

Texas A&M The Battalion

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State high court OKs liability law for bar owners

AUSTIN (AP) — The Texas Supreme Court ruled Wednesday that bar owners can be held liable in traffic deaths caused by drunken patrons who become drunken drivers.

In affirming a Houston appeals court ruling, the Supreme Court effectively gave Texas a "dramshop" liability law that the Legislature has resisted for many years.

"The courts have taken on the role of the Legislature in that they have departed from a long-standing tradition that an individual is not responsible for the acts of a third person," said Richie Jackson, executive director of the Texas Restaurant Association.

Forty-one other states have laws or court decisions that impose liability on commercial servers of alcoholic beverages, according to the National Alcoholic Beverage Control Association in Washington.

Without writing an opinion, the Supreme Court set aside a 14th Court of Appeals ruling in a lawsuit filed against an El Chico restaurant. A Houston judge had ruled in the restaurant's favor, without convening a full trial, because the state has no dramshop liability law.

The suit was filed by the parents of Larry Bryan Poole, who was killed in a Jan. 31, 1983, traffic wreck in Houston when a drunken driver ran a red light and slammed his car into Poole's.

The drunken driver, Rene Saenz, pleaded guilty to involuntary manslaughter and was sentenced to 18 months in prison and 15 years on probation. Saenz testified he had consumed "a lot" of scotch and water during "Happy Hour" at an El Chico in Northwest Houston.

Poole's family sued El Chico for unspecified damages.

The Houston appeals court said, "He remembered arriving at El Chico and getting his first drink. The next thing he remembered was the impact of the crash. He remembered nothing about his time spent at El Chico or when or how he left."

Justice William Junell, in his June 12 opinion for the Houston appeals court, said jurors should have been allowed to decide if El Chico was liable because it allowed Saenz to drink and then drive.

"We hold that a bar operator owes a duty to the motoring public to not knowingly sell an alcoholic beverage to an already intoxicated person," Junell said. "Whether El Chico breached that duty and whether that breach was a proximate cause of the fatal accident are issues for a jury to decide if the evidence raises such issues."

Junell said, "It is up to the civil courts to change concepts of duty as social conditions change."

Astros' last-gasp rally falls short



Students gathered to watch Wednesday's Astros-Mets game outside Hart Hall. The Mets' 7-6 win sends the team to the World Series where it will face the Boston Red Sox.

Photos by Greg Bailey



Mets nab NL series 7-6 in 16 innings

HOUSTON (AP) — Ray Knight keyed a three-run 16th inning Wednesday and the New York Mets survived one last Houston Astros' rally to win their third National League pennant, 7-6, in the longest postseason game ever.

The Mets' extra-inning rally was their second of the game as they erased a 3-0 deficit in the ninth inning and took a 4-3 lead in the 14th before the Astros' Billy Hatcher tied it in the bottom of the inning with a home run that hit the screen attached to the left-field foul pole.

New York will open the World Series at home Saturday against the Boston Red Sox, 8-1 winners over California in Game 7 of the American League playoff series.

It may take that long for the Mets to come down from their pennant clincher, a game that provided brilliant pitching and clutch hitting and saw the Astros' dream finally die with the winning run on base.

Astros left-hander Bob Knepper held the Mets to two hits before they rallied in the ninth, while Mets pitch-

ers shut out the Astros from the second until the 14th.

Darryl Strawberry, hitless in four previous at-bats, started the winning rally with a pop-fly double off losing pitcher Aurelio Lopez. Strawberry hit the ball off his fists into center field, and the ball fell between Hatcher and second baseman Bill Doran. The ball hit the artificial turf and bounced over Hatcher's head as Strawberry went to second.

Knight, traded from the Astros to New York in 1984, then singled to right field. Houston right fielder Kevin Bass' throw was up the third-base line and too late to get Strawberry.

Knight went to second on the throw, and Jeff Calhoun relieved Lopez. Calhoun threw a wild pitch that sent Knight to third, and Wally Backman walked. A second wild pitch by Calhoun scored Knight and Len Dykstra added a single off the glove of first baseman Glenn Davis to score the final run.

New York reliever Jesse Orosco, who allowed Hatcher's home run, earned his third victory in the series despite allowing Houston to once again draw near.

Houston's Mike Scott, who won two games while allowing one run and eight hits in 18 innings, was named the series most valuable player.

The Mets have won three divisional titles since they were born of expansion in 1962. They won the World Series over Baltimore in 1969 and lost to Oakland in 1973.

Houston's only other playoff experience was in 1980 when it lost in five games to the Philadelphia Phillies, with four of those games going extra innings.

The longest previous game in postseason play had been Game 2 of the 1916 World Series when the Brooklyn Dodgers and the Boston Red Sox played 14 innings.

Houston's final attempt at victory came when pinch-hitter Davey Lopes walked with one out. Doran singled to left, advancing Lopes to second. Hatcher singled to left-center, scoring Lopes with Doran stopping at second. Denny Walling hit into a forceout. Glenn Davis singled to center, scoring Doran and send-

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Canadian, 2 Americans take Nobel in chemistry

STOCKHOLM, Sweden (AP) — Two Americans and a Canadian won the Nobel Prize in chemistry Wednesday and three Europeans won the physics prize, with all six cited for helping man view the tiny world of molecules and atoms.

Dudley R. Herschbach, 54, of Harvard University, Yuan T. Lee, of the University of California at Berkeley and John C. Polanyi, 57, of the University of Toronto shared the chemistry prize for their study of how molecules interact to form new substances, the Swedish Academy of Sciences said.

The academy awarded the physics prize to three inventors of high-powered microscopes: Ernst Ruska of West Berlin, who built the first electron microscopes in the 1920s and '30s, Gerd Binnig of Frankfurt, West Germany and Heinrich Rohrer of Switzerland, who designed a new type of electron microscope called scanning tunneling microscope.

The academy described Ruska's

microscope as "one of the most important inventions of this century" and said it made possible important advances in physics, biology and medicine.

For example, electron microscopes, which magnify objects up to 1 million times, enabled scientists to see many viruses too tiny to be perceived through conventional microscopes.

The scanning tunneling microscope developed by Binnig and Rohrer can magnify objects up to 300 million times.

It scans surfaces with an electron beam so fine that a single atom forms the tip, and has given researchers the first pictures of individual atoms.

It also has applications in medical research and the manufacture of tiny silicon computer chips.

Herschbach, 54, told The Associated Press after learning of the

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Shrimp farms hold promise for Texas

By Bob Grube
Staff Writer

Shrimp could be the agricultural crop of the future for Texas, a Texas A&M professor says.

"Shrimp is the new kid on the block as far as an agricultural crop is concerned," says Dr. Addison Lawrence, a mariculture professor. "We could have another chicken on our hands."

While shrimp mariculture (farming) already is being practiced in South America and the Orient, A&M researchers and others are developing it for Texas and the Gulf Coast.

Today, two-thirds of all the shrimp eaten by Americans are imported. This not only increases the cost per pound of shrimp but also creates a large imbalance of trade for the United States.

Amy Broussard, head of the Marine Information Service, says while shrimp mariculture can't eliminate

the trade imbalance, it could lessen it by some degree.

However, Lawrence, who also is a project leader for the Texas Agricultural Experiment Station, says the shrimp industry's problem is that the world's oceans currently are being harvested at maximum yield.

"The oceans are giving up as many shrimp as they can," Lawrence says. "If we had 10,000 more shrimpers, the amount of shrimp taken from the oceans would not increase. It would probably decrease."

Broussard says Texas shrimpers should not worry about mariculture cutting into their profits.

"Since mariculture started in the mid-1960s, shrimpers have worried about decreased profits," Broussard says. "In 1980 the United States imported \$3.65 billion of shrimp. The goal of shrimp mariculture is to offset the trade imbalance."

Lawrence says because shrimp mariculture still is being developed,

it has a high capital investment risk. However, he says, it can have high economic returns because the potential profit for shrimp farming is about \$400 per acre. Grain sorghum profits run about \$250 per acre.

The real economic impact of shrimp farming can be seen in its crop value. The crop value of shrimp can be as high as \$4,000 per acre, compared to \$500 per acre for cotton.

Of the 200 varieties of shrimp, Lawrence says about 10 are being farmed around the world today.

Lawrence says people may not think of farming shrimp the same way they do other farming.

"When you think of shrimp farming, think of cattle, horses and pigs," Lawrence says. "You can't give the same feed to all the animals, and you can't give the same feed to all the shrimp. Each variety is raised differently."

Lawrence says other countries

have a headstart on the United States but that U.S. researchers have developed a feed that is about \$800 cheaper per ton than the feed used by the other countries.

Lawrence says the feed used by other countries is made of animal meals, which increases the price of the feed. The feed developed by U.S. researchers is made of surplus soy, corn and wheat, which decreases the price per ton and helps the farmer at the same time.

Shrimp mariculture in Texas also can use hundreds of miles of land from Port Aransas southward along the Gulf Coast. That land is too salty for normal crop growth.

"Shrimp farming can make a profit on land along the coast that isn't in use now," Lawrence said.

Shrimp mariculture has the potential to solve many economic problems for Texas, but several areas must be refined through research before Texas can reap benefits.

House approves compromise immigration plan

WASHINGTON (AP) — The House passed a bill Wednesday to slow the influx of illegal aliens with a root-and-stick program of amnesty for those with roots, and penalties for employers who hire undocumented workers.

This came less than three weeks before Election Day as the House of Representatives pushed to whittle a stack of major domestic measures to overhaul immigration laws and finance the government.

Congressional leaders tried to wrap up legislative business and adjourn by today or Friday, two weeks after the original adjournment target of Oct. 3.

The compromise immigration legislation, written by a conference committee, went to the Senate after a 238-173 vote.

Voting for the bill were 161 Democrats and 77 Republicans. Opposed were 80 Democrats and 93 Republicans. The Hispanic caucus was split,

Gramm calls immigration bill an 'outrage of spending'

WASHINGTON (AP) — Texas congressmen opposed an immigration reform bill passed by the House 20-6 Wednesday, with some members expressing concern that it would cause the state economic problems.

Sen. Phil Gramm, R-Texas, called the bill an outrage of spending, and said he would begin studying related laws to determine if the expenditures contained in the bill violate budget rules.

"This is a very expensive bill," Gramm said. "As you can imagine, legalizing 4 million people and moving them toward public assistance is a very, very big cost."

The House version of the immigration bill would have cost \$9.2 billion and the Senate ver-

sion \$4.5 billion, according to the Office of Management and Budget, Gramm said. That could violate budget ceiling limitations, he said.

The bill retains criminal and civil sanctions against employers who knowingly hire illegal aliens and provides amnesty for millions of foreign workers.

Several Texas congressmen said this amnesty could cause further economic problems for the state.

An agreement favored by all but one of the House-Senate conferees was announced Tuesday after over 5 hours of closed-door bargaining.

The House dropped its proposal to end criminal and civil employer sanctions after 6½ years

unless Congress extended them.

Rep. John Bryant, D-Dallas, the only Texan on the committee, said, "The purpose of this bill is to send a message to the world that people shouldn't come here illegally hoping to find work."

An estimated 3 million aliens entered the United States illegally last year and numbers are growing, according to figures a Bryant aide said were released by the Congressional Budget Office.

Sen. Lloyd Bentsen, D-Texas, agreed that the time had come to stop negotiating and pass a bill, saying, "This is not a perfect bill, but apparently it's the best we can get. I intend to vote for it."

with five members voting "yes" and six voting "no."

The Texas delegation, whose members expressed concern that amnesty would cause the state economic problems, opposed the bill by a 20-6 margin.

House approval of the compromise immigration measure had been expected. But the legislation still could become tied up by opponents in the Senate.

The bill would use as its "stick" a system of fines and prison terms

against employers who knowingly hire undocumented workers. As a "carrot," those who crossed the border illegally before 1982 and established roots in the United States would be given legal status.

The bill would provide \$4 billion

over four years to reimburse state and local governments for providing benefits to newly legalized aliens, who would be barred from receiving federal assistance for five years.

The employer penalties would start after a 6-month education pe-

riod. Employers would have to keep records to show they checked documents to verify that employees were legal residents.

Another major item on the agenda was a more than \$560 billion, spending bill to meet the funding needs of most government operations and programs for the fiscal year which began Oct. 1.

Congressional negotiators settled on the final version of the massive spending bill Wednesday morning.

However, the Senate was not taking up the measure before today, leaving the government technically broke.

Consideration of the spending package was made possible Tuesday night after bargainers settled on \$291.8 billion worth of military spending — less than the administration's \$320 billion request.

During the day, Congress approved this separate military spending authorization — first by 283-128 in the House and then by voice vote in the Senate.