

What's inside



Have tougher policies stopped retailers' fraudulent check problem?

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Captain Lester Lee has seen the start of 65 crabbing seasons. He and his four sons make a living fishing for crabs on the Chesapeake Bay.

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Democrats from natural gas producing states join in the fight for price decontrol.

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Coming up: The Midland school board will name new high school principals.

LOCAL — Friday

Midland Reporter-Telegram

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Chrysler declares payback

WASHINGTON (AP) — Chrysler Corp. Chairman Lee Iacocca, declaring financial independence from the government, said Wednesday the nation's No. 3 automaker will pay back — seven years early — the remaining \$800 million it owes in federally guaranteed loans.

"We at Chrysler borrow money the old-fashioned way: We pay it back," he said in a speech at a jammed luncheon sponsored by the National Press Club. And "I'd give someone a check right now," if it weren't for some interim red tape, he added.

The automaker's turnaround from near-collapse several years ago, when a \$1.5 billion federal bail-out plan was engineered, was greeted enthusiastically and some, including Iacocca, predicted the auto industry was entering a boom period.

But Iacocca tempered his optimism with a word of warning about interest rates.

"I'm banking on interest rates continuing to come down ever so slowly. If they turn back up, forget it," he told reporters after he met with President Reagan, apparently to tell him of the corporation's plans.

After Iacocca's announcement, Treasury Secretary Donald Regan, chairman of the board that watches over the Chrysler bail-out, said "It's a very great day for Chrysler."

"This story of the Chrysler turnaround is a fantastic one," added Douglas Fraser, former president of the United Auto Workers union and a member of Chrysler's board.

Still to be resolved, though, is the question of \$144 million in warrants, or rights to purchase Chrysler common stock, that the government got in exchange for the guarantees.

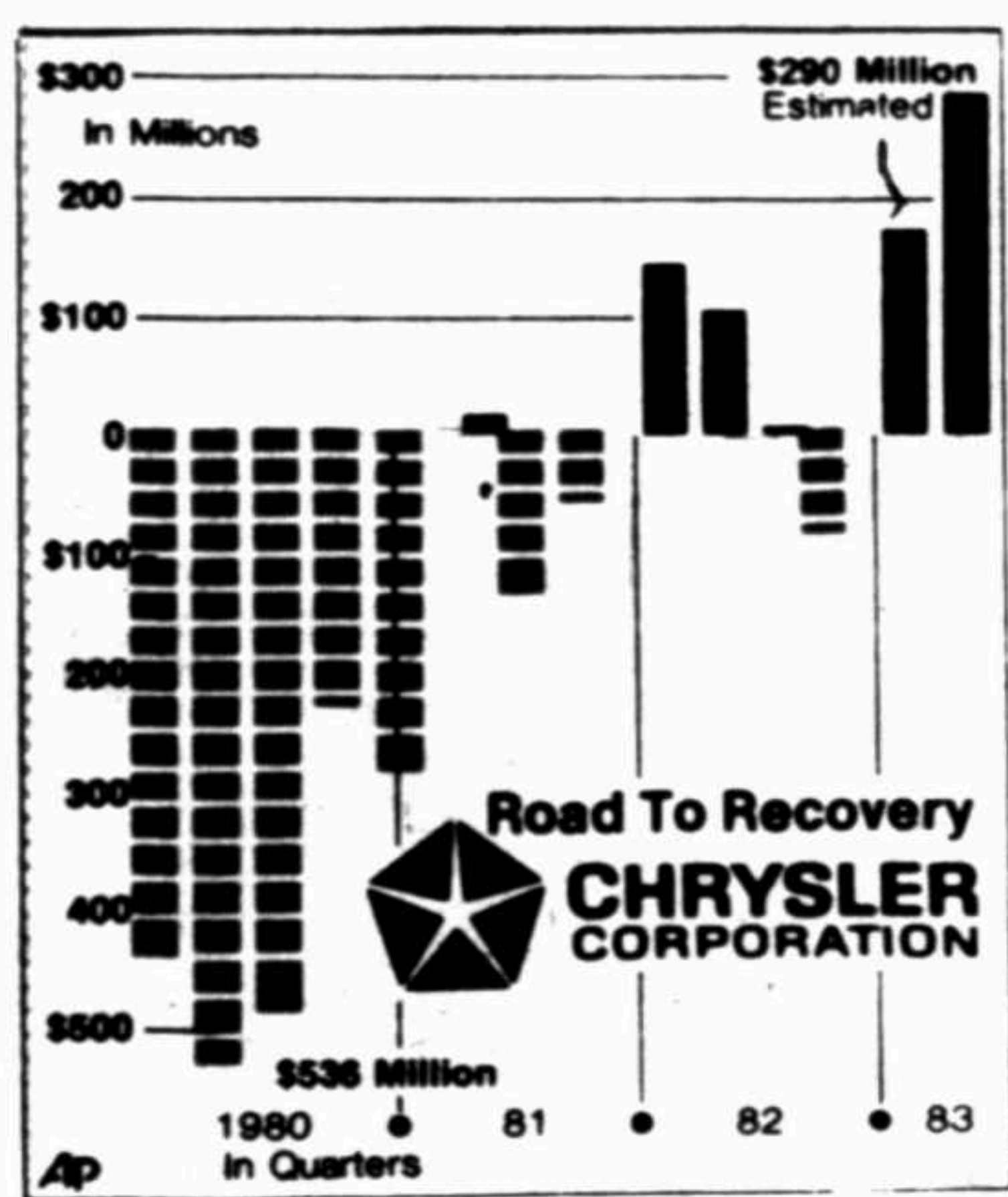
Regan said the Chrysler Loan Guarantee Board has reached "no conclusions" on the warrants and wanted to see the reaction of the market-place to Chrysler's announcement.

Among the government's options are exercising, selling or forgiving the warrants, although Regan flatly ruled out any forgiveness.

The loans, which are owed to private lenders but guaranteed by the government, were not due to be paid off until 1990. When they were first granted in 1980 and 1981, many wondered whether they would ever be repaid.

Congress originally approved \$1.5 billion in guarantees and Chrysler drew down a total of \$1.2 billion. It made an initial repayment of \$400 million last month.

(See CHRYSLER, Page 2A)



Triple slaying

Odessa law enforcement officers investigate the murder of a woman and her two teen-age sons whose bodies were found in their eastside home Wednesday. They apparently had been beaten with a baseball bat.

Beating victims discovered

ODESSA, Texas (AP) — The bodies of an Odessa woman and her two teen-age sons were found near a bloody baseball bat Wednesday night in their ransacked home, investigators said.

Detective Sgt. Jerry Smith said the bodies of Ruby Fiesler, her 17-year-old son Paul and her 13-year-old son Keith were discovered about 9 p.m. after police received an anonymous tip.

The victims, who were found in different rooms, apparently had been beaten to death in the eastside house, investigators said.

The house had been burglarized earlier this year, police said.

Police sealed off the area after the discovery Wednesday night and called in Texas Rangers to join the investigation.

Body parts examined

Sheriff's department investigators today are trying to determine the origin of some human body parts found in a private dump south of the city limits about 2:45 p.m. Wednesday.

The mummified remains included a hand, the skull and both feet of a male caucasian. They were in a 5-gallon lard can discovered at the Henry Culp dump site on South Midland Drive about halfway between U.S. 80 and Interstate 20.

Authorities said the remains, which appeared to be medical specimens, have been turned over to a local pathologist for further examination.

Man arrested for gassing club

DALLAS (AP) — A 19-year-old Fort Worth man has been arraigned in a criminal mischief investigation after allegedly throwing a tear gas canister in a capacity-filled Dallas nightclub, panicking patrons who stampeded to exits and broke out windows.

There were no serious injuries in the early Wednesday morning melee. Many of the young rock fans were given oxygen on the street outside the nightclub. One woman was treated for tear gas inhalation at a local hospital and released.

The standing-room-only crowd at the popular new Tango nightclub was reveling to the sounds of Joe "King" Carrasco and the Crowns at about 1:30 a.m. when the gas went off.

"I thought it was part of the show," said Carrasco, a San Antonio-based recording artist. "It's really strange to have the audience disappear on you."

When exits became clogged by fleeing patrons, others broke out windows in the multi-level, converted bank building sending shattered glass to the pavement.

Three fire trucks and two ambulances were called to the scene.

Daniel Hill Meeker was arrested for investigation of criminal mischief, a second-degree felony, and released on \$25,000 bond after being arraigned Wednesday afternoon by Criminal District Court Magistrate R. Kenneth Hurrington.

Buddy Holly's widow, Maria Holly Diaz, said she was sitting in a backstage dressing room when the gas began to drift to the back of the club.

Defense debate in 'final stretch'; Bets still out on MX missile race

WASHINGTON (AP) — With Vice President George Bush casting a tie-breaking vote for nerve gas, the Senate's work on a \$200 billion defense bill enters the final stretch, but a leading MX missile opponent vows it won't be a short one.

Several amendments on various aspects of the fiscal 1984 authorization measure awaited action today before the start of a climactic debate on the MX, the most hotly contested element of President Reagan's rearmament drive.

Majority Leader Howard Baker, R-Tenn., said he hoped to finish work on the bill tonight or Friday.

But Sen. Gary Hart, D-Colo., leader of the anti-MX coalition, rejected such talk, saying: "To think that this issue could be fully debated in one or two days is a failure to accept the gravity of decisions on defense and national security."

In a 13½-hour floor session that ended at 12:30 a.m. today, senators worked through several amendments on controversial subjects.

With Bush providing the tie-breaking vote as presiding officer, members rejected, 50-49, an attempt to prevent production of a new generation of nerve gas weapons.

An effort by Sen. Edward M. Kennedy, D-Mass., and others to kill the B-1 bomber program by deleting all \$5.2 billion for it in the bill was crushed easily, 68-30.

The Senate defeated, 52-46, an effort to establish a new GI Bill education program to replace the one that lapsed in 1977.

However, it accepted, 67-30, an amendment by Sen. Sam Nunn, D-Ga., to remove \$50 million earmarked for a plant to build "enhanced radiation" battlefield nuclear warheads and use the money for conventional arms to disrupt enemy rear-echelon forces.

And it rejected, 53-41, an attempt by Sen. Slade Gorton, R-Wash., to return the bill to the Armed Services Committee for trimming because \$1.3 billion in inflation savings claimed by the administration have not been accepted by the Congressional Budget Office.

Hart said he and 13 colleagues planned to introduce six "debate-framing" amendments, ranging from elimination of all \$4.7 billion in the bill for the missile to conditions the president must meet to proceed with deployment.

In a floor speech Wednesday, Hart said the subject deserved several days of discussion because the MX "would reverse years of thinking about nuclear weapons strategy" and "open

a dangerous new chapter in the madness of an unrestrained nuclear arms race."

Central to this, he said, was Reagan's decision to place the weapons in silos now occupied by Minuteman 3 missiles — a basing method he said is vulnerable to destruction by the Soviet Union and thus invites a hair-trigger, "launch-on-warning" response.

Reagan insists that the nation's sea- and air-launched nuclear weapons reduce the vulnerability problem of land-based missiles and that the MX "Peacekeeper" is vital to chances for obtaining a strategic arms-control treaty with the Soviets.

Advocates of the new nerve-gas weapons also invoked the negotiations argument, with Sen. John Tower, R-Texas, chairman of the Armed Services Committee, contending: "We cannot negotiate a ban without having a store of chemical weapons ourselves."

He said existing U.S. chemical weapons, the last of which were produced in 1969, are becoming unserviceable because of age and thus are no deterrent against a much larger, modern Soviet stockpile.

But opponents, led by Sens. David Pryor, D-Ark., called the weapon an unnecessary and inhumane addition to the nation's arsenal that would kill more civilians in a war zone than soldiers.

Tower moved to table, or effectively kill, Pryor's amendment to strip \$130 million for nerve gas production from the bill.

Anticipating a close vote, Baker had arranged for Bush to preside in his constitutional role as Senate president, entitling him to cast a tie-breaking vote.

This is precisely what occurred after the vote was announced at 49-49.

Bush's vote was the first by a vice president since Nov. 4, 1977, when Walter F. Mondale cast the deciding ballot on a bill that raised Social Security taxes for workers and employers.

The vote on Kennedy's B-1 amendment carried no such drama after debate that recalled arguments advanced over the years.

Kennedy and other critics said the 100 B-1s are not needed as a replacement for aging B-52 bombers because an entirely new plane using a radar-evading "Stealth" technology will be available as early as 1989.

Hustler wanted but didn't get 'sex tapes'

LOS ANGELES (AP) — Hustler magazine publisher Larry Flynt said he agreed to pay \$1 million to print photos from the purported Vicki Morgan "sex tapes," but said the lawyer who claimed to have the tapes reneged on the deal.

Flynt said he had agreed Wednesday with attorney Robert K. Steinberg that photos of the videotapes — which supposedly show the late Miss Morgan and high government officials — would be published in Hustler, an adult magazine.

Steinberg, however, told City News Service that Flynt was a "liar" and that he never made a deal.

According to Flynt, the deal was made Wednesday, a full day after Steinberg reported the tapes had been stolen from his Beverly Hills office by a reporter he refused to name.

"I told him if, in fact, the tapes existed, I would pay him \$1 million, no questions asked," Flynt said. "He

Videotape story develops over several days

LOS ANGELES (AP) — Here are the main events surrounding claims that videotapes show slain model Vicki Morgan and the late millionaire Alfred Bloomingdale, as well as government officials, engaging in sex acts:

Saturday

—A blonde in her early 30s visits the office of Beverly Hills attorney Robert K. Steinberg and gives him three videotapes, Steinberg says. The woman identifies herself only as a friend of Marvin Pancoast, who has been charged

with murdering Miss Morgan.

Sunday

—Steinberg puts the tapes in a gym bag and places the bag in his car trunk, according to his later statements to detectives. He says Sunday night is the last time he sees the tapes.

Monday

—Steinberg announces the existence of the tapes to reporters, saying the mystery woman told him they might help him defend Pancoast. He says the

tapes, which "could embarrass everyone right to the top of the government," were also viewed by a U.S. Justice Department official. He adds that he will destroy the tapes unless the White House wants them.

—The U.S. attorney's office in Los Angeles denies that anyone saw the tape and the White House declines comment.

(See ACCOUNTS, Page 2A)

said, 'We've got a deal.' I made an 11:30 a.m. appointment at my house with him. He never showed up."

Steinberg claims the tapes showed

Alfred Bloomingdale, the late millionaire and confidant of President Reagan; Miss Morgan, Bloomingdale's one-time mistress; a congressman;

two "ambassadorial level" government officials; and two prominent businessmen.

"I personally don't think they

exist," Flynt said of the tapes. "I don't want to come off like Steinberg. I don't want to cash in on a myth that doesn't exist. I think the guy's some sort of kook."

Later Richard David, a spokesman for Flynt, said the publisher was now unsure to whom he talked about buying the tapes. Flynt thought he was talking to Steinberg, David said, but "now he questions it."

Beverly Hills police said Steinberg told them he obtained the tapes over the weekend from an unidentified blond woman who said she thought they might help the defense of Marvin Pancoast, charged with last Thursday's bludgeoning death of Miss Morgan, 30.

Attempts by The Associated Press to reach Steinberg, who held non-stop informal news conferences Monday and Tuesday, were unsuccessful Wednesday.

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Weather

Partly cloudy and hot through Friday. 20 percent chance of showers. Details on Page 2A.

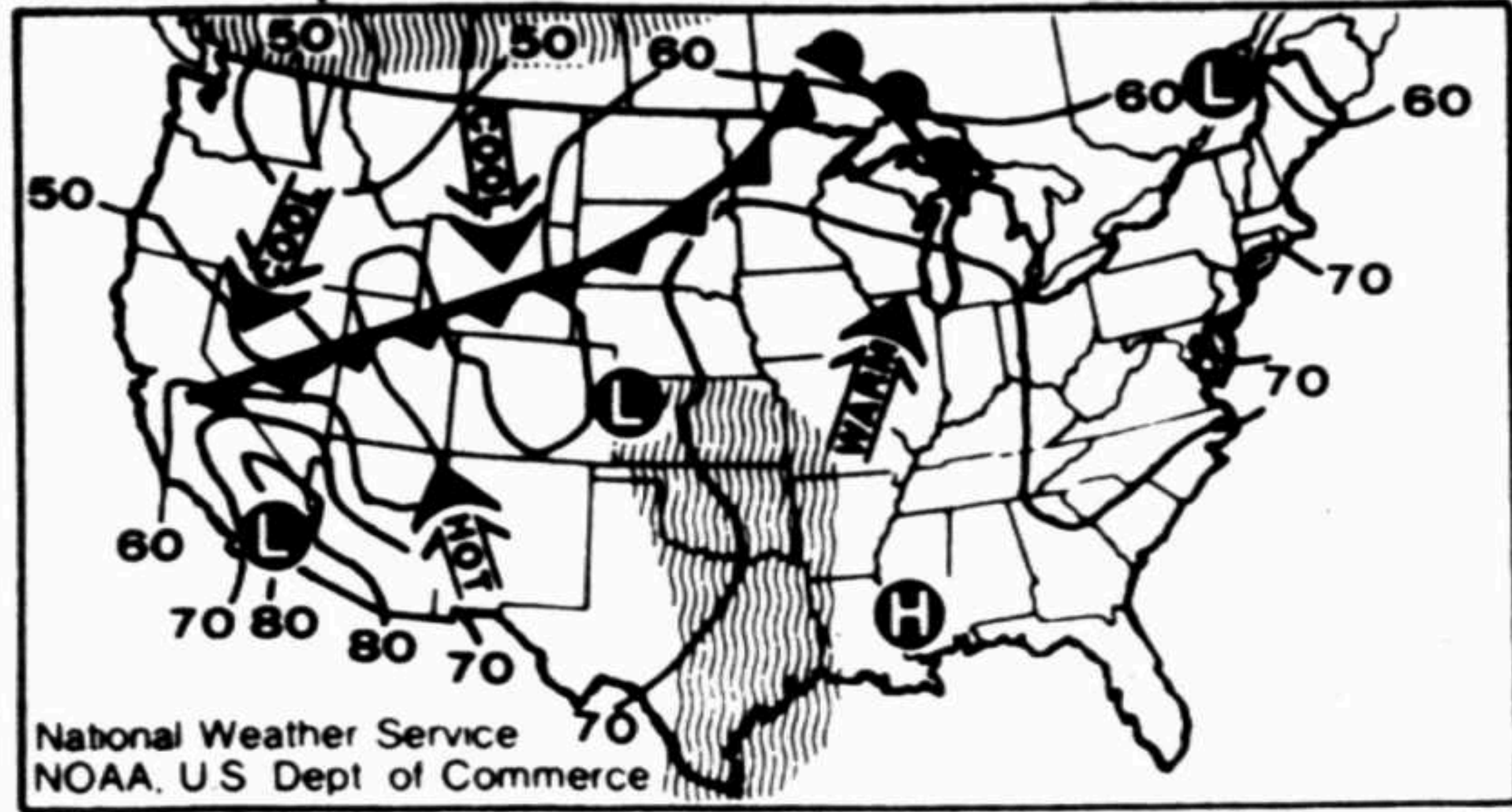
Service

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

WEATHER SUMMARY

The Forecast For 8 a.m. EDT
Friday, July 15
• Low Temperatures

Rain ☂ Snow ❄
Showers ☂ Flurries ❄



Fronts: Cold ☐ Warm ☐ Occluded ☐ Stationary ☐

Hot to warm temperatures and clear skies are forecast for most of the country Friday by the National Weather Service. Showers are expected from East Texas to Kansas, with cooler weather due in the Northwest.

Slim chance for rain continues

The promise of rain remains tantalizingly close, as the National Weather Bureau predicts a 20 percent chance of thunderstorms through Friday. Mild winds and temperatures are forecast, with lows expected to be in the upper 60s and highs in the mid 90s, accompanied by southerly winds at 5 to 15 mph.

Midland's high temperature Wednesday was a pleasant 91, 16 degrees below the record set in 1933. The overnight low was 65, much warmer than the record 50 degrees in 1936.

Midland statistics

FORECAST

Tonight, a 20 percent chance of thunderstorms in the upper 60s, accompanied by southerly winds 5 to 15 mph. Friday, continued 20 percent chance of thunderstorms. Highs in the mid 90s, and southerly winds 5 to 15 mph.

NATIONAL WEATHER SERVICE READINGS

Yesterday's High: 91 degrees
Overnight Low: 65 degrees
Sunrise today: 6:56 a.m.
Sunset tomorrow: 8:53 a.m.
Precipitation: none inches
Last 24 hours: none inches
This month to date: 2.36 inches
1983 to date: 2.36 inches

LOCAL TEMPERATURES

6 a.m.	66	8 p.m.	89
7 a.m.	70	7 p.m.	87
8 a.m.	74	6 p.m.	85
9 a.m.	78	5 p.m.	82
10 a.m.	81	4 p.m.	79
11 a.m.	83	3 p.m.	76
noon	86	2 p.m.	73
1 p.m.	87	1 p.m.	71
2 p.m.	90	12 p.m.	69
3 p.m.	90	11 a.m.	66
4 p.m.	90	10 a.m.	64
5 p.m.	90	9 a.m.	62
6 a.m.	90	8 a.m.	60

SOUTHWEST TEMPERATURES

Abilene	91	68
Albany	90	67
Amarillo	92	64
El Paso	90	66
Fort Worth	90	73
Houston	75	72
Lubbock	92	64
Marfa	87	54
Oklahoma City	91	66
Wichita Falls	95	68

Texas temperatures

Thursday

Highs, lows and precipitation for 24 hours ending 7 a.m.

City	Hi	Lo	Ppn
Abilene	91	68	00
Albany	89	72	00
Amarillo	91	64	00
Austin	84	72	65
Beaumont	88	74	4.32
Brownsville	86	76	45
Chidress	92	68	00
College Station	90	72	05
Corpus Christi	86	73	00
Dallas	88	82	00
Del Rio	95	73	00
El Paso	95	68	00
Fort Worth	90	73	00
Galveston	83	76	2.74
Houston	76	72	2.72
Longview	86	72	10
Lubbock	92	64	00
Lufkin	82	72	02
Marfa	88	54	00
McAllen	88	75	38
Midland	91	65	00
Palacios	76	73	1.96
San Antonio	85	71	00
San Jose	85	71	58
Shreveport, La.	88	74	00
Stephenville	84	70	03
Texasarkana	90	73	02
Victoria	81	75	17
Waco	90	73	05
Wichita Falls	95	68	02
Wink	91	69	00

Border forecasts

New Mexico: Fair through Friday except for partly cloudy skies and widely scattered during the afternoon and evening hours. Highs Friday 70s and 80s, mountains with mostly 90s; lows Friday 40s and 50s, mountains to the 60s else where.

Oklahoma: Partly cloudy west, mostly cloudy east with scattered showers and thunderstorms most sections tonight. Partly cloudy and warm with scattered showers mainly east Friday. Low tonight mostly 40s. High Friday upper 90s. Panhandle, mid 80s southeast.

Arkansas: Warm and humid tonight with a chance of thundershowers all but northeast. Cloudy, humid and not as warm Friday with a chance of thundershowers. Low tonight upper 60s, northeast, mid 70s east. High Friday upper 80s to low 90s.

Louisiana: Scattered thundershowers west and widely scattered east through Friday generally becoming isolated tonight. Low tonight in the low to mid 70s. Highs Friday in the low 90s.

South Texas: Showers and thundershowers through Friday, heavy at times, mainly eastern and coastal sections. Lows in the 70s with highs in the mid 80s to lower 90s.

Upper Texas Coast: East winds 10 to 15 knots through Thursday night. Seas four to six feet. Winds and seas higher in and near numerous heavy thunderstorms. Special marine warnings may be required in the heavier thunderstorms.

Lower Texas Coast: East and northeast winds near 15 knots through Thursday night. Seas four to six feet. Winds and seas higher in and near scattered to numerous thunderstorms.

Extended forecasts

Saturday through Monday

West Texas: Isolated late afternoon and evening thundershowers, otherwise mostly fair through Monday. A little warmer, most sections Monday. Highs Saturday and Sunday upper 80s in the Panhandle to near 104 in the Big Bend valleys warming to lower 90s to near 107 Monday. Low lower 60s to lower 70s south-east to mid 70s in the Big Bend valleys.

North Texas: Fair days and mid nights with highs in the 90s and lows in the 70s.

Accounts of videotapes develop for several days

(Continued from Page 1A)

—Attorney Arthur Barans, who represents Pancoast, angrily objects to Steinberg's statements about the tapes and labels a "lie" Steinberg's claim that he was ever hired to represent Pancoast.

—In the afternoon, Steinberg returns the gym bag to his office, but does not look inside for the tapes, according to his statements to Beverly Hills detectives.

Tuesday

—Prosecutors call in the Pancoast case call Steinberg at home and ask him not to destroy the tapes, which may provide evidence.

—Three hours later, Steinberg calls prosecutor Ron Carroll and says the tapes are missing from the gym bag in his law office. Police advise him to make out a burglary report.

—Minutes later, Steinberg makes out the report and Beverly Hills police begin a theft investigation.

—A few hours later, the district attorney's office serves Steinberg with a subpoena ordering him to appear in court to produce the tapes or explain what happened to them.

—Later, Steinberg claims one

of the reporters who has visited his office has stolen the tapes. He doesn't reveal a name, but says, "We know which one it was, and it's under investigation."

—Police Cmdr. William Booth and Chief Deputy District Attorney Jim Bascue emphasized that there is no evidence to prove the tapes exist other than Steinberg's widely publicized statements.

Wednesday

—Various sources say statements on Steinberg's resume are false, including claims that he works with attorney F. Lee Bailey and is associate dean and a professor at a Los Angeles law school.

—A spokesman for publisher Larry Flynt says Flynt has copies of the tapes and will publish stills in his Hustler magazine. Flynt will reveal the identities of the government officials, the spokesman says.

—A few minutes later, Flynt denies having the tapes, but says a \$1 million deal to buy them from Steinberg fell through when Steinberg failed to show up at a meeting. Flynt calls Steinberg a "kook" and says he doubts the tapes exist. Steinberg tells a reporter that Flynt is a "liar."

Chrysler ready to pay back loan

(Continued from Page 1A)

Iacocca, obviously in an upbeat mood as he gave the speech flanked by Regan and congressional leaders, told the friendly crowd, "Today I am here to tell you that we are going to pay off the last \$800 million in government-guaranteed loans, taking the outstanding debt down to — zero."

He said the "actual mortgage-burning won't take place today because the law requires 60 days for the paperwork and red tape ... Otherwise, I'd give someone a check right now."

Iacocca said the final installment will save the automaker \$392 million in net interest payments that would have been due over the next seven years.

After the repayment, he said, the company won't be "drowning in cash" but that it will have an "adequate" cash reserve. He said he didn't know when Chrysler would again pay dividends on its stock.

Iacocca credited the bailout with being "the catalyst that made it all happen." But he acknowledged "it didn't come cheap" and ticked off the payments the company made to the government in fees and to lawyers, bankers and consultants who helped administer the program.

By its early repayment, he said, Chrysler is telling "the financial community, but especially the American car buyer, that we are here to stay and have the strength to compete with anybody in the world."

Indeed, Harvey Heimbach, auto industry analyst at Merrill Lynch, Pierce, Fenner & Smith Inc. in New York, said, "The repayment of that debt should improve (Chrysler's) image in the eyes of the banks and the credit market. They will have a better ability to do financing as a private company."

Iacocca paid tribute to the sacrifices he said had been made by Chrysler's workers, suppliers and dealers and to the states and banks that loaned money to the company.

"So our whole program was based on equality of sacrifice, because everybody offered up something — something important," he said.

Chrysler's decision last month to repay part of the loans early brought criticism from officials of the United Autoworkers Union who complained that Chrysler's workers were being paid far less than their counterparts at General Motors Corp. and Ford Motor Co., the nation's No. 1 and No. 2 automakers, respectively.

In his speech, Iacocca said that with the company's recovery, the union and its members "want to share, as they should, in our success and we expect to sit down with them shortly and talk it out."

Fraser said after the speech that the union was looking for "fairness and equity."

"I don't think there's any quarrel with the proposition now the workers are entitled to a share in this success," he said. "Obviously the expectation of the workers will rise with the increased prosperity to come."

In 1980, Chrysler began borrowing \$1.2 billion in guaranteed loans out of \$1.5 billion authorized by Congress. Since then it has managed a financial recovery, earning a record \$172.1 million in the first quarter this year.

Wall Street analysts say Chrysler is expected to post second-quarter earnings of \$290 million, which would set a new quarterly earnings record for the company.

Iacocca credited with Chrysler recovery

By JOHN CLINE
Associated Press Writer

DETROIT — Five years after being fired by Ford Motor Co., Lee Iacocca can take credit for one of the great comebacks in business history — the rescue of the nearly bankrupt Chrysler Corp., which could post a \$700 million profit this year.

The Chrysler chairman announced Wednesday that the nation's No. 3 automaker will pay back — seven years early — the remaining \$800 million it owes in federally guaranteed loans.

At a standing-room-only luncheon in Washington, Iacocca told reporters he was just following his father's credo: "When you borrow something, pay the damn stuff back."

"I'd give someone a check right now," he told the National Press Club audience, adding that the actual payment would not come for 60 days because of red tape.

In describing the fiscal turnaround, Iacocca said: "You know as Americans, we seem to have a rather peculiar trait, we run better and faster scared. Adversity brings us together."

In 1979, Chrysler faced bankruptcy. But Iacocca wrung \$1.5 billion in loan guarantees from the federal government to give the company an infusion of cash. Chrysler then drew down \$1.2 billion of the cash and combined it with worker concessions and a snappy new line of front-wheel-drive cars to return to profitability.

From 1979-81, Chrysler lost a total of \$3.27 billion, but could post a 1983 profit of \$700 million, said Maryann Keller, manager of Vilas Fischer, a New York City firm that analyzes the stock market. The auto firm posted a first-quarter record earning of \$172.1 million.

Chrysler's 58-year-old chairman was once described as "a dramatic and heroic figure," the Lancelot of what is left of this business," by writer Gay Talese, who adds that Iacocca "believes there is still life and hope in Detroit."

Lido Anthony Iacocca, who first went to work for Chrysler for \$1 per year but was paid \$375,676 in 1982, is the son of Italian immigrants. He grew up in Allentown, Pa., went to college on a scholarship and wound up at Ford, where he worked on the successful Mustang that inspired a generation of "pony cars."

Henry Ford II named him president of the



"Thumbs up" for Chrysler Corp. is signalled by Lee Iacocca, chairman.

company in 1970, but the two men clashed and Ford fired Iacocca in 1978. Chrysler wooed and won Iacocca later that year.

Iacocca has said he didn't realize at the time how weak Chrysler was. In 1979, Chrysler lost \$1.1 billion, the first year of an auto industry depression that is just beginning to end.

Iacocca's immediate task was to gain concessions from unions and arrange the largest government bailout ever from Congress. The Loan Guarantee Act was passed on Dec. 21, 1979.

"He was the most believable spokesman," said John Morrissey, a partner in the advertising firm of Kenyon and Eckhardt.

The firm originated the idea of putting Iacocca in Chrysler's television commercials. The ads helped make Iacocca one of the best-known corporate spokesmen in America, so well known, in fact, that it is easy to forget he spent most of his career at Ford.

Now Iacocca says the challenge is to maintain rebounding sales.

"We can't go back to the old ways of getting fat and letting all kinds of costs creep back in," he said. "Only by competing hard and fair will we be able to make it."

Sen. Don Riegle, D-Mich., said that the Chrysler success story shows that when business, labor and government work together, "we can accomplish miraculous results."

"We need this on a much broader scale," he said. "We saved Chrysler, we saved tens of billions of dollars for this country in economic strength, we saved hundreds of thousands of jobs — but now we've got to take those lessons and apply them more broadly in terms of a lot of the other fundamental problems — economic problems facing the country today."

"It is time to have an intelligent national industrial policy that can repeat this success time and time again and save lots more money and lots more jobs," Riegle said.

AT&T break-up may have rough 'touch'

By SARAH MCLENDON

From Our Washington Bureau

WASHINGTON — Rural Americans trying to make it during the Depression considered themselves ahead of their neighbors if they managed to put in a private telephone line. During the 1980s, they might be turning their phones back in.

That's the pessimistic prediction of some Congressmen and telephone lobby groups around Capitol Hill. They point to the planned break-up of American Telephone and Telegraph and expected massive rate increases as possibly causing some citizens to turn in their equipment. Texas home owners will be greatly affected.

"I don't have enough information to give you a horror story yet," Rep. Charles Stenholm, D-Texas, said recently. "I really fear what this AT&T break-up is going to mean to rural America."

According to phone company sources Texas customers can expect hefty rate increases as early as next January, even if the Texas Public Utility Commission fails to grant Southwestern Bell Telephone Co. its record rate increase request of \$1.7 billion.

Last December, the Federal Communications Commission tentatively ruled that as part of the AT&T break-up settlement, local phone companies would have to make ends meet by charging long distance access charges to all customers. In the past, those tolls were paid only by customers who used long distance.

Average charges of \$4 per customer per month will send bills up in January, phone company spokesmen say. And with the access charges supposedly designed to pay for the cost of local telephone ser-

vice, rural cooperative phone services will bear the brunt of costs, because their lines cover more miles.

Rural customers, in turn, will see a surge in bills.

New Braunfels customers of the Guadalupe Valley Telephone Cooperative might see an increase in average rates from the current \$8.79 per month to \$26.70 per month after a planned five-year transition period, according to the National Telephone Cooperative Association.

In Raymondville, the Valley Telephone Cooperative anticipates an increase for residential customers from the current average of \$7.08 per month to \$28.43 by 1989.

Residential customers of West-Tex Telephone Cooperative in Stanton should expect a rate increase over the five-year period from the current average of \$11.45 per month to \$27.69, the NTCA estimates.

"We're going to lose some customers," said David Bierman, assistant manager of the Guadalupe Valley Co-op. He said between 10 and 15 percent of the company's more than 10,000 customers might decide to live without home phones.

On top of its unprecedented rate increase request, Southwestern Bell also plans to charge an average \$4 access charge to customers, said Bell spokesman Dale Johnson in Dallas.

In San Antonio one-party residential rates would increase from the current average \$9.55 per month to \$29.15 per month if the PUC approves the requested increase by December, Johnson said. In Midland, similar rates will increase from the current average monthly charge of \$8.50 per month to \$28.10, he said.

San Antonio one-party business

rates will increase from \$22.35 per month to \$36.20. One-party business rates for Midland will increase from \$19.90 to \$34.90 average per month, if the PUC approves the proposed rate changes, Johnson said.

"We have no hard data that shows at what level people will start disconnecting phones," Johnson said. Southwestern Bell will present a survey on the subject to the PUC later this year, he said.

"People always make provisions for essential products," Johnson said. "When gasoline went up to \$1 a gallon, some people said they'd stop driving. But you still see people driving big cars. With phones people will make an economic decision," he said.

A federal district judge in Washington said Friday that the FCC approved access charges might be a hindrance to full court approval of the landmark settlement between AT&T and the Justice Department that provides for 22 phone companies to become independent Jan. 1. That agreement is under appeal to a federal circuit court in Washington.

And the access charges themselves are not set. Phone companies have until Oct. 3 to submit their rate schedules to the FCC for consideration, and only after that will the charges take effect.

More than 160 Congressmen concerned about the effects of the AT&T break-up have co-sponsored a resolution by Rep. Ron Wyden, D-Oregon, asking the FCC "to ascertain the impact on telephone rates of regulatory changes and judicial decisions affecting the telephone system." Introduced June 14, the resolution is pending before the House

Energy and Commerce Committee.

Texas co-sponsors include Stenholm, Rep. Ron Coleman, D-El Paso, Rep. Tom Vandergriff, D-Arlington, Rep. Marvin Leath, D-Marlin, Rep. Bill Patman, D-Ganado, Rep. Henry Gonzalez, D-San Antonio, Rep. Kent Hance, D-Lubbock, and Rep. Tom Loeffler, R-Hunt.

Loeffler, who said he foresaw some of the dangers of breaking up AT&T while serving on a House communications subcommittee during 1979-80, said a fair system of sharing telephone costs needs to be devised.

Action probably won't come by the end of the year, he said.

"Because they (other House members) haven't had the background I've had, it'll probably take another two months or so for the impact of the break-up settlement to be heard around the country," Loeffler said.

He said various unidentified telephone cooperative in his district, stretching from Llano County in Central Texas west to Pecos County and south to Bander County, are preparing for "tremendous rate increases" within a year.

"It's putting consumers in a precarious position," Loeffler said.

While House members are pressing for a FCC review of the access charges through the Wyden resolution, Tennessee Sen. Jim Sasser, a Democrat, unveiled a bill Tuesday to hold up the implementation of access charges for one year, while the FCC conducts an in-depth study of the charges' effects.

South Central Bell Telephone Co. in Tennessee is seeking a rate increase of \$280 million from that state's Public Service Commission, which would more than double some rates commissioners said.

If the access charges take effect in Tennessee, Commissioner Jade Eskind said, "People will have to give up their phones."

Rural customers would bear an unwarranted burden, she said.

"With the case of the access charge, you're being asked to pay for a service you may never use or need," Eskind said.

Sasser's bill has yet to be introduced.

Bell rate request called 'deficient'

AUSTIN (AP) — Southwestern Bell Telephone Co.'s request for a \$1.7 billion rate hike is "materially deficient," according to a Public Utility Commission examiner who on Wednesday postponed the start of the rate hearing.

Jacqueline Holmes moved opening day to Oct. 11. She previously had set Sept. 7 for the start of the hearing that could last eight weeks.

The delay could mean that Bell won't be allowed to put higher, bonded rates into effect until January, instead of November. State law allows utilities to set their own temporary rates if the commission does not act within 90 days of a rate hike request.

New, permanent rates for Bell, previously targeted for next March, now might be delayed several months, according to PUC Spokesman Rick Hainline.

"We hope the final order won't be delayed too much," said Ms. Holmes. In her order, Ms. Holmes told Bell to come up with more information to back up its record rate hike

request. Bell lawyer Jon Dee Lawrence told the examiner last Friday that much of the information is not available because of the court-ordered breakup of the nationwide Bell System.

The final details of the antitrust suit settlement that led to the breakup won't be known until a federal judge issues a ruling, Lawrence said. He told Ms. Holmes the information might be available in September.

About \$1.2 billion of Bell's rate proposal is a result of the divestiture order stemming from the antitrust suit filed against American Telephone & Telegraph Co. by the U.S. Justice Department.

The examiner's order said "the rate filing package filed by Southwestern Bell is materially deficient in that it does not contain, by Bell's own admission, all the proposed tariffs and schedules as required."

Bell spokesman Dale Johnson said company officials had not decided what to do about Ms. Holmes' order. The company can appeal to the three-member commission.

"We've got to look at the order and see what the potential impacts are," Johnson said, adding that Bell has several options.

One option, according to Johnson, is that the company would reduce its rate hike request by the amount it can now support with information.

But Ms. Holmes told a reporter she prefers to keep the case intact, and not separate the rate hikes related to divestiture.

"I think we'd be better off in the long run doing them both together," she said. "The divestiture is going to affect all of the rates of the company anyway. To have to change all those rates to reflect the separate revenue deficiency (caused by divestiture) would be more complicated."

At the Friday prehearing, Lawrence and PUC General Counsel Allen King agreed the case should go on despite the absence of some needed information. Both lawyers said that information would become available during the case.

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Backers keep after tax-break

NEW YORK — Supporters of a plan to give investors a better tax break on capital gains haven't let a little rejection get them down.

Several times in the past couple of years, a proposal to shorten the holding period for long-term gains has worked its way through Congress to the threshold of enactment as part of one major tax

Under the plan, an owner of a stock, bond, or other investment could sell it six months after the purchase date, and owe tax on the profits only at the maximum long-term rate of 20 percent, rather than at ordinary-income rates of up to 30 percent.

That was the rule that prevailed from 1942 until 1976, when the holding period was lengthened in steps to one year.

The idea of shortening it again has bobbed back to the surface this year, with sponsors that include Bob Dole of Kansas, the Republican chairman of the Senate Finance Committee, and Howard Baker of Tennessee, the Senate Majority Leader. There are more than 160 names on a simi-

Despite that backing, however, the proposal apparently faces an uphill road once again to President Reagan's desk. Asked about it late last month, Treasury Secretary Donald Regan said he was "a little dubious" about prospects for passage this year.

Furthermore, as Jack Lavery, chief economist at Merrill Lynch, Pierce, Fenner & Smith Inc. points out, "a reduced holding period would

Another logical beneficiary would be Wall Street itself, since any law that encouraged more frequent buying and selling of securities would be a boon to brokers' commissions. With the brokers' profits running at record highs in the mid-

Under those circumstances, it might appear remarkable that the idea of shortening the holding period is even under consideration. But Lavery and its other advocates say it would be a plus for the economy, quite possibly at no cost to the government in tax revenues.

In Britain, Canada and France, they point out, there is no minimum holding period. In West Germany, it is six months — after which capital gains are subject to no tax. Japan and Italy don't tax capital gains at all.

At all, proponents of the idea acknowledge, it would reduce the revenues of the federal government. But these advocates argue that it naturally would change investors' behavior, encouraging them to realize gains more quickly and often. The extra taxable income that would result, they contend, might well produce a net gain rather than a reduction, in federal revenues.

The governing principal behind a minimum holding period is to distinguish between short-term "speculation" and long-term "investment." The question before Congress now: In an age of volatile markets and instant information, how long is long term?

INVESTOR'S GUIDE

Ask for officer with experience

with experience in IRAs, Keoghs

By BILL DOYLE

Q. I have tried to get into a Keogh plan through several banks. They all give me complicated forms and tell me my employees have to be part of my plan, or my employer must sign certain forms. I do not have employees or an employer. I am self-employed as a consultant. I would like a Keogh plan, in addition to

A. Even though some banks put out forms that bog and boggle the mind, you must be talking to the wrong people at those banks. Go back and ask for an explanation from an

Doyle

\$15,000 — this year. Those limits go up to 20 percent and **\$30,000** in 1984 and will be indexed to the cost of living beginning in 1986.

You can also have an IRA, into which you can put up to **\$2,000** annually — **\$2,250** in a "spousal" account if you're married and your spouse is not employed.

If you had employees, as many self-employed people do, you would have to include those employees in your Keogh plan and make annual contributions for them on the same basis you do

for yourself. However, you have to be mixed up about needing an employer to sign your Keogh application form.

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Doyle welcomes written questions, but he can provide answers only through the column. Copyright 1983 by King Features Syndicate.

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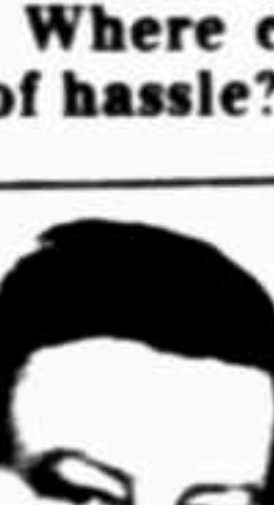
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Stores thoroughly check out check writers

By FRANK CLARK
Summer Intern

Using a checkbook to buy merchandise in area stores is a source of headaches for many Midlanders.

A seemingly endless amount of identification is required, from the mandatory driver's license to a complex combination of photo I.D.'s, major credit cards and bent knee supplication which, with luck, may convince the cashier to accept your check.

Paying by check has not always been an exercise in proving one's identity. Two or three years ago, a clerk's casual glance at your driver's license or a pair of honest eyes enabled you to flourish your checkbook freely in Midland stores. Those times have changed.

"We require a driver's license and a major credit card," said Musicland store manager Jesus Romero. "There are no exceptions. If the customer cannot furnish the necessary I.D., his checkbook won't buy him anything in our store. We are very firm on our check verification policy."

This firmness in policy carries over into larger department stores as well.

"For a customer to use his or her checkbook today in our store," says Sakowitz store manager Richard Rettinger, "we ask to see a photo identification and two credit cards. The second card is our way of making sure of the check we are accepting."

This increased vigilance in accepting personal checks began in earnest a year ago when bad checks began cropping up at Midland stores in increasing numbers.

To combat the problem, stores began to look more closely at the checks taken in and at the customers who gave them. Credit cards became a prerequisite for most check purchases, home and business phone numbers were taken down in case of any credit problems, and a few Midland stores introduced electronic check verification systems which operate via telephone.

"We were losing \$2,000 a year to bad checks before we got tough," said Romero. "It had gotten totally

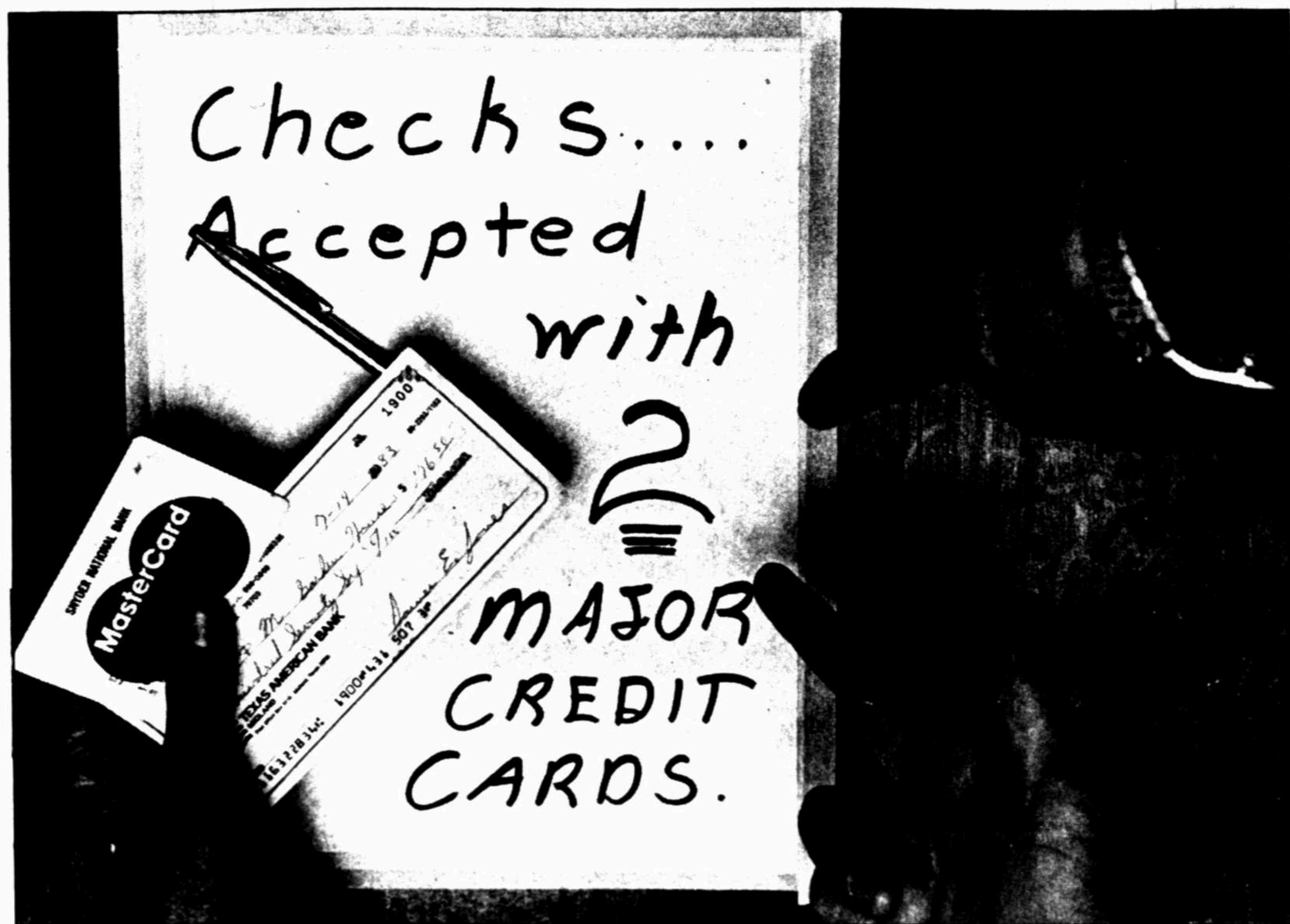


Photo Illustration by Paul Gilbert

The I.D. problem is giving headaches to Midland's checkbook shoppers. Many stores now require two major credit cards as well as a Texas driver's license in order to pay by check. With Midland's

out of hand and we were losing a lot of money because we were too trusting. Out of necessity, we've gotten suspicious."

Doug Messer, Grammer-Murphy store manager, elaborated on the

problem.

"The flow of bad checks to our store and to retailers in the area began to be a real problem a year ago. It may have been caused by the economic slump. Whatever it was, it

continued fraudulent check problem, there is little chance of relaxed identification policies in the future.

seemed that more and more people were passing bad checks and that some action was necessary to protect our store."

Eight months ago, Grammer-Murphy installed a telephone

operated verification system which allows store employees to quickly determine whether they're receiving a bad check. According to Messer, the system worked.

"It was very effective in limiting

the flow of bad checks. Now, few checks get by us that are going to bounce and, as the number of retailers who use the system grows, the system will become more effective."

The increased check security by Midland stores has angered some shoppers with its delays and strict identification requirements. Sears store manager M.L. Milligan sees this as unfortunate but necessary.

"Of course I can understand that longtime Midland residents and shoppers might feel upset that they must pull out their I.D. whenever they wish to pay with a check in our store. But in order to protect ourselves from those few who pass bad checks, we will continue to require identification."

Romero agrees.

"We have to take each customer's check to the bank and have it cashed. When you're pulling in 30 to 50 checks a day, this becomes a job in itself. Bad checks increase the work, so it's much more efficient to be sure the check is good right from the outset."

But with all the added precautions, the electronic verification systems and the increasingly careful scrutiny of drivers' licenses and credit cards, how much have Midland stores really cut back on the bad check problem?

Though some stores do report progress in stopping bad checks, there doesn't seem to be a marked improvement. The county attorney's office has recorded only a 34 percent decrease in bad checks reported by Midland stores over the same six month period last year. Since January, 4,476 bad checks have been reported, representing a loss of more than \$60,000 to Midland area retailers.

The problem is now beginning to

boomerang back to the customer.

Says Sears' Milligan, who has seen a 15 percent increase in fraudulent checks passed compared to last year, "The problem has become quite serious and the cost may force us to increase prices, which we certainly don't want to do. Unfortunately, both the store and the customer end up paying the cost of bad checks."

Illegal dumping perturbs landowner

By LANA CUNNINGHAM
Staff Writer

Sonny Etheredge had no problem with his land until he cleaned it up. Then it became a dump ground.

Now he's perturbed about the large blocks of concrete deposited like abandoned building blocks on his land and the possibility he might be fined by the city for not cleaning up his site.

Code Enforcement Officer Warren Cloyd said recently the city will start filing against the landowner since it is difficult to catch persons dumping illegally. Etheredge feels there is another side to the story — that of landowners caught in the mire of mounting bureaucracy.

His site lies south of Interstate 20, the Permian Basin Petroleum Museum and a caliche pit. To reach it, one must take a dirt road on private land. He bought the land, he said, before I-20 was built and before the city annexed it.

The problem began when the pit was dug to construct I-20. The city and county began dumping dirt to fill it, which Etheredge could understand. But the public thought it was an official dump site and began using it for that.

"Eventually, however, the pit became full enough as to cause inconvenience so the dumping began to occur on my property," he said.

About a year ago, Etheredge paid \$1,000 to have his land cleared. "There was no mesquite and it was bladed, and that's when they really started dumping. As long as it was mesquite bushes, they couldn't get in

there. I've seen whole cow carcasses and hogs' heads."

Etheredge "works in the oil fields" and can't watch the land 24 hours a day. But he is there from about 5 p.m. to dark.

He didn't mind the household trash, he said. And he could burn the dead animals. It's the large blocks of concrete he can't cover up.

"There are tons of concrete I can't move. I could spend \$3,000 to have it cleared off. And in eight months, I would have to do it again."

Cloyd had suggested raising the fines for offending landowners as a means of getting them to stop allowing the dumping and to clean up the site. He contended the fine was too low and it was cheaper for landowners to pay the fine and let the trash stay.

In Etheredge's opinion, "I could dedicate this land to the city cheaper than to have it cleared."

He tried to get the city to clear it, but was told it is illegal for the city to do work on private land.

Etheredge tried fencing it with barbed wire, but it didn't stop the dumpers.

"I guess I could borrow enough money to build a fence that would make it impossible to get in, but I don't need that kind of fence."

No Dumping signs had been posted in the area and those disappeared. "A sign is a childish solution to the problem," Etheredge reasoned.

(See DUMPING, Page 2D)

Man killed over tires, witness says

By ED TODD
Staff Writer

A former St. Louis, Mo., man supposedly angered after he paid \$50 just to avoid a hassle over tires he said he didn't cut, ended up shot seven times and dead, according to state testimony in the murder trial of 54-year-old Ross Ellis Jones Sr.

Jones Sr., 54, is accused of shooting Glenn Stokes, 33, last Nov. 15, as Stokes was returning to the Jones Hotel and after Jones' son, Ross Ellis Jones Jr., 26, had fired a pistol round into the man.

"Stokes said, 'I paid for the tires but somebody is going to pay for the tires getting cut,'" testified Melvin Haynes, who said he was "sitting and talking" in the hotel at time of the shooting.

Haynes, a 43-year-old resident of the hotel at 105 N. Lee St., testified Stokes said he "didn't cut them (tires) but he paid them (off) to keep out of trouble."

The shooting took place in front of the hotel, owned by Odessa Jones, mother and grandmother of the two Joneses, about 5:15 p.m.

Earlier that day, Stokes reportedly

had told Jones Jr. that he (Stokes) had cut the truck tires belonging to someone named "Kotee." Haynes said Jones Jr. then told "Kotee" that Stokes had slit the tires. Afterward, Stokes paid for the tires at the hotel but resented that Jones Jr. had "snatched" on him. Haynes said Stokes said he really didn't slit the tires even though he had said he did.

"He (Stokes) was kind of hot about it," said Haynes, who said Stokes said he was "going to the lobby to get me a soda pop to cool off."

He said Stokes "bragged a lot and made threats."

As Stokes was leaving the hotel, Jones Sr. followed his son down the stairway in pursuit of Stokes. After Stokes exited the hotel and turned around as if to re-enter, Jones Jr. fired a pistol shot at him.

"After Ross (Jones) Jr. shot the second time," said Haynes, "Ross (Jones) Sr. starting shooting." He said Stokes "crawled around a car" and was shot again. "He was dead, I guess."

Another state witness, Jerry James Belcher, 17, said Stokes talked about his experiences in the U.S.

Army and about "the women and children he had to kill."

"We all know a lot of crazy things went on in Vietnam," said co-prosecutor, Steve Bruneman. He is assisting David Joers, the district attorney's chief prosecutor, on the case.

Co-defense counsel Sandy Torres asked Belcher if the Jones Hotel area in The Flats was "a tough neighborhood?"

"You have to fight," he replied.

Witness Eddie Woods, 63, said Stokes "talked a lot. He drank, and he talked loud." Woods, the hotel's night manager, said he had seen both Jones men with guns at the time of the shooting.

He described Jones Jr. as a "nice guy."

"He's like any other guy. He drank and he talked loud" but he's like two different people sometimes."

Witness Lonnie Flowers, 58, said "after Glenn Stokes fell, he (Jones Sr.) went out and started shooting. too."

Stokes tried to run, fell, and crawled around a car. Jones Sr. "started shooting (while) standing over him."

"Is he a murderer to you," co-defense counsel Karen Carr asked Flowers.

"No, not to me," he said.

Jones Jr., a defense witness, said he "didn't know whether" or not Stokes had a gun. He said he "fired once and heard a second shot."

Jones Jr. said he was "scared" of Stokes. "He was going toward me, and I wanted to keep him back."

Jones Jr., who had pleaded guilty to voluntary manslaughter in the death of Stokes, has been sentenced to 12 years in prison. The jury has not been apprised of the conviction.

If convicted by the six-man, six-woman jury in Judge Vann Culp's 238th State District Court, defendant Jones Sr. could be sentenced from five years to 99 years or life in prison.

New hospital parking lot to be constructed

Midland Memorial Hospital's new vice president of finance was announced this morning, following approval of a contract for construction of a new parking lot, awarded during a special meeting Wednesday afternoon.

Ron Peterson, introduced to media members this morning during a news conference, replaces Dale Miller as vice president of finance.

Miller was moved to a new administrative position created last February to deal with the effects of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA).

While the new vice president of finance was expected to receive

\$55,000 to \$65,000, Miller's \$44,100 salary was not expected to change, according to MMH President Ray Branson, when announcing the change in administrative posts.

Miller served as director of fiscal services at MMH from November 1980 to March 1981, when he became vice president of finance.

Peterson, who began working at the hospital last week, will head the finance department which includes a controller, business manager, collections and materials management.

As vice president of finance, he will be responsible for directing and coordinating hospital activities concerned with financial administration.

general accounting, payroll, patient business services, financial and statistical reporting and data processing.

Miller's new position was created to combat an expected \$12 million loss in Medicare reimbursement for MMH over the next two years, Branson said in February.

MMH will make up for the expected \$500,000 loss this year through increasing productivity, reducing payroll, shortening the patients' length of stay, scrutinizing new services and programs and providing more services on an outpatient basis, according to Branson.

TEFRA, enacted last October, is

expected to reduce Medicare reimbursement nationwide by \$12.5 billion in the next three years with a reduction of \$2 billion expected this year.

During a special meeting of the Midland County Hospital District Board of Directors Wednesday, construction of a 102-space parking lot south of Midland Memorial Hospital was approved by a quorum of three directors.

The low bid of \$30,261, submitted by South Texas Construction Co., was approved by directors Tevis Herd, Frank Cahoon and Wanda Mohr.

(See MMH, Page 2D)

ED TODD

Change should be resisted to make life more fanciful

With cause, I've been accused of being an old fogey. Strike the old. Thirty-nine (plus) is never old no matter how many times I've been 39.

Fogies don't bend with change. Or if they do, they break like a hickory cane and crack up.

I don't want to end up tormented over newfangled things, such as this keyboard with the television tube I'm typing on right now. They call it a computer terminal; I wish it were terminal.

I don't want to be committed to the loony bin and told that change is a natural phenomenon. I know that. I just resist.

The eruptions of Mount Vesuvius in A.D. 79 and Mount Saint Helens in 1981 were natural phenomena.

Would you, who well may welcome change, want a Mount Midland to be born in terrible eruptions in your backyard. Hardly, unless you like tourists and volcanic ash and dust.

San Francisco's earthquake of 1906 was as natural a change as a drought, flood, volcano or a meteorite striking the earth and altering the landscape.

Those are major changes. We can accept those simply because we're without power to reject them. But there are some minor changes, which turn out to be major, which we can control. All it takes to bring back the fanciful and mythical good old days is fantasy. We ought to try.

Here are some things we might try to resist to make life more old-

fashioned and more fanciful:

—The telephone and the door bell. The telephone, especially, is the greatest invader of privacy since the keyhole and the door knob. Don't answer the ringing. Better, take the phone back to the telephone company and tell the "communications specialists" to take a walk along with their rate hikes.

—The computer. That's my favorite anti-change target. Call my obsession with the computer a lack of understanding and appreciation. All in the world the computer is doing is playing a speed-of-light game with mathematics and creating a new economy and new busy work. It's taking over the nation like the railroad and telegraph did in the

1800s. The computer won't make the world a better place; it'll just cut out some paperwork and create other work. The computer is to the pencil and pad what the jet airplane is to the old steam locomotive, the horse-drawn carriage, and steamships. It'll just get you there faster, and you can wait and wonder why you hurried. Or if it doesn't get you there, it may crash to smithereens.

—The ball-point pen. When that revolutionary writing instrument came out in the mid-1940s, it leaked and smeared. It was mess. The pen has been refined. But no degree of refinement will ever give the ball-point pen the touch of class of the old-fashioned fountain pen.

—Jets and rockets. They're just like computers and volcanoes.

They're fast, stealthy, and they blow up.

—Beeping and "talking" electronic check-out systems at the grocery store. What was wrong with the cash register? What was wrong with the pencil-and-pad adding system. Nothing. The neighborhood grocery store just faded away like the fountain pen and steamboat, and the encroaching supermarket took over. It seems the most obvious side effect of the electronic check-out system is impersonal service. Check-out technicians (or whatever they call "checkers") rarely ask you to come back, because they know you don't have much of a choice. If you hear a "Thank you" message, it's probably pre-recorded and is about as sincere as a shyder or a two-timing lover.

—Electronic banking, hidden cameras and bugging devices. They all are extensions of the computer and sleuth techniques, which are arms of Big Brother. His time is arriving. Remember George Orwell's "1984."

—Cable television. TV, like talking movies, bottled milk and sliced light bread, seemed like a good idea as an electronic counterpart to good literature. Then came along soap operas, situation comedies, and weather news.

Change itself. But change, like the seasons, does have at least one redeeming quality. It's not boring to an old fogey.

Ed Todd is a staff writer for the Reporter-Telegram.

High court upholds \$1 million judgment

AUSTIN (AP) — The Texas Supreme Court on Wednesday upheld a \$1 million judgment for the family of a man who was taking flying lessons and died in a crash in New Mexico seven years ago.

In its ruling, the Supreme Court said from now on in products liability cases, fault and damages may be apportioned among plaintiffs, defendants and third parties.

The Supreme Court instructed the Austin court of appeals to review a \$1.2 million judgment for the family of pilot Benjamin Smithson, who also died in the 1976 crash of a Cessna 150 that killed James Parker.

Smithson was employed as an instructor pilot for Air Plains West, Inc., which owned the airplane.

Parker's widow, Carolyn Duncan, who remarried after Parker's death, filed a wrongful death action in federal court in North Texas against Air Plains West and Smithson's estate. That suit was terminated when Mrs. Duncan settled with Air Plains West, a New Mexico firm, for \$90,000.

Subsequently, Mrs. Duncan and Mrs. Smithson sued Cessna.

An Austin jury found that the

Cessna seats had been defectively designed and manufactured and that the defects caused the deaths of Smithson and Parker. The trial court rendered a \$1.2 million judgment for Mrs. Smithson. The jury also returned a verdict of \$1 million for Mrs. Duncan, but the trial judge granted judgment for Cessna.

The Austin appeals court ordered a new trial in the case of Mrs. Smithson and a partial new trial in the case of Mrs. Duncan.

The nine-member Supreme Court rendered judgment for Mrs. Duncan on the \$1 million jury verdict.

A four-member minority, however, said Cessna should receive a new trial to show whether it might have to pay only part — rather than all — of the judgment, since the Supreme Court was adopting a "comparative fault" defense in the case.

In the Smithson decision, the Supreme Court majority rejected Cessna's argument that the trial court had erred in refusing to block written testimony of an expert witness who testified as to Smithson's potential earnings as a commercial pilot.

Veteran steadfast in his patriotism

EL PASO (AP) — Rush Riddle Preston, born in 1894, has an unusual vocation: religiously, he flies the American flag each day without fail. He says there's not much else patriotically that he can do.

"Every day my alarm goes off about 6:15. I watch television game shows. I'm supposed to be on a bland diet," said Preston, a retired train engineer. "I raise and lower the flag in my front yard. There's not much else I can do."

— Rush R. Preston

Preston, an El Paso resident since 1929, said the flag reminds him of World War I. "I was on the USS Sarank, a mine-planter. We planted mines from Scotland to Norway across the North Sea to slow up the German subs. We got them bottled up so they couldn't destroy our ships."

Preston likes West Texas, even though he plans to move soon to Colorado to be closer to his daughter. "I like El Paso. It's changed, my yes. This...was all sand hills and...a sand pit." El Paso, the nation's 28th largest city, has 480,000 residents.

Preston, who has a motorized three-wheeled walker, also has seen morals change. "In the old days, we didn't have so much of this sexual business that goes on."

Politics, too, have changed with the times, he says. "I'm a Republican now. I wish they'd give Reagan a chance. He'd do us so much good. In the old days I guess I was a Democrat. There wasn't any other ticket in El Paso."

Preston's second wife died in May, so he's selling the house and most of his possessions so he can move to Brighton, Colo., "to a sort of old-folks apartment, where my daughter lives. Two meals a day, maid service. That's about the best proposition I've heard."

Preston, a locomotive engineer on the Texas and Pacific Railroad for 37 years, retired in 1964. "My run was 194 miles (east) to Toyah and back, 24 hours."

"Every day my alarm goes off about 6:15. I watch television game shows. I'm supposed to be on a bland diet. I raise and lower the flag in my front yard. There's not much else I can do."

— Rush R. Preston

"I was with Santa Fe (railway) before that. Started in as a yard clerk in Roswell (N.M.), \$45 a month, worked 13 hours a day, every day in the month."

"I've lived in El Paso since 1929. I lost my house when the Depression came on. What made me so mad, I borrowed from my insurance to bring the mortgage down and the loan shark wouldn't renew the mortgage except at 10 percent interest, which was unheard of then."

"So I started all over again. The last pay check I got was \$28, so I bought the best lawnmower they had down there and put it in the back seat of my car and started knocking on doors. I managed to get by."

Preston, who moves around outside on the motorized walker, says he often drives over to the bank "and honk. I drive over to the Furr's (cafeteria) and do my shopping. I put my groceries right in the trunk...come home, and never get off of it."

Preston, interviewed by the El Paso Times, also asked that his picture be taken of him in the walker beneath the large American flag that towers over his home. "I guess that would be a pretty big picture for you to run?"



Rush R. Preston, 90, outside his El Paso home, where every day without fail he hoists the American flag. A WWI veteran, he says the flag reminds him of battles which the U.S. has won.

DEATHS

Hulda Woodford Priscilla Lowery

DALLAS — Services for Hulda Mae Woodford, 83, of Dallas, and formerly of Midland, will be at 3 p.m. Friday in the Ed C. Smith Funeral Home Chapel with Dr. John Cramer officiating. Burial will follow in Grove Hill Cemetery in Dallas.

Mrs. Woodford was born July 28, 1900, in Dallas. She lived in Midland from 1944-1973 and operated the Woodford Drug Store. She was a member of the First Baptist Church of Midland and a member of the Colie Club.

Survivors include a daughter, June Etheridge of Dallas and a sister, Vera Fay England, also of Dallas.

Services for Priscilla Andrietta Lowery, infant daughter of Arthur and Doris Lowery of Spokane, Wash., and formerly of Midland, were to be at 1:30 p.m. today at the Thomas Funeral Home chapel with the Rev. C.L. Boyd officiating. Burial was to follow in Fairview Cemetery.

The infant died July 6, in Spokane, Wash.

Survivors include her parents; a sister, Latanya Lowery of Spokane; two brothers, Joe Edward McLaughlin and Mark Anthony Lowery, both of Spokane; and her grandparents, Arthur C. Lowery Sr., of Orlando, Fla., Annie B. Blanche of Altonete Springs, Fla., and Mrs. Willie Mae McLaughlin of Midland.

Woman says father would have excused son

HOUSTON — The sister of Billy Ray Clore, accused of fatally shooting his comatose father to put the man out of misery, said if the older man were still alive, he would excuse his son.

"My father, if he were here, would say, 'Let my boy go,'" Betty Trahan,

28, said Wednesday. As she left the courtroom after her emotional testimony, she kissed the defendant, who wept.

Two doctors also testified Wednesday that the gunshot was not the chief cause of death of Robert Clore. The elder Clore, 62, had suffered

renal failure and two heart attacks before he was shot in a Humble nursing home March 21. He died about two weeks later.

Dr. Joseph Jachimczyk, Harris County Medical Examiner, has testified in the trial that Robert Clore's

death resulted from the gunshot wound.

Dr. Rodney Traeger, Robert Clore's treating physician while he was a patient at the Humble Skilled Care Center, said he thought the elder Clore died from congestive heart failure.

Dumping mounting problem for landowner

(Continued from 1D)

Part of his problem is caused by the city, Etheridge feels. "I bet 90 percent of the people in Midland don't know where the dump grounds are. Then they have hours similar to a banker's and they charge you to dump," he said.

Etheridge has caught several

dumpers in the act. Several said they thought it was a dump ground, at least it looked like one. "I stopped some people from Odessa. They said they didn't know where else to dump."

"Maybe if the city could start a public information spot on television to let the public know where the dump grounds are."

The landowner has no problem

with the city regulation to keep the land cleared of weeds. He just can't live with the part about being responsible for other people's trash.

"I feel that the accumulation of garbage is not an act of nature but a criminal act which my community should recognize and assume the responsibility to protect me from," he said. "To hold

an owner of property responsible for the acts of others is akin to holding the president of a bank responsible in case of bank robbery."

And the trash has attracted another group of people — scavengers — but these don't bother Etheridge.

"I haven't found any who want a dead cow."

Judge wants to be removed from case

HOUSTON (AP) — A judge said Wednesday he will ask Gov. Mark White to appoint a special judge to hear a motion to remove him from the multimillion-dollar Hugh Roy Cullen estate case.

Probate Judge Pat Gregory said he will postpone the case, in which brothers Enrico and Ugo di Portanova are seeking a share of Quintana Petroleum Corp. The pair contends other Cullen heirs cut their mother, Lillie Cullen di Portanova, out of her share in the company.

The trial had been set for Monday.

Gregory was scheduled to preside over a hearing to determine his status in the case Wednesday.

But in a surprise move, Gregory said he had discovered that common law provides another recourse.

"I think it would be appropriate at this time to appoint a special judge," Gregory said.

Attorney Roy Cohn, representing Enrico, charged in a court motion filed earlier this month that Gregory tried to force through an out-of-court settlement after joining other heirs in a real estate venture.

Cohn said he was pleased with Gregory's decision.

"We don't care which judge presides over the hearing as long as it's not Gregory," Cohn said.

MMH to get new lot

(Continued from Page 1D)

The contract was awarded to the area construction company from among five bids submitted.

According to Charlie Neuhardt, of Neuhardt and Babb architectural firm, construction should begin the middle of next week.

Under the contract, construction would start within five to seven days after the company receives the signed contract, Herd said. Completion of the project is expected to take 30 days.

BIRTHS

MIDLAND MEMORIAL HOSPITAL
July 11, 1983

Mr. and Mrs. Zane Arden Anderson, 4503 Belton Place, boy.

Mr. and Mrs. Gearado Collazo, 1507 N. Loraine St., boy.

Mr. and Mrs. Daniel Hernandez Jr., Route 6 Box 400 No. 63, girl.

July 12, 1983

Mr. and Mrs. James Edward Poole, 430 Edwards, Big Spring, boy.

Mr. and Mrs. Rodney Lee Hamilton, 2600 A Mariana Ave., boy.

Mr. and Mrs. Frank Vincent Jusich Jr., 4607 Kiowa Drive, boy.

Mr. and Mrs. Joe L. Lopez, 602 Raymond Road, boy.

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1.75 EVAN WILLIAMS BLACK	\$14"
1.75 OLD CHARTER 7	\$16"
1.75 AMARETTO WITH RACK	\$29"
LITER JACK DANIEL	\$12"
750 SEAGRAM 7	\$6"
LITER SEAGRAM 7	\$8"
LITER GILBEY GIN	\$6"
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