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Texaco appeals court's decision for Pennzoil Co.

HOUSTON (AP) — Texaco Inc. filed a motion Monday with a Texas appeals court asking for a reversal of the court's decision last month that upheld a landmark multibillion-dollar judgment against the oil company in its dispute with Pennzoil Co.

In a 70-page motion sent to the 1st Texas Court of Appeals, Texaco contends the court made more than 200 errors in its Feb. 12 decision that upheld a jury finding that Texaco wrongfully interfered in the planned merger in 1984 between Pennzoil and Getty Oil Co.

Texaco also said Monday that if the appeals court refuses to reverse itself, it should enter a judgment for Texaco or return the case for a new trial.

A Texas state district court jury in November 1985 ordered Texaco to pay \$10.53 billion in damages to Houston-based Pennzoil. The appeals court reduced that judgment by \$2 billion but the amount remains the largest in U.S. history.

Two weeks ago, Texaco filed a motion with the appeals court asking for a new trial because it said Pennzoil did not file a reply to the appeals court's reduction of the judgment.

Last week, Texaco asked for a new trial, alleging trial Judge Anthony J.P. Farris, who died in Sep-

tember, was biased against Texaco and its chief lawyer.

The latest request said the appeals court simply "rubberstamps" an original judgment that was filled with errors.

"We regretfully submit that throughout its opinion, the court applies inconsistent reasoning to similar situations so as to reach one consistent conclusion: Pennzoil always wins and Texaco always loses," Texaco said. "And, where there is no other way to avoid a pro-Texaco result, the court simply ducks the issue."

Among the alleged violations cited by Texaco is a personal relationship between Farris and Pennzoil's chief attorney, Joseph Jamail; substitution of Farris midway through the trial by Solomon Casseb Jr. despite Texaco's objection; and the Texas' courts refusal to apply New York and Delaware law.

Casseb upheld the damage award in December 1985, added another \$600 million in interest, and said interest would continue to accrue at a rate of 10 percent a year.

Jamail said he was not impressed with the motion.

"It's not anything that's convincing, legally," he said. "They're just going through the motions and really more for their own shareholders."

Steel drum's sound conjures images of man's old home

OYSTER CREEK (AP) — Esmond Christmas keeps the sound of his homeland stored in a spare room. Big yellow drums, made from oil barrels and decorated with fluorescent orange and green stars, are stacked any which way to fit.

"I got a double tenor here — let me show you what it sounds like," Christmas says, reaching over to strike it with a rubber-tipped mallet. The drum gives off a deep, resonant "bong, bong."

Christmas and three of his children — Churchill, 14; Leslie, 12; and Ricky, 9 — form the Gospel Symphony Steel Band. Christmas plays a tenor pan, the steel band's lead instrument, like an orchestra's violin or a choir's soprano. The four of them thump out religious music with the flavor of the islands in churches, parking lots, shopping malls — any place people will listen.

Christmas, 39, learned to play steel drums when he was 14 years old, growing up on the island of Tobago in the West Indies.

A heavy-equipment operator, Christmas came to the United States in the late 1970s when he was offered a job in Florida. In 1979, he and his family moved to this small Texas town, bringing their music with them.

"It reminds me of the tropical country with all the beauty," he says of the drums. "The tone, the melody blends so beautifully it amazes people. That's what I like about it, the tone. It's just beautiful."

Steel band music was born in the working-class ghettos of Trinidad in the late 1930s, although its roots may be traced back to drum music of Africans, which was imported to the West Indies by slaves.

Stories about the specific individual or group that invented the steel drum abound. According to Christmas, "One guy threw a rock against a garbage can . . . and found a sound in it."

The people of the West Indies accompanied carnival bands on the streets by striking lengths of bamboo on the ground or against other pieces of bamboo. In search of louder sounds, they started banging

buckets, biscuit pans, dustbins, car hubs and oil drums.

Experimentation with these new instruments continued and burst into the streets with parades on V-E Day in 1945.

Christmas says some of the first drums were played whole, with notes hammered into each end. Drummers carried the heavy drums strapped over their shoulders, and it took a brawny musician to play one.

The bands gained a broad audience in 1951, when a national steel band, the Trinidad All Stars Percussion Orchestra, performed at the Festival of Britain and went on to become a highly successful performing group.

To bring music out of an oil drum, Christmas first hammers down the top, stretching it into a concave shape. Depth, curvature and size of the dome determine the pitch of the instrument.

Hobby gives endorsement to Hart for '88

AUSTIN (AP) — Lt. Gov. Bill Hobby led a group of Texas officials and legislators Monday in endorsing former Sen. Gary Hart of Colorado for the Democratic presidential nomination.

"We are convinced that Gary Hart stands for the principles that will restore our country's economic health and fulfill our strategic role as leader of the free world," said a joint statement signed by Hobby, Railroad Commissioner Chairman Mack Wallace, House Speaker Pro Tem Hugo Berlanga of Corpus Christi and a number of Senate and House members.

"Texas is extremely important to me," Hart said, adding that he is counting on Texas and Florida to lead his support in southern states.

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