

# Midland Reporter-Telegram

METRO EDITION

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4 SECTIONS, 32 PAGES



Fatal fire

Fire Department paramedic Gary Glass administers oxygen to a cat that was overcome by smoke in a house fire at 2917 W. Louisiana Ave. late Monday afternoon. Killed in the fire was Floyd Francis, 32, a Midland College jazz instructor. The cat and two ring-necked doves survived the blaze and were taken to the Animal Control Shelter. See Related Story and Photos on Page 1C.

## Wind, water claim 7 lives

By DEAN FOSDICK  
Associated Press Writer

Dozens of tornadoes knifed through the Great Lakes region in the biggest outbreak this season, with high winds flipping small buildings into the sky, killing seven people, injuring at least 45 and causing millions of dollars in damage.

Meanwhile, thousands of displaced Missouri residents — including those from dioxin-tainted Times Beach — were waiting today for rain-swollen streams to crest.

An estimated 60 twisters caused dozens of injuries Monday in Michigan, Ohio, Pennsylvania, New York and the Canadian province of Ontario, officials said. Tornadoes or high winds killed four people in Ohio and three in New York.

An estimated \$3 million in damage was caused in southeastern Michigan by tornadoes, heavy rain and hail, officials said. Estimates of the injured included 25 in Ohio, one in Michigan, seven in New York and 13 in Ontario.

In Michigan, as many as 30 homes were damaged and another 10 were destroyed on Harsens Island, about 35 miles northeast of Detroit, said state police Lt. Russell Beamish, who estimated local damage at \$2.5 million.

"It's a mess... There are trees uprooted, trees on top of the houses. It's so tangled up in one area you can't tell if it's one house or two," Beamish said.

Elsewhere, thunderstorms accompanied by winds gusting to 60 mph saturated Arkansas, washing out bridges and closing roads. More than 3 1/2 inches of rain had fallen in some areas by 7 p.m. Monday, and the rain

kept falling early today, officials said.

Farther north, more than 1,000 families were evacuated in Missouri's St. Louis, Franklin, and Jefferson Counties as the rain-swollen Meramec River inundated areas including Times Beach, where a flood in December spread dioxin-contaminated soil throughout the town. The river wasn't expected to crest until later today, officials said.

Dioxin, a byproduct of herbicide manufacturing, is a toxic substance known to cause liver problems and cancer in laboratory animals.

In Plymouth, Vt., civil defense officials went door-to-door early today urging about two dozen people living below the Woodward Reservoir to evacuate and move to higher ground as water threatened to spill over an earthen dam and flood their homes.

Monday's tornadoes were spawned by a lingering cold front centered today over Lake Huron, said Nolan Duke, a meteorologist with the National Weather Service's Severe Storms Forecast Center in Kansas City, Mo. The violent weather resulted when the front collided with warm air along line from Ontario to Texas.

"This was a major outbreak of tornadoes — the largest of the season," Duke said early today. "We counted 40 by noon and got reports of another 20 sightings by midnight. Ordinarily, we'd see something like this about the first week of April."

Tornadoes were sighted in 10 Ohio counties but the heaviest damage was in Weston, about 35 miles southwest of Toledo, where twisters shredded two trailer parks.

## Earthquake leaves 'no part of city untouched'

Coalinga temblor occurs along previously unknown fault

COALINGA, Calif. (AP) — An earthquake that sparked 50-foot flames and made a "quiet little country town" look like a "bombed out city" injured more than 45 people and damaged virtually all 2,500 homes here, authorities said today.

"The No. 1 thing is to continue searching for people in the buildings downtown, but they haven't found any so far," said city spokesman Bob Semple. "We're recommending people sleep outdoors because of aftershocks."

The quake, which struck at 4:45 p.m. Monday, registered 6.5 on the Richter scale and was centered five miles north of this rural oil and farming community in the San Joaquin Valley. No deaths were reported.

"There's no part of the city that's untouched," Mayor Keith Scrivner said today. "All of the residences are damaged, half of them extensively. It's terrible, everybody's going to lose a lot."

Firefighters searched all the buildings, said Fresno County Sheriff's Lt. Merrill Wright. "They have



LOS ANGELES (AP) — The strong earthquake in Coalinga occurred along a previously unknown fault that parallels but probably is separate from the huge San Andreas fault, seismologists say.

Scientists determined the center of Monday's jolt, which measured 6.5 on the Richter scale, was 20-30 miles east of the 600-mile San Andreas. The jolt was centered along a fault apparently unconnected to San Andreas, said Kate Hutton, a California Institute of Technology researcher.

"We can't be absolutely certain of that, but we wouldn't think it would be," Ms. Hutton said.

Geologist Darrell Herd of the survey's headquarters in Reston, Va., said seismic maps fail to show a fault at the location of the Coalinga quake.

found no injured persons and heard no cries for help.

"Parts of it look like a bombed out city. It was a quiet little country town," Wright said.

At least 45 people were hurt and another 10 to 15 may have suffered very minor injuries, said Bob Manning, Fresno County emergency ser-

VICES coordinator. Manning said only seven had to be taken to hospitals and only two of those were in serious condition.

The downtown area is "completely going to be demolished and hauled away — the entire original buildings in the city of Coalinga," Scrivner said. But he was optimistic: "We can

build it again, and we will. We'll make it."

"It's things like you see in the movies," said Bob Green, who fled from a Radio Shack store as it collapsed behind him just in time to see his car crushed by the Coalinga Inn across the street.

"I ran hysterical down the road,

my husband right behind me," said Agnes Bement.

The quake was felt along a 450-mile-long stretch from Sacramento to San Bernardino and into western Nevada, but hit hardest in a four-block section downtown and caused heavy damage elsewhere in Coalinga, especially to brick buildings

Related stories, Page 2A

"It did not occur on any previously mapped or named fault zone of recent origin in the immediate Coalinga area," Herd said in a telephone interview with the Los Angeles Times. "There are some old faults there, but this earthquake does not appear to have happened on any of them."

In recent years, he said, scientists have discovered a series of small faults in the area, which is a transition zone between valley floor and mountain slopes.

"These faults are crudely parallel to the San Andreas, but don't seem to be connected to the San Andreas," Herd said.

### Numerically, they're clones

AURORA, Colo. (AP) — Patricia Kern and Patricia DiBiasi were given the same Social Security number, but the government wasn't as far off as it may seem.

Both were born Patricia Ann Campbell on March 13, 1941. Both had fathers named Robert. Both have been bookkeepers and both have children ages 21 and 19.

Both studied cosmetology and enjoy oil painting as a hobby. Both married military men, and their weddings were within 11 days of each other in 1959.

Mrs. Kern lives in Aurora. Mrs. DiBiasi lives in Hines, Ore.

The mixup was noticed by Mrs. Kern when the government notified her that she owed \$3,000 in taxes for a job she held in Oregon, a state she never has visited.

"It's so weird," said Mrs. Kern. "I don't know which would be stranger — if we find out we are related, or if we find out that we are not, considering all the other things we have in common."

John Trollinger, a Social Security spokesman in Washington, said the numerical mixup probably was caused when one woman applied for a Social Security card and was given a replacement card for the other.

Discovery of the identical numbers and the effort to get the situation straightened out has made them friends.

"We'd both like very much to get together, not just to try to straighten out this problem, but to talk about all the things we have in common," Mrs. Kern said Sunday.

"My great-grandfather was William Campbell and he had a son named William," Mrs. Kern said. "Mrs. DiBiasi's grandfather was named William Campbell. She doesn't know very much about her grandfather, but she's in the process of contacting an aunt in Scotland to find out more about her family. There's a strong possibility we are related."

## Shultz making 'headway'

Withdrawal pact sought by weekend

BEIRUT, Lebanon (AP) — Secretary of State George P. Shultz said today he is making "lots of headway" and hopes to complete by this weekend an agreement on the withdrawal of Israeli troops from Lebanon.

"My sense of it is that things are coming to a point where closure on this is possible..." Shultz told reporters on a flight from Jerusalem to Beirut, his third trip here since his peace mission began nine days ago.

Only in the last 24 hours have U.S. and Israeli officials begun to voice optimism that an agreement is now within reach. Shultz did not flatly predict success but obviously was encouraged by his marathon meeting with Israeli officials, including Prime Minister Menachem Begin, on Monday and early today.

"We still have some major problems left, but we've made lots of headway over the last two or three days," Shultz said. "I now have a good idea of what Israel will agree to."

Another official traveling with Shultz told reporters the secretary is bringing the latest version of a proposed draft of a withdrawal accord for President Amin Gemayel and other Lebanese officials. "If they accept it, we will be very close to a final agreement."

After Monday's sessions in Jerusalem, both Israeli and U.S. negotiators reported significant progress for the first time since Shultz started his peace shuttle nine days ago.

However, an Israeli official said one key issue, his country's

demand that militia leader Saad Haddad receive a command position in southern Lebanon, remained unresolved.

Haddad, who broke away from the Lebanese army and is considered a traitor by his government, told reporters at his headquarters in southern Lebanon that removing him from command would be "against the line of the people" in the border zone.

He said he was confident that Israelis do not "sell their friends."

There has been no mention of imposing a deadline on the talks, but U.S. officials have made clear to Israeli and Lebanese negotiators that Shultz must be in Paris for a meeting May 9. An official said Shultz has no plans to leave a negotiating team behind if an agreement is not completed by then.

In Beirut, Lebanese Defense Minister Issam Khoury said Monday that failure of the Shultz mission could result in new fighting between Israeli and Syrian troops in Lebanon.

Khoury, in an interview with The Associated Press, said there would be "serious and dangerous" consequences for Lebanon and for U.S. credibility if Shultz "fails or even stumbles" in his effort to arrange an Israeli withdrawal.

Palestine Liberation Organization chief Yasser Arafat, meeting with the PLO's military council in Damascus, Syria, said 10,000 PLO guerrillas in Lebanon's east Bekaa Valley were put on a "full alert" because of "a continued Israeli buildup and imminence of an Israeli aggression."

## DOE won't cancel waste site hearing

WASHINGTON (AP) — Texas Gov. Mark White, a Democrat elected to office last November, has had his first Texas-style shootout with the Reagan administration — and lost.

Despite White's objections, administration energy officials have scheduled hearings in Texas this month on the possibility of locating the nation's first high-level nuclear waste repository in the Texas Panhandle.

"The governor is naturally disturbed about it," said Steven A. Frishman, manager of the state's high-level nuclear waste office. "I'm disturbed about it."

The Department of Energy decided to proceed with the hearings despite a strongly worded letter received last month from White, who objected that hearings should not be held until guidelines for selecting a site are finalized.

Those guidelines are not likely to be in final form until August or September.

After receiving White's letter, the department at first delayed scheduling hearings in Texas. Then, on April 22, Energy Secretary Donald Hodel notified White that the Texas hearings would be held after all, in Hereford on May 16, Tulla on May 17 and Austin on May 18, Frishman said.

Frishman said in a telephone interview that the hearings were scheduled "over the objections of the governor."

Two Texas sites, one in Swisher County and the other in Deaf Smith County, are among nine in six states being considered as possible locations for the nation's first permanent repository for high-level nuclear waste. The other states are Washington, Utah, Nevada, Mississippi and Louisiana.

Under a 1982 law, the department must by Jan. 1, 1985 recommend to the president three of the possible sites for further detailed studies.

### INSIDE TODAY

#### Death of a dream

Carolyn Mitchell helps her son, Mark Carlton, inside the 35-foot mobile home parked in her backyard at 1105 W. Missouri Ave. A City Council vote April 26 ended Mark's dream of living on his own as he continues his recovery from a 1978 near-fatal gunshot wound.

LOCAL — 1C



Bridge	5C
Business	4B
Classified	7C
Comics	4C
Crossword	4C
Editorial	6A
Entertainment	7B
Horoscope	4C
Lifestyle	3C
Local	1C
Markets	5B
Obituaries	2C
Solomon	7B
Sports	1B

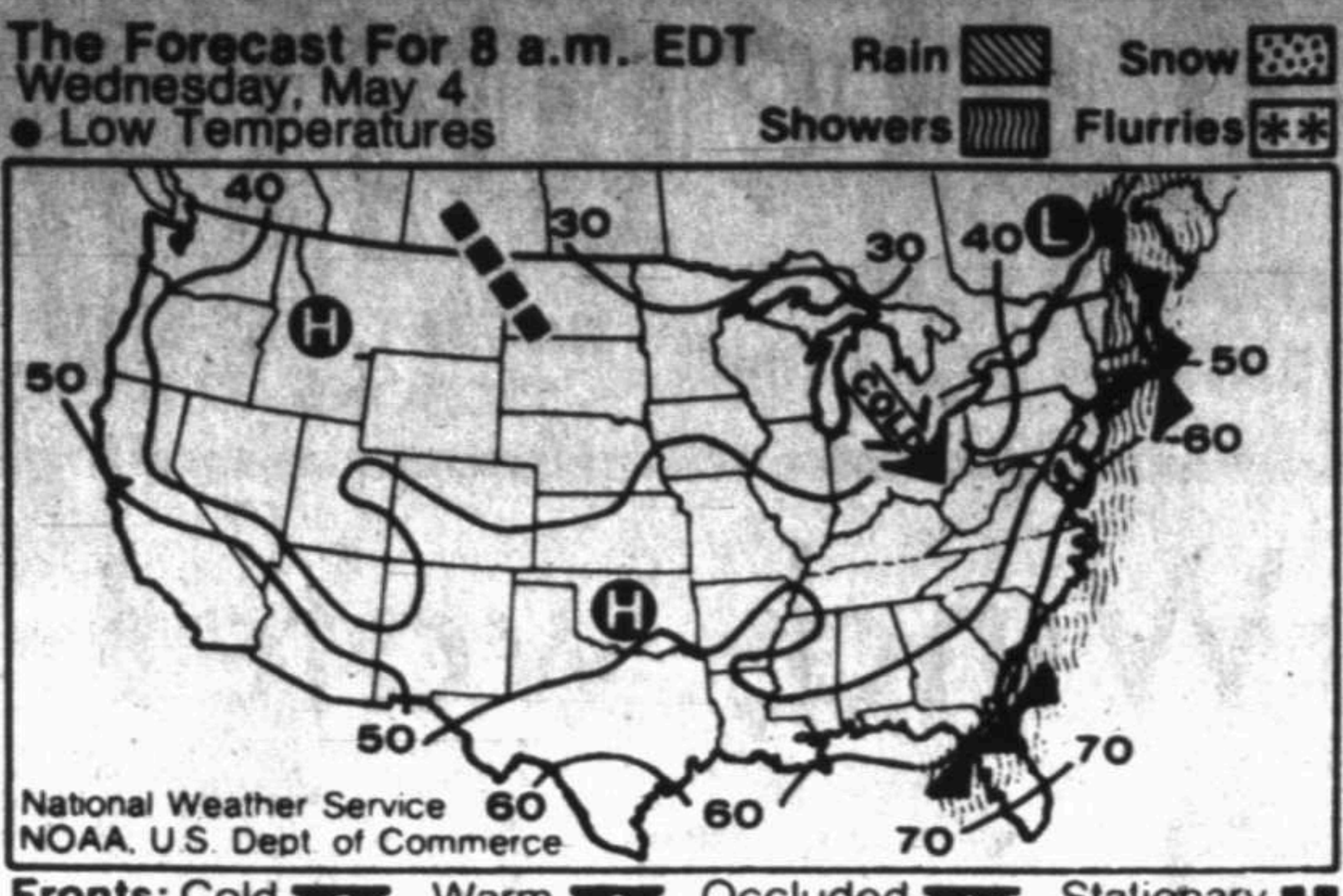
#### Service

Fair and mild Wednesday with a high expected in the mid-80s. Details on Page 2A.

#### Weather

Delivery	682-5311
Want Ads	682-6222
Other Calls	682-5311

WEATHER SUMMARY



National Weather Service 60 NOAA, U.S. Dept. of Commerce

Rain for the Eastern Seaboard, much of Florida and New England is forecast through Wednesday by the National Weather Service.

Light wind, mild temperature due

Gusty winds should die down to a breeze Wednesday and temperatures should be mild, according to the National Weather Service at Midland Regional Airport.

The weatherman is calling for fair and mild through Wednesday. Tonight's low should dip to near 50. Wednesday's high is expected to top the mid-80s. Southeasterly winds are expected to breeze through the Tall City at 5-10 mph.

Monday's high of 81 was slightly cooler than the record high of 96 set in 1965, but the overnight low of 42 was only 5 degrees away from the record low of 37 set in 1970.

Midland statistics Weather elsewhere

Table with columns for Forecast, Tuesday, and Southwest Temperatures. Includes data for various cities like Abilene, Amarillo, and Lubbock.

Texas temperatures

Table showing Texas temperatures for various cities including Abilene, Amarillo, Austin, and Dallas.

Texas area forecasts

West Texas: Fair with a warming trend through Wednesday. Highs 60-70. Lows 40-50.

North Texas: Decreasing cloudiness followed by fair skies tonight and Wednesday. Highs 75 to 78.

South Texas: Showers ending by tonight. Fair and mild tonight and Wednesday. Highs mostly in the 80s.

Port Arthur to Port O'Connor: Small craft advisory in effect. Winds becoming northeasterly 15 to 20 knots tonight and northerly near 10 knots Wednesday.

Port O'Connor to Brownsville: Small craft advisory in effect. Winds becoming northeasterly 15 to 20 knots tonight and northerly near 10 knots Wednesday.

Wichita Falls: Fair with a warming trend through Wednesday. Highs 60-70. Lows 40-50.

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Hearst director on new task force

By VIC OSTROWIDZKI Hearst Washington Bureau

WASHINGTON — Phoebe Hearst Cooke, vice president and director of the Hearst Corp., was appointed Monday by President Reagan to the prestigious International Private Enterprise Task Force.

A granddaughter of the founder of The Hearst Newspapers, Mrs. Cooke will serve on the White House panel which will advise President Reagan on the role private enterprise can play to help implement the programs of U.S. foreign assistance programs.

The task force will serve as a forum through which the Agency for International Development (AID) and the U.S. business and financial community can work together to develop programs beneficial both to this country and the developing nations of the world.

In a pep talk to the task force members who met with him in the Roosevelt Room of the White House, the president said their work will be "crucial if we are to succeed in fostering economic freedom and human progress."

The president warned that the nation faces "a very difficult task" in helping the "developing countries surmount severe economic, social and political barriers to growth."

One of the major problems the panel will be asked to deal with, he said, will be the "international debt problems" of most developing countries.

Reagan said the key question the



Among 18 individuals named by U.S. President Ronald Reagan, left, to the International Private Interest Task Force was Phoebe Hearst Cooke, right, granddaughter of the late William Randolph Hearst and director of the Hearst Corp.

panel will address will be: "How can we do a better job helping these countries to grow by stimulating opportunity and personal enterprise?"

The president listed the Caribbean Basin Initiative, which is a top priority of the administration, as an example of how the U.S. is trying to

stimulate economic development in developing countries.

He said that encouraging growth and development through private enterprise will help the U.S. "build lasting partnerships with our friends and allies in the developing world."

"As I said at the Cancun Summit in 1981, it is time for America to help

Twisters tear apart N.Y. towns

CHAUTAQUA, N.Y. (AP) — Tornados roared through towns and villages in western and central New York state Monday, killing two people, injuring at least seven others and ripping apart homes and buildings, authorities said.

The twister "really took the tops off homes and garages and knocked over trees and power lines," Richard Halberg, a local news photographer, said of the storm hit the community of Chautauqua Shores. "Then it skipped across the lake and damaged two unoccupied houses and again knocked over many trees."

Three people were injured and about 21 homes were destroyed in Chautauqua County, officials said.

Chautauqua Sheriff's Deputy Roy Hunt said one of the two dead, identified as Margaret Latta, 68, of Mayville, was killed when a house collapsed. The other, June Young, 58, of Chautauqua Shores on Chautauqua Lake, died when the car she and her 73-year-old husband Clifford, were in was flung over by high winds, he said.

"Mrs. Young was in the car as they were going into the garage when the storm picked it up, put it on its nose and spun it around," said Chuck Gennuso, a communications officer at the sheriff's office in Mayville. "It killed her and threw him out. It took everything — the house and the garage."

Major quakes listed

By The Associated Press

Here is a list of major California earthquakes, the number of deaths or injuries, the year they occurred and Richter Scale reading.

- San Francisco, 500 deaths, 1906, 8.3.
- Long Beach, 102 deaths, 1933, 6.3.
- San Fernando-Los Angeles, 65 deaths, 1971, 6.4.
- Santa Barbara, 14 deaths, 1925, 6.3.
- Tehachapi, 12 deaths, 1952, 7.7.
- El Centro-Imperial Valley, 100 injuries, 1979, 6.5.
- Mammoth Lakes, two injuries, 1980, 6.5.
- Anza-Imperial Valley, none, 1980, 5.7.
- Imperial Valley, 1981, none, 5.7



Returning to her flooded Louisville, Ky., home Polly Freeman. Chest-high water complicated the retrieve some very important playmates was rescue attempt.

Earthquakes part of California's history — and perhaps her future

LOS ANGELES (AP) — Earthquakes are a way of life in California, from the tremors that joggle people awake at night to the massive jolts that crumple buildings and destroy homes in the blink of an eye.

But nothing in recent memory — not even the extensive quake that rolled across most of the state on Monday and crumpled buildings in the city of Coalinga — can compare to the great upheavals at the turn of the century or the killing quakes that researchers predict in California's future.

Most experts agree that an earthquake of cataclysmic proportions is inevitable in California — a quake that would overwhelm hospitals, city and emergency services, render streets virtually impassable because of debris from broken buildings and severely hamper communications.

Many researchers believe that

earthquake will rip along the southern portion of the San Andreas Fault, a gigantic boundary between two great plates of the earth's crust that extends north about 600 miles from Southern California.

"It's just a matter of time before a major earthquake occurs along that fault," Dr. Tom Heaton, a seismologist with the U.S. Geological Survey in Pasadena, said Monday night. "We know it's inevitable and likely in our lifetime."

The area of concern — the southern 180 miles of the San Andreas — stretches through Southern California from Palmdale south to nearly the Mexican border near one of the most densely populated areas in the United States.

Monday's quake registered 6.5 on the Richter scale and was centered at Coalinga, a tiny town in a sparsely populated part of the San Joaquin

Valley about halfway between San Francisco and Los Angeles. Coalinga lies about 125 miles southeast of Hollister, where the San Andreas and the Calaveras faults cross and earthquakes are frequent.

Quakes measuring 6.5 are common in California. When they shake an unpopulated area, damage can be minimal to moderate. But they can leave more populous areas in ruins.

In 1971, a quake measuring 6.4 rocked the San Fernando Valley, a suburban area of Los Angeles that stretches northwest from downtown. More than 60 people died, 2,500 were injured, almost 1,500 homes were destroyed, four hospitals were damaged and five freeway overpasses collapsed.

Forty years ago, 127 people died, 1,831 homes were destroyed and another 21,000 damaged when an 11-second quake heaved through the Long Beach area.

Republicans trying to form budget coalition

WASHINGTON (AP) — Senate Republicans are trying to put together a delicate coalition which would attract enough votes to push through a 1984 budget plan without any Democratic support.

Republicans met twice in secret Monday to discuss the compromise proposal, which senior GOP leaders hope will eventually attract the necessary 51 votes. There are 54 Republican senators.

Their private negotiations came as the Senate was beginning its debate on a budget resolution for next year.

All day there was pulling and tugging from all sides of the budget debate, from those who believe economic recovery depends on a flat prohibition on higher taxes, to those who want to restore some domestic budget cuts, slow the defense buildup and repeal this year's 10 percent income tax cut.

"We don't have everyone on board, but it looks a lot better than it did last week," said Sen. Pete V. Domenici, R-N.M., chairman of the Senate Budget Committee. "I am very optimistic we are going to reach a conclusion which Republicans can support."

Similarly, Majority Leader Howard H. Baker, R-Tenn., said, "It's as good as we can do with it right now."

Critical votes on the Republican

compromise were not expected until Wednesday or Thursday.

In the meantime, the Senate was expected to vote today on a budget alternative proposed by hardline conservative Sen. Orrin Hatch, R-Utah, which would permit no increase in taxes for five years and make even deeper cuts in domestic spending than urged by President Reagan.

The Hatch plan, endorsed by the U.S. Chamber of Commerce, was not expected to be approved.

As described Monday, the Republican compromise endorsed by Domenici contains three basic elements:

- An increase in defense spending of 7.5 percent for fiscal 1984, and 5

percent for the following four years. That would give Reagan less than the 10 percent he recommended for next year, but in the long run, most of the president's large military buildup would be accepted.

A small tax increase of about \$8 billion over the next two years, very close to Reagan's budget and designed mainly to meet spiraling costs of federal medical programs. Moderate Republicans concerned about the swelling federal deficits said Monday they want a greater tax increase and Domenici conceded, "Taxes are still the big problem."

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Moment of silence may be answer to school prayer issue

WASHINGTON (AP) — A constitutionally acceptable answer to demands for prayer in public schools could be giving students time for a moment of silence for meditation, prayer or personal reflection, a political scientist says.

Michael J. Malbin of the American Enterprise Institute, a conservative research center, told a Senate subcommittee Monday there is no such thing as a non-discriminatory prayer.

"Even a non-descript prayer thanking God for the food we eat invokes a Being not at all consistent with the supreme powers accepted

by those Americans who may be Buddhists, Hindus or members of one of the other large Eastern religions," Malbin told the Senate Judiciary subcommittee on the Constitution.

He said voluntary prayer, as proposed by President Reagan and introduced in the Senate by Judiciary Chairman Strom Thurmond, R-S.C., might work for adults, but not for children.

"Children may opt out, but only at the cost of asserting and maintaining their difference from their peers," he said. "This can be a high price to ask of children, one that is

not entirely free, and one that, I believe, helps promote the tension and divisiveness the framers of the Constitution) were trying to avoid."

Malbin said if a teacher just asks students to take turns leading the class in whatever the student may wish it "would change the discrimination's predictability, and increase potential divisiveness, but leave everything else the same."

Even if the teacher simply said, "Let us pray," followed by silence, there would be a problem with many religious people who do not pray, as most think of prayer, but meditate, he said.

"Finally, what if the teacher says just a little more and calls for a moment of silence for meditation, prayer, or personal reflection?" he asked. "Here, I can see no problem."

"The teacher in this situation is not recommending prayer but suggesting it as one of several possibilities."

At the second of two hearings before the subcommittee, Education Secretary T.H. Bell said the absence of prayer in public schools might not be the cause of declining academic performance, but possibly could be related to other problems.

Asked by subcommittee chairman

Orrin G. Hatch, R-Utah, whether there is any relationship between the absence of prayer in the schools and the "rising tide of mediocrity" in education reported by a national commission last week, Bell replied:

"I don't know that we could identify this as an issue, and I wouldn't go on record as saying that because we omitted school prayer, achievement has been declining but I think it is a symptom of the many trends and changes that are going on in this country that are undermining students, undermining character development and undermining a very serious debt to education."

The Midland Reporter-Telegram

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HOME DELIVERY

Table with columns for delivery options (Evenings and Sunday, Evening Only, Sunday Only) and rates for different subscription periods (1-yr, 6-Mos, 1-Mo).





Treanor Equipment's Rob Allen, left, discusses rental of a Cat D6D Tractor. Treanor has a wide range of sizes of tractors, loaders, motor graders, and other equipment for lease by the day, week, month, or longer. Prices start as low as \$200 a day.

## Treanor has tractors, other equipment for rent by day or longer

If you need a piece of heavy equipment to do a particular job, Treanor Equipment has the right machine. Whether you are an individual or a contractor, and whether the job is clearing, leveling, digging, building, or loading, you can get the right machine to get the job done from Treanor.

Treanor's new rental fleet of Caterpillar and other machines includes tractors, wheel- and track-type loaders, motor graders (including the new small Royal 80 Motor Grader), scrapers, excavators, compactors, and pipelayers. Many sizes are available, and can be rented by the day, week, month, or longer. Daily rental rates start as low as \$200. A number of grubbers and brush rakes are available for brush control and clearing projects. Forks are available for wheel loaders for loading projects.

Treanor also offers the full line of Caterpillar machines for sale or lease purchase. Most new machines offer Caterpillar's new 'Plus 3' warranty, which guarantees for the first three years or 5,000 hours: the machine's power train, including engine, transmission, and final drives; 48-hour parts availability; and 48-hour repair turnaround. Cat's 'Plus 3' warranty guarantees that you will have any part necessary for the proper operation of your machine within 48 hours, or you get

it free. It also guarantees that you will get your machine back within 48 hours from the time repair begins, or you get the free use of a comparable machine or credit for the rental rate of a comparable machine until repairs are complete. Some limitations apply, but Treanor's 'Plus 3' guarantees are the strongest in the industry, and they simply prove the extensive back-up support that is standard with Caterpillar machines from Treanor.

Other programs available from Treanor include Scheduled Oil Sampling, complete field service, field or shop track rebuild and exchange, filter cleaning, a complete industrial radiator repair service, total machine and engine rebuild programs, and an area-wide parts distribution system. If you need a machine for a heavy-duty job, either to rent or purchase, see Treanor. Their selection of good used machines for sale is also good right now.

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## Keep America beautiful, fly your American flag

Memorial Day is approaching, and one of the most tangible ways to recognize the sacrifices of those who have gone before us is to fly the American flag in remembrance of them. George Leach, owner of Imperial Flag and Banner, 1601 S. Main has a complete stock of standard flags of all kinds, and offers the American flag in several popular models. The two most popular for home use are his standard kit, available for \$18.00, and his deluxe kit, which has embroidered stars and an eagle pole ornament, for \$35.90. Poles, including the eagle ornaments, are available for displaying other flags and cost only \$4.75.

Leach has American flags as large as eight by 12 feet in size; Texas flags as large as six-by-ten feet and the Confederate flag which is up to five by eight feet in size. Imperial Flag and Banner also stocks Canadian and Mexican flags; church flags, including Protestant, Papal and Zionist; and flag poles and accessories for all of these.

Imperial Flag is also available to service and install flags and flagpoles. Call Leach at 682-3562 for more information about this service.

Desk flag sets make wonderful gifts for any occasion, and Imperial has a fine selection, along with banners, pennants, special kits for grand openings, clearance sales, standard sales, anniversary sales, truckload sales and tire sales. They feature special car-lot flags for either new or used cars and trucks, or flags for service stations and shopping centers. In fact, Imperial

Flag has a flag for any occasion and in a variety of shapes, sizes and materials.

Custom-made flags are designed by top engineers with Annin, flag makers to the world since 1847. Imperial Flag and Banner has a catalog which shows the many designs and materials which are available to you from Annin. These flags can be made from the largest selection of colors available in the beautiful Nyglo material. Club emblems or company trademarks can be accurately reproduced, often from a simple sketch.

With boating season in full swing, Imperial Flag and Banner has several sizes of required marine flags and personal bow pennants for boats. Standard golf course flags in several colors are also stocked. In addition, Imperial has red "danger" flags for use on construction projects.

For collectors, Imperial Flag has miniature flag display sets. Included are nations of the world, the fifty states, U. S. historical flag sets and many other combinations.

Steel halyards and steel-core rope is stocked. These are a deterrent to vandalism of outdoor displays. Bunting by the yard is also available.

For outstanding buys and an outstanding collection of flags of all kinds, come by and see George Leach of Imperial Flag and Banner, 1601 S. Main. Imperial Flag is open from 8 a.m. to 6 p.m. Monday through Friday and from noon to 6 p.m. on Sunday. They are closed on Saturday.



This Memorial Day, keep America beautiful by flying your American flag. For flags of every size, shape and description, come by Imperial Flag and Banner, 1601 S. Main. Imperial has popular American flag kits for home use priced from \$18.00. For service and information on a flag for your home or business, call 682-3562 or come by Monday through Friday from 8 a.m. to 6 p.m., and on Sunday from noon to 6 p.m.

## Office condominium offers lease/purchase

Big Spring Sixteen-O-Three North now offers lease/purchase options so that owning your own office space is now more affordable than ever. This lease/purchase plan has attractive financing available. According to Bill Chancellor and Tom King, owners of this project, office ownership gives you several advantages over leasing.

First, there's a sense of permanence and propriety in owning your own office; then there's the tax advantages as compared to renting; and of course, there's the amenities which Big Spring Sixteen-O-Three North offers.

Some of the amenities include sharing of secretarial services, sharing of utilities, insurance and tax expenses; covered parking; set payments which cannot be increased over the life of the financing; and of course, a convenient location.

King points out that the tax advantages of owning your own office space can result in a savings

in taxes of up to 50 percent a year, which can amount to a substantial savings in many cases.

There are still several spaces available for lease/purchase, or outright sale. These offices range in size from 174 to almost 800 square feet. Financing is at 100 percent for 15 years at the lowest market rate.

The attractive, white stucco building located at 1603 N. Big Spring, is well-designed to give each office an outside view, as well as a view of the central atrium. The end result is office space which is light and airy, giving one a feeling of the outdoors. There is covered parking in back of the building, as well as a parking area in front for visitors. The building is close enough to downtown for convenience, yet far enough away to avoid the congestion of downtown traffic.

For more information about the lease/purchase option of office ownership in Big Spring Sixteen-O-Three North, call Bill Chancellor at 683-2040 or Tom King at 682-8000.

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Council dashes disabled man's dream of independence

By VINCE GIORGI Staff Writer

After days in a coma, months in a hospital and years in therapy, the latest obstacle in Mark Carlton's struggle to overcome a crippling gunshot wound and live independently took only minutes to erect. On a 3-3 vote April 26, the Midland City Council rejected his mother's request for a special, two-year temporary mobile home permit.

The permit would have given Carolyn Mitchell, Mark's mother, the right to place a mobile home in her backyard at 1105 W. Missouri Ave. Ms. Mitchell sought the mobile home to provide Mark his own living quarters within range of her supervision.

Mayor G. Thane Akins and Councilmen Steve Davidson and Jesse Hatfield voted for the request, ruling that Ms. Mitchell's case met the demands of a special temporary permit. Planning and zoning regulations provide that such a permit may be granted when "the Council finds and determines that an emergency exists constituting a genuine hardship for the applicant."

Councilmen Gordon Marcum II, Tom Sloan and Carroll Thomas voted against the permit, citing neighborhood opposition as the principal reason for denying it.

Mark, 23, said the mobile home "was going to be my chance to go out and make it on my own. I want to prove to myself that I can do it."

AFTER LIVING with his mother for several years, his excitement about living alone grew during the past month until the council's vote "blew it away," he said.

"It was just sad, was what it was. It was just sad." It was May 25, 1978, when a bullet accidentally discharged from a newly-cleaned gun and slammed into 19-year-old Mark's right temple.

Ms. Mitchell said that although the doctors expected Mark to die, he gradually recovered from a five-day coma and spent time in rehabilita-

tion at a Big Spring state hospital. Mark skirted death again about three years ago, she said, when a knife-wielding robber broke into his bedroom. Mark, unable to move without his leg braces, was stabbed in the head and back as he lay in bed.

Despite the near tragedy, Ms. Mitchell said Mark's progress has been steady since the shooting left him helpless and wheelchair bound.

"From there we got him on a walker, from there we got him on crutches, and then a cane, and he can really walk pretty well without a cane," she said.

Rhonda Carlton, Mark's stepmother, said, "If they just knew how long a road that is, a kid they told us, virtually, would be dead.

"NOW WE'VE GOT him to the next step, and we get turned down."

Ms. Mitchell said letting Mark live in the mobile home "was just part of rehabilitating him to be independent. If something was to happen to me, what would happen to Mark if he's not independent?"

"If it doesn't work out, then that's it — there's no reason for the trailer to be there," she said. "This was our next step, he just needs this chance."

The special permit request passed the Planning and Zoning Commission by unanimous vote Feb. 14. It was forwarded to the council with recommendations for approval from both the commission and the planning staff.

Ms. Mitchell said after receiving the commission's approval, she bought the \$3,000 trailer, moved it onto her backyard and had water and sewer service connected. She was later instructed by the city to disconnect the utilities until the council officially approved or denied the permit.

Richard Hennessy, planning and community development director, said the council must weigh "the degree of need" for a special temporary permit against the opposition



Staff Photo by Paul Gilbert

Lending a hand

Carolyn Mitchell helps her son, Mark Carlton, move into the 35-foot mobile home parked in her backyard at 1105 W. Missouri Ave. A City Council

vote April 26 ended Mark's dream of living on his own as he continues his recovery from a 1978 near-fatal gunshot wound.

request, a public hearing notice was distributed among the 24 property owners within 200 feet of her home.

The City Council voted 3-1 to deny the request on March 29. Ms. Mitchell appealed the decision and her request was placed on the April 12 council agenda.

At the April 12 meeting, the council voted 3-2 to reschedule a public hearing for April 26, when the permit request was finally defeated.

Opposition to Ms. Mitchell's request came from Mona Dunn, 1109 W. Missouri Ave., who spoke against the permit at the meetings March 29

and April 26.

"I understand what she wants it (the permit) for, that's good," said Ms. Dunn, who said she built her house in 1942. "At the same time, it's illegal to have a trailer house in our neighborhood. That is not the zone for a trailer house."

Ms. Dunn said she travels often and splits time between Midland and Austin, living with relatives in Austin and her son, who lives at 1109 W. Missouri Ave.

"I TRAVEL A LOT and I am not there a whole lot, but there's no law

against that," she said. "I don't understand why we should be subjected to looking at that trailer house every time we go out our front door. It would run down our neighborhood."

Sloan and Thomas said Monday that neighborhood sentiment is the most important factor when judging special use permits.

"If in fact a viable neighborhood doesn't want something in it," said Sloan, "this council has always voted it down — and prior to this, it's been to a man. We don't try to do this sort of thing to work hardships on people."

Thomas said, "I have always been very careful to vote against a specific use permit if we have people in the neighborhood who object to it."

"I am very sympathetic with the problem," he said. But "the whole idea of zoning law is to protect people's property rights. The question is not a question of fairness, the question is a question of legality. You can either do away with the zoning ordinances or abide by them."

Akins said that while the special use permit is an "aberration" of standard zoning ordinances, "I felt that it could be done in a temporary sort of way. I thought they had a legitimate case."

Davidson, Marcum and Hatfield could not be reached for comment Monday.

Despite the council's rejection of her permit request, Ms. Mitchell may legally keep the trailer in her backyard.

Hennessy said that because the mobile home is less than 40 feet long, city regulations define it as a travel trailer which can legally be stored — without utilities connected — on her property.

Ms. Mitchell said she'll likely keep the 35-foot trailer where it is and perhaps pursue another special temporary permit in the future.

Ms. Dunn vowed, however, that if the trailer is not removed by June 1, "then boy, it's another (City Council) meeting."

MC musician dies in mobile home fire

By RICHARD ORR Staff Writer

A Midland College jazz musician and part-time instructor died of apparent smoke inhalation in a fire at his westside home late Monday afternoon.

Floyd G. Francis, 32, of 2917 W. Louisiana Ave., was pronounced dead at the scene by Justice of the Peace Robert Pine.

Neighbors called firemen after seeing smoke coming from the wood frame house about 5:20 p.m. Francis was found on a burning couch and apparently had fallen asleep while smoking, according to fire authorities.

Firemen used 100 gallons of water extinguishing the blaze, which heavily damaged the

couch and caused smoke damage throughout the house. A cat and two ring-necked doves survived the fire, according to a spokesman at the animal control shelter this morning.

Francis' death marks the first fire fatality this year, according to fire officials. Two children died in a rural Midland County mobile home fire last winter.

Francis was a member of the Midland College Jazz Ensemble and a percussion instructor. He was a professional musician by trade and also was taking some courses at the school, according to Public Relations Director H.A. Tuck.

Services are pending at New-nie W. Ellis Funeral Home.



Staff Photos by Paul Gilbert

Police Lt. David J. Wilks leads Floyd Francis' wife, above, from the scene of a fire that killed the Midland College jazz musician in his home late Monday afternoon. Smoke from a burning couch pours from the Francis' house, left, as an unidentified city fireman comes out a door of the residence.

Elections official frustrated by voter apathy

ED TODD Staff Writer

Janeice Bullita takes her job so seriously that she gets frustrated.

Her desire is that voters take her seriously and be zealous in exercising their voting rights. But she's discouraged.

"You can't win for losing," she laments. Her aim is to motivate all — or most all — Midland Countians age 18 or older to register to vote.

"Please vote but vote as you please," that is my motto," she pleads on the eve of each election. Her pleadings usually go

unheeded. In the last election, only 9 percent — 3,866 — Midland County's 43,646 registered voters cast ballots in the election, which dealt with an \$11.89 million bond issue on a proposed county courthouse addition and jail. The issue, which could have increased county taxes by 25 percent, failed 4-to-1.

"I don't think that it (voter apathy) has a damn thing to do with it (the slumping economy)," said Bullita, Midland County's elections administrator. "I think people are just lazy. They have something else to do (rather than to vote)."

WHAT SEEMS to attract Mid-

landers to the election polls are controversial national politics: from the Thomas E. Dewey-Harris S Truman presidential race of 1948 to 1980's Ronald Reagan-Jimmy Carter presidential race. In 1980, about 73 percent of the 44,000-member electorate voted; Midlanders favored the Republican candidate, Reagan, 4 to 1, over the Democrat, Carter.

Although the April 23 courthouse bond election was an exception, such issues have enticed Midlanders to the polls.

On Sept. 28, 1971, about 54 percent of Midland's then 25,475 registered

voters appeared at the polls to decide a \$9.85 million Midland Civic Center bond issue. It failed 2 to 1 at a junction in Midland's bust-to-boom cycle which civic leader Bill Heck characterized then as "perilous times."

Like 1983, in 1958 Midlanders barely turned out to defeat a \$750,000 courthouse-jail bond election by 4 to 1. But at the onset of the 1970s, 30 percent of the electorate voted in passing a \$1.95 million courthouse-expansion bond issue.

(See OFFICIAL, Page 2C)

MMH hopes to get new X-ray machine

By GAIL BURKE Staff Writer

Midland Memorial Hospital will file an application this week to the state health agency for a \$1.2 million computerized X-ray machine.

The General Electric 9800 CT scanner, approved by MMH directors Thursday, will provide doctors with clearer X-rays and more patients, according to Dr. James McGee, a Midland radiologist.

By upgrading its scanner, MMH will be able to do more testing with the new equipment.

"Basically what it (scanner) will do is allow us to see things we haven't been able to with previous models," McGee said, referring to the proposed CT scanner.

A computerized axial tomography (CT) scanner allows physicians to see a cross-section of the body.

"The spine, for example," said McGee. "Our current scanner is not sophisticated enough to see this. CT (scanner) is the easiest imagery procedure radiologists are involved in."

McGee noted the hospital's current scanner is becoming antiquated rapidly because of newer medical technology. An X-ray that requires a patient to hold his breath for 30 seconds now can be done in five to eight seconds with the G.E. model.

He added that four to five more tests per day can be scheduled with the new scanner, providing more revenue for MMH.

As required by law for any new medical service or equipment exceeding \$600,000, a certificate of

need application will be filed with the Texas Health Facilities Commission this week, said A.C. Buchanan, MMH vice president of operations.

MMH officials expect the application process should take 45 to 60 days, allowing the scanner's delivery by mid-July.

While the scanner's list price is a little more than \$1.2 million, Buchanan said the hospital should be able to purchase it for \$1.1 million or less. Because MMH purchases equipment through Mid-America Shared Service, items are discounted when more are sold.

With the difference in savings, the necessary \$125,000 renovation, such as lead walls and relocating the CT scanner room, can be done without extra cost.

Although the MMH board of governors — the hospital's fundraisers — are expected to raise the \$1.2 million, hospital officials will seek a short term loan for interim financing.

"We're going to have this," said John Redfern Jr., chairman of the MMH board of governors.

"Donors would probably subscribe to this (fund) and pay over three years," he added.

Buchanan said the loan would be taken out for five years.

"There's nothing formal yet, but it doesn't appear to be any problem (applying) at First City National Bank," he said.

Buchanan estimated that interest on the note would be 9.5 to 10 percent.

New traffic signals to be erected locally

ODESSA — Several locations in Midland and Ector counties will receive new or improved highway traffic signals after the State Department of Highways and Public Transportation awarded a contract to Jack A. Miller Inc. of Austin.

Midland County locations scheduled for work include U.S. Highway 80 and Fairgrounds Road, Interstate 20 and Texas 349, Loop 250 and Texas 158, Loop 250 and Thomason Drive and Loop 250 and Wadley Avenue.

Ector County locations include Interstate 20 and E. Loop 338, E. Loop 338 and Texas 191 and FM 1882

and Yukon Road. The state awarded a \$231,000 contract to the Austin firm. The Department of Highways and Public Transportation will furnish much of the equipment and all the engineering, bringing the total project cost to \$452,000.

Work in Midland County will occupy \$303,000 of the total, with Ector County receiving the remaining \$149,000.

The project, which is expected to improve safety and traffic flow at each location, should begin May 2 and be completed by the end of July.

Housing rehabilitation programs to be reviewed

The Board of Commissioners of Midland's Housing Authority will review the 1982 and 1983 housing rehabilitation programs during its monthly meeting at 2 p.m. Wednesday in City Hall Council Chambers.

The board will hear reports from Horace Berry, rehabilitation inspector, and Susan Howell, community development coordinator, on the housing rehabilitation programs, which are funded with Community

Development Block Grants. Gloria Ellis, Human Relations Council executive director, also will report on the applications received for the 1983 home rehabilitation program.

The board also will review operating receipts and expenditures and consider approving the operating budget for the fiscal year ending June 30, 1984.

Vertical text on the left margin containing various advertisements and notices.

# Lufkinite has spent nearly 400 nights in the pokey

**EDITOR'S NOTE:** Wilton Teal has been locked up so many times for drinking that the police have lost count of just how many nights he's been there. The records show he's been arrested well over 200 times, but long-timers with the department say the figure may be closer to 400.

By DAN HILL

LUFKIN (AP) — "How you doin' Teal?" one uniformed policeman asked.

"Oh, I'm trying to stay outta trouble," Teal said as he walked down the hallway of the Lufkin Police Department.

For Lufkinite Wilton Teal, staying out of trouble is not an easy thing to do.

Teal knows the great majority of the members of the Lufkin police force quite well, and he knows the inside of the city jail even better.

The 54-year-old has the well-lined face of a man with a history. His drinking has landed him in jail so many times that the police department has just about lost count.

Record keepers for the police department say Teal has been arrested for public intoxication well over 200 times, but long-timers at the police department say the figure is probably closer to 400.

"Several years back we cleaned out his arrest file because it was so

thick and was taking up so much space in the file cabinet," said Lt. Amos Lewis. "We threw out a whole folder full of the old arrest reports, and there must have been a couple hundred of arrests in there."

Lewis said that time after time when Teal is arrested, he never has any money to pay the fine, so they put him to work cleaning up around the jail.

"We have him sweep up the floor or mop out the jail and rake the lawn around the police station to let him work out his fine."

Lewis said that Teal gets the same treatment as everyone else arrested for public intoxication — he's put in the drunk tank for five hours until he sobers up.

Teal himself says he has no idea how many times he's been in jail.

"I've been in there so many times it's like my second home," said Teal, who has no family. "I like being in there. Sometimes I'd rather go there than go home."

Teal says one of the attractive things about being in the jail is that the police department brings him three meals a day.

"They'll bring me McDonald's hamburgers for dinner, and hot-cakes and sausage for breakfast, and that's better than I eat at home," he said.

Teal said that he goes long periods when he stays out of jail for weeks at a time, then he may land in jail several times in the same week.



AP Laserphoto

Wilton Teal has been locked up so many times for drinking that Lufkin police officers have lost count of how many nights he has spent in jail. They estimate it's close to 400 times.

"I've been in there twice in one day," Teal said.

Teal brags about the fact that he was the first prisoner in the Lufkin City Jail when it was built in the early 1960s.

"The first time I was in that jail, I couldn't believe it," Teal said. "It was a lot nicer than that old county jail."

Although police say Teal has been arrested more than anyone else in Lufkin by far, they say the great

majority of the arrests have been non-violent offenses — primarily public intoxication and disorderly conduct.

"I've never stole nothing, and I've never hurt nobody," Teal said.

Police say Teal is a different person when he's drinking, and they say his temper tends to flare up, which Teal confirms.

"Yeah, I get real loud and rowdy when I'm drinking, and I cuss an awful lot," Teal said. "Yeah, I guess I would like to stop drinking, but I just can't. I get around people who are drinking, and I just can't stand it. I've got to have something to drink."

As a result of the drinking, he has stomach problems that required surgery several years ago. As a result of the operation, he says he can't lift anything very heavy.

Yet he clings to the bottle. Teal says he's not particular about what he drinks.

"I'll take wine, whiskey, beer — just whatever I can get hold of," he said.

Since Teal doesn't drive, he relies on friends who do to either take him across the county line or buy it for him.

One thing that's helped keep him out of jail some is a lack of money. Teal says he lives on a \$400-a-month medical disability check from the government, and when he doesn't have the money, he doesn't drink.

"I may find somebody that'll let

me drink with 'em, but most of the time I have to buy it myself," he said.

Teal said he almost stopped drinking one night about seven years ago — when he woke up in a funeral home.

Teal said he passed out in a gutter. A doctor pronounced him dead, and he was taken to the funeral home. When he woke up, he was lying in the funeral home naked. Next to him was the nude body of a dead woman, missing one leg.

"I woke up and saw this woman's dead body next to me, and I almost died sure enough," he said he stayed sober for about two months after the incident, but he later went back to drinking again.

Teal said he has held a variety of jobs, mainly construction-type jobs, but when he was forced to have the operation several years ago, he could no longer work.

"I'll do little things here and there, like mowing lawns and cleaning up people's yards, but mostly I just walk the railroad tracks," Teal said.

Teal lives in a room in an old frame house that he rents from a 90-year-old woman.

He says he started drinking when his wife divorced him many years ago. He also says he probably won't quit.

"I'm too old to stop," Teal said with a laugh. "Besides, I like it too much."

## Official frustrated by voters' apathy

(Continued from Page 1C)

Of late, what seems least appealing to the Midland electorate is local politics. This year's city-school-hospital election attracted only 5 percent of the electorate to the polls. But more voters — 6.5 percent of the force — were drawn to the polls Jan. 15 to legalize bingo 3 to 1.

The low voter turnout on local elections appalls Buita.

"PEOPLE ALL OVER the world are fighting to have the right to vote, and we have it, and we aren't using it!" the elections administrator says.

Her chief deputy, Pat Stovall, shares her boss' viewpoint.

"As Buita says, 'That is our heritage. We need to get out and vote.' Ms. Stovall says, 'The way I look at it, if I don't get out and vote and things don't go my way, I don't have any right to complain.'"

Buita, who does fuss about voter apathy, suggests it's more than laziness and the "faster pace" which keeps most citizens from the polls on election days and which fails to motivate other Midlanders to register to vote.

"We have made it so easy for them," she says in alluding to the abolishment of the poll tax in 1966 and to the institution of the automatically-renewed registration process once a citizen has registered.

A voter may be stricken from the list of registered voters if he or she should change addresses or names but does not notify the elections administrator when voter certificates are mailed out every two years.

## Court rules against district judge

AUSTIN (AP) — A state appeals court has upheld Senate confirmation of judges, ruling against a district judge appointed by Republican former Gov. Bill Clements.

Attorney General Jim Mattox said Monday that the 3rd Court of Appeals rejected Louis Sturms' argument that the Texas Constitution made Senate rejection of his appointment void.

## DEATHS

### Danny Huckabay

Services for Danny Ray Huckabay, 34, of 3221 Hill Ave. were to be at 1:30 p.m. today in Newnie W. Ellis Funeral Home Chapel with David Wallace of North "A" Church of Christ officiating and Loy Mitchell of Eisenhower Church of Christ in Odessa assisting. Burial was to be in Capitol Memorial Park in Austin.

Huckabay died Sunday in Robert Lee after a boating accident.

He was born Sept. 30, 1949, in Odessa, where he attended school. He was married to Linda Rodriguez in Austin April 21, 1969. He served in the U.S. Marine Corps from 1968-1977. He was a member of the Austin Police Department until 1974, when he moved to Midland. He worked for Lienco Inc. for four years and worked in the Midland Police Department two years. He had worked for R.G. Brice Co. since 1982.

Survivors include his wife; two daughters, Rae Ann and Kecia Lee Huckabay, both of Midland; his parents, G.W. Huckabay of San Saba and Mrs. Billie Jean Sperry; four brothers, Gary Huckabay of Midland, Michael W. Huckabay of Austin, Steven Huckabay of Odessa and Brian T. Huckabay of Abilene; and a sister, Jana Huckabay of Odessa.

### Herman Gotcher

SAN ANGELO — Services for Herman C. "Slim" Gotcher, 74, of San Angelo, brother of Lee Gotcher of Midland, were to be at 2 p.m. today in Johnson's Funeral Home chapel. Burial was to follow in Lawnhaven

### Wastewater permit to be discussed

Midland City Council and the Midland County Commissioner's Court will conduct a special joint meeting Wednesday to consider action on the City of Odessa's wastewater permit renewal application.

The meeting is scheduled for 1:30

Memorial Park. He died Monday in a San Angelo nursing home.

Gotcher lived in San Angelo since 1930. He retired from the Texas Highway Department in San Angelo in 1973. He married Ida Blanche Deemer Jan. 5, 1933, in Lovington, N.M.

Other survivors include his wife, a son, two sisters and two grandchildren.

Pallbearers were to be Jack Mathews, Jimmy Gotcher, J.C. Gotcher, Nolan Gotcher, Leo Lewis, Tommy Wilkinson and Bob Cummings.

The family requests memorials be directed to a favorite charity.

### Rowland Turney

Services for Rowland A. Turney, 66, of 2410 W. Illinois Ave. were to be at 10 a.m. today in Newnie W. Ellis Funeral Home Chapel with the Rev. Bob Porterfield of West Kentucky Street Baptist Church officiating. Burial was to be in Oak Grove Cemetery in Graham.

Turney died Sunday afternoon in a Midland hospital.

He was born in Blanket Jan. 12, 1917. He was reared in Graham and graduated from Graham High School in 1934. Turney served as a pilot in the U.S. Air Force from 1941-1952. At the time of his discharge, he held the rank of captain. He lived in Fort Worth until moving to Midland in 1966. He worked for Snowwhite

p.m. in the City Hall conference room.

Odessa has been dumping treated sewage into Monahans Draw, which flows through Midland County. Local county commissioners at one time considered suing Odessa for its dumping into the draw.

Laundry for the past 17 years. He was a member of the First United Methodist Church of Graham.

Memorials may be directed to Hospice of Midland, P.O. Box 2621, Midland, 79702.

Survivors include a brother, Clyde "Billy" L. Turney of Midland; a niece, Paula Edwards of San Antonio; several aunts and an uncle.

### Vera Kinikin

SAN DIEGO, Calif. — Services for Vera Kinikin, 82, of San Diego, Calif., formerly of Midland, were Monday in National City, Calif., under direction of Heath Mortuary there.

She died Wednesday. Mrs. Kinikin was born April 19, 1901, in Texas.

Survivors include two brothers, two sisters, a son, a stepdaughter and a stepson.

### Doris Richards

Services for Doris V. Richards, 61, of 2005 W. Louisiana Ave. were Monday

## BIRTHS

### MIDLAND MEMORIAL HOSPITAL

April 25, 1983

Mr. and Mrs. Clifford Ray Mathis,

Route 2 Box 115 Space 67, a boy.

April 29, 1983

Mr. and Mrs. Benito Ozuna, 2500 Copus Space 16, a boy.

Mr. and Mrs. Orbie Kennion Rivers Jr., 2300 N. A St. No. 703, a boy.

Mr. and Mrs. Rodney James Gully, St. Lawrence Route Box 63, Garden City, a boy.

Mr. and Mrs. Jerry Don Nickell, 1003 W. Scharbauer Drive, a boy.

Mr. and Mrs. John Wright McQuerry, 507 Ruby, a boy.

Mr. and Mrs. Stephen Glen Sell, 1601 W. Tennessee Ave., a boy.

Mr. and Mrs. Jesus Gonzalez Alcocer, 926 N. Edwards, a girl.

April 30, 1983

Mr. and Mrs. Roy Thomas Clark, 4304 Pasadena, a boy.

Mr. and Mrs. Stephen Vincent Hughes, 4405 N. Garfield Ave. No. 805, a boy.

Mr. and Mrs. LeRoy Jesse Brown, 411 S. Clay, a girl.

Mr. and Mrs. Dennis Alan Ehrman, 405-B W. Spruce, a boy.

May 1, 1983

Mr. and Mrs. Manuel Valverde, Route 6 Box 400 Space 73, a boy.

Mr. and Mrs. Garry Paul Ryon, P.O. Box 5471, a boy.

Mr. and Mrs. Douglas Dean Garrett, 2310 W. Dengar Ave., a girl.

# Supreme Court rules states have right to deny education

MALLEN (AP) — A Supreme Court ruling will create a sub-class of U.S. citizens in South Texas who will have equal rights but will not have an education on what it is to be an American, a Texas Legal Aid attorney said.

The high court ruled 8-1 Monday in a McAllen case that states do have the right to refuse a free public education to children who move to a certain school district for the "primary purpose of attending school."

The Texas law that allows permitting school districts to deny tuition-free admission for such children is a "bona fide residence requirement" that does not violate the constitution's guarantee of equal protection under the law, the court said.

"A bona fide residence requirement, appropriately defined and uniformly applied, furthers the substantial state interest in assuring that services provided for its residents are enjoyed only by its residents," Justice Lewis Powell wrote.

The decision follows by almost a year a 5-4 Supreme Court ruling that states must provide free public education to children of illegal aliens. That ruling said a Texas law allowing "undocumented" children to attend public schools only if they paid tuition was unconstitutional.

Edward Tuddenham, the Texas Legal Aid lawyer from Herford who represented the child who challenged the Texas law, noted what he called "the irony of the two opinions taken together."

If the parents come into the United States illegally, their children are entitled to a free education. But if the alien parents obey immigration laws and stay in Mexico, their children cannot receive a free education in Texas, said Tuddenham.

"You get the benefit of public education if you violate the law, but you don't get the benefit if you obey the law," he said. Comparing the two decisions is like comparing apples and oranges, said Rick Arnett, the Texas Education Agency deputy commissioner for legal services in Austin.

"Those children in the illegal alien case were here with their parents," he said. "They met every test of residency that the state puts on people — except that they were here illegally — and the court said that wasn't enough reason to keep them out of school," Arnett said.

"This case comes along and says 'but we aren't saying that you can't apply your regular tests of residency for school purposes,'" he said.

The children affected by the latest ruling could be from Mexico, Arnett said. But he added, "They could be from Louisiana. They could be from Austin."

Tuddenham said the result of the court ruling is that "the citizens of South Texas are going to have to deal with a sub-class of U.S. citizens who have equal rights, but have no education on what it is to be an American."

And he said a U.S. citizen, the child in the case, "has gotten a raw deal" in the decision.

The decision came in a case involving Roberto Morales, whose 1989 birth in McAllen made him a U.S. citizen, but

whose parents live in Reynosa, Mexico.

McAllen school officials refused to let Morales attend school without paying tuition when he moved to McAllen in 1977 to live with his adult sister, Oralia Martinez.

"This statute is designed to prevent people from district hopping," said Arnett.

McAllen Independent School District Superintendent Rodney Cathey said the court backed his district's opinion that the state law applies to all students, including U.S. citizens whose parents live in Mexico.

"In actuality, what the court upheld is identical to the rules we apply to children switching school districts" within Texas, Cathey said.

"So even though the decision was in relation to the Mexican border," Cathey said, "had the court ruled otherwise it would have destroyed all that we hang our hat on as far as controlling the movement of students across school district lines for the primary purpose of attending school."

"We hang our hat on the legal residence of the child...which normally is considered where the parents of a minor live," Cathey said.

But Cathey said he thinks the case went to the Supreme Court because the issue involved crossed the Texas-Mexico border.

He said the district is now faced with the "tremendous task" of determining which children must pay tuition.

"We take these children on a person-by-person basis," he said.

"If the child lives in McAllen with a parent, Cathey said the district does not question residency status and provides the child a free education.

Much more difficult to determine, said Cathey, are cases in which a McAllen resident says "My grandchild is living with me because his father has been killed and the mother cannot provide a home for him."

"It's one thing if they come primarily to attend school," Cathey said. "But if the reason is to establish a home for the child that's another thing."

### Klan may have to foot the bill

SAN ANTONIO (AP) — The Ku Klux Klan should have to foot the bill for the estimated \$60,000 the city of San Antonio spent to protect Klansmen during a downtown march, city officials say.

About 400 police officers blanketed the streets of downtown Sunday to protect the 50 Klan members who marched three blocks in robes and paramilitary uniforms.

City Manager Lou Fox said he plans to research the legal aspects of requiring the Klan and other such groups responsible for the costs of the massive protection provided them.

Fox added, however, that the peacefulness of Sunday's march was worth the cost.



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