:50 a.m. in front of Sul Ross statue. Dr. Koldus, Vice President of Student Services will speak.

STUDENT GOVERNMENT PARENTS' WEEKEND: committee will meet at 8:30 p.m. in 501AB Rudder. P.R. push to get students to reserve hotel rooms now for Parents' Weekend.

PRE-VET SOCIETY: will meet at 7 p.m. in 230 VMA.

STUDENTS AGAINST APARTHEID: will meet at 8:30 p.m. in 510 Rudder.

Hightower seeks training programs for jobless farmers

Associated Press
AUSTIN — With 100 farmers and ranchers leaving the land weekly, the Texas Department of Agriculture began work Monday on plans to help train up to 1,000 of them for new jobs next year.

"We are at a crisis situation," Agriculture Commissioner Jim Hightower said.

"This is not a temporary recession. It is a full-fledged depression in the rural areas that's killing some of the most efficient, most productive, most intelligent and most innovative people we know."

Hightower has asked 34 local job training agencies to include farmers in the list of Texans eligible for programs that now help displaced homemakers, steelworkers, refinery workers and others.

The state gets \$7.5 million in federal funds annually for such programs. Help would include job counseling, retraining, advice on starting a small business and other assistance for farmers and their families. Officials of the TDA and local agencies met Monday to develop guidelines for the program that TDA spokesman Andy Welch said hopefully will begin Jan. 1.

Hightower said he also wants to establish a toll-free telephone hot line where farmers can call to learn of legal, financial and mental health assistance available locally.

According to a TDA survey, 2.6 percent of Texas farms failed last year due to financial problems. About 100 farms and ranches are failing weekly, Hightower said, and about 47 percent of farm borrowers are behind in loan payments.

Hightower estimated as many as 20 percent of Texas family farms could fail next year.

"We have got to reach out to these farmers and help them make an ad-

justment," Hightower said. "We just can't say, 'adios, chump,' as they go out of business."

Crosby County farmer Joe Rankin, president of the Texas Farmers Union, said many farmers seem to just quietly disappear from rural communities.

"These people are going through a really traumatic change," he said. "Anywhere they can find a job, that's where they quietly move off to. You don't hear from them. You don't know what happens to your friends."

Rankin said there are personal tragedies taking place in the countryside.

"Within five miles of my place in the last two years... we've had two suicides," he said. "These are hard times out in the country. It's a heart-break situation."

While the average price for cotton received by Plains farmers is 65 cents per pound, it costs about 80 cents to grow, Rankin said.

"When you fall 15 or 16 cents below the cost of production, you're losing money fast. We're going broke en masse and in a big hurry," he said.

Seven Midwestern states have started job training programs for farmers. Gary Dick, who has run a program in eastern Iowa, said helping farmers can present some special problems.

"Many people don't want to be identified as needing help. Especially farmers, who are a very independent group," he told the Texas officials.

The Iowa program is targeted to help not just farmers, but others in rural communities who suffer from the farmers' financial woes, he said.

"The farm implement dealer, the little cafe on Main Street, all these became part of the displaced worker program," Dick said.

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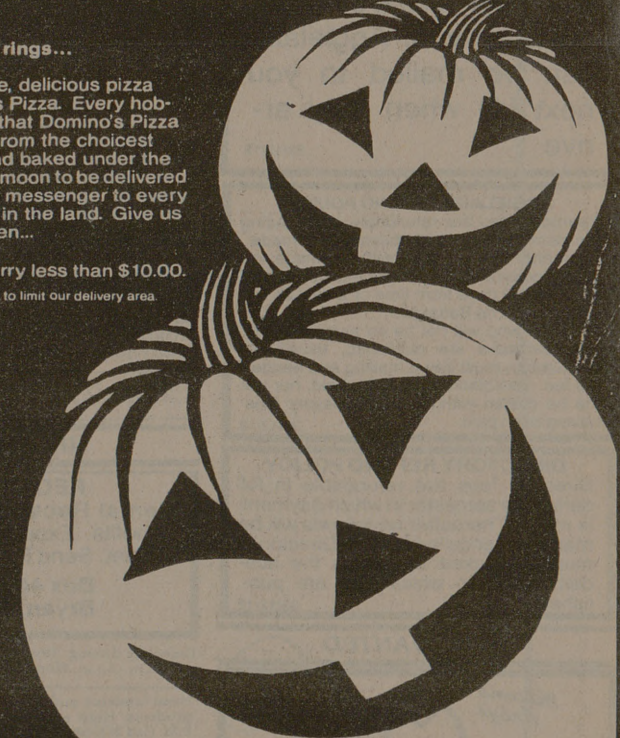
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