

# Pat says Soviet trip still 'on'

WASHINGTON (UPI) — Pat Nixon said Monday the President's trip to Moscow is "on" and that she and her husband would leave on the summit mission Saturday morning. It was the strongest statement yet to dispell speculation that President Nixon's order to mine North Vietnam's harbor entrances would prompt the Soviets to cancel, at least for

the time being, Nixon's visit to Russia.

White House Press Secretary Ronald Ziegler told reporters shortly after Mrs. Nixon spoke out that reporters would be provided Tuesday with details of press arrangements and the President's schedule.

Mrs. Nixon chatted about the scheduled 13-day trip, including stops at Tehran and Warsaw, at the formal unveiling of the newly refurbished blue room.

Her language was more definite than earlier statements by White House press aides, who have said repeatedly only that plans were continued for the President's departure.



Photofax

## True feelings

Sen. Hubert H. Humphrey, D-Minn., got two opposite reactions from Pauline Cascio, right, who doubled a fist and grimaced at the snap of the shutter, and Elizabeth Martin, who gave a big smile, at a

campaign stop in Baltimore, Md., Monday. Humphrey stopped here at the Westinghouse Defense and Space Center cafeteria to shake hands with workers at lunch.

# Fight goes flames in

KELLOGG, Idaho (AP) — All-out efforts are under way by the Sunshine Mining Co. to locate the source of an underground fire blamed for the deaths of 91 miners.

Marvin C. Chase, Sunshine vice president and general manager, said Monday about 50 men on each shift would try to isolate the fire by pushing the smoke toward its source with ventilation fans and by sealing bulkheads wherever possible.

The exact cause and location of the fire remained unknown.

# Indian takes tax case to high court

WASHINGTON (AP) — An Indian went before the Supreme Court Monday on her argument that a state government cannot impose income taxes upon residents of Indian reservations.

Rosalind McClanahan, in a class-action suit also intended to cover 71,396 other Navajos living on a federally protected reservation, was taxed \$16.20 by Arizona as a result of a job she held in 1967.

In unsuccessful appeals through the Arizona state court system, Miss McClanahan's attorneys argued that state income taxes were a violation of the special status of Indians in the federal system and their right to self government. Only Congress can allow Arizona to withhold income taxes from reservation Indians, they said.

# Falls man found

GREAT FALLS (AP) — The body of a 31-year-old Great Falls man was found in the Missouri River here Monday near where his abandoned car was found parked on the bank.

Cascade County authorities did not release the name of the victim.

# Judge lends support to new constitution

HELENA (AP) — Saying he believes the proposed constitution will provide a more open and democratic political system in Montana, Lt. Gov. Thomas L. Judge has endorsed the document which goes to the voters in the June 6 primary.

had testified for needed changes in the executive article.

He said the new document is "more democratic than the 1889

constitution," pointing to provisions which allow easier constitutional amendments, allowing the people to determine the forms of local government,

making it easier to register and vote, providing for recorded votes and open sessions in legislature and the guarantee in the bill of rights enabling the people to participate in government decisions.

# Melcher lists worth at above \$130,000

HELENA (AP) — In a financial statement that listed no liabilities, Rep. John Melcher, D-Mont., Monday listed a current net worth of \$134,950.

Among his list of assets was his home and a commercial building in Forsyth valued at \$39,400; banked savings ac-

counts at \$25,500 and the sale of his veterinary clinic in Forsyth at \$17,100.

Other assets included 500 acres of land in Rosebud County, \$26,600; two cars, furniture and personal belongings, \$14,800; equity in cattle and feed lot equipment, \$10,800 and a cash value on a life insurance policy, \$1,350.

Melcher, seeking re-election in Montana's eastern congressional district, has been in Washington since winning a special election in 1969 to pick a replacement for Republican James F. Battin, who was appointed a federal judge.

He is unopposed in the Democratic primary and faces Republican Dick Forester, Billings, in the November general election.

The Democratic gubernatorial candidate said he voiced his support for the constitution immediately after the convention adjourned and that he

# HOW'S YOUR HEARING?

Billings, Montana - A free offer of special interest to those who hear but do not understand words, has been announced by Beltone. A tiny, non-operating model of the smallest Beltone behind-the-ear aid ever made will be given absolutely free to anyone answering this advertisement.

Try it to see how it is worn in the privacy of your own home without cost or obligation of any kind. It's yours to keep, free. It weighs less than a third of an ounce, and it's all at ear-level in one unit. No wires lead from body to head.

These models are free, so we suggest you write for yours now. Again, we repeat, there is no cost, and certainly no obligation. Call 259-7983 for information or write Beltone Hearing

# TV GUIDE

TUESDAY, MAY 16

KOOK-TV, Ch. 2

- 7:00 Captain Kangaroo
- 8:00 CBS News
- 8:30 Jack LaLanne
- 9:00 Love of Life
- 10:00 Where the Heart Is

Your heart will be in your garden this summer with blooming plants from Gainans' Greenhouses!

- 10:25 CBS News
- 10:30 Search for Tomorrow
- 11:00 Love / Splendorous Thing
- 11:30 As the World Turns
- 12:00 Mont. Television News
- 12:30 Guiding Light
- 1:00 Secret Storm
- 1:30 Edge of Night
- 2:00 Love American Style
- 2:30 Family Affair

The entire family will enjoy the yard and flower garden with colorful blooming plants from Gainans', Roses, geraniums and many others now ready for planting.

- 3:00 Lucy Show
- 3:30 Amateur's Guide to Love
- 4:00 My Three Sons
- 4:30 Truth / Consequences
- 5:00 Walter Cronkite News
- 5:30 Mont. Television News
- 6:00 Mary Tyler Moore
- 6:30 Hawaii 5-0
- 7:00 All in the Family
- 8:00 CBS Movie: "The Fire Chasers," Chad Everett, Ajanette Comer
- 10:00 Mont. Television News
- 10:30 Tonight Show
- 12:00 Weather News

FLOWERS BY  
**Gainans**  
30 N. Main St.  
Phone 243-6434

KULR-TV Ch. 8

- 7:00 The Today Show
- 7:25 Weather RFD
- 7:30 The Today Show
- 8:00 Dinah's Place
- 8:30 Concentration

Concentrate on your flower garden with blooming plants from Gainans' Greenhouses—it will be a thing of beauty and a life throughout the summer.

- 9:00 Sale of the Century
- 9:30 Hollywood Squares
- 10:00 Jeopardy
- 10:30 Split Second
- 11:00 All My Children
- 11:30 Let's Make a Deal
- 12:00 The Newlywed Game
- 12:30 KULR & News
- 1:00 General Hospital
- 1:30 One Life to Live
- 2:00 Another World: Somerset

Create another world of beauty in your garden this year with blooming plants from Gainans' Greenhouses—just call and Gainans' will deliver!

- 2:30 Days of Our Lives
- 3:00 Three on a Match
- 3:30 Password
- 4:00 A.B.C. Cartoons
- 4:30 NBC Nightly News
- 5:00 ABC Evening News
- 5:30 KULR & News
- 6:00 The Brady Bunch
- 6:30 Mad Squad
- 7:30 ABC Movie of the Week: "The Deadly Dream" Lloyd Bridges, Janet Leigh, Carl Betz
- 9:00 Music: Wally, A. P.

# The Billings Gazette

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One Year	\$28.00	\$24.00	\$13.00
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Six Months	21.00	18.00	10.00
Three Months	12.00	11.00	

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# Page of Opinion

Ours Yours Theirs

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Obviously those so favored, be they corporations or individuals, will be reluctant to see a change.

Others without much at stake in property values oppose the new constitution's taxation provisions for the simple reason that it will make it easier to levy taxes, regardless of need.

They would rather have the restrictions in the present constitution than allow their elected representatives to make the decision. You might say, they don't trust them. They'll even tell you so.

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It has in practice been bent a little but not broken. The new constitution expands its provisions to constitutionally include payment of county, city and town obligations on streets, roads and bridges as the Legislature determines.

This could bring considerable relief to hard-pressed street departments of cities, now financially hamstringed to make improvements of any magnitude. It also provides for use of highway funds in enforcement and tourist promotion. These provisions draw some opposition

# Nixon-watchers

By PETER LISAGOR

The Nixon-watchers again have fallen into disarray.

They can't figure the man out. His latest act in the Vietnam drama should teach them to stop trying. Lyndonology was a pipe compared to Nixonology, a fact that is gradually seeping in as they crawl up the wall in frustration and confusion.

It's kind of funny, too, because they've been over the road with him before. They have clambered with him through cherished old orthodoxies, across cherished old positions, around cherished old tenets, and upon arrival in each new and unexpected place, asked themselves:

"Howinhell did we get here?"

**THEY LONG AGO** abandoned the notion, fostered by the tectonic whisperings of Presidential Adviser Henry A. Kissinger, that Mr. Nixon was following a systematic and rational course toward peace and

the New Jerusalem. But they did think he wasn't going to allow Vietnam to divert him from the main chance.

The China trip and the scheduled Russian summit had just about persuaded them that he had reached the outer limit of risk-taking on that squalid enterprise. Yet he laid the mines in Haiphong harbor and unleashed the air squadrons over North Vietnam, claiming that he would not turn 17 million South Vietnamese over to Communist tyranny and terror.

This from a man who toasted Chou En-lai endlessly a few short months ago and is prepared to hail Leonid I. Brezhnev in the mother church of Communist dogma if the Kremlin shrinks from the challenge to its ships and its pride. No wonder the Nixon-watchers have lapsed into vulgar self-analysis: their man has eluded them again.

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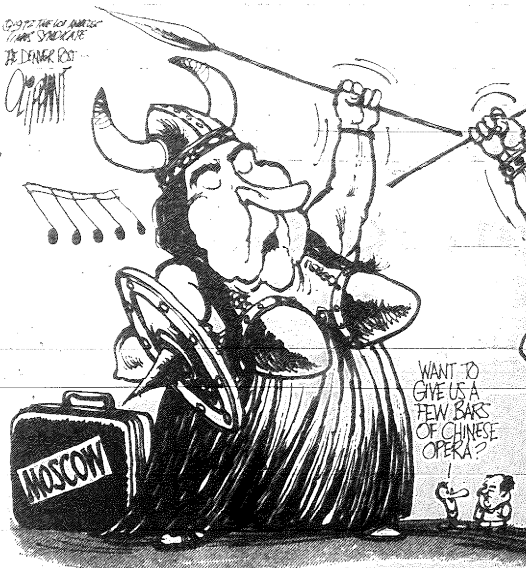
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There's no quarrel with its right to voice its views. They should be viewed in perspective.

The present constitution does create tax shelter areas, ones in which levies are comparatively low because there aren't many people there requiring service. This is why one piece of property with the same value as another will pay much higher taxes.

An oil rich county has low taxes and a neighboring one is quite high, comparatively.

Conditions such as exist in Montana are the reason for the state court decisions which call for equal taxation, or, as some wags now put it, "one scholar, one dollar."

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This could bring considerable relief to hard-pressed street departments of cities, now financially hamstrung to make improvements of any magnitude.

It also provides for use of highway funds in enforcement and tourist promotion.

These provisions draw some opposition from the protectors of the fund but not nearly as much as the final provision of Sec. 6, Highway Revenue Non-Diversion, which states, "Such revenue may be appropriated for other purposes by three-fifths vote of the members of each house of the Legislature.

**THE FEAR MAY BE** more than fancied. The 1971 Legislature might have tapped any fund available to balance its budget.

There you have the principal arguments in opposition to Article VIII, Revenue and Financing, in the new constitution.

Next: What's good about it.

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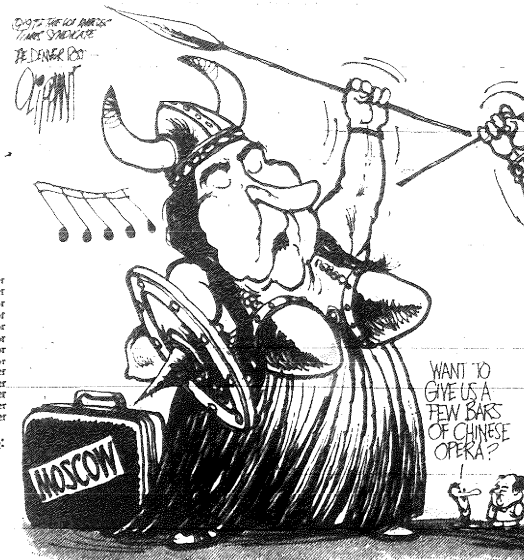
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The caucus, having been touched in its pride, thereupon voted disapproval of the latest "decisive military action" to end the war, and its approval of an amendment, sponsored by Church and Republican Sen. Clifford Case of New Jersey, to cut off all war funds in four months' time, providing the prisoners of war had been given back.

**THE NEXT DAY**, Robert C. Byrd of West Virginia, the majority whip and unchanging hawk, decided that the amendment should be "perfected" with an amendment that added the condition of an "internationally agreed-upon cease-fire."

That "perfection" would, of course, transform the Church-

Case measure into implicit endorsement of the mining and a ratification of the President's new peace offer, which like all of his previous peace offers, is one that he is sure the other side will reject.

But for the new-fledged and timid doves in the Senate ranks, the Byrd amendment offers a bunker in time of trouble, and the best of both worlds. On the other hand, they can tell their students and antiwar constituencies that they have voted bravely to stop the war and at the same time assure his middle-Americans that he has supported the President.

**SO THE FAMILIAR** cycle of escalation and agitation, stilled by the display of a plastic olive branch is about to be run through again.

The Senate has no thunderers to galvanize it to repay affront with resistance. The White House, knowing of the uncertainties that afflict the members at such moments, has been

quick to publicize its flood of mail, six to one favorably.

It has also vigorously fanned the suspicion rampant among nervous Nellies that the President has already made a deal with the Russians and that he will come home from Moscow with a compromise settlement in his pocket.

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But of all the things that have happened and all the things he has told them about the successes of "Vietnamization," the effectiveness of air power and the exhaustion of the enemy, only one thing has made an impression on them: That was his warning to "pull the rug out from under" those who tried to second-guess him on the war. They have by now a cringing respect for his unpredictability.

## Voice of th

Letters in Voice to the Readers are edited for clarity, libel and length.

# As long as she paid it was OK

## Whooping cranes sighted in state

**FROID** — Two of the rarest birds in the United States were seen recently at the Almont Harvey farm home west of Homestead, when two huge whooping cranes accompanied a flock of sandhill cranes to feed in a nearby field.

Frances Larson, clerk at the Wildlife Refuge at Medicine Lake, said the cranes came to the farm in early morning, and Harvey telephoned the refuge to get verification of the species identification.

All personnel at the Refuge went to the Harvey farm, and could see the birds clearly through binoculars.

Distinguishing feature of the whooping cranes is their size—about five feet tall, with a seven-foot wingspread. They have a

red crest and black wing tips. "There just isn't anything else like them," Miss Larson said. It is estimated there are only about 30 of the big birds left in the United States.

Don White, manager, and Alton Waller, foreman, at the Wildlife Refuge reported earlier they had seen a flock of 10 whooping cranes fly over the refuge.

The big birds winter in southern Texas and fly north in spring to their breeding places at the Great Slave Lake in northern Canada.



## Appointed

Benjamin Knopp, former pastor of the First Congregational Church at Big Timber, has been named regional coordinator for VISTA, Volunteers in Service to America, for a six-state area. He has been with VISTA since 1967, and resides in Denver.

## Doctor killed in car crash

**GREAT FALLS (AP)** — Dr. Dan L. London, 36, president of the medical staff at Deaconess Hospital here, was killed Sunday in a one-car accident in which four other persons were injured.

Montana Highway Patrol spokesmen said London apparently lost control of his four-wheel drive vehicle while headed south on Interstate 15. His car, with four passengers, left the road eight miles south of Cascade, rolled several times and lost its roof.

London, who was named to head the hospital's medical staff this January, was killed. His passengers were hospitalized in satisfactory condition.

## Delegates named

**BIG TIMBER** — Delegates chosen to attend Girls State are Janet Stutterheim and Leslie Bonnarens. Delegates to Boys State from Big Timber are John Elgin, Paul Breish, Dave Moore, Dudley Tyler and John Goosey.

## Credit unions set Cody meet

**CODY, Wyo.** — The Wyoming Credit Union League will hold its 15th annual convention in Cody Friday and Saturday, with about 175 delegates expected to attend.

The league represents the state's 56 credit unions, with 34,333 members.

## Air Force likes Lewistown idea

**LEWISTOWN** — An idea promoted by the military affairs committee of the Lewistown Area Chamber of Commerce may be adopted by the Air Force for use in many parts of the United States.

The committee advanced the idea of having a flag installed at each missile launch control site in Central Montana. The flags were donated by the American Legion Post of Lewistown and pipe for the flag poles was donated by Red Carnell of Lewistown.

# U.M. to get funds

By DANIEL J. FOLEY  
Gazette State Bureau

**HELENA** — Eastern District Rep. John Melcher said Monday afternoon that the U.S. Office of Education has changed its mind and decided to release \$430,000 in work study funds to the University of Montana.

Earlier in the day, Melcher had criticized the education agency for its previously announced intent to withhold the funds. The congressman contended that all students shouldn't suffer because of an investigation of alleged work study abuses which he thinks centers only on the athletic department.

"I see no sense in holding the entire student body hostage while this investigation grinds out slowly," the Montana Democrat said earlier in the day in a phone interview from Washington.

Melcher said he is not trying to prejudice the results of the work study inquiry, but said he understands that official audits have cleared top administrators on the Missoula campus, leaving only the athletic department under investigation.

"Holding up work study funds for students who are eligible and need these part-time jobs to finance their education is unfair, and places these students in a position of double jeopardy,"

Melcher said.

"THEY WERE for work study but out on a chance job because of the utilities and now and are again dered for a job in current investigation."

The proposed work study was the weekend and showed a large cut all schools across but failed to list school.

When Melcher later in the day, ice of Education alized it would t

## Debate ConCon

**SIDNEY** — An informal debate on the proposed new constitution for Montana has been scheduled for May 23 at 7:30 p.m. in Centre Theatre here as a public service program by the Public Affairs Committee of the Chamber of Commerce. ConCon delegate Otto Habedank will present the case in favor of the document and Rep. Oscar Kvaalen of Lambert the case against.

## Answers to quiz

**PART I:** 1-False; 2-Return of our POWs and an internationally supervised Indochinese ceasefire; 3-Kurt Waldheim; 4-a; 5-Hubert Humphrey.  
**PART II:** 1-c; 2-b; 3-a; 4-e; 5-d.  
**PART III:** 1-a; 2-d; 3-e; 4-c; 5-b.  
**SYMBOL QUIZ:** 1-D; 2-H; 3-I; 4-A; 5-F; 6-J; 7-E; 8-B; 9-G; 10-C.  
**CHALLENGE:** Connie Stuart.

Quiz on Page 7.

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# want ining

Weaver believes the district would be wise to consider career education on a kindergarten through senior basis, gradually implementing it into the school curriculum and emphasizing dignity in all jobs well done from the time the child first attends school.

"THE IDEA," says Weaver, "is to serve high school students by giving them a chance to get training for responsible work right out of high school."

With a half-day center, says Weaver, the students could learn mechanics and repair occupations, clerical skills, agricultural and building trades as well as welding, health services, electronics, marketing, business education, drafting, food services and other possibilities.

Theoretically, the student would take his graduation requirement courses in his "home" school, then be bussed to the career center for the other half day. There he would be trained in a career area and would have a saleable skill by the end of his high school term.

"THAT WAY," says Weaver, "he would have another set of options. He could go on to college by using his skill to possibly work his way through, he could go directly to work, or he could go on to a post-secondary career center, such as Vo-Tech."

Weaver will travel to Helena this week to meet with other educators at the State Office of Public Instruction. They will set a date for a statewide meeting to draft a proposal for career education in Montana.

"No idea has ever been accepted so quickly, widely and thoroughly in the history of public education," says Weaver. "This may be the answer to our drop-out problem."

O'Hare says the board will probably make a formal recommendation on career education at its June meeting.

THE CENTER, he says, would not replace a third badly needed public high school.

"It would probably supplement the high schools," he says.

O'Hare says the center would not likely become a reality for two years.

"Possibly a year and one-half," he says, "if the board is responsive."



Gazette photo by William Tutokky

## Special store opened

The St. Vincent DePaul Society of Billings, with representatives of all the area's Catholic parishes, opened a special store at 2610 Montana Ave., Monday, with volunteers selling

donated items as a service for the poor. The group hopes to draw on resident volunteers to "work out" the small price of needed merchandise.

## 'More time' is the element

This is another in a series of stories examining key provisions of the proposed new constitution and their effect on the people.

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA — Montanans will be seeing a lot more of their state legislature if the proposed new constitution passes.

The new constitution would direct the legislature to meet annually, instead of during odd years, and would relax other time restrictions.

The hope is to improve state government by giving the legislature more time to do its work.

When Montana's present con-

stitution was drafted in 1869, distances were long, state government was small, and state legislatures weren't trusted very much. So the Montana legislature was told to meet only every other year for 60 straight days. Special sessions could be called only by the governor.

Since then, state government has become one of the state's biggest industries, placing new demands on the legislature. In the last 60 years, only six legisla-

tures have finished on time.

THE NEW constitution would liberalize those restrictions. Although the 60-day limit would be retained, the annual sessions would mean the legislature would have 120 days each biennium.

In addition, they would be "legislative" working days rather than "calendar" days, meaning the legislature could take weekends off or have split sessions.

Moreover, under the new constitution the legislature as well as the governor could call special sessions, and the legislature could extend the 60-day annual limit for future legislatures.

The legislature also would be a "continuous body," allowing committees to function without the body being in session.

Easing the restrictions would give the legislature more freedom, flexibility and power.

Most important, it would have more time.

And theoretically, the public would have greater access to the

legislature. Lack of time often prevents adequate notice of public hearings now; only the lobbyists learn of them in time to appear.

PROPOSERS OF annual sessions noting that business leaders don't meet just during odd-numbered years, say annual sessions are a step toward a professional legislature. They say annual sessions make budgeting easier and allow the legislature to correct mistakes more quickly.

## 'Mini hills' for seeding, not 'cycling'

Rose Park's newly created "mini hills" have become a major attraction for youths on motorcycles—youths who may draw fines up to \$300.

Vern Prill, park superintendent, said Monday:

"We're trying to seed these mounds, but can't. Bikes and motorcycles have made it impossible."

Prill warned parents, "Riding motorcycles in city parks is against the law. The fines run as high as \$300. The police will be enforcing this law."

## Librarians elect

New president of the Montana Library Association is Mrs. Frances Wells, Billings, head librarian in Dist. 2 schools.

Other officers, elected at the fifty-ninth annual conference last weekend, are Mrs. Margaret Warden, Great Falls, vice-president; Larry Anderson, Helena, secretary; Helen Anderson, Great Falls, treasurer.

At the conference, Billings was chosen for headquarters of the 1973 state conference.

## Concert slated

The Rocky Mountain Brass Quintet of the University of Northern Colorado (UNC) will appear in a free concert at 8:15 p.m. Thursday in Humanities Hall at Eastern Montana.

Quintet members, all from the UNC School of Music faculty, will conduct a brass clinic for Billings area musicians and students from 10 a.m. to noon Friday.

# ockbroker DKQ

## ject together

## In Montana:

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Mrs. Lena Bertino  
Culbertson, Montana

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**The Billings Gazette**  
 Tuesday, May 16, 1972  
 Founded May 3, 1885

**Page of Opinion**

Signed articles on Gazette opinion pages are the author's views and do not necessarily reflect opinions of The Gazette.

# A matter of trusting the Le

17th in series

So what's good about Article VIII, Revenue and Finance, in the proposed Montana constitution on which you'll vote June 6.

Plenty, in the eyes of its advocates. "The revenue and finance article is a testament to the belief in representative government held by the members of Montana's constitutional convention," writes Dr. Maxine Johnson, associate professor of Business Administration, University of Montana.

"Rather than fill the article with constitutional limitations which might serve as hindrances to effective government, they opted, in most cases for legislative discretion in fiscal affairs. In general, the article is a short and simple statement of guidelines for state fiscal policy."

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This is a strong argument to override the fears of those who tremble at the thought of removing the constitutional 2-mill statewide property tax levy and the debt limits.

Constitution or otherwise, getting money and permission to raise money from the Legislature has been like pulling teeth from a balky mule.

**IN ESSENCE**, Mrs. Johnson explains, the new constitution leaves the administrative details of the new tax system to the Legislature. It does not provide for tax boards at either the state or local level. It does away with the independent State Board of Equalization which has drawn so much fire.

The new state tax agency will be established by the Legislature and administered by the executive branch of the government.

The new constitution omits the old section which had been construed to prohibit state revenue sharing with local governments. That's up to the Legislature. Debt limits are properly left up to the Legislature.

**THE NEW ARTICLE** requires a balanced budget, does not allow the state to go into debt to cover deficits and prohibits creation of state debt without authorization by a 2/3 vote of both houses or a majority vote of the electors. Mrs. Johnson deems the provisions reasonable and appropriate.

Highway funds were not thrown open to unrestricted spending but provisions relaxed to allow earmarked funds to be used for county roads and city streets. Registration fees and the tax on new cars were not earmarked. Diversion of funds by three-fifth vote of the Legislature does make it conceivably possible that sometime in the future highways will not au-

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**MRS. JOHNSON DOES** regret that the title did not require a uniform accounting system for all state and local agencies. The state is adopting one over the opposition of some agencies and state institutions.

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It specifically permits taxation of private interests in government-owned property, assessment of special improvement district charges on tax exempt property.

**Sec. 6 is the Highway Revenue Non-Division provision** previously discussed.

## Is this America?

The shooting of Gov. George Wallace of Alabama is deplorable regardless of how one might feel concerning his candidacy for the U. S. presidency.

Surely people of this nation have become civilized enough to allow each other opinions which differ from their own without resorting to bloodshed and violence.

The saddest part is the majority, the 99.99 per cent of Americans would never raise a finger against someone because his opinion differed from their own.

Then there's the fringe on both the right and left, those people whose emotions push them over the edge of rational thinking and behavior.

Are they going to force our public figures into glass walled cages? Are our leaders going to speak to us only on the boob tube with the unreality it can so artfully stage?

We, like the rest of normal America, can only pause and ask the question: What have we come to?

## Let's vote, now

City of Billings voters should go to the polls as soon as practicable to decide whether we keep the new zoning codes as adopted in the Comprehensive Zoning Plan.

There is no use stalling around about it through failure to validate petitions for whatever reason.

In a sense of fair play, the persons who supported the petitions to halt implementation of the zoning plan are entitled to action on their request.

They submitted 4,300 signatures with a need for only 2,800. No one can fault their industry even if their purpose.

In seeking signatures, zoning opponents made quite a point about everyone having a right to vote on the Comprehensive Zoning Plan.

Okay, so let's vote and the sooner the better.

If it's a showdown at the polls that the anti-zoning crowd wants, let's have it.



'WE HAD TO DESTROY IT IN ORDER TO SAVE IT, COMRADE—DIDN'T I HEAR THAT BEFORE SOMEWHERE?'

# Climate of madness

By TOM WICKER

Never mind what George Wallace stands for. The attempt to assassinate him was a foul and terrible act, incomprehensible in its motivation unless—as may be—the assassin was deranged.

Never mind the political consequences of this senseless deed. The only thing men of reason and decency can hope for is that Wallace recovers, as speedily as possible.

THEY MUST also ask how

often this wracked and contorted nation can go through such traumatic moments? How often can it? If Alabama's governor should die, there would be no difference—in terms of our common humanity—from the murders of John and Robert Kennedy and Martin Luther King. The bell tolls for us all, and most particularly so when man has turned to wanton violence against his fellow man.

Are we cursed, then, or sick,



AND WHAT about the popu-

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## Goofy but great living

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Sec. 6 is the Highway Revenue Non-Diversion provision previously discussed.

Sec. 7, Tax Appeals, instructs the Legislature to establish appeal procedures separate from the board making the assessment. A local level appeal is mandatory.

Sec. 8, State Debt, removes the debt limit with restrictions on how it may be accomplished as previously discussed.

Sec. 9, Balance Budget, means just what it says, keep expenditures within revenues when the Legislature appropriates.

Sec. 10, Local Government Debt, allows the Legislature to establish debt procedures and limits, not restricted by the constitution.

Sec. 11, Use of Loan Proceeds, still requires money to be spent only as authorized. Sec. 12, Strict Accountability, mandates the Legislature to insure strict accountability by all government entities.

Sec. 13, Investment of Public Funds, has been discussed.

Sec. 14, Prohibited Payments, is self explanatory, stating, "Except for interest on public debt, no money shall be paid out of the treasury unless upon an appropriation made by law and a warrant drawn by the proper officer in pursuance thereof."

MRS. JOHNSON STATES the case for Article VII, Revenue and Finance, when she says, "Overall-worthy of support: If one does indeed believe in representative government and has enough faith in future Legislatures to wish that they may legislate with some degree of flexibility, then the revenue and finance article represents progress."

That's about it. Do you trust your legislators? The strength or failure of article depends on your view.

Next: Article IX, Environment and Natural Resources. Not all new, but mostly.



## 'Long, long haul

By SYDNEY J. HARRIS

Neither the proponents nor the opponents of what we loosely call "Women's Lib" today realize how far modern women have come—and how far they have had to come from.

American common law is derived from the Common Law of England, and only a century ago, the wife was almost the complete chattel of her husband. We find it hard to believe now that, less than 100 years ago, a man could legally support his mistress on the earnings of his wife.

IN HIS shocking history of social reforms (what is shocking is the stupid ways in which they were resisted by the bulwarks of



), E. S. Turner points out that the 19th Century wife had fewer rights than accorded to a wife under Roman law "and hardly more than had been conceded to an African slave before emancipation."

Published some two decades ago, his book, "Roads to Ruin," spells out the relationship of the Victorian husband to his wife: "He owned her body, her property, her savings, her personal jewels and her income, whether they lived together or separately. He could deprive her of her assets entirely as he thought fit, and he could do this whether he were alive or dead." His power to disinherit a wife (of her own goods) was absolute and irrevocable.

One of the few men of his time to speak up against this iniquity, according to Turner, was John Stuart Mill, the philosopher and political economist, who himself openly repudiated his legal rights when he married. In his tract, "The Subjection of Women," (1890), he said of the English housewife:

# Climate of madness

By TOM WICKER

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Are we cursed, then, or sick



AND WHAT about the popu-

that is another point that cannot be dodged.

Nowhere in the world are guns so readily at the assassin's hand as in America: Nowhere else is the general population so heavily armed.

The blatant availability of guns in America simply cannot be set aside or discounted as a major source of violent crime. Let the gun-makers and their lobbyists, the gun-lovers and their organizations, the gun-

"SHE CAN acquire no proper-

# Woodahl says drugs top problem

HELENA (AP)—Atty. Gen. Robert L. Woodahl, seeking his second term in office, says the biggest problem facing Montana today is the drug problem—and he said it's a social, medical and educational problem as well.

Woodahl, the sometimes controversial Republican attorney general who faces no primary opposition June 6, adds that the state's law enforcement officials "have been working diligently" in an effort to solve this problem.

And, in connection with this effort, he said the crime laboratory established in Missoula in August 1970, has analyzed over 1,000 samples.

"This is sorely needed in law enforcement," Woodahl said, adding that he hopes to upgrade the office further if he is re-elected.

He said his often-times stormy tenure in office stems because he has "tried to be an activist as attorney general, not a pacifist as my predecessor." Gov. Forrest H. Anderson, whom Woodahl has battled with frequently, was attorney general for the previous 12 years.

"When you take that stand, there is bound to be controversy. You're bound to step on some toes," Woodahl said.

### Cites gambling

Much of the early controversy in his term came because of his stand on gambling, or more specifically, bingo. But Woodahl pointed out that it's his job to enforce the laws, and that he helped draft legislation in 1969 that would have allowed bingo to be played by certain organizations. That, he said, was vetoed by Anderson.

On gambling in general, the former three-time Teton County attorney said he has "done the best job I know how to do with my limited staff." Averaging only seven attorneys and two criminal investigators it "makes it a difficult job to police the whole state. When we get a complaint on gambling, we check and then have the local authorities check it out."

### In controversies

As the first Republican attorney general in the state in 36 years, Woodahl has had his share of controversies. And one of the recent examples is his decision that state officeholders cannot do business in any way with the state.

He said he knows the decision "surely made some officeholders and legislators unhappy, but the law was there and that is the way I view it. The law was clear and unequivocal."

"I have done my best to enforce the law and reinforce public confidence in government, which I think is sorely needed," Woodahl added.

Speaking as a private citizen, and not as the attorney general, Woodahl said he hadn't as yet made up his mind on the proposed new constitution.

"There are some good things and some bad things about it," he said, adding that he has reservations about the taxation portion but said the legislative section is good.

"The delegates did the best they could with the situation they were faced with," he said. He added that he would probably make up his mind on how to vote on it when the time came to vote—June 6.

## 22 to graduate at Joliet school

JOLIET — Twenty-two seniors will be graduated from Joliet High School at commencement at 8 p.m. May 25. Sally Metz, daughter of Mr. and Mrs. Will G. Metz of Boyd, is valedictorian, and Susan Saffell, daughter of Mr. and Mrs. William H. Saffell of Joliet, is salutatorian.

Commencement speaker will be Dr. Melvin Gattmore, professor of English at Flathead Valley Community College. Baccalaureate services will be at 7:30 p.m. Sunday in the school gym, with the Rev. Donald Mackay of St. Luke's Episcopal Church in Billings as speaker.

# Graybill reports savings

By BILL BAER

GREAT FALLS (UPI) — Constitutional convention president Leo Graybill makes some charges concerning the cost of printing and mailing of the voter education pamphlets.

The Gazette Printing Company of Billings won the award of about \$12,500 to print nearly 400,000 copies.

Graybill said he had estimates as high as \$81,000 and firm estimates between \$24,000 and \$27,000.

But, said Graybill, "we put the bid out in such a manner that newspapers could use their

printing press on the project."

He said he is perfectly willing to make it clear he then was visited by people requesting he withdraw bids and change the format.

If he did, says Graybill, the different requirements would have only allowed certain people to do the job at a much higher price than the one bid by The Gazette.

Graybill said, "we refused to knuckle under the pressure that was put on us to make it a restrictive bid so only certain type printers could do the job at the higher cost."

After the printing job, which

The Gazette completed ahead of schedule, the 56 county clerks and recorders had to mail a copy to each registered voter in Montana.

Graybill said original costs of mailing were estimated to be 13 cents each.

BUT HIS STAFF, under Graybill's direction, checked and found that bulk mailing would bring the cost down to five cents per mailing.

According to Graybill, the action saved \$22,000.


He said all the savings, on the printing and mailing, were made by efficient running of the pro-

gram to put out the voter education information.

Graybill said some of the savings should have been passed on to the county clerks and recorders.

The last legislature appropriated \$41,000 to the secretary of state's office for expenses of setting up the special June 6 election and the mailing. Graybill says since the cost of the mailing was cut down, then each county should get a pro rata share of the savings.

But Secretary of State Frank Murray says any savings must go back to the state's general fund.



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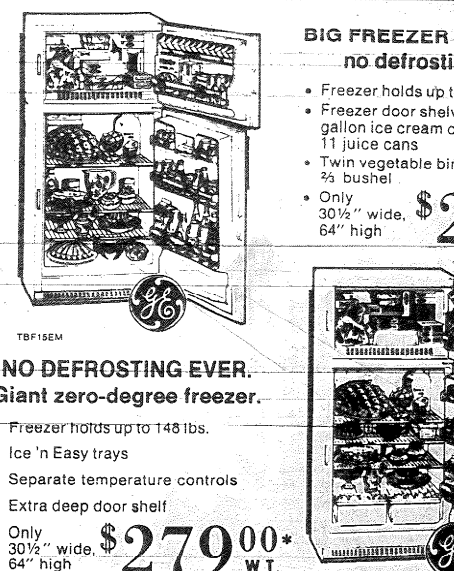
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**BIG FREEZER no defrosting**

- Freezer holds up to 148 lbs.
- Freezer door shelves hold 11 gallon ice cream cans
- Twin vegetable bins, 3/4 bushel
- Only 30 1/2" wide, 64" high

**NO DEFROSTING EVER. Giant zero-degree freezer.**

- Freezer holds up to 148 lbs.
- Ice 'n Easy trays
- Separate temperature controls
- Extra deep door shelf
- Only 30 1/2" wide, 64" high

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It's not only beautiful, but will give you years of service. Two full-width racks pull out for easy loading. 2 wash cycles: Normal loading for everyday loads. Rinse loads for once a day washing.

**\$199.00\***



**25" Diagonal CONSOLE COLOR TV**

**\$199.00\***

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At Spears, the world's largest Chiropractic Hospital, Research has opened the door to health for thousands of sufferers who have been led to believe there was no relief.

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**Valspar**



# Graybill reports savings on printing

By BILL BAER

GREAT FALLS (UPI) — Constitutional convention president Leo Graybill makes some charges concerning the cost of printing and mailing of the voter education pamphlets.

The Gazette Printing Company of Billings won the award of about \$12,500 to print nearly 400,000 copies.

Graybill said he had estimates as high as \$81,000 and firm estimates between \$24,000 and \$27,000.

But, said Graybill, "we put the bid out in such a manner that newspapers could use their

printing press on the project." He said he is perfectly willing to make it clear he then was visited by people requesting he withdraw bids and change the format.

If he did, says Graybill, the different requirements would have only allowed certain people to do the job at a much higher price than the one bid by The Gazette.

Graybill said, "we refused to knuckle under the pressure that was put on us to make it a restrictive bid so only certain type printers could do the job at the higher cost."

After the printing job, which

The Gazette completed ahead of schedule, the 56 county clerks and recorders had to mail a copy to each registered voter in Montana.

Graybill said original costs of mailing were estimated to be 13 cents each.

**BUT HIS STAFF**, under Graybill's direction, checked and found that bulk mailing would bring the cost down to five cents per mailing.

According to Graybill, the action saved \$22,000.

He said all the savings, on the printing and mailing, were made by efficient running of the pro-

gram to put out the voter education information.

Graybill said some of the savings should have passed on to the county clerks and recorders.

The last legislature appropriated \$41,000 to the secretary of state's office for expenses of setting up the special June 6 election and the mailing. Graybill says since the cost of the mailing was cut down, then each county should get a pro rata share of the savings.

But Secretary of State Frank Murray says any savings must go back to the state's general fund.

Graybill disagrees saying, "he could have (given the counties back the savings) . . . we asked him to."

"The president said the convention still has \$58,000 left, and it is not "paper money" as it was called by the state Supreme Court.

The high court, in ruling no money could be spent for voter education, said the convention's figures of cash were actually only on paper and that a deficit may be in the making.

Graybill disagrees saying it is ironic that efficiency is reward-

ed with a blast by the court. But Graybill will abide by the ruling and "not one cent will be spent" on further voter education.

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**GE SUMMER '72 TRAINLOAD OF BARGAINS!**

*Trainload of Bargains Trainload of Bargains Trainload of Bargains*

**17.5 Cu. Ft. NO FROST! SIDE BY SIDE**

• Freezer holds up to 235 lbs.  
• Ice 'n Easy Service  
• Slide-out 7-Day Meat Keeper  
• Positive, automatic door closure  
• Rolls out on wheels for easy cleaning  
• GE colors or white  
• Only 30½" wide, 66" high

**\$398\*** W.T.

Beautiful Maple Cutting Board Top

It's not only beautiful, but will give you years of service. Two full-width racks pull out for easy loading. 2 wash cycles. Normal loads for everyday loads. Rinse & Hold for once a day washing.

**\$199.00\***

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**NO-DEFROSTING-EVER. Giant zero-degree freezer.**

• Freezer holds up to 148 lbs.  
• Ice 'n Easy trays  
• Separate temperature controls  
• Extra deep door shelf

• Only 30½" wide, 64" high

**\$279.00\*** W.T.

TBF15EM

**BIG FREEZER SECTION... no defrosting ever!**

• Freezer holds up to 148 lbs.  
• Freezer door shelves for half gallon ice cream cartons, 11 juice cans  
• Twin vegetable bins hold ¾ bushel  
• Only 30½" wide, 64" high

**\$299.95\*** W.T.

**BUDGET PRICED with Capacity and Convenience**

• Two Ice 'n Easy trays  
• Full width chiller tray holds up to 19 lbs., ideal for drinks or desserts  
• Huge vegetable bin holds 9/10 bushel  
• Only 28" wide, 61" high; needs no door clearance at side.

**\$188.00\*** W.T.

TA12SN

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M902EWD

**18" Diagonal Rollaround INSTA-COLOR TV**

• GE Insta-Color® Picture — picture and sound are almost immediate.  
• Advanced GE 18" Diag. Spectra-Brite™ Picture Tube — gives the brightest, richest color in GE history.

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for the state.

As the eight-member committee, headed by Sen. William L. Mathers, R-Miles City, went over its lengthiest audit report with Legislative Auditor Morris L. Brusett, a close observer was Theodore Carkulis, the SRS director.

Carkulis told a newsman his first concern is with the alleged fraud by dentists and therapists. Beyond that, he said, "we shall accept and utilize the report in the constructive spirit in which it was prepared."

In reviewing services provided under the Medical Assistance Program, known as Medicaid, Brusett said that in fiscal 1970-71 the state department paid \$563,985 to about 400 dentists for dental care provided to 10,151 people on welfare.

Because various paid claims appeared questionable, Brusett said the audit agency hired a licensed dentist to make some examinations in three of Montana's 56 counties.

A total of 246 discrepancies — with a cost of \$1,374 — were uncovered in dental work done for 95 of the 310 persons examined.

were still in the patient's mouth.

Brusett said the number of discrepancies varied per dentist from one to many. For one dentist, he reported, 56 discrepancies were noted totaling \$229 in five of six patients examined.

"We recommend that the department devise and implement an effective dental service utilization review program," the report said.

"Our first priority will be in the area of alleged fraud in the dental program," Carkulis said.

"If there is substance to the allegations," he went on, "we shall investigate and adopt whatever monitoring procedures are necessary to minimize the opportunity for systematic fraud."

The audit included a review of Medicaid payments for physical therapy services, which are provided in hospitals, extended-care facilities and institutions.

In checking on one physical therapist, whose 1970-71 billings exceeded \$9,000, a majority of his patients "indicated that the

### Easy Scan and

... report said some therapists bill the Department of Social and Rehabilitation Services for the entire cost of their services under Medicare. Federal regulations provide that Medicare pays up to 80 per cent of eligible physical therapist costs to persons 65 or older.

Federal participation in Medicaid is 67.16 per cent with the state and counties contributing 32.84 per cent.

The report said SRS is either not making the utilization reviews as required by the federal government or is performing them in an ineffective manner.

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## Anaconda plans state growth

BUTTE (AP) — On the eve of his company's annual shareholders meeting, Anaconda Co. President John B. M. Place told Butte businessmen the firm plans to invest \$200 million in Montana over the next five years.

annual stockholders meeting at 10 a.m. Wednesday at the Washoe Theater in nearby Anaconda.

"We have made a commitment in Montana and we're backing it with money," Place said. "In 1972 we plan to make \$60 million in capital ex-

penditures and mine development in this state."

He added that the company expects to spend \$18.6 million in Butte.

He said the money would be invested "to expand the operations and to install high technology equipment that will help in the struggle to raise productivity."

Despite recent cutbacks, Place said, the company is planning to rebuild and grow.

Place said the expropriation of its properties in July 1971 in Chile "cost Anaconda two-thirds of its copper production and a very large proportion of its earnings."

As a result, the company had to pare unprofitable and marginal operations, he said.

## ConCon story—memory lingers

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA — Constitutional convention delegates are still displaying some good-natured disagreement over the constitution they've just written.

A weekend seminar which included personal views of the constitution from three of the 100 delegates revealed two staunch supporters and a self-proclaimed "doubting Thomas."

Missoula delegates J. D. Garlington and Mae Nan Robinson praised the proposed constitution for offering better "tools for tomorrow" and reaffirming faith in democracy.

But delegate Charles Mahoney, an elected independent from Clancy with plenty of independent ideas, said he fears that some parts of the proposed constitution, especially the taxation article, might be bad for the people.

"THIS IS MAHONEY, the doubting Thomas. Maybe I have to be shown the wound," he said. "Some of us have some doubts about this constitution, honestly and sincerely. No giant corporation is telling me what to do," he added, a reference to allusions that the state's corporate interests are ganging up

against the constitution.

Garlington, a Missoula attorney, concluded that the convention fashioned new tools of government, especially a new legislative tool, which would do a better job coping with inevitable changes.

Opposition to the proposed constitution stems from "the fear that taxes will be increased," he said.

"The tax burden has increased for the last 30 years," he said, adding that "the old constitution has proved no safeguard" and probably would not be "any more successful in the future."

MRS. ROBINSON, the youngest convention delegate, said the legislative article "reflects a basic belief in the legislature and in the democratic process."

"A lot of people think what we did was very radical and that by reducing the constitution by half we made some serious mistakes," she said. "But we didn't just pull these reforms out of the blue."

## Spending to be eyed by Common Cause

HELENA (AP) — Calling present disclosure laws "weak and largely unenforceable," Common Cause said Tuesday it will begin keeping a watchful eye on the spending of political candidates.

The national citizen's lobby plans to monitor campaign contributions on both the state and national level.

A spokesman said the state committee sent letters to all candidates running for statewide office asking them to make full disclosures of their sources of support.

"We are asking them to reveal not only cash amounts and contributors, but also services rendered, such as loans of equipment or third party payment for services," the spokesman said.

The organization applauded gubernatorial candidate Ed

Smith's disclosure of his contributors.

The spokesman said the organization will also ask advertising vendors such as television, radio, newspaper and advertising firms to make public reports of the value of services rendered to candidates.

Common Cause said the disclosure law doesn't require disclosure until after the elections, "too late to help the voter in his decisions."

### Never misses

FAIRVIEW — Debbie Baxter, who will graduate this spring from Fairview High School, has one of the more unusual records — 12 years of schooling without ever being absent or tardy.

## Judge rules of gas tax fo

HELENA (AP) — District Court Judge Nat Allen has ruled unconstitutional the two 1971 legislative acts which allow state gasoline-tax money to be used to pay highway patrolmen salaries.

Unless overturned on the expected appeal, the Lewis and Clark County District Court ruling means the state's cash-drawer general fund would be tapped for an unanticipated \$4 million.

Allen's "findings of fact and conclusions of law," filed Monday, result from a Havre auto dealer's challenge of the validity of two pieces of 1971 legislation.

One is Chapter 285 of the Session Laws of 1971, authorizing the use of gasoline-tax money to pay Highway Patrol salaries and the other is that part of House Bill 23 which appropriates \$4,015,925 from the constitutionally protected gas-tax fund.

The fund, known formally as the Highway Commission's Earmarked Revenue Fund, is protected by the so-called antidiversion amendment to Montana's constitution.

The suit was filed in Hill County last Nov. 30 by Nordling and Sweeten, Inc., Havre, then transferred to Lewis and Clark County where the Roundup

judge tried it without a jury on March 2.

The Havre auto dealer made the challenge in the form of a class action — on behalf of itself and all others who pay the state's seven-cent tax on each gallon of gasoline.

Defendants in the action are the five state highway commissioners who sit as the Highway Patrol Board, Treasurer Alex B. Stephenson and Auditor E. V. Omholt. The two state election officers have since July 1 been paying the salaries of 189 patrolmen out of the disputed fund.

## Hibbard control

HELENA (AP) — Calling his Democratic opponent a "special interest, one-industry congressman," Republican senatorial candidate Henry Hibbard called Tuesday for the same controls of big labor as there are for big business.

Hibbard said Sen. Lee Metcalf's campaign is almost totally financed by organized labor which "is proof the junior senator is a special interest, one-in-

# Miles City racing opens in gun

# dental bills suspected

therapy services billed to the department were either not provided or were provided by nurses' aides who were employees of the facility.

The report said this therapist submitted a bill for more than \$800 for services to one nursing-home patient which may not have been performed. Another patient, for whom claims of more than \$140 were submitted, said she had never received therapy from the therapist.

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The recurring needs for grants shows a need for closer state examination of county administrative and operating procedures in the poor-fund area, Brusett told the committee.

"In the past," he said, "the department has apparently been content to let the need for a grant-in-aid materialize before taking action in the form of a grant-in-aid award."

His recommendation is that the SRS "initiate a system whereby the underlying causes, trends, policies and practices of counties requesting grants-in-aid are continuously monitored, analyzed and compared to identify areas where departmental guidance, control and possible legislation are warranted."

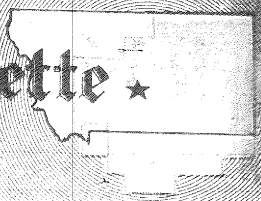
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# Billings Gazette



SECTION TWO

Wednesday Morning, May 17, 1972—13



Gazette photo by Phil Bull

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Defendants in the action are the five state highway commissioners who sit as the Highway Patrol Board, Treasurer Alex B. Stephenson and Auditor E. V. Omholt. The two state elective officers have since July 1 been paying the salaries of 189 patrolmen out of the disputed fund.

The trial judge said the criteria he used "is whether or not there is a substantial relationship between the functions and duties of the patrol and the permitted expenditures specified in the antidiversion amendment."

He concluded that activities of the Highway Patrol do not constitute either "repair and maintenance" or "preventative maintenance" of the highways.

He noted that the patrol's role in administering the Gross Vehicle Weight Tax is insignificant as shown by the fact it involves only 6-13 men on a

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Allen determined that "there is no substantial relationship between the duties and functions performed by members of the Highway Patrol and the constitutionally permitted expenditures."

The Havre firm was represented by Patrick F. Hooks; the Highway Commissioner by Donald A. Douglas; the Highway Patrol Board by Charles A. Smith; and Omholt and Stephenson by Lawrence D. Huss and Charles A. Dickman, assistants to the attorney general.

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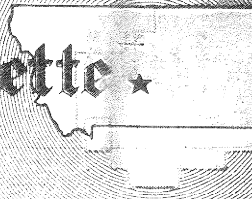
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# Hibbard wants more

Thursday,  
May 18, 1972

The Billings Gazette

Founded  
May 3, 1885

## Page of Opinion

Ours Yours Theirs

Signed articles on Gazette opinion pages are the author's views and do not necessarily reflect opinions of The Gazette.

## Only part of package?

Hey, there, what goes on with the multipalace supposed to be built at the fairgrounds for \$3 millions?

Yellowstone County voters approved, and quite dramatically, too, a \$3 million bond issue "for the purpose of constructing and equipping a multi-use building at the Midland Empire Fairgrounds with a seating capacity of at least 10,000 and an arena of approximately 250 feet by 400 feet."

And that we are finding out is a king-size chunk of "constructing and equipping" for a \$3 million bond issue. But that's what the voters authorized — no more. And no less.

This was the amount that the backers asked in their petition to the Yellowstone County Commissioners, who, in fairness and legality, had no choice but to put the issue to a vote.

It won. That is, a \$3 million bond issue for 10,000 seating and arena of 250 feet by 400 feet at the fairgrounds location won.

Sure, there was a lot of campaign talk about theater-type seating, heating and cooling of the Yellowstone Community Center parking for 5,000 cars, seating for 14,000 people and everything from rodeos to what-do-you-want.

Apparently, if current indica-

tions are true, the backers wanted too much. The architects, each in turn, advised the governing board that what was wanted couldn't be built with the money available.

Now the architect serving as coordinator of the three architectural firms chosen—that's right, three of them, is considering something less than that which voters were led to believe and what was on the ballot.

There's talk about building part of the structure now and adding on later so that it will meet the ballot designated arena size of "approximately 250 by 400 feet."

What happens now is important to the taxpayer and the potential user.

Do voters get what they bargained for or only a part of the loaf? Are they to be saddled with part of a dream or will they be asked to vote again?

In fairness, if the money voted won't cover the "constructing and equipping" for what was promised, the voters should be given another chance to determine if they want to pay the correct price, whatever that may be.

After all, they thought they were buying an intermediate model with a few niceties, not a stripped model subcompact.

## Cut the stalling

City council seesawing over the one-way street situation would be comical if it wasn't so serious.

Sufficient time and study have been devoted to the subject for the council to reach a decision which will implement what knowledgeable people have realized all along. Billings needs a one-way street grid system in the downtown area to move traffic and allow access to the stores, all the stores.

The Downtown Development Association, the people who own the property, the Parking Commission and study after study point to the advantages of one-

ways to avoid congestion that keeps shopping traffic out.

It doesn't take drivers long to become accustomed to the grid pattern of one-way streets. They can park on either side of the street, make turns without long exasperating waits or stay in the middle and move along.

The city council has a duty to both the driver and the merchant to put into operation a traffic system which has proven successful.

The stalling tactics have gone on too long now. It is time for action not vacillation.

## Look for new gun bills

## 'Conservative, but n

18th in series

Article IX, Environment and Natural Resources, of the proposed constitution on which you'll vote June 6 is either "conservative" or "the strongest environmental section" of any existing state constitution.

It all depends on how you look at it. But regardless of how you look at it, a safe prediction is it will take several years of court cases over specifics to decide just what it does mean.

Mostly, the Environment and Natural Resources article is new. Its wording doesn't please the environmentalist, although they'll accept it as better than nothing.

It probably also is a safe statement to say that polluting industry, if it had its druthers, would as soon Article IX as offered was somewhere on Cloud Nine or further out in space.

SO WHAT DOES it say?

Sec. 1. Protection and Environment

(1) The state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations.

(2) The Legislature shall provide for the administration and enforcement of this duty.

(3) The Legislature shall provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources.

Sec. 2. Reclamation. All lands disturbed by the taking of natural resources shall be re-

claimed. The Legislature shall provide effective requirements and standards for the reclamation of lands disturbed.

(We'll skip Sec. 3, Water Rights for the moment and deal with it separately because it does contain new and old provisions.)

Sec. 4. Cultural Resources. The Legislature shall provide for the identification, acquisition, restoration, enhancement, preservation, and administration of scenic, historic, archeologic, scientific, cultural, and recreational areas, sites, records and objects, and for their use and enjoyment by the people.

THAT'S ALL, four sections, filled with pretty lofty language and enough "shall provides" to keep legislators and lobbyists in top muscle tone.

Lawyer Gerald J. Neely says "the proposal is the strongest environmental section of any existing state constitution" when coupled with Sec. 3 of the Declaration of Rights. Under Inalienable Rights it states "They include the right to a clean and healthful environment and the rights of pursuing . . . and seeking their safety, health and happiness in all lawful ways."

The environmentalists, however, aren't so happy with the article. They say ConCon delegates rejected their proposals and accepted "conservative, but not ultra-conservative," proposals.

THEY REGRET that the scope and strength of the legislation, despite the "shall provides," is discretionary with the Legislature.

This might include the right to bring class actions



## Sickeningly fa

By MARY McCORRY

National humiliation threatens us in Indochina; our leaders tell us.

But it has come to us in Laurel, Md.

Respect, we have been warned, will be lost, if we cannot assess our might in a country half a world away. It has already been lost, in a small-town shopping center, in a typical American community.

Self-respect is unattainable in a nation which cannot protect its public men as they move around among their own countrymen, if a political rally ends in a blaze of gunfire.

Memphis with Martin Luther King, in the hotel kitchen in Los Angeles with Robert F. Kennedy.

Nothing that could befall this country in Asia, where the violent solution has been once again presented as the only one, could shame us more than what happened to George Wallace 12 miles from the capital of the western world.

Minutes before he was felled, George Wallace was telling us that America is a danous place. Even before the attack he could not be gainsaid.

From sea to shining sea, the country walks in fear.

protection than the bulletproof podium which he took everywhere with him. He dramatized the danger he sensed everywhere around him.

He was on the threshold of his greatest success—victory in two primaries. He was not on his way to the White House. Beckoning as those buzz-saw simplicities, exciting as those banjon-tones, he did not have either the stature or the organization to make himself the leader of the western world.

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THEY REGRET that the scope and strength of the legislation, despite the "shall provides," is discretionary with the Legislature.

This might include the right to bring class actions.

These opinions are expressed by Prof. Clarence Gordon, director of Environmental Studies Program, University of Montana, and William Tomlinson, coordinator.

They write: "We believe that statements recognizing the need for environmental safeguards in the Montana draft constitution will provide an important stimulus to future Legislatures. Rather than precluding legislative action, it frequently commands.

"Article IX does not clearly state individual authority to implement its obligations... It is our belief that this language (in the Inalienable Rights)... should be so interpreted."

THE TWO ENVIRONMENTALISTS also were disappointed with the section of Reclamation, charging the ConCon delegates treated it lightly and left up to the Legislature the entire burden of setting standards and of providing administration of such reclamation. They add, "Power company lobbyists did their job well on this subject of reclamation..."

We have a feeling this is being too harsh on the delegates who, in all their articles of the proposed constitution, have for the most part adopted general statements and left the nitty gritty to the Legislature.

In Article IX, Environment and Resources, they followed a pattern which for the most part leaves statutory law in the hands of the elected representatives of the people.

There it is again, the big question of the proposed constitution: Do you trust your Legislature?

Next: The Water Rights section of Article IX.



# Sickeningly familiar

By MARY MCCRORY

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But it has come to us in Laurel, Md.

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He seemed content, surrounded by adoring crowds, to "send them a message in Washington."

NOW HE HAS. He has informed us once again that those

as can be learned, the alleged assailant is the standard demented outsider, craving the attention that is available only at the trigger of a gun.

John Kennedy was murdered by a misfit Marxist, whose reasons we can never know because he was shot before he could tell us. Martin Luther King's killer never admitted us to his dark mind. Robert Kennedy was shot not because he reached out to the poor and the blacks and the dispossessed or because he tried to stop a war, but because of his minimally provocative, almost universally shared views about Israel.



husband, while the benumbed nation watched on television.

The political campaign is terrorized and poisoned. It is too much to hope that anything will come of what has happened except deepened bitterness and wilder frustrations, suspicions of plot and dread of the future. Perhaps it will shock our lead-

# Voice of the Readers

Letters in Voice to the Readers are limited to 300 words and subject to editing for clarity, libel and length.

## It could happen here

You say, "As to single member districts, the present constitution does not prohibit them but the legislature has consistently refused to reform."

I was in the legislature during the 1961 decennial reapportionment and at that time single member districts was not an issue.

I was in the legislature during the 1971 decennial reapportionment. Single member districts was an issue and the legislature did not "refuse the reform."

Rep. Fagg of Yellowstone County introduced H.B. 40 on

June 21, 1971. It subsequently was passed by both houses and is now Chapter 8 of the Session Laws of the second Extraordinary Session of the 42nd Legislative Assembly.

It provides in part that eight per cent (8%) of the registered voters may petition the county commissioners of the county or counties involved for the establishment of single member districts. If a majority of the electors voting approve of dividing the multi-member district, the county commissioners shall divide the multi-member district into single member districts.

If the editors of the Billings Gazette are convinced that single member districts would best serve Yellowstone County why haven't they instigated such a "reform"?

It was authorized by the 1971 Legislative Assembly.

If the people of Yellowstone County wished, they could have single member districts and their legislators would come from other areas than "Poly Drive".

Oscar S. Kvaalen  
Lambert

## Voters need to compare

In studying the newly proposed constitution for the State of Montana I become concerned about many things. Most important in my mind now is, how many voters have on hand a copy of our present constitution for impartial comparison with the proposed one.

Sure, the blue printing following each section of the proposed document briefly compares the new with the present. But to me, there is not a complete impartial comparison without a copy of our present constitution on hand.

What I am saying is, are we going to look at the whole truth as it really is before we vote or are many of us voters going to

take the comparison as shown in the blue print as ample evidence to make a choice.

For instance, Section 8, Article VIII of the proposal says a State debt may be created by a two-thirds vote of the legislature, or a majority of the electors, while presently it takes, in addition to legislative action, a majority vote of the people, which to me is important. Now look at the blue print below this section and see if you get the same picture.

Among my objections to the proposed document is Section 6 of Article V requiring legislative sessions at least once a year.

Edmund Kelly  
Crow Agency

## Union printers understand view

Neal Barhight after filing for the Montana House of Representatives spoke out on welfare and Unions. Mr. Barhight referred to Unions as being "valuable and necessary—in their place." This may have a vague meaning to some but not to members of the printing trade, International Typographical, Valley Central Labor Council or any affiliate or friend of the Montana State AFL-CIO.

Mr. Barhight's "ease in point" was that he entered a local small "husband and wife" print shop and was told by the proprietor that they had not previously done any political printing. "I don't think they should be virtually disqualified from doing

political and other types of work simply because they are non-union," stated Mr. Barhight.

Virtual disqualification. Mr. Barhight—in whose eyes and by what standards? I doubt if anyone is forcing that couple IN or OUT of any organization. The only printing requiring a Union Label in the State of Montana is the material ordered printed by the State itself.

For over 12 years I have worked in a small print shop operated by two brothers that have chosen to maintain a Union shop as their father before them had done—By the same token that allows a "mom and pop shop" to do business as it chooses, you should be able to pur-

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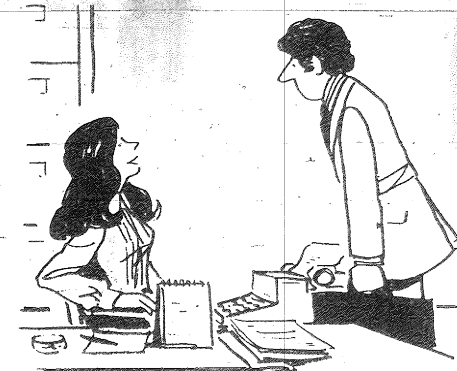
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Your "in their place" attitude towards Unions could be listed in a book of trite phrases along with "There goes the neighborhood." Some of my best friends are—Just so they stay in their own part of town, etc.

You have the makings of a great politician. Mr. Barhight—in your place

Michael J. Kennedy  
President Billings  
Typographical Union No. 398

### BERRY'S WORLD



© 1972 by NEA, Inc. *John Berry*

"I've heard some weird lines before, but asking who I think the Republicans will nominate for President in San Diego takes the cake!"

## Dead by

The people of Montana shall vote soon on the question of capital punishment.

In modern society, life has become much less sacred and the commandment: "Thou shalt not kill" has been rationalized until killing on the mass scale by scientific means is closely related to patriotism and hero-worship.

Our entire society is permeated with fear. The cry for law and order, and fear of increasing crime is strengthening the forces of law enforcement and adding to the majesty of the law.

That capital punishment has dismally failed to prevent murder and crime is too well documented to be questioned. For the majesty of the law to be sullied in a simple process of vengeance only promotes crime. It has been said, and events seem to verify it, "Society prepares the crime, and the criminal only commits it."

What is right or wrong about the law enforcement when police are given the power of judge, jury and sometimes executioner?

Don't bother to defend theory that is denied by practice. Recently there was a good example when a young man was chased for speeding.

Because he had been deprived of his drivers license, he did not

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First Quality, by Most Famous Makers in the West!

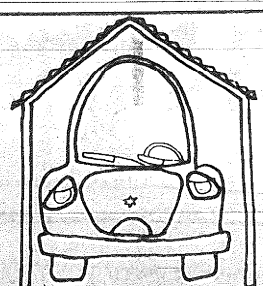
Reg. to 12.00 \$3

Solids, Stripes, Fades Heathers in the best Fashion shades! ...Permanent press too! Sizes 26 to 38' Waists.

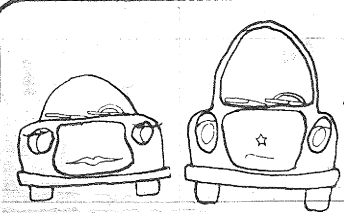
# CAR-TUNES

## Starring Morris the Motorcar

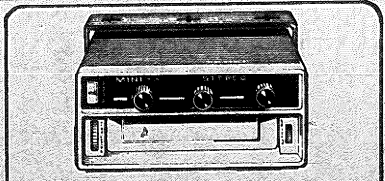
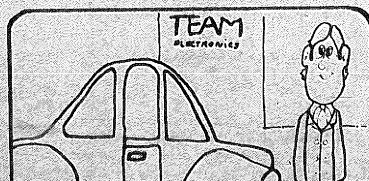
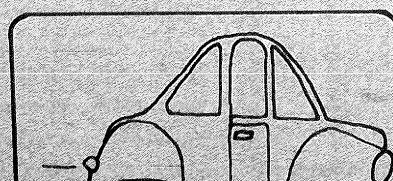
Once upon a time Morris the Motorcar had a grave problem. He didn't have any music. As he drove down the street he could hear happy tunes, but only coming from other cars. In the parking lots, older cars and younger cars alike made fun of him because the only sound he could make was the sound of his horn.



Morris became so sad that he hated to go out on the streets. Without tunes of his own, it just wasn't worth coming out of the garage anymore.



Then one day as he waited for a light to change, the little convertible next to him said, "Hey, Morris, get with it. Haven't you heard about the Car-Tunes available at TEAM Electronics?"



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Don't bother to defend theory that is denied by practice. Recently there was a good example when a young man was chased for speeding.

Because he had been deprived of his drivers license, he did not

want to be caught, and having a fast car, tried to outrun the cops. He lost control of his car on a curve and was killed.

He was a bright, industrious boy and left a very young wife and many friends and relatives to mourn his untimely and unnecessary passing. Whatever may be said for law and order, the result was capital punishment for nothing more heinous than a traffic violation.

Had the cops been less im-

posed with preserving the majesty of the law, they could quite easily have picked him up at work or in his home.

The situation is little different than when a frightened youth in the commission of a misdemeanor tries to run from a cop and is shot in the back and killed. All in the line of duty preserving the majesty of the law!

Hobart McKean  
Circle

### They'll all die

While explaining the provisions of the new Constitution to various groups and radio talk shows, the question has been raised several times as to what happens if the Constitution fails and one of the alternative proposals receives the approval of the majority of those voting at the election on June 6th.

If the majority of the people voting favor a one-house Legislature but the Constitution itself does not pass, our Legislature will continue to have two houses.

Similarly, if a majority of the voters favor legalized gambling but fail to pass the Constitution, there will be no change in the present law. In fact, this is what apparently happened in North Dakota. A majority of the voters

opposed legalized gambling but favored the Constitution. The legalized gambling provision, naturally went down with the new Constitution.

Robert L. Kelleher  
Con Con Delegate

### Better method

Some legislator should introduce a bill to have every qualified elector's name put in a drawing, and, once a name is used, it should be discarded forever; so that no attorney could know how he would react to any given case.

Under this system I do not believe that anyone can rig a crooked jury.

L. H. Grooms  
Meeteetse, Wyo.

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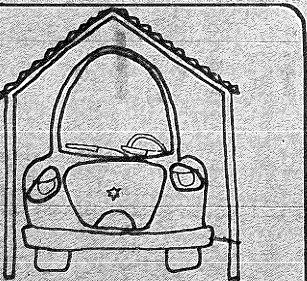
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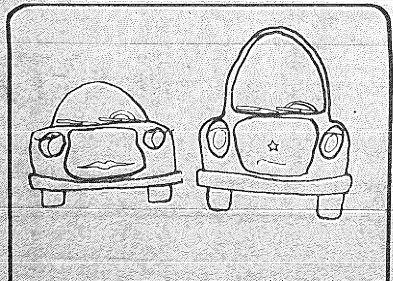
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# CAR TUNES

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Reg. to \$12.00 **\$390**

Solids, Stripes, Fancy Heathers in the best Fashion shades! ...Permanent press too! Sizes 26 to 38' Waists.



## 100% ACRYLIC SWEATER



# Vitals — weather



### BIRTHS

#### Girls

Mr. and Mrs. George M. Lande, Pryor Star Route  
Mr. and Mrs. Robert E. Rollins, 4006 Old Hardin Road  
Mr. and Mrs. Daniel O. Hathaway, 120 Monroe St.

#### Boys

Mr. and Mrs. Henry L. Westerman, 1332 Ave. B  
Mr. and Mrs. Arthur E. Belless, 11 1/2 Adams St.

### CITY DEATHS

Nicola Ottolino, 77, Route 1, Billings  
Mrs. Mary Tuttle, 68, 1115 2nd St. W.  
Baby boy Harmon, son of Mr. and Mrs. David M. Harmon, Roscoe

### AREA DEATHS

Mrs. Stella C. Bratten, 80, formerly of Winnett, in Roundup  
Mrs. Pearl Flinders, 80, formerly of central Montana, in Missoula  
Mrs. Essie Egeland, 76, Lewistown  
Mrs. Kaisa Paavola, 97, Red Lodge  
Leo John Johnson, 56, Roberts  
Jesse Lloyd Easley, 78, of Winnett, in Roundup  
Ancil Howard Pearson, 59, Seattle, Wash.

### MARRIAGE LICENSES

Gerald D. Brinkman, 22, Chinook, and Nicolette Frates, 18, Billings.  
Randolph F. Reichert, 29, Billings, and Peggy K. Roberts, 24, Sidney.  
Buddy L. Wright, 24, Billings, and Sharon D. Lembcke, 25, Billings.  
Richard E. Hanson, 18, Laurel, and Margaret D. Kelly, 17, Billings.  
Walter L. Manuel, 26, Billings, and Judie R. King, 20, Billings.

Dennis M. Sevfert, 26, Billings, and Karen D. Bradley, 22, Billings.

### DIVORCES ASKED

Micki Lee Paulson vs. Glenn Lee Paulson.

### FIRE CALLS

8:53 p.m. Tuesday (O'Donnell) — 1926 Mullowney Lane. Trailer fire at River Grove Estates. Cause undetermined. Trailer destroyed; nearby mobile homes slightly damaged. No injuries.  
6:10 p.m. Wednesday (City) — 624 Hollowell Lane. Car fire.

**BILLINGS-HARDIN** — Increasing chance of showers or thundershowers through Thursday. Gusty winds vicinity of the thunderstorms. Periods of rain Thursday night and Friday. Cooling trend. Lows Thursday night 45 to 50. High Thursday 70

to 75. High Friday 60 to 65. Chance of rain 60 per cent Thursday and Thursday night.

**BOZEMAN** — Showers and thundershowers through Thursday. Rain likely and cooler Thursday night and Friday. High Thursday near 65. Low Thursday night near 45. High Friday near 55. Chance of measurable precipitation 50 percent Thursday and 60 percent Thursday night.

**WEST YELLOWSTONE** — Showers and thundershowers through Thursday. Rain likely and cooler Thursday night and Friday. High Thursday upper 50s. Low Thursday night upper 30s. High Friday far 50. Chance of measurable precipitation 50 percent Thursday and 60 percent Thursday night.

**EAST OF THE DIVIDE** — Increasing showers and scattered thundershowers Thursday becoming mostly fair at times

and cooler west Thursday night all sections Friday. Highs Thursday 60s west 70s east. Lows Thursday night 40s. Highs Friday 55 to 65.

**WEST OF THE DIVIDE** — Cloudy with scattered showers and a few thundershowers through Thursday. Rain at times Thursday night and Friday. Continued cool. Lows through Thursday night 35 to 45. Highs Thursday and Friday 50s.

**AIRPORT WEATHER DATA**  
From United States Weather Bureau for 24 hours ending at 5:30 p.m. Wed. May 17.  
Maximum 85 Minimum 49

Precipitation 0.50 for this month, 51, total for same period of May 1-17 a year ago, 29. Total since Jan 1, 6.13 total for same period a year ago, 4.78, normal for May 1-17, 88, normal for Jan 1 to May 17, 4.38

Hourly temp 6 p.m. Tues. 5 a.m. Wed.  
6 7 8 9 10 11 12 1 2 3 4 5  
80 74 68 66 65 62 62 58 55 53 51 51  
Hourly temp 6 a.m. Wed. 5 p.m. Wed.  
6 7 8 9 10 11 12 1 2 3 4 5  
58 56 59 65 71 74 78 82 82 83 81  
Sunrise 5:40 a.m. Sunset 7:42 p.m.

Montana and Out of State Data		
	Min.	Max.
Billings	85	49
Belgrade	83	44
Broadus	90	52

Butte	70	52	Fort Worth	88	57
Cut Bank	70	46	Green Bay	86	51
Dillon	79	45	Helena	73	48
Drummond	72	38	Honolulu	85	89
Glasgow	91	59	Houston	86	65
Great Falls	81	47	Ind.apolis	77	50
Have	86	53	Jacks ville	87	62
Helena	76	48	Kansas City	85	62
Kalispell	68	53	Little Rock	84	62
Lewistown	82	42	Los Angeles	71	60
Livingston	80	43	Louisville	76	52
Miles City	82	60	Marquette	75	47
Missoula	73	46	Memphis	85	60
Thompson Falls	72	49	Miami	85	75
West Yellowstone	70	37	Milwaukee	75	47
Whitehall	—	41	Mpls-St. P.	89	55
Sheridan	88	48	New Orleans	84	84
West Yellowstone	30	37	New York	68	58
World	86	44	Oklahoma	87	58
Red Lodge	77	46	Ouaha	86	62
Baker	91	46	Philad. Phila	79	61
Hardin	86	44	Phoenix	93	66
Cooke City	87	30	Pittsburgh	86	61
Roundup	90	46	Portland, Ore.	56	48
Big Timber	83	42	Portland, Me.	61	46
Gardiner	81	48	Rapid City	89	50
Albany	75	50	Richmond	77	54
Albo que	83	56	St. Louis	82	53
Amarillo	85	53	Salt Lake	83	61
Anchorage	47	34	San Diego	68	59
Ashville	78	45	San Fran.	59	51
Atlanta	72	57	Seattle	55	45
Birmingham	98	52	Spokane	61	51
Bismarck	69	58	Tampa	82	71
Bone	82	67	Washington	76	54
Boston	83	51			
Buffalo	70	51			
Charleston	82	67			
Charlotte	77	52			
Chicago	66	54			
Cincinnati	74	48			
Cleveland	63	51			
Denver	84	51			
Des Moines	82	57			
Detroit	75	51			
Duluth	87	49			
Fairbanks	53	38			
			Montreal	69	51
			Winnipeg	78	50

Canadian Cities		
	Min.	Max.
Calgary	82	53
Edmonton	81	52
Regina	80	51
Saskatoon	79	50
Winnipeg	78	50

## Con-Con pamphlets not delivered

By GARY SVEE  
Gazette Staff Writer

Empty mailboxes for Yellowstone County voters expecting their copies of the proposed constitutional pamphlet are not the fault of the County Election Department.

"We mailed out 42,003 copies," Clerk and Recorder Merrill Klundt said Monday, "and that corresponds with the number of registered voters."

**KLUNDT ADMITS** that mailing the copies to the voters isn't the same thing as the voters receiving the pamphlets but he says his department did its best.

"Some of the problem comes with people who have moved from one precinct to another but haven't changed their addresses with our department."

"On the other hand, we have had a number of calls from people who haven't received their copies even though their addresses correspond with the addresses in our department."

**KLUNDT SAYS HE** has no explanation for that problem—"they might know at the post office"—but he is willing to venture a guess as to why the transient voters haven't gotten copies.

"We had to mail the pamphlets by bulk rate," he says, "and bulk rate mail is not forwarded to new addresses."

The number of pamphlets searching for a home seems to be substantial.

Constitutional Convention delegate Jean Bowman has picked up about 4,000 errant pamphlets that were returned to the post office, Klundt says.

**SHE PLANS TO** distribute them to voters. "I suggested booths at the shopping centers but I don't know how she is going to go about it," Klundt says.

The decision to mail the pamphlets bulk rate was sheer economics.

Even at bulk rate with volunteer help in the county department, mailing the pamphlets cost the county \$2,100 in postage.

**AT FIRST CLASS RATES** of \$24 per copy, the mailing costs would have soared to \$10,000.

"That's a lot of money," Klundt says.

Yellowstone County was given 45,000 copies of the pamphlets for voters.

Some are available in the courthouse for the voters who did not receive a pamphlet in the mail, Klundt concluded.

## \$250,000 civil suit over collision filed

A \$250,000 civil suit was filed Wednesday in District Court over a truck-trailer collision June 6, 1969.

The suit was filed by Vendel A. Evanson against Long Brothers. The accident happened seven miles east of Bozeman on U.S. Highway 90.

Evanson states that he suffered neck, back and arm injuries.

A second civil suit filed in District Court accuses a businessman of using false financial statements to secure a lease and promissory note.

The suit was filed by H. J. Van Ornum and Barbara Van Ornum. The defendant is Cliff Brown of Rapid City, S.D.

The suit states the Van Ornums leased property to Brown to use for Cliff's Burger Bar in Billings. The suit also states Brown signed a \$20,000 promissory note to the Van Ornums.

The suit states Brown used false financial statements to secure the agreements.

Damages sought includes \$16,481.89, which the suit states would not have been paid if the financial statements had not been made.

### Nicola Ottolin

Nicola Ottolino, 77, of Billings, died Tuesday at Deaconess Hospital of complications from a stroke suffered three days ago.

He was a construction worker and had been employed with Northern Pacific Railroad for Montana, Dakota and Nebraska after 1929. He retired in 1960. Mr. Ottolino was born in 1894, in Triggano, Italy, and attended schools in Italy and came to Billings in 1915 with a brother and his wife.

He married Dorothy W. on Feb. 4, 1923, in Billings. He was an army veteran of World War I. He belonged to the Elmer W. Witness church and the Billings Legion Post 4.

Services will be at 2 p.m. today in Dahl-Brown Funeral Chapel. Elton Stevenson, Jehovah Witnesses will officiate. Burial will be in Sunset Memorial Gardens.

Survivors include the wife, a son, Albert, of Bridgeview, two daughters, Mrs. Robert Gariton of 1045 Wicks Lane, Mrs. James Toole of Rapid Billings; and seven grandchildren.

### Leo J. Johns

ROBERTS — Leo Johns, son, 56, died Tuesday in County Memorial Hospital.

He was born Jan. 6, 1916, in Red Lodge and grew up in Red Lodge area. He attended school at Elbow Creek, ranched southeast of H. He moved to Roberts in 1941, married Mary McDonald in 1942, in Red Lodge. She died in 1966. He married Winifred man Dec. 17, 1966, in Red Lodge.

Funeral services will be held 7 p.m. Saturday from the office of the Olcott Funeral with the Rev. Orville Zeman officiating. Burial will be in Roberts Cemetery.

Survivors include the wife, two daughters, Mrs. Judy Dykstra, Roberts, and Mrs. Johnson, Red Lodge; a son, Billings; two step-daughters, Mrs. Leroy Pickham, and Tina Cline, Roberts; brother, Leslie, Mills, Wyo.; mother, Mrs. Lempi-Dahl, Red Lodge; and two grandchildren.

## Sleeping giant

FROM PAGE 1

who operates from a Level Three office. —Walt Willett, of the lien-holding construction firm.

**TROUBLE ISN'T** a new commodity for the MBK partnership.

It took three years and a substantial sum of money to purchase the land needed for the 40-unit, high-rent complex.

"I quibbled with them for years," smiles the small grey-haired lady who sold the property, Mrs. Lillian Franklin.

(Neither Mrs. Franklin nor Moses will say what the finally agreed upon price was.)

The next snag was struck when the builders prepared to tear down the Franklin home to make room for the new structure.

Mrs. Franklin refused to move.

mined to go on living in the home she and her sisters lived in 1913.

The developers tried to find her temporary quarters until her new apartment was ready for occupancy.

Mrs. Franklin said, "No, thanks." She did consent to a slight adjustment however.

Workmen were allowed to saw off several unoccupied rooms to accommodate the jutting balcony of the new building.

Mrs. Franklin said Wednesday: "I would be content to live here through the summer, but I wish they would clean up the trash around here."

"I've never lived among trash like this."

**MOSES SAID** Wednesday: "Construction should start again Monday. The building should be finished within two weeks."

## Welfare scandal

Welfare agencies for all drugs purchased through the state in one month and estimated that the cost was 34 per cent higher than was reported.

**THE REPORT NOTES** that welfare agencies will reimburse psychologists for services only if performed at the request of a doctor.

FROM PAGE 1



### Aided by pacemaker

Photofax

Mrs. Robert Kruljac of Sonoma, Calif., holds her 2-month-old daughter Nicole who made medical history when a miniaturized pacemaker was installed in her heart. She is the smallest known child ever to have such a device installed.

## Constitution will carry reorganization forward

This is the fourth in a series of stories examining key provisions of the proposed new constitution and their effect on the people.

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA — Executive reorganization would be carried a few steps further under the proposed new Montana constitution.

But the changes would stop far short of creating a powerful governor with an appointed "cabinet" which many reformers prefer to the present diffused "plural executive."

In addition to preserving the recent "Twenty's Plenty" executive reorganization amendment, the new constitution would eliminate a few constitutional boards, drop one elective office and, probably most important, make the governor and lieutenant governor run as a team.

Governor and lieutenant governor don't run for office together under the present constitution. They don't even have to be of the same political party.

But under the new constitution, they would run as a team in both primary and general elections. Like the

But the team approach also could spawn "ticket-balancing" aimed only at appealing to the electorate and might result in unqualified candidates.

The office of lieutenant governor, a part-time post with few duties except presiding over the state Senate and serving in the governor's absence, could become whatever future and governors and legislators want it to become—from fulltime assistant governor to part-time election year figurehead. The new constitution would leave the duties to the governor and legislature.

The new constitution would not mention the state treasurer and state examiner and would delete reference to the board of examiners, board of pardons and the defunct board of prison commissioners.

With the exception of the prison board, all would continue to exist under current laws, but they would lose their constitutional status and protection.

The elective office of treasurer, the major deletion, might be abolished by a future legislature, because with executive reorganization the office has fewer duties.

think that is way too many.

They think a governor should select his executive "cabinet," just as the president does nationally. Their theory is to make the governor responsive to the people by pinpointing the power and the responsibility in him so the people know whom to praise or blame.

But many fear an over-empowered governor and see a "plural executive" of several selected officials, often of different parties, as a check on the governor. And they argue that elected officials are more responsive to the public than are appointees.

The Constitutional Convention's executive committee proposed a compromise—keep the governor, lieutenant governor, attorney general and secretary of state in the constitution and remove the superintendent of public instruction, auditor and treasurer. But only the treasurer was deleted.

Other changes in the proposed constitution include lower the age limit for several executive offices from 30 to 25, slight changes in the governor's veto powers and requirement of senate confirmation of the governor's appointments of agency heads.

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### Aided by pacemaker

Photofax

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Governor and lieutenant governor don't run for office together under the present constitution. They don't even have to be of the same political party.

But under the new constitution, they would run as a team in both primary and general elections, like the president-vice president ticket nationally.

THE TEAM approach increases the likelihood that the governor's programs would be continued if he died in office and also could increase the lieutenant governor's role in the administration.

But the team approach also could spawn "ticket-balancing" aimed only at appealing to the electorate and might result in unqualified candidates.

The office of lieutenant governor, a part-time post with few duties except presiding over the state Senate and serving in the governor's absence, could become whatever future and governors and legislators want it to become—from fulltime assistant governor to part-time election year figurehead. The new constitution would leave the duties to the governor and legislature.

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The elective office of treasurer, the major deletion, might be abolished by a future legislature, because with executive reorganization the office has fewer duties.

DELEGATES REASONED the treasurer's office isn't policy-making and probably won't play much role in administering state finances. But others argue that keeping all elective offices protected in the constitution is important.

Montana currently elects seven state constitutional officers, and many reformers

think that is way too many.

They think a governor should select his executive "cabinet," just as the president does nationally. Their theory is to make the governor responsive to the people by pinpointing the power and the responsibility in him so the people know whom to praise or blame.

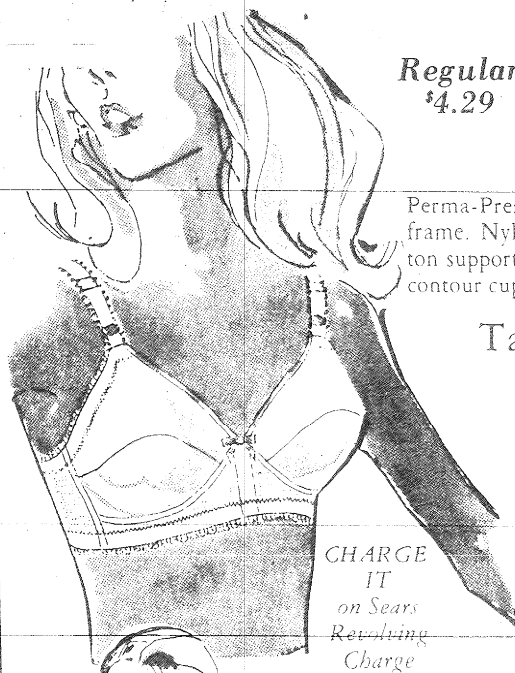
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# Coal power d

By DENNIS E. CURRAN  
Gazette State Bureau

GREAT FALLS — Eastern Montana's rich coal deposits soon will be transformed into Midwestern power, but not everybody is applauding.

A coal company representative and a federal official who outlined plans for coal development ran into a barrage of critical questions and comments Wednesday at the Montana Land and Water Use Seminar here.

Seminar participants voiced fears of social, economic and environmental impacts of strip-mining of coal and related coal-fired electrical generating plants to be built on the Montana prairie.

AND SOME EVEN questioned the need for any massive development, especially the nine-month power plants envisioned in the controversial northcentral power study.

Much of the second day of the three-day

seminar sponsored by the Montana League of Women Voters was devoted to a discussion of Montana's coal.

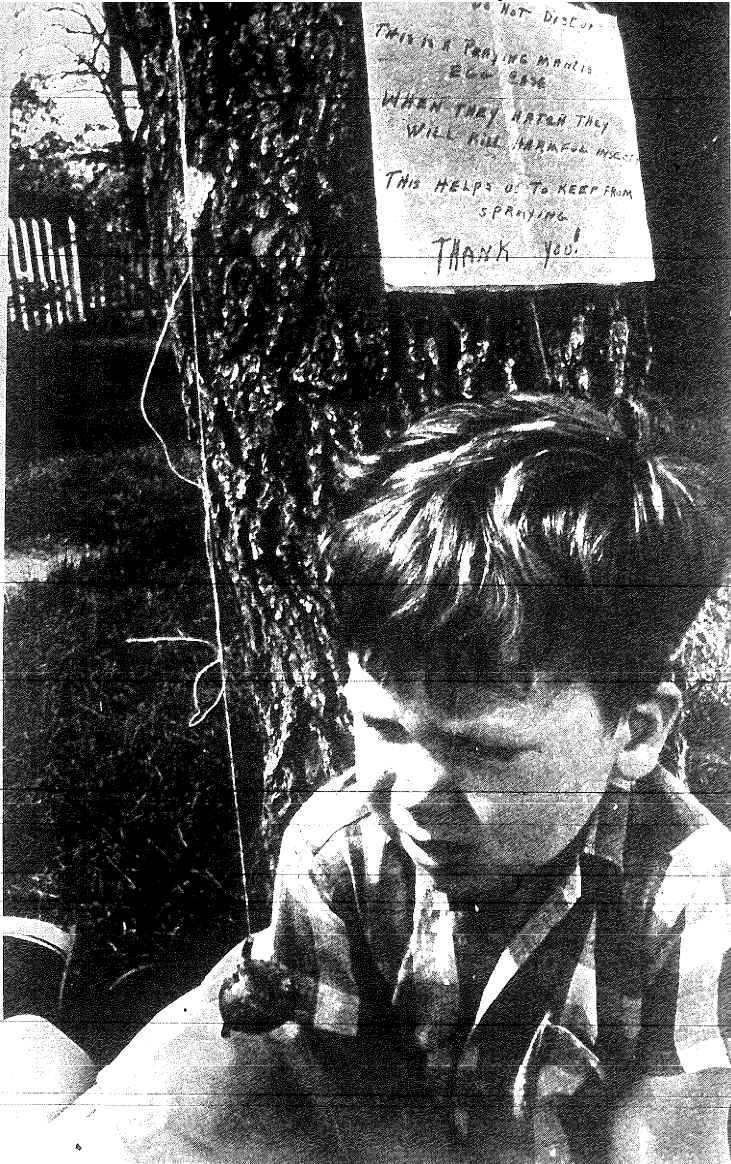
"We're sitting on one of the largest, if not the largest coal deposits in the world," said Gene Tuma of the Peabody Coal Co. "I think we're committed to this development because we have the need for energy."

THE COAL OFFICIAL said he couldn't imagine the need for energy, and the need for fuels to create it, decreasing in the future — "unless we change our life style."

He said his company had been urged by the government to develop the Montana coal deposits because of fuel shortages.

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Fellow panelists John Goers, reclamation administrator for the state department of lands, and Bill Tomlinson, coordinator of the Student Environmental Research Center at the University of Montana, criticized the im-



Gazette photo by William Tutokey

## Time bomb

The praying mantis egg case that Chris Roberg, 5, of 726 Custer Ave., is checking for signs of life in the yard of his neighbor, Mrs. W. H. Wallace, 728 Custer Ave., will be a time bomb for the aphids that inhabit her tree. Mrs. Wallace feels, if the neighborhood children

heed the sign she's posted asking them not to tamper with the eggs. "I'm doing my bit for ecology," she says, explaining that the young praying mantis will enjoy dining on the aphids — which, in turn, have been dining on the tree.

## Court ruling points out need for new constitution

HELENA (AP) — A district court decision that it is unconstitutional to pay highway patrol salaries with state gasoline money "is just one more reason for approval of the new state constitution," a state senator said Wednesday.

"Certainly few would question the fact that highway patrol salaries are a highway related expense," said Sen. Jack McDonald, chief sponsor of a 1971 law allowing the expenditure.

District Court Judge Nat Allen ruled the law unconstitutional on the basis that it conflicts with the so-called anti-diversion amendment to Montana's 1889 constitution.

McDonald said the new constitution would correct the deficiency by allowing gasoline tax revenue and other highway related revenue to be used for "enforcement of highway safety, driver education, tourist promotion and administrative collection costs," as well as

other highway related expenses.

Failure to pass the new constitution June 6 will mean highway patrol expenses will have to continue to be paid out of the "hard-pressed general fund, meaning that less money will be available for such needs as education and state institutions," McDonald said.

He said the ruling also brings into question other uses of highway funds, such as aid to cities and counties.

McDonald said the new constitution will give "much needed flexibility in the use of the highway funds for highway purposes."

He noted the proposed document would allow use of highway funds for non-highway uses only upon approval of three-fifths of the members of each

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## Peabody Coal is lone holdout

Thursday Morning, May 18, 1972—15

## Coal power debated

By DENNIS E. CURRAN  
Gazette State Bureau

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Seminar participants voiced fears of social, economic and environmental impacts of strip-mining of coal and related coal-fired electrical generating plants to be built on the Montana prairie.

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Fellow panelists John Goers, reclamation administrator for the state department of lands, and Bill Tomlinson, coordinator of the Student Environmental Research Center at the University of Montana, criticized the im-

pact the coal development could have.

Goers also noted that while complaining of an energy crisis, the energy companies were "still advertising to get your electric toothbrush and your when-I'm-not-there yardlight."

DISCUSSION TRANSCENDED strip-mining, which many seemed to feel is inevitable, and concentrated on the northcentral power study. The study, sponsored by 36 public and private utility companies, envisions building coal-fired mine-mouth generating plants in the heart of the Montana-Wyoming coal fields, using Montana coal and water, and transmitting the power back to the northcentral states.

"It's not just land — it's air and water too," Goers said.

Tomlinson and another speaker, Eldon Smith, wildlife extension specialist at Montana State University, criticized the ripple effect the development would have on Yellowstone River water and the impact on people.



Gazette photo by William Tutokey

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## nts out stitution

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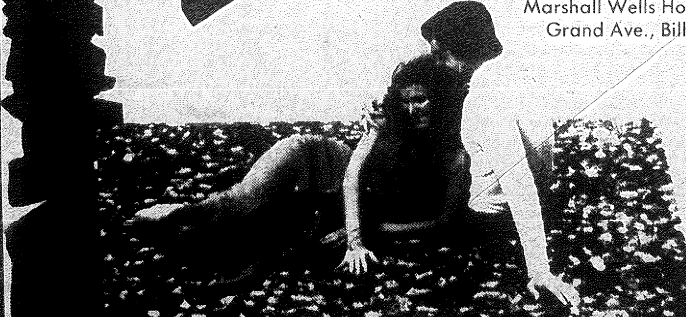
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# The Billings Gazette

Friday,  
May 19, 1972

Founded  
May 3, 1885

## Page of Opinion

Ours Yours Theirs

Signed articles on Gazette opinion pages are the author's views and do not necessarily reflect opinions of The Gazette.

# Water—claim it or lose it

19th in series

Water, the lifeblood of the west, or any other place on earth for that matter, is not neglected in the proposed constitution on which Montanans will vote June 6.

Article IX, Environment and Natural Resources, contains specific language on the vital subject in Sec. 3, Water Rights.

**ESSENTIALLY, IT PRESERVES** all the rights stated in the 1889 or present constitution and adds new dimensions which could be of continuing importance now and in the not-too-distant future.

Section 3 protects the past practices in its first two subsections:

"(1) All existing rights to the use of any waters for any useful or beneficial purpose are hereby recognized and confirmed."

A legal question could arise from this new section concerning water rights held by someone who is not using them. It would be a matter for the courts to determine if the right met the constitutional criteria.

**ANOTHER ELEMENT IN IT**, decried by the environmentalists, is that the new constitution does not specifically provide that recreation use is a "useful or beneficial purpose." Past Legislatures have declined to specify recreation use by name. It could be included by the courts in their interpretation of the section.

Subsection (2) is a rewrite of Sec. 15 of Article III in the present document. The official explanation of ConCon delegates concerning the new subsection is, "The use of all water that is now or may hereafter be appropriated for sale, rent, distribution, or other beneficial use, the right of way over the lands of others for all ditches, drains, flumes, canals, and aqueducts necessarily used in connection therewith, and the site for reservoirs necessary for collecting and storing water shall be held to be a public use."

Insofar as water is concerned, all the subsection does is rearrange the words without any change of meaning. The purpose appears to be to protect what exists and may come to exist.

A second sentence of the present document's section, which has no relationship to water rights, is eliminated. It involves opening of private roads in a manner "prescribed by law" after establishing necessity and the damages to be paid the land owner. It clearly has no place in the Water Rights section.

**SUBSECTION (3) IS NEW** and states "All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for use of its people and are subject to appropriation for beneficial use as provided by law."

Here again, recreation could be determined by the courts to be a beneficial use.

Environmentalists of the University of Montana, Professor Clarence Gordon and William Tomlinson, view subsection (3) as "significant" in that "as trustee the state would have responsibility to manage the appropriations and uses of this water."

The Montana Legislature has been cognizant of the importance of water for many years. The provision would appear to give it more constitutional status in its regulation.

Subsection (4) provides the constitutional duty of establishing a central records system, now sadly lacking. If you want to determine water rights now, in most cases it is necessary to go to county courthouse of the jurisdiction involved.

The subsection states "The Legislature shall provide for the administration, control, and regulations of water rights

# Friday finisher

## Now seriously

ConCon, one-way grid systems, zoning and President Nixon's newest foray are minor considerations in Billings these days.

What Billings is talking about is dandelions. There must be thousands, millions, billions, trillions of the yellow things cluttering up the landscape — especially your lawn.

Like June, the damnedelions are bursting out all over and it's only May.

Might not be so bad if the little wretches would only stay put. But no, they lose their twinkling color, turn gossamer and — yuck. The air is filled with flying objects that are definitely identifiable.

But do not despair. Soon the air will be clear once more. Until the cottonwoods shed their reproductive missiles.

That's something else to look forward to besides the annual water shortage.

## Great lunch

Now you see it, now you don't is the story of what happened to one of Billings' service stations the other noon.

It was just after lunch when a big yellow monster belched black smoke in anticipation of its forthcoming feast in the 1200 block on North 27th St.

The giant, rubber-tired crusher strained at the controls. Less than an hour later what once had been a service station, obviously unprofitable and little patronized,

was now a bare spot on the asphalt.

There's the real answer of what to do with the customer-abandoned potential eye sores. Level 'em.

## Fore, cast!

Here's a prediction for the coming weekend:

With fishing season opening, the weather bobbing up to the mid 80s, the traffic in downtown Billings will be considerably eased this Sunday.

But watch out on the banks of the streams.

## Hot dog

Growing oldsters have something to look forward to in downtown Billings. It's that day care center for senior citizens proposed for the Congregational Church on North 27th St. at Third Avenue North.

The Community Action Program is seeking federal funds to provide a home away from home for folks 55 years and older.

Think of the possibilities this offers. Free hot meals at noon for the 55 and plus businessman whose wife doesn't want him cluttering up the house.

Taxi service and companionship are on the agenda.

Wait until the little woman hears about this. But then, she may not object. It'll be one way to get the old boy into church on a regular basis.

We'll keep you posted on

where to make reservations and at some noon some day.

## Loss leader

No sir, you sure can't Montanans of not holding in this Phase II business.

This week's news tells per capita personal income in Montana increased only one percent in 1971, the smallest of the 50 states.

Yup, that's sure showing the rest of the nation how to handle a recession.

## Joint effort

Not only that, but our governmental agencies are attempting to hold the line, tetcha.

The timberland and mill the Anaconda Co. \$117 million was on the tax ment rolls of 10 western counties at only \$9.7 million.

Nobody can kick on the tax climate to attract in

Now if you could only \$25,000 house on the tax rolls at say about \$2,000 value.

## Didn't know

But double dang dang snoop reporters who me keeping track of statistics and such other government crests.

That's as bad as the N land newspaper that chos all those Pentagon body

# Big T

By JAMES RESTON

Secretary of the Treasury John Connally suddenly emerged last week as the new big insider at the White House, and then before you could say "oil depletion allowance," he was out. It was all a little odd: They didn't even hold the announcement long enough to give poor George Wallace his day of tragic glory.

Well you never really know what motivates men around here, and Connally has been hit by the bullets too, and he has a wise wife, and maybe he was just a loyal pinch-hitter after all — but don't bet too much on it.

**THE GUESS IS** that Big John will be back. He's always used this town to rest his hat when he gets bored in Texas. He is a tough ambitious cookie, a really bold man in a field of doubters and pretenders. He is almost the last of the definite, passionate, eloquent men and he's just at that critical time of life, when



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Cattle raising for the Big Texas ranchers is a spectator sport, and Big John is no spectator. Besides, he has lost his base in the Democratic party, and after Richard Nixon, the leadership of the GOP is up for grabs.

Nixon has talked a lot about the future since he came into the White House, but he has done very little about the future of the



"REALLY SPIRO, I DON'T UNDERSTAND HOW THESE RUMORS ABOUT MY DUMPING YOU GET STARTED..."

## For Humphrey it was disaster

By BOB WARDEN

DETROIT—Gov. George C. Wallace's victory margin in the Michigan primary surprised even his most optimistic backers.

And it stunned Hubert H. Humphrey.

Campaigning against busing and for law and order, Wallace won half of all votes cast.

State election officials said Michigan voters apparently had made up their minds to vote for Wallace before he was shot and critically wounded Monday in

Laurel, Md.

They said the assassination attempt apparently produced only a minimal number of "sympathy votes."

THE STATE, whose politics have always been regarded as liberal Democratic, gave the conservative Alabama governor his first primary victory outside the South in three presidential campaigns.

It was a disaster for Humphrey, who in the 1968 presidential election carried Michigan handsly with 48 per cent of the vote. Richard M. Nixon and Wallace were both on the ballot then but Wallace received only one in 10 votes cast.

In sharp contrast to that, Wallace carried all but one of Michigan's 86 counties, the exception being Washtenaw, where George S. McGovern beat him four to three.

Statewide, McGovern came in second with about 27 per cent of the vote and Humphrey was a poor third with only about 16 per cent.

THE REST of the votes were split among Rep. Shirley Chab-

olm of New York and several candidates whose names were on the ballot but who did not actively campaign.

Wallace ran strongest in the Detroit suburbs where the busing fervor had been strongest. Wallace won 53 per cent of the vote in Pontiac, where a court-ordered busing plan was instituted in September.

Wallace also carried Kalamazoo, in southwest Michigan where a busing plan also was imposed by a federal court.

It was clear that Humphrey has lost many of his previously loyal white labor constituents to Wallace, and McGovern snatched away many of the black votes Humphrey had counted on for a good showing in the primary.

IN BLUE COLLAR Dearborn, Wallace was a runaway victor, and Humphrey finished well behind McGovern.

Black areas of Detroit generally gave Humphrey pluralities, but few precincts gave him the 60 per cent margins his Michigan managers had expected him to win.

In 1968 Humphrey received 98

per cent of the Detroit black vote.

Another factor was an apparent heavy Republican crossover to vote in the Democratic primary.

This put the squeeze on Humphrey at both ends.

Under Michigan law in effect for the first time this year, each candidate will have a number of delegates at the Democratic national convention proportional to his primary vote.

In other words, Wallace's vote gave him about half of the state's 132 delegates.

(C) Chicago Daily News

### the small socie

I BEG YOU NOT TO IMPROVE MY LOT ANY FURTHER, SENATOR -

purpose are hereby recognized and confirmed."

A legal question could arise from this new section concerning water rights held by someone who is not using them. It would be a matter for the courts to determine if the right met the constitutional criteria.

ANOTHER ELEMENT IN IT, decried by the environmentalists, is that the new constitution does not specifically provide that recreation use is a "useful or beneficial purpose." Past Legislatures have declined to specify recreation use by name. It could be included by the courts in their interpretation of the section.

Subsection (2) is a rewrite of Sec. 15 of Article III in the present document. The official explanation of ConCon delegates concerning the new subsection is: "The use of all water that is now or may hereafter be appropriated for sale, rent, distribution, or other beneficial use, the right of way over the lands of others for all ditches, drains, flumes, canals, and aqueducts necessarily used in connection therewith, and the site for reservoirs necessary for collecting and storing water shall be held to be a public use."

Insofar as water is concerned, all the subsection does is rearrange the words without any change of meaning. The purpose appears to be to protect what exists and may come to exist.

A second sentence of the present document's section, which has no relationship to water rights, is eliminated. It involves opening of private roads in a manner "prescribed by law" after establishing necessity and the damages to be paid the land owner. It clearly has no place in the Water Rights section.

SUBSECTION (3) IS NEW and states "All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for use of its people and are subject to appropriation for beneficial use as provided by law."

Here again, recreation could be determined by the courts to be a beneficial use.

Environmentalists of the University of Montana, Professor Clarence Gordon and William Tomlinson, view subsection (3) as "significant" in that "as trustee the state would have responsibility to manage the appropriations and uses of this water."

The Montana Legislature has been cognizant of the importance of water for many years. The provision would appear to give it more constitutional status in its regulation.

Subsection (4) provides the constitutional duty of establishing a central records system, now sadly lacking. If you want to determine water rights now, in most cases it is necessary to go to county courthouses of the jurisdiction involved.

The subsection states "The Legislature shall provide for the administration, control, and regulations of water rights and shall establish a system of centralized records, in addition to the present system of local records."

YOU MAY ASK, "So, what? Do records need to be duplicated?" The answer is... Yes.

Reasons are stated by Gordon and Tomlinson. They say, "These provisions (subsections (3) and (4) come at a critical time for a western state."

In 1968 Congress enacted the Colorado Basin Project Act. As stated in this legislation "the secretary of the interior shall conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the western United States. Such investigation shall include the long-range water supply available and the long-range water requirements in each water resource region of the western United States."

"At the present time Montana water records are kept in their respective counties. This provision will facilitate the conduct of such an inventory allowing for a more complete and accurate estimate of water available in the state."

"An inventory is also critical because estimates of the consumption requirements of the power-generation and coal-gasification industries planned for Montana and Wyoming will require approximately 75 per cent of the available water resources within the 13-state area bounded by Montana, Wyoming, Colorado, Kansas, Missouri, Iowa, Minnesota and North Dakota."

THIS IS MOST IMPORTANT because other areas have a covetous eye on the water which annually flows out of Montana. Estimates have been made that the annual flow of water out of Montana is enough, to serve the nation's present needs.

The importance of subsection (3) is, according to lawyer Gerald J. Neely that "It provides the state a right to claim water for Montanans where other states or the federal government are involved."

Although most of the discussion over the proposed constitution is revolving around other articles, such as removal of the 2-mill statewide property tax ban, the provisions in the Water Rights section of Article IX, Environment and Natural Resources, are of key importance in Montana's future.

THEY ARE A DEFINITE PLUS for the proposed constitution. With Montana restricted to only the use of water now appropriated, the Treasure State could find itself high and dry.

Development of Montana will surge primarily through use of its water, whether in agriculture, industry or recreation. The handwriting is on the wall—claim it, or lose it.

Next Article X, Education and Public Lands

### The Billings Gazette

Published Daily and Sunday by THE GAZETTE PRINTING COMPANY Billings, Montana, 59103 Second Class Postage Paid at Billings, Montana

Strand Milhore Publisher Business Manager Ronald J. Sample Editor Duane W. Bowler Managing Editor George Funkertown City Editor Thomas S. Jenks Sunday Editor Charles P. Rignman News Editor Orest G. Kishoyro Editor Kathryn Wright News Editor S. W. Gussman Retail Ad Manager A. E. Feahr National Ad Manager Paul D. Sherry Classified Ad Manager Dottie W. Harris Circulation Manager David R. Billington Checkmaster

Washington Star Syndicate, Inc.

# The Billings Gazette

o. 18

Billings, Montana, Saturday Morning, May 20, 1972

Single Copy 15c

More rain  
Rain at times and continued cool through Saturday with high 45 to 50, low 40 to 45. More weather on Page 4.

## Chicago ht clerks

f people," she said after a com- hearing on whether the eight denied promotions. "We're re to put up a fight about it."

the hearing, Charles Barnhill, or the eight, explained the rea- the eight decided to fight the on's plan to withhold the promo-

performance has been. be satisfactory in all respects," They have been shown to do their

agreed. "We have no complaint work performed by these em- the present time in their present he said.

whole matter revolves around rs. Shirley Burnett, who weighs s, said that the loss of the promo- eeks to a post as a case-aid work- ost her more than \$40 a month. a clerk typist.

ther clerical workers who are e commission's plan are:

hallee McKenzie, an 187-pound Mrs. Dorothy Miller, a 230- istant financial supervisor. Mrs. ammond, a 207-pound clerk-typ- Ellen Lungerhausen, a 172-pound Mrs. Silver Blue, a 190-pound d machine operator. Mrs. Loretz, a 200-pound typist.

izing them for the fight is the Illi- of Social Service Employes.

# Nixon expects progress as he leaves for summit

WASHINGTON (AP) — President Nixon declared Friday night he is embarking on a historic mission to Moscow Saturday with hope for real progress in three areas—including arms curbs.

The President, speaking informally to newsmen at a White House reception, said previous East-West summits "added up to cosmetics—all froth and very little substance."

Nixon said he sees a real possibility of agreement at the Moscow summit on arms limitations, trade relations and co-operation in space exploration.

The chief executive cautioned, "I would not raise hopes too high because there are some knotty problems to be solved." But he reported receiving within the past 48 hours a personal message from Communist Party Chairman Leonid I. Brezhnev that "indicated a positive attitude."

The President said the message was brought to him Thursday at his Camp David retreat by the Soviet ambassador, Anatoly Dobrynin.

Nixon said that as President he has engaged in "a very great volume" of direct and written exchanges of views with Brezhnev—exchanges not made public at the time.

Although Nixon said he met Brezhnev only once, and briefly in 1959, he believes he and the

Russian well understand where their differences lie and at the summit will "come quickly to the problem."

The President said that apart from arms limitations, trade and space cooperation, both the United States and the Soviet Union have submitted other

items for the agenda.

He said these would include "Vietnam and other areas of the world where the United States and the Soviet Union do sometimes have conflicting interests."

Nixon described the summit as having been "perhaps over

three years" in the planning. He said the single event that made it possible was "the success of the understandings on Berlin"—an agreement ratified just Thursday by the upper house of the West German parliament.

Nixon met earlier in addition

with Democratic and Republican leaders of Congress to discuss his journey.

This was in marked contrast to Nixon's behavior before departing for his February trip to mainland China. At that time, he had little to say before leaving Washington and little to add after returning.

The circumstances only reinforced widespread expectations that American-Soviet accords in a number of key areas are virtually set for announcement once Nixon becomes the first American President ever to visit the Soviet capital.

Most important among the agreements probably was a blueprint for curbing the East-West contest for overwhelming superiority in strategic arms.

Nixon talked at length with reporters early Friday morning at Walter Reed and at Holy Cross Hospital in nearby Silver Spring, Md., where he visited with Democratic Gov. George C. Wallace of Alabama, victim Monday of a would-be assassin's bullets. At Walter Reed he called on Secret Service agent Nick Zarvos, shot in the throat during the attempt on Wallace's life.

The chief executive seemed completely relaxed, apparently convinced that no major roadblocks stand in the way of a successful mission to Moscow.

## Money woes don't stop backers of constitution

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA — Despite its "very dismal" bank balance, the Citizens Committee for Constitutional Improvement is going ahead with big plans to tell the people about the proposed Constitution.

The committee, an expanded version of the old Constitutional Convention Voter Education Committee, started the day Friday with slightly more than \$8,000.

But by the time an afternoon meeting was over, Committee Chairman John Toole of Missoula had paid a Helena advertising agency about \$8,100, leaving the committee almost broke and Toole upset.

"WE ARE NOW forced with educating the people on \$265 on some of the most complex issues they've ever faced," Toole complained. "Instead, they are being educated by the contractors, the auto dealers, the Farm Bureau and the truckers."

"We are completely at the mercy of the special interests, and so are the people of the state," he said. "It's the wrong way to run a democracy."

THE OLD CONVENTION committee would have had \$50,000 in state funds to educate the public, but the Montana Supreme Court, as Toole acidly recalled Friday, ruled it could not spend the money. So the new citizens committee formed, pared down the original budget to \$26,000 and drummed up \$8,000 in private cash.

Committee members decided Friday to go ahead with that program even though they didn't have the money. Toole said he and Convention President Leo Graybill Jr. would try to scratch up more support next week.

The committee's media campaign, outlined by Graybill Friday, includes fairly extensive newspaper, radio and television advertising in the final weeks before the June 6 election and includes telethons in several cities just before the election.





# Dahood hits ConCon foes

By DANIEL J. FOLEY  
Gazette State Bureau

HELENA—Constitutional convention delegate Wade J. Dahood blasted the Montana Farm Bureau and Montana Taxpayers Association Thursday, charging that their representatives withdrew from a debate with him and ConCon president Leo Graybill Jr.

But representatives of the organizations and the man trying to arrange the debate said it's all a big misunderstanding.

Dahood said he and Graybill were scheduled to debate Stan Berger of Bozeman, executive secretary of the farm organization, and S. Keity Anderson, executive vice president of the taxpayers group, in Rudyard on Friday. But both withdrew after the program for the event had been printed and distributed, he said.

Both the Montana Taxpayers Association, which is supported primarily by corporations and businesses, and the Montana Farm Bureau have published newsletters and pamphlets generally critical of the proposed constitution, which will appear on the June 6 ballot.

DAHOOD SAID the two groups have been "misleading citizens" and he challenged them to "come out in the open and present their positions in a democratic manner."

"I know there are special interests that are doing everything they can to beat the constitution because it will make them pay their fair share of the tax burden in Montana and make our state government less open to their self-serving influence," the Anaconda Republican said.

But Berger told the Gazette State Bureau that he originally was asked to debate two convention delegates from the Rudyard area, not Dahood and Graybill, who are both lawyers. He said he is not afraid to debate the constitution, but does not think it fair that he, a nonlawyer, should have to face two lawyers.

Berger said he had suggested Anderson's name to State Sen. David F. James, D-Joplin, who was arranging the debate. Berger said he later learned Anderson had another commitment.

Anderson told the State Bureau that he hadn't even heard of the debate until Monday of this week and had long ago arranged to attend another event, the Helena meeting of the Montana Stockgrowers Association. "They can find some other whipping boy besides me," he said.

Sen. James, meanwhile, confirmed that Anderson had never agreed to the debate, even though his name appeared on the program. And he said Berger had agreed to show a Farm Bureau slide presentation critical of the constitution rather than debate the lawyers.

AT ONE POINT, James said, he tried to get Helena attorney Wes Wertz, who has been carrying on a one-man letter-writing campaign against the constitution in state newspapers, and Clancy delegate Charles Mahoney to debate Graybill and Dahood.

But Graybill wouldn't go along with the Wertz debate, so the whole thing was called off, James said.

And Graybill, a Great Falls Democrat, said that indeed he "wouldn't argue slavery again with Wes Wertz." (One of many Wertz' criticisms has been the removal of the constitutional ban on slavery.)

Graybill said he was more than anxious to take on the Montana Farm Bureau and Montana Taxpayers Association. "We'll debate them anywhere, anytime," he said.

The convention president said that he had heard from two sources that Anderson would not appear because the directors of the taxpayers association vetoed the idea, but Anderson denies that.

Graybill also blasted an anti-constitution slide presentation which recently was shown in Missoula and, according to Graybill, billed as sponsored by the Farm Bureau, Montana Taxpayers, Associated General Contractors and a truckers group.

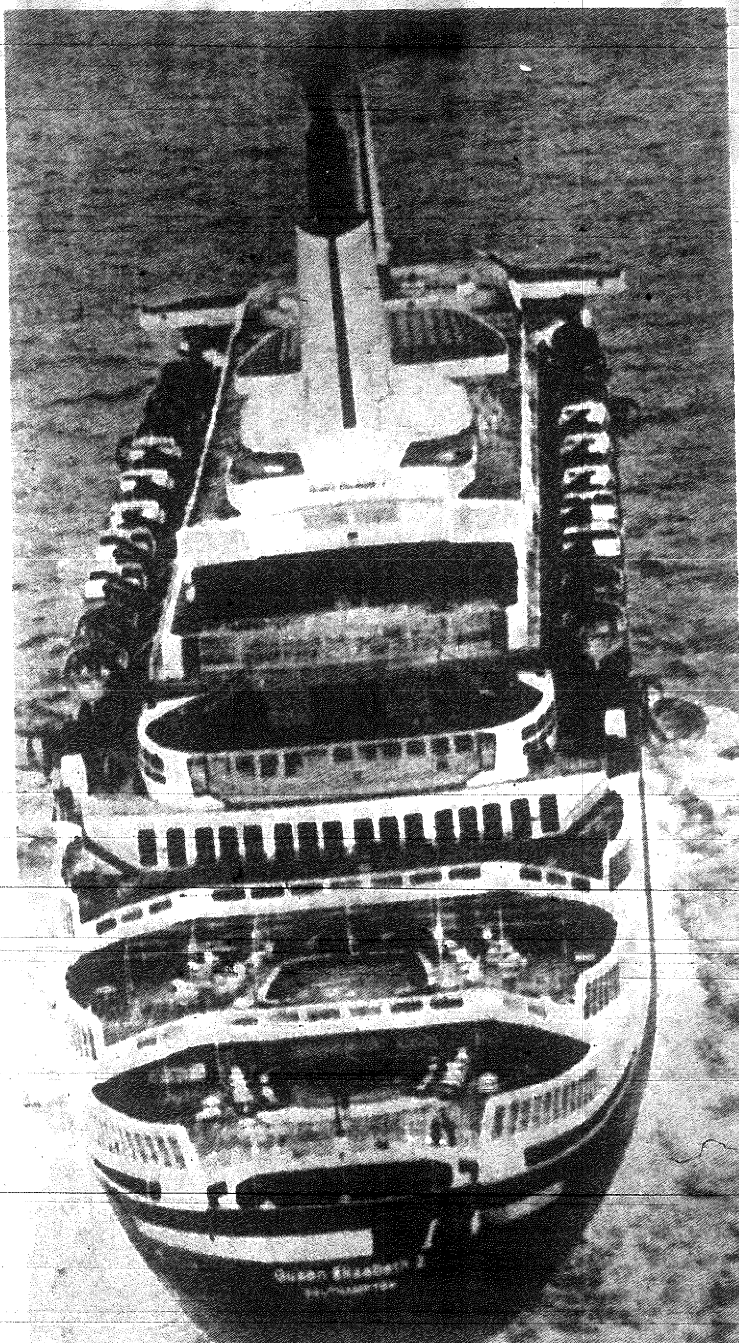
Berger, in his interview with the State Bureau, said that the Farm Bureau paid for the entire cost of production, consisting of 126 slides, but received information from a number of groups. The groups mentioned by Graybill are among those whose comments appear in the presentation.

## Rangers aid New Yorker

YELLOWSTONE NATIONAL PARK, Wyo. (AP) — A New York State visitor to Yellowstone National Park was rescued around midnight Thursday after becoming stranded on a mountain side near park headquarters at Mammoth.

Part of the rescue was on the top of a 70-foot cliff and officials said he could not move for fear of losing his footing on the loose material and toppling over the cliff.

A camper alerted park officials after Betts used a flashlight to draw attention to his plight.



## Journey continues

The Cunard line Queen Elizabeth 2 heads toward Europe early Friday after it was reported Thursday that a bomb was aboard and

would be exploded unless \$1 million was paid. A search revealed no bomb.

—Photofax

## Great Falls checks restricted

GREAT FALLS (AP) — Great Falls city bankers said Thursday they had reached the limit on the amount of regis-

tered city warrants the banks will carry, about \$960,000, and have put restrictions on the acceptance of city checks.

Officers of a number of banks said the facilities will accept city checks for deposit only. When money is received from the city, the amount of the

check will be credited to the depositor's account, they said.

Officials of the financially troubled city have meanwhile authorized investment of some surplus funds in general fund warrants so that general fund checks can continue to be issued until the city receives a property tax collection in late June.

City Treasurer J. L. MacDonald said general fund checks for payrolls would be marked to alert banks that the cash for them is available. He said little general funds are being spent outside of payroll purposes.

He also said the June 30 deficit, earlier estimated to be about \$850,000, would run to no

## Power goes out in Miles City

MILES CITY (AP) — Miles City and surrounding communities were briefly blacked out Thursday evening when the Montana-Dakota Utilities Co. experienced a power failure.

A spokesman for the utility said power was out in a five-mile area around Miles City for 12 minutes at about 9:30 p.m. Cause of the outage was not

## To West Point

GLENDIVE — Ed Sinclair, senior at Dawson County High School, received an appointment to West Point Military Academy. The appointment was received through Senator Mike

# Taxpayers state tax r

Gazette State Bureau

HELENA — The Montana Taxpayers Association says it is possible to equalize school funding without going to a statewide property tax.

The association, which is supported primarily by corporations and businesses, is critical of the proposed constitution because it does not retain a section limiting the state government to 2 mills of property tax without a vote for the people.

In removing that section, convention delegates cited the recent Serrano-Priest court decision in California. The decision said that state's system of school funding was discriminatory because children in rich districts have a better education opportunity than children in poor districts.

DELEGATES, FEARFUL that such a decision might apply to Montana, decided to leave the legislature with the flexibility to replace local school taxes with a uniform statewide assessment.

But the Taxpayers Association, in a ConCon report this week, says the objective of uniform property taxation can be achieved merely by changing a few state laws without touching the constitution.

The association notes that the school funding program already provides for a base 40-mill levy (25 mills for elementary and 15 mills for high schools) which is applied in a

# Auto group of governo

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA — The Montana Automobile Association, threatening the clout of its 31,600 members, is asking candidates for governor for their views on the proposed constitution's highway earmarking provision.

In a letter from association manager Thomas E. Mooney, candidates are being asked specifically if they would veto any bill diverting highway funds to other areas of state government.

The association wants the candidates' answers in time for the June issue of its publication, the Montana Motorist, which claims a circulation of more than 20,000.

THE IMPLICATION, of course, is that candidates who support the new highway earmarking proposal could incur the wrath of association members, though members have not been polled.

The present constitution, through a 1956 amendment, prevents the use of highway reve-

ue from so taxes from highway u new constitu the "earnin uses but w ble uses ar ture to divi nonhighway fifth vote. Although mobile Ass nounced a tion yet, it its displea posed doc ersionary p

THE ASK branch of mobile AS new pro changed v provision i danger-ou street prog Mooney

**ECHO INN**  
(3 miles W. of Yltn. Country Club)  
**LIVE MUSIC**  
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**PENNY'S TRIO**  
Sunday (5-10 pm)  
**RAY KRAMER**  
Wed. "The Muleskinners"  
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Fr. & Sat. 4 pm - midnight  
Sunday 2-10 p.m.  
Dona & Irene Reichert

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# Taxpayers claim state tax not needed

Gazette State Bureau

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But the Taxpayers Association, in a Con-Con report this week, says the objective of uniform property taxation can be achieved merely by changing a few state laws without touching the constitution.

The association notes that the school foundation program already provides for a basic 40-mill levy (25 mills for elementary and 15 mills for high schools) which is applied in all

counties but a few. Those few are able to support their schools without levying the full amount.

IF THOSE FEW were required to levy the full 40 mills and turn in the excess to the state and if the legislature fully funded the state's share of the foundation program, equalization would be achieved, the association says.

By requiring uniform assessments at the county level, the state could still be bound by the 2-mill limit, the association says. "Unfortunately, elimination of the 2-mill limit in the present constitution on property opens the door for the legislature to balance the state's general fund with the property tax and to impose an unlimited number of mills against property for support of the university system," the association report adds.

(ALTHOUGH THE Taxpayers Association does not mention it, calculations by the State Bureau show that it would take much more than the 40 mills to fund schools.

To continue to raise the amount now raised for schools through property taxation, it would be necessary to have each county levy a uniform tax of more than 100 mills. Otherwise, the legislature would have to put considerably more state money into the foundation program. That probably would require much larger income taxes and licenses taxes or a general sales tax.)

# Auto group asks views of governor candidates

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THE IMPLICATION, of course, is that candidates who support the new highway earmarking proposal could incur the wrath of association members, though members have not been polled.

The present constitution, through a 1956 amendment, prevents the use of highway reve-

nue from sources like gas and oil taxes from being used for non-highway uses. The proposed new constitution would continue the "earmarking" of highway uses but would broaden allowable uses and allow the legislature to divert highway funds to nonhighway uses with a three-fifths vote.

Although the Montana Automobile Association has not announced a stand on the constitution yet, it has made no secret of its displeasure with the proposed document's new anti-diversionary provision.

THE ASSOCIATION, the state branch of the American Automobile Association, called the new proposal a "radically changed version" of the present provision and said it would "endanger our highway, road and street programs."

Mooney said in the letter that

the association was "vitaly concerned" over the highway revenue section.

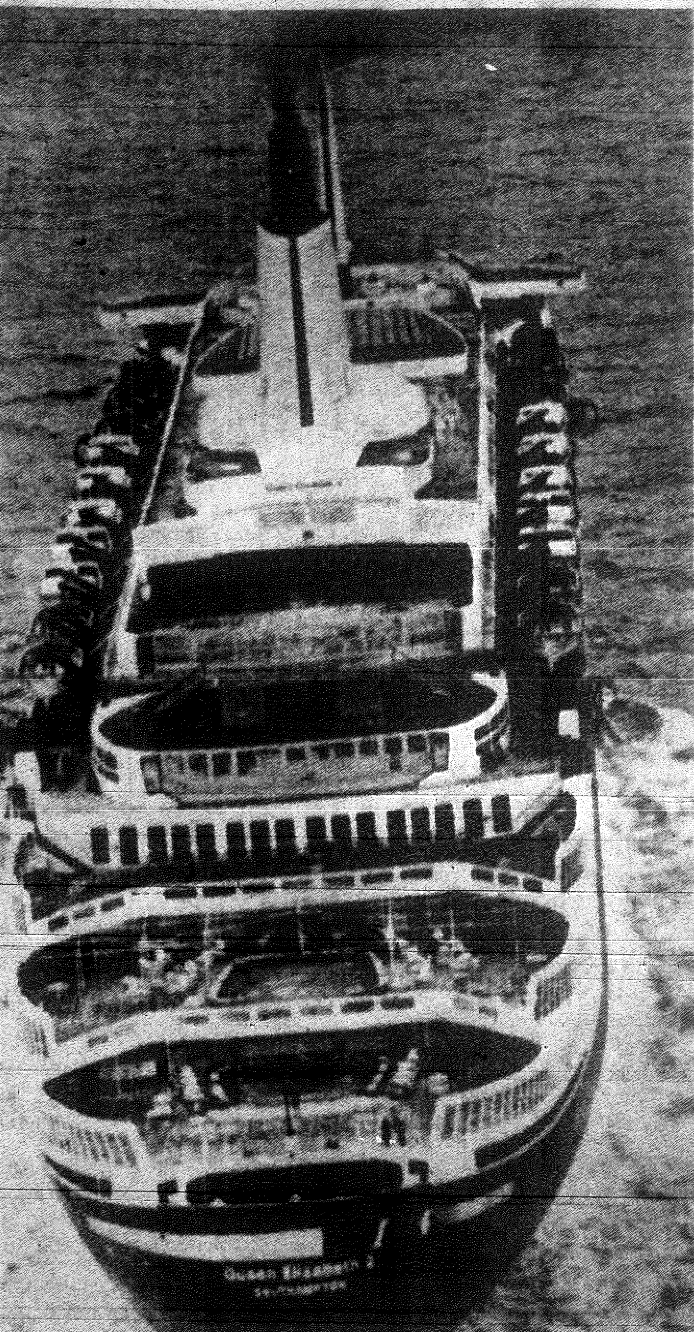
But several Montana AAA members are vitally concerned that the association is not necessarily speaking for its members.

The 31,600 Montanans cited in the letter were not polled by the association before the letter was written, though Mooney said he thinks most of them are also concerned about the new anti-diversionary provision.

THE ASSOCIATION manager refused to say whether the association's directors voted to pin down the governor candidates or whether it was his decision.

"What difference does it make?" he asked. "I don't think I have to answer that."

The association directors will take a position on the constitution later, he said.



## Journey continues

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-Photofax

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Officers of a number of banks said the facilities will accept city checks for deposit only. When money is received from the city, the amount of the

check will be credited to the depositor's account, they said.

Officials of the financially troubled city have meanwhile authorized investment of some surplus funds in general fund warrants so that general fund checks can continue to be issued until the city receives a property tax collection in late June.

City Treasurer J. L. MacDonald said general fund checks for payrolls would be marked to alert banks that the cash for them is available. He said little general funds are being spent outside of payroll purposes.

He also said the June 30 deficit, earlier estimated to be

## Power goes out in Miles City

MILES CITY (AP) — Miles City and surrounding communities were briefly blacked out Thursday evening when the Montana-Dakota Utilities Co. experienced a power failure. A spokesman for the utility said power was out in a five-mile area around Miles City for minutes at about 9:30 p.m.

## To West Point

GLENDIVE — Ed Sinclair, senior at Dawson County High School, received an appointment to West Point Military Academy. The appointment was received through Senator Mike

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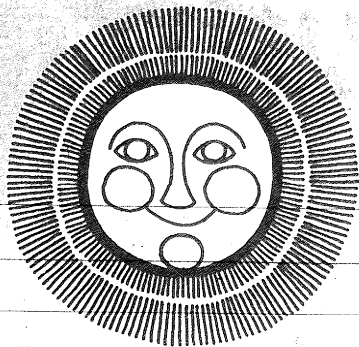
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Nixon wave goodbye on first leg of visit to Russia Saturday.

Photofax

# Billings Sunday Zette



Montana, Sunday Morning, May 21, 1972

Single Copy 25¢

By HELEN THOMAS

SALZBURG, Austria (UPI)—President Nixon arrived Saturday night on the first leg of his summit mission to Moscow, barely an hour after truncheon-swinging police had cleared the Salzburg airport runway of 200 demonstrators protesting the Vietnam war.

As Nixon stepped from his "Spirit of 76" jetliner after an eight-hour, 11-minute flight from Washington to a brass band's jaunty Alpine music, a small band of protesters who had managed to infiltrate the welcoming crowd of 5,000 Austrians started shouting "Nixon—Murderer" in German. They were dragged away immediately by plainclothes agents.

Socialist Chancellor Bruno Kreisky greeted President and Mrs. Nixon and escorted them by car to turreted Klessheim Castle, where they will spend two nights before flying to the Soviet capital for an eight-day visit.

Before leaving rain-swept Washington, the President told a subdued group of official well-wishers at Andrews Air Force Base, Md., that "we're not going there to make headlines today" but to build "a better

chance for peace tomorrow and all the years ahead."

The President is to arrive at Vnukovo Airport in Moscow at 4 p.m. (9 a.m. EDT) Monday for the start of what he called "very important substantive talks" with Soviet leaders.

The Moscow summit could lead to important breakthroughs after 2½ years of hard bargaining in Helsinki and Vienna toward a Soviet-American agreement on the first, cautious restraints on nuclear weapons by both countries.

After asserting the hope that America and Russia "can live in peace in the world," the President took off at 9:27 a.m. EDT in the rain, without even the usual military band playing for his departure on the 13-day tour.

By the time Nixon landed in late evening, after a 4,350-mile flight, about 100 steel-helmeted policemen had forcibly cleared a runway at the southern edge of the airport of the remnants of 1,000 anti-American students who had set out earlier against police orders to march on the airport.

Among the 3,000 German and Austrian students who had marched through this ancient city earlier Saturday was Peter Kreisky, 28-year-old son of the

chancellor, the Nixons' host for their 36-hour stopover in Salzburg.

A force of 1,200 policemen, recruited from throughout the country, stood guard to shield the Nixons from the protesters. The motorcade into Salzburg from the airport took a different route from Innsbrucker Bundesstrasse, a major thoroughfare where police halted the marchers about 500 yards from the airport.

At least a dozen students were seen going down, screaming and bleeding, as about 100 policemen charged the airport runway, their nightsticks flailing in the glare of searchlights.

Nixon, who arrived about an hour later, made no speech. But before entering limousines for the drive to Klessheim Castle, he and Mrs. Nixon hugged two children, Christl Schmidhuber, 10, and her 11-year-old brother, Matthias, who wore Alpine dress and presented the Nixons' with floral bouquets.

Although most of the demonstrators were chased back across fields surrounding the airport, a few ran to the front of the air terminal to chant anti-Nixon slogans, but there was no sign that the President heard them.

(Editor's note: Arthur Bremer changed in a few months from withdrawn loner to cheering extrovert at George Wallace rallies. The following report from the AP Special Assignment Team examines this change in the man accused of shooting Wallace.)

By G. C. THELEN Jr. and DICK BARNES MILWAUKEE (AP) — Hammered late last year by a succession of emotional jolts, Arthur Herman Bremer embarked on a young man's journey in search of himself. At trail's end, he found George Corley Wallace.

"Momma, I'm going out and make my way," Bremer is

quoted as saying last October.

Last Monday, he found his way to a Laurel, Md., shopping center. There, according to state and federal charges, he crippled the Alabama governor with a burst of bullets from a .38-caliber revolver.

The furious gunfire at an election eve rally for the Democratic presidential contender was the climax of seven traumatic months for Bremer—quiet, lonely and withdrawn to his family, neighbors and hometown Milwaukee acquaintances; cheering, clapping and colorfully dressed to those who recall him turning up at Wallace campaign stops.

The emotional blows and his

reactions were in rapid sequence.

—October: Bremer, 21, broke with his family, moving to a midtown apartment a scant two and one-half blocks from the motel where Wallace later would establish his Wisconsin primary headquarters.

—November: Bremer was arrested for the first time, charged with carrying a revolver concealed in his coat. He was fined \$38.50 for disorderly conduct. The gun was taken away.

—December: Joan Penrich, then 15, Bremer's first and only girl friend, brushed him off after Christmas, saying she didn't like him and didn't want to see him again. Downcast, he

shaved his blond head, hoping to regain her attention with this act of contrition, or so he told a fellow worker. She only laughed. He quit technical college.

—January: Without a word of explanation, he walked away from his part-time job as a school janitor.

—February: After accusing his employer of discrimination, he quit another part-time job, busboy at the Milwaukee Athletic Club.

For a while, he became a virtual recluse in his apartment, scribbling doggeral and thought fragments in an apparent effort at self analysis.

One jotting found in his apartment: "Happiness is hearing George Wallace sing the na-

tional anthem, or having him arrested for a hit and run accident."

When his mother visited the apartment building, Bremer turned her away at the door with angry shouts.

Then, in March, he appeared at Wallace headquarters, first apparent stop on intermittent travels along the governor's campaign trail.

With Bremer eventually would be the \$80 revolver he bought at Casanova's gun shop, advertising the "largest selection of guns in Wisconsin." He obtained the revolver Jan. 13, the day Wallace announced his candidacy for the Democratic presidential nomination.

Wallace campaign workers

recall seeing Bremer loitering around headquarters at the Holiday Inn, at an organizing meeting for Wisconsin volunteers March 2, at a \$25-a-plate testimonial dinner for the governor in Milwaukee March 20 and finally at an election night celebration April 4.

After the shooting, Bremer was recalled as being at other locations, April 7, for example, at New York's Waldorf Astoria Hotel. Or April 15, arrested for speeding near Binghamton, N.Y.

May 11, spotted at a Wallace rally in Landover, Md., like Laurel a suburb of Washington. May 13, Kalamazoo, Mich.,

(Continued on Page 2)

## Three fired in constitution fight

By PAUL FREEMAN HELENA (AP) — The fight over the proposed Montana Constitution has taken a bizarre turn in Gallatin County, resulting in the firings of staff members of the established Bozeman weekly newspaper and bringing to the surface the writers for a previously mysterious publication known as the Gallatin Voice.

Stanley M. Burgard, publish-

er of the weekly Gallatin Tribune, found out that three of his staff members were working for the Gallatin Voice, the second edition of which surfaced earlier this month with a heartily anti-constitution tone.

Burgard fired the three. One of those dismissed was Donna Brown, who had been the editor of Burgard's weekly. Mrs. Brown, going under her maiden

name, had been the publisher of the Gallatin Voice.

The appearance of the Gallatin Voice piqued the interest of Constitutional Convention Delegate Mason Melvin, a Democrat and former FBI agent who now lives in Bozeman.

Melvin looked at the Gallatin Voice's edition on the document he helped write, found it highly unfavorable to the constitution and began doing some sleuth-

ing. Melvin checked voter-registration records and found that Gallatin Voice's listed staff yielded only one name reflected with the county clerk and

recorder — that of AnnaBelle Phillips.

So Melvin wrote a letter to the editor—the editor of the Bozeman Chronicle, the city's

daily. Presumably, had he written to the weekly Gallatin Tribune, the letter would have gone

(Continued on Page 2)

## Feds charge ex-jailer in prisoner escapes

A former Yellowstone County jailer was himself briefly held as a prisoner in the jail Saturday before posting a \$5,000 bond.

The former jailer — Daniel Joe Korber, 24, Billings — was charged by a federal grand jury indictment with assisting in the escape of a federal prisoner.

Korber was arrested Saturday morning by U. S. Marshals and taken before U. S. Magistrate

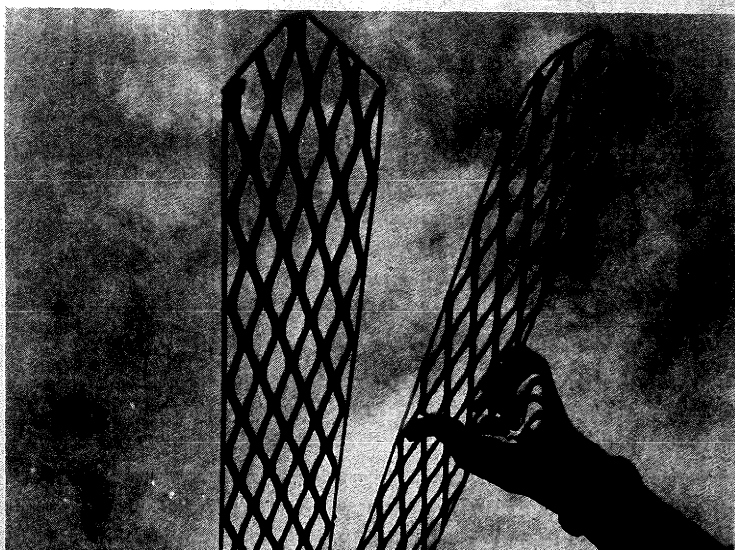
Stuart W. Conner for setting of bond.

The grand jury met in Billings Friday and returned six indictments, U.S. Atty. Otis Packwood said. Details of the other five indictments have not yet been released.

THE JAIL ESCAPE occurred Feb. 29 when Federal prisoner, Carl Everett Giguierre, 47 and

state study-release prisoner, Loren E. Garding, 37, used a jail elevator to make their way to freedom.

Garding surrendered to Billings police one day after the break. Giguierre, a protected government witness who had been held in the jail under the name Carl Martin, was arrested a few days later by federal officials in Portland, Ore.



At all these campaign stops, Bremer was described as a man who drew attention to himself—with colorful clothing, with loud cheers and prolonged clapping for Wallace, with constant pushing to the front of crowds.

This picture of Bremer as extrovert is not the man remembered from most of his days in Milwaukee.

Grade and high school teachers had difficulty recalling him because, they said, he was so nondescript. Students men-

tioned a wauwage volunteer in Maryland, said he greeted her airily at their second meeting this way: "Hi, babe. How are things going?"

Fred E. Blue Jr., a minister-conciliator for the Milwaukee Commission on Community Relations, said Bremer had feelings of persecution in November after he was transferred from one dining room to another in his job as busboy. Blue interviewed him twice after he filed a complaint of discrimination with the commission.

Bremer is described as a man who talked little to anyone about anything, especially politics. No one can remember him mentioning Wallace.

How did Bremer finance his travels? His two jobs, which he left in January, grossed at most \$100 a week. His 1971 income was \$1611, according to a tax form found in his apartment.

From October on, he paid \$137.50 a month for his sparsely furnished three-room apartment. Also that month, he paid \$795 cash for his two-door 1967 Rambler sedan.

Among the items found in his car after Laurel were a tape recorder, a camera, binoculars and a blue steel 9mm, 14-shot Browning automatic pistol with one clip, purchased at a Milwaukee gun shop. Its list price was \$137.50.

William Bremer described his son as a saver, saying he probably financed his odyssey with money put away over several years.

Mrs. Bremer recalls Arthur as a quiet, obedient boy, never in trouble, who spent much of time alone in his room doing homework.

But Arthur's youngest brother, Roger, recalls strife between mother and son: "He (Arthur) hated my Ma. She'd get on him for not going out ... He'd walk out of the room if she talked."

"Just call me a canoe, my mother likes to paddle me a lot," read one of Arthur's jottings.

Father and son were closer, said Roger, but they too would fight: "Over little things like he'd take something that belonged to me and my father would try to stop him. He'd push my father."

At school, Arthur was a conscientious, average but with-

borhood last October, slamming the door behind him. "He said he was going out and be himself," his father recalled.

He found both the apartment and Joan to whom he poured out his family troubles and talked of his quest for himself.

"He said he wanted to learn psychology so he could figure out the problems of the world," said Miss Pemrich. "And he'd try to analyze me. He said he analyzed himself, that he knew himself, and he wanted me to know myself."

From all indications, part of that self analysis was the notebooks filled with jottings found in his apartment.

Some of these read: "My blood is black ... My country is of thee, sweet land of bigotry ... A thunder of hooves and out of the western sky comes Colored Man."

And there was a poem entitled "Cretique (sic) of My Life." Some excerpts: "Trying to impress people, bicycles, clothes, hair, pimples, college, co-workers, writing myself notes not to wear tee shirts."

A high school theme revealed a yearning for popularity.

"Once all my friends fed me dog food, and I did not know it," Bremer wrote. "When I found out what it was, I ate it all up because they wanted me to. My friends laughed. I smiled and had good fun. Then my friends laughed harder."

Found in Arthur's car were two books about Sirhan Sirhan, the loner who killed Robert F. Kennedy nearly four years ago.

A staff report of the National Commission on the Causes and Prevention of Violence talked about assassins. It said: "Almost all the assassins were losers who had difficulty making firm friends of either sex, especially in establishing lasting relationships with women."

## Three fired

FROM PAGE 1

to Editor Donna Brown, also known as D. C. Thompson.

Melvin's letter suggested that the Gallatin Voice had the duty, in fairness, of letting the readers know the true identity and background of its writers.

Melvin's letter was answered by double-editor Donna Brown—D. C. Thompson, also in the columns of the Chronicle.

Mrs. Brown said she was happy to admit that she was D. C. Thompson and that The Gallatin Voice was hers.

"The Gallatin Voice was started as a moonlighting venture and, therefore, I used my maiden name," she wrote. She said the Voice was instituted "because the people in the Gallatin Valley need and deserve a publication that puts crucial issues before them."

She ended the letter with a postscript, saying that she wished to announce she was no longer associated with the Tribune "and can no longer be held responsible for its policies and its ultimate direction."

Burgard agreed completely. He fired Mrs. Brown as well as Roy Warner and Evelyn Young—his entire news staff. Warner had been writing in the Voice under the name of R. L. Ames and Evelyn Young was Korinn Walker.

Burgard said he didn't take much notice when the first edition of the Gallatin Voice came out several months ago. He said that one had a press run of 2,000 but the May 1972 Voice was up to a healthy press run of 5,000.

The Tribune circulates around 4,000.

The "Constitutional Souvenir Edition" of the Gallatin Voice included what was called "an interview" between the Voice and Mrs. Donna Brown, "editor of the Gallatin County Tribune."

In the purported interview, Mrs. Brown voiced strong objections to the right-to-know section of the new constitution's Bill of Rights. The interview story ended this way:

"Voice: Will you vote for the proposed constitution?"

"Mrs. Brown: Absolutely not. There are many reasons I will not vote for this constitution but the way the right-to-know section is worded and the fact that it exists is enough reason for me to cast a negative vote."

The Voice carried a story by R. L. Ames (Warner) on an interview with Bozeman insurance man Tom Winsor opposite

from an advertisement for Winsor's agency.

Winsor, a defeated candidate for Congress two years ago and currently running for the legislature, attacked the proposed constitution, in an interview, on removal of the \$100,000 state debt limit and on deletion of the two-mill taxation limit.

The final page of text of the Voice second edition ended up with an editorial calling for a "no" vote on the constitution and a letter from an unnamed doctor, quoting a script from another doctor on the subject of bondage, dependency and faith.

The quoted script was attributed to "H. R. Reichman, M.D., Diseases of the Colon and Rectum 8: 382-286, 1965; p. 386."

Burgard, in a news story in his paper, thanked Melvin and the other convention delegates who expressed a desire to end about the voice. "Perhaps some of the opposition to the constitution in Gallatin County is out in the open," Burgard said.

Mrs. Brown could not be contacted by telephone as to her future plans for publication of the Voice.

Burgard said the three fired editorial employes had been selling advertisements for the Voice and writing copy for it from assignments for the Tribune.

"I thought we had been doing a lot of political interviews that had never had been showing up in our paper and wondered about it," Burgard said.

"Now I guess I know why."

## TV GUIDE

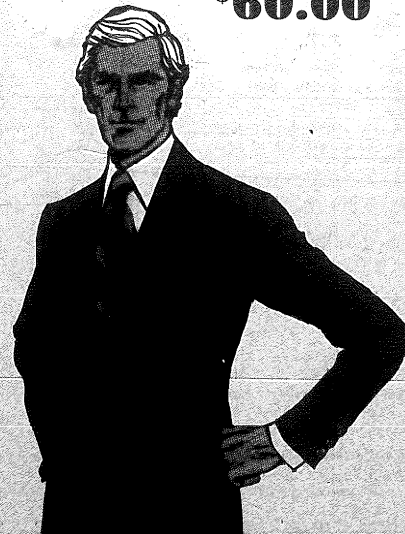
Sunday, May 21

—KOOK-TV Ch. 2—

- 7:00 Tom Jerry
- 7:00 Groovy Goopies
- 8:00 Rex Humbard
- 9:00 Kathryn Kuhlman
- 9:30 Herald of Truth
- 10:00 Camera Three
- 10:30 Face The Nation
- 11:00 Meet The Press
- 11:30 Car 54
- 12:00 Insight
- 12:30 Sports Special: "Once Upon A Wheel"
- 1:00 AAU International Champions
- 2:30 CBS Tennis Classic
- 3:00 Kid Talk
- 3:30 Animal World
- 4:00 60 Minutes
- 5:00 Me & The Chimp
- 5:30 Sonny & Cher
- 6:30 Cade's County
- 7:30 Sunday Night Movie: "The Jeweled Sky"—Ephraim Zirkelbach Jr., Dana Andrews
- 10:30 Arnie
- 11:00 CBS News
- 11:15 Consultation
- 11:45 Weather News

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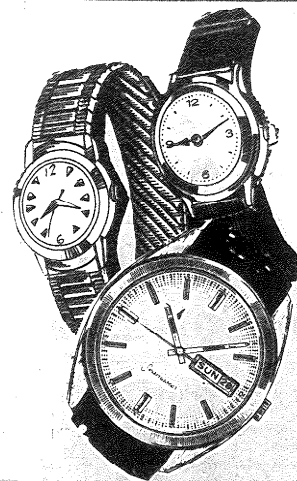
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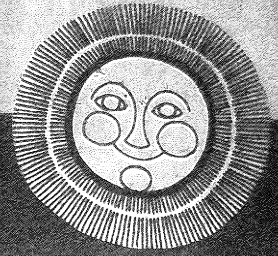
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# montana news

## Three rural delegates abandon constitution

By DANIEL J. FOLEY  
Gazette State Bureau

HELENA — Three rural delegates to the recent Constitutional Convention spoke against passage of the proposed document at a Saturday meeting of the Montana Stockgrowers Association.

"I sure am opposing this constitution for the betterment of the great state of Montana and its people," Busby rancher Torrey B. Johnson told the cattlemen, who broke into applause.

"At times, I wonder how in the world we could have written the whole thing," added Malta farmer Leslie "Joe" Eskildsen.

"I wonder what kind of 54-day wonders we were," concluded Hysham rancher Archie Wilson, who was the first delegate to break ranks when he announced his opposition about 10 days ago.

DEFENDING the new constitution, although with considerably less vehemence than the

opponents, were three delegates, Rachel Mansfield, a Geysers teacher; Mark Etchart, a Glasgow farmer-rancher, and Max Conover, a Broadview farmer-rancher.

The panel was moderated by Jack S. Brenner of Grant, a member of the ConCon Preparatory Commission, who took a poke at the news media and at convention delegates who have formed a citizens' group to promote the proposed constitution.

"All I know is what I read in the papers and from past experience you don't know much from that," Brenner said. He said journalists who advocate a right-to-know also have a "duty to present the truth after you do know." The news media tried to create a partisan atmosphere in a nonpartisan convention, he said.

Brenner said he resented implications by the citizens group that stockmen are a "special interest" group. "If we are a special interest, who the hell are

the people of Montana?" he said.

JOHNSON, a Republican, said the new document places too much trust in the legislature. He said he talked to some long-time and some former legislators and "those people maintain you should not trust the Legislature too much."

Johnson said he also opposes a section which directs the state, rather than counties, with major responsibility for tax appraisal and equalization. "It will positively, absolutely ruin private enterprise that operates on private land," he said. "I'm scared to death of it."

Johnson also objected to a Bill of Rights section which prohibits discrimination in exercise of civil and political rights on the basis of, among other things, political ideas. "I do not want a person who is a known communist teaching in our high schools or our colleges," he said. Johnson was announcing his

opposition for the first time, as was Eskildsen. Eskildsen, a Democrat, said the convention, by removing one section from the 1889 document gives the legislative, executive and judicial branches too wide a latitude in interpreting the constitution.

WILSON, a Republican, criticized the fact that a future legislature could impose state property taxes with a simple majority vote. Under the present constitution, the state is limited to levying only two mills of property taxes without a vote of the people.

In defense of the Constitution, Mrs. Mansfield, a Democrat, emphasized that the new document would require the legislature to conduct all business in open meetings. She said that the convention was always open "and the press was very good in reporting it truthfully."

She praised new rights in the document, including 18-year adulthood, right of privacy and children's rights.

Etchart, a Republican, said that among the most important new provisions are those which make it easier to enact legislation or amend the constitution by initiative from the people.

Conover, a Democrat, noted that the convention provided for two education boards, one for the university system and one for elementary and high schools. "The regents told us they had not the time to take care of elementary education," he said.



Gazette photo by Phil Bell

### g is beer canned

debris. Doing the cleanup were members of Eastern Montana College LDS Student Association and area LDS high school groups.

### up backs document

praised two sections of the proposed document as having particular importance for consumers. They are the section establishing the Office of Consumer Counsel and the section mandating the legislature "provide protection and education for the people against harmful and unfair practices by either foreign or domestic corporations, individuals and or associations." The council also cited sections granting citizens the right to initiate constitutional amendments, opening legislative proceedings to the public, and the guarantee of public rights to participate in governmental affairs.

"These rights provide the people as consumers with the opportunity of exercising a more effective role in government," the board's statement said.

### Three more killed

Three persons were killed on state roads Saturday driving the growing Montana highway death toll to 103 for this year.

Two shelly residents and an Anaconda woman are the latest to lose their lives.

Ralph Clouser, 56, and Mildred Hasselstrom, 42, both of Shelby, died in a head-on collision three miles north of Conrad. Peter Jensen, 24, also of

Conrad, was hospitalized in satisfactory condition.

Sylvia M. Blom, about 30, was struck and killed while crossing U.S. 10A about three miles west of Anaconda. She was hit by a car driven by Charles Johnson, 18, also of Anaconda, according to Deer Lodge County Coroner Arthur Longfellow.

Last year on this date 80 had died on state roads.

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**CHEELS**

# Hibbard

Faith.



Gazette photo by Phil Bell

### Their bag is beer canned

Denise Eardley and Curtis Brakke try their skill at tossing empty beer cans into a plastic bag held by Cindy Andus. Their efforts were part of a project Saturday to clear the Rims of

debris. Doing the cleanup were members of Eastern Montana College LDS Student Association and area LDS high school groups.

## Consumer group backs document

HELENA (AP) — The board of directors of the Montana Consumer Affairs Council, Inc. endorsed the proposed state constitution Saturday, saying it was "heartened by the recognition given to consumer problems" by the document.

A Council statement said the decision to back the constitution was based on the provisions furthering the rights of consumers and the extended

rights given to the people of Montana.

"Being mindful of the fact that all citizens of Montana are consumers, the Consumer Affairs Council, Inc. was heartened by the recognition given to consumer problems and the flexibility of the constitution to meet the changing needs of the people," the board statement said.

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# Hib



# It's 'Ms. President' a

By CHRISTOPHER C. MEYERS  
Gazette Staff Writer

Eastern Montana College has its first woman student body president since 1942 — and its first Ms. in history.

Cathe Cross, 20 and a junior from Glendive, is new president of the Associated Students at EMC. She outscored the closest candidate by 60 votes. Her three opponents were men.

"There may be some snickers and snide remarks about," says Ms. Cross. "But not to my face. We intend to get some things done next year."

MS. CROSS, a daughter of Mr. and Mrs. John Cross of Glendive, says "we" because she is one of several women students to be in positions of power at EMC next year.

Three women secured student senate seats, the activities vice president is a woman and next year's editor of the student newspaper is a woman.

"The women are in a position this time to make some substantial changes," says Ms. Cross, who has crammed her college career into three years and hopes to teach with her art education major.

Ms. Cross says she is not an ardent feminist, but feels there are some good things in the

movement — among them the designation "Ms." instead of Miss or Mrs.

Ms. Cross, first woman president of EMC's student body since 1942 when the school was strictly a teachers' college, says she will be working for several specific curriculum changes at EMC.

AMONG THEM are a broader Indian studies program for the campus which rates among the six largest Indian populations in the country, an expanded special education program and enlarged art, music and drama departments to encourage the creativity of each student, not just student majors.

"I know there are those who are skeptical of developing an Indian studies program and fear the increasing number of Indians on campus," she says. "But that's just their prejudice showing. An Indian studies program at EMC could be the one thing to distinguish it from the other university units and draw students from all over the state and northwest."

Ms. Cross advocates expansion of the student-run Sex Information Center.

"A COMMITTEE is investigating the future of the Center," she says. "We have the promise

of help from planned Parenthood and I think we'll come up with a Center that will work the good of the students."

She says there is great need for the Center and hopes to have it semi-staffed with professional doctors who would want to time and perhaps counseling.

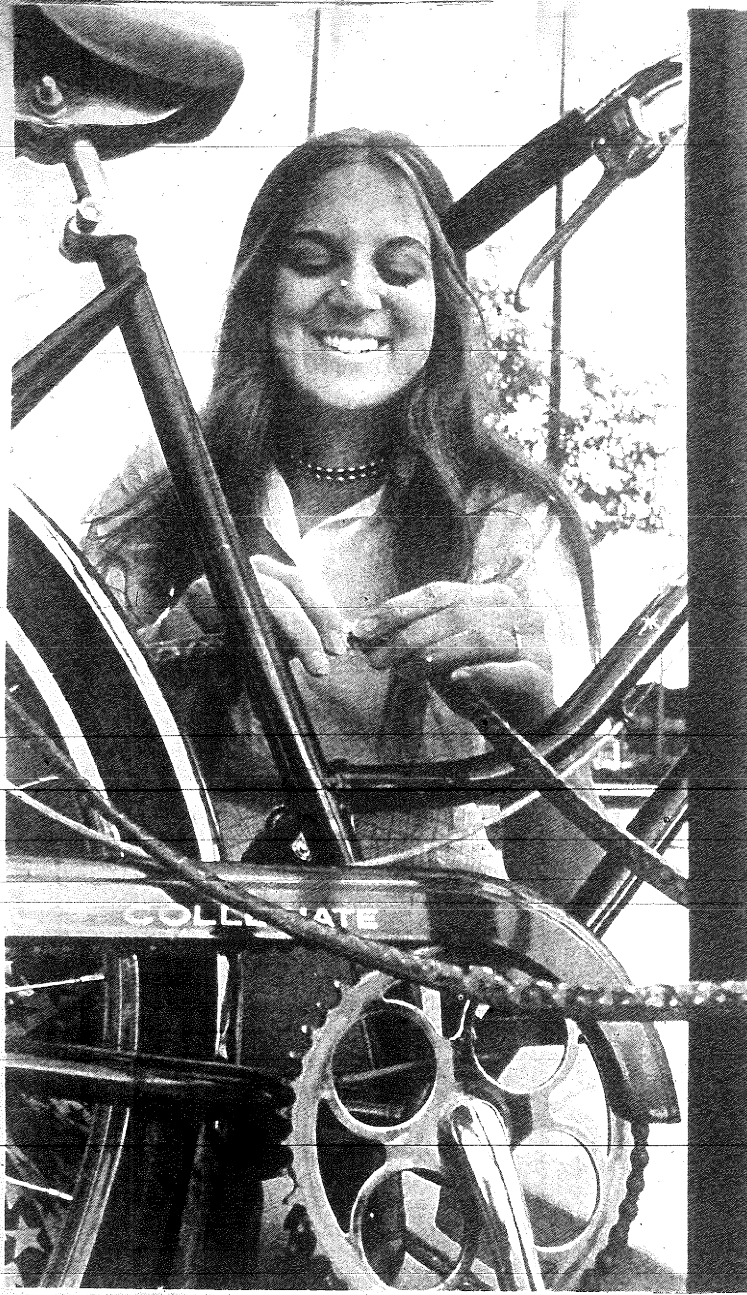
On the subject of athletics, EMC, Ms. Cross says, "I don't want to see the budget skyrocketing as it has in the past year. We need a better balance. EMC, I'd like to see more inter-mural sports and less inter-collegiate activity. It's pretty much general opinion that EMC should not try to become professional in sports."

"And," she says, "women's activities fees, too. And they only about five percent of the sports money. Most of it goes to football and basketball."

She also hopes to investigate women and their share of work-study money, salaries, women secretaries and staff and women's campus participation in general.

Ms. Cross, the only female student body president in the University system for next year, says she doesn't want to see athletics totally done away with.

"I KNOW THAT about 500 of our students come here mainly for physical education,"



Gazette photo by Norm Hill

Cathe Cross, Ms. President, works on bicycle

## Indians oppose constitution

The Affiliated Tribes of the Northwest Indians stated Saturday that they support "Montana Indians in opposing the adoption of the proposed 1972 Montana Constitution."

Opposition is based on the assumption that the new constitution would "authorize the state unlimited authority over Indian water" and further encroach upon Indian water rights, the group says.

"Water rights of Indians in the State of Montana have not been properly safeguarded over the years, and have, in fact, been appropriated by others in total disregard of court decisions giv-

ing Indians prior and paramount rights to the use of water arising on, flowing through, or bordering on their reservations," the

ATNI claims.

About 18 tribes from four states were represented at the Billings meeting.

EMC MUSIC DEPT.  
Presents 9

**BAND & CHOIR  
CONCERT**

SUNDAY, MAY 21 - 3:15

**Petro Theatre**  
NO ADMISSION

GRADUATIONS, BIRTHDAYS,  
ANNIVERSARIES, SHOWERS,  
WEDDINGS and ALL OTHER  
OCCASIONS

**GALLERY '85**  
EMERALD SPRAY - BILLINGS HEIGHTS - BILLINGS, MONTANA

## Accident suits seek \$100,000 damages

Three persons injured in separate accidents filed civil suits asking more than \$100,000 damages each in District Court.

Stuart Miller, a minor, by his father, John E. Miller and John E. Miller individually are suing Keith Rausch, a minor and his father, Clarence Rausch.

The suit states that Stuart lost his left eye after Keith shot him in the eye Dec. 27, 1971, with an air rifle given to him by the elder Rausch.

The suit asks \$100,000 general damages and \$3,016.94 special damages for medical expenses.

A second suit was filed by a tenant, Kenneth Dean Johnson against his landlord, James O'Brien.

Johnson states that he fell on

Feb. 28, 1970, and suffered a back injury.

The suit states that O'Brien failed to maintain the steps by allowing ice to form on the steps from a rain gutter dripping on them.

The suit seeks \$150,000 general damages and \$19,000 special damages for \$15,000 lost wages and \$4,000 medical expenses.

The final suit was filed by Helmer O. Haagenson against the Combined Insurance Company of America.

Haagenson states that he was insured with the company April 9, 1969, when he suffered a totally disabling injury in the course of his employment by the Milwaukee Motor Transportation Co.

# TOM JUDGE HAS WORKED FOR A

6 Million Bushels of Montana Wheat

## Acting Governor Protests CCC Action

HELENA (AP) — Acting Gov. Larry of Agriculture, Earl Butte, Judge, announced that he is further explaining his position which was prompted by the action will help to achieve the Department's stated goal of "improving

Rural life defended by Judge

BOZEMAN (AP) — Acting Gov. Thomas L. Judge, ad-

Judge Backing Melcher's Bill

BOZEMAN (AP) — Acting Gov. Thomas L. Judge, ad-

Alerts IRS to '\$1 Million Increase' to Farmers

## Tom Judge Calls for Probe Into Fertilizer

HELENA (AP) — Acting Gov. Thomas L. Judge alerted the Internal Revenue Service Program states that a retailer in the Denton area for various of commercial fertilizer or wholesaler may not increase commercial fertilizers and price increases which he said the price of a product above "what it should be" would "break the backs

Judge Wants Check Of Fertilizer Prices

USE GAZE

The Billings Gazette

Tuesday, May 23, 1972

Founded May 3, 1885

Page of Opinion

Signed articles on Gazette opinion pages are the author's views and do not necessarily reflect opinions of The Gazette

Two-way street

Permits to export natural gas out of Montana leave us with mixed thoughts on the subject.

Montana doesn't want to stand short on the energy end that natural gas can provide for its residents to heat homes and operate machinery. And it will keep.

On the other hand, the ridiculously low prices paid for natural gas in parts of Montana for far too long under a near monopoly situation did little to promote exploration for the resource.

Now, with the clean fuel in greater demand and the price more realistic, the state can look forward to active exploration and development which will produce more reserves.

Also to be remembered is that Montana has been importing natural gas from Wyoming and Canada for some time.

It's a two-way street.

Levy saver

P.S. to the city of Billings budget committee, or whoever it is has to cope with the fiscal problems for the fiscal year 1972-73.

There's a place you can save roughly a half mill in tax money.

Don't lease the old chamber building for city offices at the rate of \$30,000 a year.

Let those private citizens who want to Save the Chamber do so. Don't saddle the taxpayers with it.

the small society

THE TRICK IS TO GIVE THE PUBLIC WHAT THEY WANT...

AND THEN HOPE THEY STILL WANT IT -



Asking for it

scale program of Swithill, apparently unconcerned by the ob- trodden path before him. Why then did he elect to set his

Do you trust yourself

22nd in series

Democracy, the right of a people to choose their form of local government, is the very essence of Article XI, Local Government, in the proposed constitution. Montanans will vote on June 6.

Here is an opportunity for voters to express whether they believe in democracy or only pay it lip service. The proposed constitution reverses the thrust of the 1889 document under which it was reserved to the Legislature all rights and privileges not specifically granted to counties, cities and other forms of local government.

IT IS AN ANSWER to the prayers of those who feel that the state treats local governments as second-class relatives, not to be trusted with their own destiny.

That is the gist of the local government article and clearly expresses the meaning of Montana Constitutional Convention delegates.

The article contains nine sections, all intended to let the residents of local governmental units have self determination to a marked degree. There are safeguards, to be sure, but the thrust is there without question.

The new constitution instructs the courts and Legislature to keep this in mind when interpreting its provisions.

In its deliberations, the framers of the proposed document allowed legislative flexibility in determining state administration and did the same for local governments.

THIS RAISES the question: Do you trust yourselves? The proposed document gives liberal opportunity.

"Cities and towns received little consideration in the 1889 Montana Constitution," writes Robert E. Eagle, assistant professor of political science, University of Montana. "But

Montana courts have applied 'Dillon's Rule' that municipalities are legal creatures of the state with only those powers delegated by the Legislature, or clearly implied from such delegated powers, or essential to the continued functioning of the city.

"A 1922 amendment to the present constitution allows the state Legislature to provide for any type of city government structure it wishes, and it (Legislature) has authorized three forms—mayor council (aldermanic like Billings and many others), commissioner-manager (like Helena and Bozeman) and commission (which Missoula and Helena had for decades). But a general grant of authority for a locality to devise its own form of government (one meaning of 'home rule') has not been an available option.

"The draft constitution provides some new options to both cities and counties for local charters and for self-government powers... (and) would allow a local government unit to adopt a charter creating its own unique structure of government.

"If approved by the voters, the governmental unit could exercise any charter powers not specifically denied by the state constitution or state Legislature.

"In other words, considerably more local self-government power can be granted than under the present constitution. The needs and problems of the larger cities and counties are sufficiently complex that this charter provision seems desirable even if exercised by only one or two of them. Smaller municipalities could remain within one of the optional forms prescribed by the Legislature.

"It has been suggested by some that local discretion might lead to fiscal irresponsibility. The present state constitution places a rigid percentage on the amount of debt that can be incurred by cities and counties. The draft

constitution would drop this rigid limit and allow the Legislature to place limits on debt, thus providing a statewide check which would be easier to revise for changed conditions than the current constitutional situation."

FOR THOSE WHO WORRY unduly about the debt limits, it should be remembered that the financiers and institutions that buy municipal bonds comprise a realistic check on their irresponsibility. If they don't think the bond will be good, they don't buy.

A present example of this is the current fiscal condition of Great Falls operating under the present constitution.

Even if a municipality does not choose change its form of government, the new constitution provides a possibility it will be able to exercise more authority than presently.

As Eagle explains, "Relating to local governments, the proposed constitution states that 'The powers of incorporated cities, towns and counties shall be liberally construed.'"

"No major shift in the relations between the state and localities is intended; it is intended that the courts shall give the benefit of the doubt to authority of local government gray areas."

"As the local government committee (ConCom) put it, local governments need 'an elbow room to act.'"

Anyone who has served in city government will attest to that understatement of fact.

THE PROPOSED constitution liberalizes the opportunity for consolidation of cities, city and county, or of counties. In each instance, though, it must be approved by majority of electors voting. The present requirement for consolidations is limited majority of all electors registered.

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Let's hold up the "new" constitution for Montana for at least one year and get all the bugs out of it and write all the economy into it we can. Our city governments, our county governments and our state government are having financial trouble. There is only one cure and that is to spend less money. The taxes are going to get so high that nobody can afford to own property.

Now where is a better place to stop spending so much money and do things to make more than with the 'new' Montana constitution?

Let's open up gambling and take advantage of the tourist business that is knocking at Montana's door, because everybody likes to make a wager now and then, but they don't want to break the law to do it.

We have to get away from groups grinding their own axes for existence.

If you let a group of farmers write the constitution, they would plow the whole state up and plant it to wheat.

If you let a group of livestock men write the constitution, they would graze their cattle and sheep everywhere. They would have the governor living in a sheep wagon and his wife running a few livestock on the Capitol grounds to defray their expenses.

If you let the bankers write the constitution, they would fix all interest at either 10 or 20 percent because it would be easy to figure and it would save book-keeping.

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In other words, you can't kill a move by merely staying home in numbers. This is a fair revision. American government is based on participation.

The proposed constitution also makes it possible for two or more local government units to share services of any officer or facility unless such sharing is prohibited by law or charter.

In the case of Billings, this could mean a consolidation of similar duties such as law enforcement and jails. Other possibilities exist.

Another new provision extends the right of initiative and referendum at local levels, rights not included in the present constitution.

IMPORTANT, TOO, to democratic procedure is Sec. 9, Voter Review of Local Government, which provides that by 1976 the Legislature must give local residents the opportunity to vote on whether or not to change their form of government. Laws also must be passed requiring local forms of government to be studied and evaluated every 10 years.

This means, coupled with other powers, that a reluctant group of officials cannot block change desired by the residents.

Eagle states "This review proposal strikes a middle ground between requiring change for local government structures and merely permitting options which the Legislature might authorize."

As stated in the opening paragraph of this analysis "Democracy, the right of a people to choose their own forms of local government, is the very essence of Article XI, Local Governments."

It recognizes that Big Brother in Helena is not necessarily the last word.

Next: More on how Article XI relates to county governments.

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'OK, REAL COOL NOW—DIGNIFIED, ALL-BUSINESS, BUT CORDIAL . . .'

# A journey for a deal

By MARY McGRORY

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The President's sales-promotion campaign of the last years has bombed as badly as Lyndon Johnson's. The mistake he made, it is apparent now, was to minimize it, to say it was ending and, in any case, irrelevant to the big picture of world peace. Now he has blown it up to the shape of a world holocaust, and

enemy they know how to hate. It's the same old war, but those Soviet tanks gave it a brand-new look — at least to those who would never have to fight it.

The Senate, once again, voted down an antiwar amendment — largely because the senators felt they had to support the President as he went off to parley with the people he says are the cause of it all.



## g for it

trodden the path before him. Why then did he elect to set his

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Easy Scan and Print

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the constitution, they would fix  
all interest at either 10 or 20 per  
cent because it would be easy to  
figure and it would save book-  
keeping.

If you let a group of doctors  
write the constitution, I am  
sure they would have a clause in  
there that every family must  
have at least one major piece of  
surgery once a year.

If you let the labor unions  
write the constitution, they  
would beat Abe Lincoln. He  
freed the slaves; they would free  
everybody.

Now this great document was  
not written by farmers, stock-  
men, doctors or labor. It was  
written by 100 good men and  
women doing the best they  
could, but in many instances  
they were led by lawyers that  
were "grinding their own little  
axes". Let's think about this  
constitution and do it right be-  
cause we must live with it a long  
time.

Don C. Wright  
Glasgow



# A journey for a deal

By MARY McGRORY

The President left for Peking  
last February on a surge of  
hope. He went to Moscow on a  
surge of despair.

Peking was "a journey for  
peace"; Moscow is, at the most,  
a journey for a deal.

The President's personal pre-  
stige, which he insists is the na-  
tional prestige, is in tatters. His  
policies in Vietnam have explod-  
ed in the most dramatic escala-  
tion of an eight-year war. The  
shooting of George Wallace is a  
badge of shame he wears with  
all Americans.

TO THE RUSSIANS, he must  
indeed appear as the "pitiful,  
helpless giant" he warned us  
this nation would become if he  
had not invaded Cambodia two  
years ago in his violent quest for  
"A Generation of Peace."

The question is: Why would  
the Soviet Union want to admin-  
ister first aid? Supposedly the  
Soviet lust for trade and arms  
agreements is so great Moscow  
will exchange extend a help-  
ing hand out of the mire of Viet-  
nam.

Possibly Nixon will confide in  
the Russians as to just what it is

he wants. Nobody is sure any-  
more. The prisoners, we know  
about. A non-communist govern-  
ment in Saigon, check. And  
obviously the safe return of 60-  
000 American troops, for whose  
benefit, presumably, he is  
bombing Hanoi and has mined  
Haiphong.

Why are they there? We do  
not know, except as a "bargain-  
ing chip," which is a rather  
questionable use of American  
lives. Usually, when people are  
in danger, the exercise is to  
pluck them out from it. But this  
is another instance of the rejection  
of the "easy popular course"  
that has become the hall-  
mark of the curious presi-  
dency.

THE RUSSIANS may be  
grateful to him for allowing  
them the opportunity — in the  
mining confrontation — to ap-  
pear as models of international  
decorum and to demonstrate  
their reluctance to start World  
War III. But it is the war in pro-  
gress that he must stop and they  
are the only people in the world  
who can help him.

The odd thing is that as time  
for its termination ticks on, the  
war has achieved a feverish  
popularity at home, at least ac-

ording to the polls and the  
White House mail.

The President's sales-promo-  
tion campaign of the last years  
has bombed as badly as Lyndon  
Johnson's. The mistake he  
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minimize it, to say it was ending  
and, in any case, irrelevant to  
the big picture of world peace.  
Now he has blown it up to the  
shape of a world holocaust, and  
it is catching on. Americans like  
size, and the conflict is now one  
they can get their teeth into.

AND, AT LAST, an enemy has  
been found. Efforts to hate Ho  
Chi Minh never got off the  
ground. He was too frail and  
wisy and too much admired by  
foreign visitors. The South Viet-  
namese look exactly like the  
North Vietnamese, except, alas,  
in combat, and no Saigon regime  
initially lasted long enough to  
endear itself. Of the longer-  
term leaders, General Ky turned  
out to be a Hitler-fancier and  
General Thieu just never made  
the hit parade, largely because  
of his singular views of self-  
determination.

But by zeroing in on the Rus-  
sians as the armors of the "in-  
ternational outlaws," Nixon  
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Soviet tanks gave it a  
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The Senate, once a  
down an antiwar am-  
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they had to support  
dent as he went of  
with the people he s  
cause of it all.

HE IS, in short, a  
of the Soviet Union.  
master-politician  
into this fix? Partly  
because he will ne-  
any Communist cou-  
with the one that co-  
Vietnam. If Mosco-  
that Hanoi must sh-  
Nixon the "respect  
blow up the world to  
come home with the  
he must make

Secretary of State  
the matter starkly to  
Foreign Relations  
the other day: "If t-  
is right, we will all  
is wrong, we will all

It was a rather bl-  
but then so are  
stances.

(C) Washington

AND THEN HOPE THEY  
STILL WANT IT—



## Asking for it

program of Swahili, appar-  
unconcerned by the ob-  
fact that very few of his  
ates will ever have the  
rtunity to visit the only  
where Swahili is spoken,  
ely the jungles of East Afri-

trodden the path before him.  
Why then did he elect to set his  
feet upon the same bad old road  
to oblivion?

After a lifetime spent in close  
association with Mr. Shedd's ilk  
across the land, I'm convinced  
that he immolated himself for  
two reasons:

1—Like all his kind, he be-  
lieves right down where he lives  
that Divine Certainty has been  
revealed to him just as it was  
revealed to Paul on the road to  
Damascus. Parents are fools for  
demanding more stress on the  
fundamentals: Mayor Rizzo is an  
uneducated and bigoted hard-  
hat; everybody's out of step  
but Mark.

2—He really doesn't know any  
other way to administer a school  
system. He assumes that minor-  
ity groups are always right, that  
callow adolescents are capable  
of developing complex educa-  
tional policy and that demon-  
strations should never be oppo-  
sed for the simple reason that  
demonstrators are all (a) sin-  
cere, (b) idealistic, (c) and pit-  
eously oppressed by an evilly  
racist Establishment.

Ah, well. I'm not going to  
waste unasked-for tears on Mr.  
Shedd. He may have bombed  
out as an educator, but he can  
always get a job with the Ford  
Foundation people. They love  
losers.

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## The Billings Gazette

Published Daily and Sunday by  
THE GAZETTE PRINTING COMPANY  
Billings, Montana  
Second-Class Postage Paid at  
Billings, Montana

Editor: J. J. ...  
Business Manager: ...  
Manager: ...  
Publisher: ...

## Fiscal charlatan

By WILLIAM F. BUCKLEY

It is a commonplace that  
George Wallace, whose tragic  
incapacitation the whole world  
deplores, and George McGovern  
have been appealing to substan-  
tially the same people, and we  
are supposed to scratch our head  
and wonder why. I think I know.  
Wallace's extra-fractional ap-  
peal has to do with the reduc-  
tion of taxes, and so does Mc-  
Govern's.

But George McGovern, unlike  
George Wallace, has strung out  
his thoughts in intelligible prose,  
and this year has been collected

It is just possible that in the his-  
tory of the United States, no one  
with the substantial backing that  
George McGovern has achieved  
in the academy, has engaged in  
such fiscal charlatanism.

Wallace's technique has been to  
arouse the masses with blurred  
images of comfortable  
white pointy-heads decreasing  
integrated schools from their  
private havens in Arlington, Vir-  
ginia.

McGovern is a soft-throated  
but utterly orthodox champion  
of the hoary notion that you can  
give everybody everything and  
just charge it to the rich.

item is of course the family al-  
lowance program, which calls  
for giving every man woman and  
child one thousand dollars, for a  
net cost of \$43 billion.

Federal health insurance  
would cost \$33 billion. Thirty  
million new homes, \$25 billion.  
The day care center, \$20 billion.  
One-third the cost of education,  
\$12 billion.

Job training, rural economic  
development, urban renewal,  
pollution control, public transit,  
school and hospital construction,  
food stamp, crime and  
drug control and miscellaneous  
scholarships, added to the above  
figures total \$159 billion.

HOW WOULD President  
McGovern pay for this? Never  
mind. Let's see a percent that strategic

spending by \$30 billion, get \$17  
billion more from increased  
corporate taxes, six billion from  
a tax on the rich, \$5 billion from  
an inheritance tax, one billion  
from a reduction in welfare  
costs which would be made pos-  
sible by the family allowance  
program. That comes to a reduc-  
tion of \$59 billion.

A net deficit of \$100 billion.  
To which one of course needs  
to add the projected 1973 deficit  
as things are now going. Thus  
the deficit would come to \$126  
billion.

THE STUDY shows that the  
total income of everyone in  
America who makes over \$50,  
000 per year is \$8 billion dollars.  
Of that \$17 billion is already  
paid over in tax. Henry Hazlitt  
has calculated that if you were

On and on it go  
money by closing th-  
The biggest loophole  
ductibility of state a-  
es (\$5.8 billion). D  
McGovern really v-  
that? Or would he-  
tions for charitabl-  
tions? (\$3.8 billion).

Or shall we hand  
fire bill for Senator  
new America to the  
industry? Their total  
for depletion exclu-  
development costs  
were \$1.3 billion.

The study is avail-  
charge — write for  
Pamphlet "Box 182  
Station, New York 1  
shows the arrant  
which fiscal policy  
and leaves us with

# New constitution lets you sue state

# Dzivi asks investigation of employes 'coercion'

# Indians receive

This is one in a series of stories examining key provisions of the proposed new constitution and their effect on the people.

By DENNIS E. CURRAN  
Gazette State Bureau

HELENA—If you get hit by a State Highway Department truck as you walk down the street, chances are you won't be able to sue the state for full damages under the present constitution.

But under the new constitution, you could.

Montana's proposed constitution would repeal the state's "sovereign immunity" which protects the state against lawsuits for personal injury or property damage caused by negligence by the state or its employes.

To some, the repeal of sovereign immunity could prove to be one of the most significant changes if the new constitution passes.

Sovereign immunity is an ancient doctrine, based on the premise that "the king can do no wrong." Most states adopted it, but in recent years the trend has been to abolish it.

In Montana, the doctrine has been relaxed somewhat. Now the king (the state) admits wrong—but only up to the limit of his insurance policy.

Beyond that, state agencies aren't liable for damages.

**THIS MEANS** the state can carry inadequate insurance coverage and not have to worry about paying large claims. The net effect of the change would be to force the state to carry adequate insurance and stand the same risks which private firms and individuals stand and to protect citizens from being gyped by state negligence.

The new provision in the bill of rights would affect local governments as well as the state. It would apply only to injuries suffered after July 1, 1973; no suits would be allowed for injuries already suffered.

The new constitution also would affect the people in the legal areas of eminent domain and personal injury suits against negligent third parties.

Eminent domain—the state's right to take land with just compensation—would be balanced by a new protection for the public—the right to collect legal costs from the state in successful condemnation suits.

Under the present constitution, if a landowner feels the state is not offering just compensation for the land, he may go to court seeking a higher price. But even if he wins, the

extra compensation often is gobbled up by court costs and attorney's and land appraiser's fees, so many landowners don't even bother going to court.

**UNDER THE NEW** constitution, a landowner who goes to court and wins additional compensation also would be reimbursed for his legal costs.

In another change, the new constitution would specifically allow injured workmen covered by workman's compensation to bring damage suits against negligent third parties.

The added provision would overturn a 1971 Montana Supreme Court decision that held that employes working for a firm covered by workman's compensation could not sue a negligent third party for damages for on-the-job injuries.

GREAT FALLS (AP) — State Senate Majority Leader Dick Dzivi, in a telegram to the legislative auditor Sunday, demanded a full investigation of reports state employes are working for and are being forced to contribute to the campaign of Lt. Gov. Thomas L. Judge.

Dzivi has called Judge his "leading opponent" in the race for the Democratic gubernatorial nomination.

In part, the wire to Morris L. Brusett said:

"I hereby request a full and complete investigation of recurring reports that state employes are campaigning for the candidacy of the lieutenant governor in the present primary election campaign. Please determine whether any department heads are doing this and whether or not such departmental heads are directing or

knowingly permitting such activities by members of their staff."

The Great Falls legislator candidate said if the charges are true, the campaigning would be in direct violation of the law and of orders from Gov. Forrest H. Anderson.

The governor has told his staff that they were to avoid any candidates for office while

working on state time. This order followed a published report that one of his staff members was found in Judge's Helena campaign headquarters during state working hours.

"Further, I request your investigation determine if it is true that state employes in several departments are being told by their superiors or other state officials that they must contribute to the lieutenant governor's campaign under threat of loss of their jobs," Dzivi said in his telegram.

The candidate said any findings from the investigation that would prove the charges should immediately be brought to the attention of the Legislative Council for study and preparation of legislation to prevent a recurrence.

## 16 graduate

FLAXVILLE — Sixteen seniors graduated from Flaxville high school. Dr. Leslie C. Drew of the McGill Museum at MSU was guest speaker. Valedictorians were Mike Fink and Carl Odegard, who had identical grade point averages. Gary Semple was salutatorian.

## Club selects woman of year

LEWISTOWN — The Lewistown Soroptimist Club has named Mrs. Robert H. Little of Lewistown as "Woman of the Year."

Mrs. Little was selected in recognition of many years of service to the community and particularly 24 years of service with the American Cancer Society. She is currently serving the society as both the president of the Fergus County Chapter and as county service chairman. Before accepting this dual role she served as a neighborhood chairman.

Mrs. Little and her husband, a Lewistown truck and school bus driver, have three grown children, all adopted.

## Answers to quiz

PART I: 1-a; 2-Maryland, Michigan; 3-a; 4-trans-Alaska; 5-c  
PART II: 1-e; 2-d; 3-b; 4-c; 5-a.  
PART III: 1-b; 2-a; 3-e; 4-c; 5-d.  
SYMBOL QUIZ: 1-J; 2-E; 3-I; 4-H; 5-C; 6-G; 7-D; 8-B; 9-F; 10-A.  
CHALLENGE: Da Nang.

Quiz on Page 10.

### PROBLEM:

Oil Filters and Filter case replacements.



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# TODAY'S PEOPLE



**CADBURY Chocolate Bars**



**PRELL SHAMPOO**



**BRECK BA CONDITIONER**

cost," Beckert told Stein. But he said it would not be anywhere near Stein's estimate.

Beckert said some private land would have to be acquired at the start of the planned road between the lower and upper villages but most of it was owned by Big Sky (which will donate) or was U.S. Forest Service land to be transferred to Big Sky.

"WE WILL NEED 1.3 miles of right-of-way through a section owned by Burlington Northern (BN)," Beckert said. "We've informally approached BN (a stockholder in Big Sky), and they're seriously considering donating the land but this will be decided by top management."

Beckert said the right-of-way cost factor wasn't included in the construction cost estimate because plans were too preliminary.

"What I want to know is what's the total cost going to be?" Stein asked.

Sitting down, he muttered to a newsman that the state would have more invested in Big Sky than the corporation by the time the project was completed.

### Delegate named

FROID — Jan Reuter has been selected as delegate to Girls State at Carroll College, Helena, June 4-10. Alternate is Nancy Royan.

## Major issue

### er's drive

year would spend quite a lot of money," he said. "Every time a dollar is spent, part of it would end up in the treasury."

He also said a license on all gambling equipment used in the state would bring in millions of dollars per year.

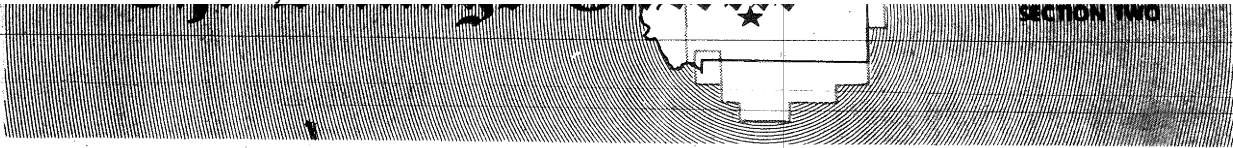
McMillan, who has lived in the Manhattan area for about 10 years, said another benefit to the state, and which would help ease the tax burden, would be to shut down the state's wholesale liquor business.

"I would like to see them (the state) stay in the warehouse business, but out of the retail business. We would save millions of dollars" in wages, rent, utilities, freight and breakage insurance, McMillan stated.

"I believe a man could buy a bottle of whiskey just as cheap or cheaper in a bar that way," he said laughingly.

McMillan also said he couldn't understand all the fighting over the \$20 million Big Sky of Montana project in southwestern Montana. "They are under the strictest environmental protections as can be, and that's part of their business. They have to have a clean country to show their people."

In line with this, McMillan added that he is "100 per cent in favor of Chas. Huntley's Big Sky project." He called it one of the best things to happen to Montana and the Gallatin Valley.



## State awards contracts totaling \$4.7 million

HELENA (AP) — Montana's Highway Commission awarded five contracts totaling \$4,693,146 with a 23-mile superhighway project near Dillon accounting for more than half of the total.

The big Interstate 15 job in the Dillon area went for 28.6 per cent less than the \$3.6 million cost estimated by state engineers.

One project, calling for traffic control devices in Great Falls, attracted only one bid that exceeded estimates by 22.8 per cent. So, it wasn't awarded and the possible reasons are to be studied by Director of Highways H. J. Anderson.

The over-all contract total of nearly \$4.7 million was just \$1 million under estimates.

The projects and successful low bidders, by county:

Madison, Beaverhead—Aggregate surfacing, plant mix base, plant mix bituminous surfacing and signing on I15, beginning at the north end of the Big Hole River Bridge and extending 2.5 miles northerly to approximately 4.5 miles south of Melrose; aggregate surfacing, plant mix bituminous surfacing and signing on I15 beginning approximately one mile north of Dillon and extending northwesterly 10.4 miles to a point near Apex; aggregate surfacing plant mix bituminous surfacing and signing on I15 from the Apex-Browns Bridge road and extending 10.2 miles northerly to the south end of the Big Hole River Bridge. Total length 23.08 miles. McIntyre Construction Co. and S. Birch, Inc., Great Falls, \$2,574,005.

Park—Resetting of guard rail, shoulder widening, signing and related items on 14.3 miles of the Livingston east and west road beginning three miles west of Livingston and extending easterly. Lewis Construction Co., Great Falls, \$523,120.

Wibaux Construction of a 321-foot prestressed concrete girder underpass, one 117-foot prestressed concrete girder underpass, one 286-foot prestressed concrete girder, one 127-foot prestressed concrete girder underpass and one dual 95-foot prestressed concrete girder overpass on the Wibaux east and west road. All structures

are within seven miles of Wibaux. Schultz and Meyer Construction Co., Billings, \$656,852.

Hill—Grading, aggregate surfacing, plant mix bituminous base, plant mix surfacing, signing and construction of one 304-foot prestressed concrete girder on 2 miles of the Havre-Canada Line Road beginning near Havre running south of the

Milk River. Sletten Construction Co., Great Falls, \$788,932.

Mineral, Missoula, Ravalli and Sanders—Crushing and stockpiling of material from eight crusher setups in four counties involving 178,250 tons of haul aggregate and 65,000 tons stockpile top surfacing material. Frank V. Boroni, Butte, \$150,237.

## Constitution effects land swaps, chief says

By RONALD J. SCHLEYER  
Gazette Staff Writer

Montana's proposed new constitution could solve a key problem in land management and allow exchanges of state and private land holdings to achieve more uniform management of land, according to Ted Scwidin, state land commissioner.

Schwidin, who spoke at Monday's Rotary Club luncheon in the Northern Hotel, said there had been little discussion of land management practices with regard to the proposed constitution.

He said the current constitution prohibited exchanges — except with the federal government.

SCHWINDEN SAID Montana's land management laws, including those governing reclamation of mined lands, were basically sound and perhaps superior to federal standards.

Although four of six Montana coal companies are exempt from reclamation provisions passed by law in 1971 — because of a grandfather clause — Schwinden said he was "hopeful" that the companies would voluntarily submit to the more protective standards. Industry attitude, he said, is good regarding reclamation, showing a willingness to listen and learn.

THE COMMISSIONER said reclamation was impossible in a strict sense but that it was possible and desirable to restore the land to good and beneficial use. He said the attitude of Montanans was favorable to this kind of restoration.

Schwidin said the commission must contend not only with much publicized coal mining, but also the thousands of sand and gravel pits and other operations in the state. He added that new reclamation laws had technically placed many of these companies in instant violation of the law, and that much of the work of the commission involved generating compliance with new standards.

BECAUSE MONTANA'S problems in reclamation are manifold and knowledge about their solution limited, federal assistance is hoped for, but so far the response has been disappointing, he said. Many of the problems are serious enough to demand immediate answers, he said. At least they have attracted the attention of the U.S. Environmental Protection Agency, he added, which has ordered an inventory analysis and management plan for Montana's prime coal lands.

Schwidin said mining of coal strictly for export would produce the minimum environmental impact on the state, and that mine-mouth use of coal for

W Tuesday Morning, May 23, 1972—13

## Selection of jury expected to resume

GREAT FALLS (AP) — Jury selection was expected to resume Tuesday in the trial of S. Sgt. Andrew Taylor, 20, Bowling Green, Mo., who is charged with the torture slaying of his two-year-old step-daughter.

The number of prospective jurors had dwindled to 28 from 76 Monday, when selection began.

Taylor has been charged with first-degree murder and murder by torture in the Dec. 22, 1971, slaying of Victoria Lynn Mullin.

The Malmstrom Air Force Base airman has entered pleas of innocent to the charges and has been held without bail.

Many jurors were eliminated when they said they had formed an opinion from news media coverage of the death and subsequent charges.

The charge against Taylor said the little girl died from severe injuries to the head. An information filed with the charges quoted the girl's mother as telling investigators the girl had been tied to a door with a belt around her ankles and was injured when the door was banged back and forth.

Taylor has been ruled mentally capable to stand trial by Warm Springs State Hospital doctors.

## Oregon State slayer given 10 year term

CORVALLIS, Ore. (AP) — Marlowe James Buchanan, 17, convicted here in the Feb. 8 knife slaying of Oregon State University co-ed Nancy Diane Wyckoff, 18, of Glendale, Calif., was sentenced Monday to serve no more than 10 years in prison.

The sentence is the maximum allowed in Oregon for manslaughter, of which the Lake Oswego, Ore., engineering student was convicted last week.

Benton County Circuit Court Judge Richard Mengler explained to Buchanan at sentencing that the Oregon Corrections Division could send him to the Oregon State Penitentiary or

the Oregon State Correctional Institution, and, if deemed necessary, from either place to the State Hospital.

The state has the option of keeping the youth for any amount of time up to the ten years, Mengler explained.

"I believe that you are a very bright young man," but that you were not yet emotionally ready to come to a big university and live in a co-ed dorm," Mengler told Buchanan at sentencing.

"I am certain, however, that you will be able to return to society and function as a responsible member," the judge said.

Mengler, who heard the case without a jury, said he found Buchanan guilty of manslaughter because he felt the youth had suffered "an extreme emotional disturbance" at the time of the slaying.

During the four-day trial the state attempted to prove that the killing was done intentionally, while the defense centered on an attempt to prove Buchanan was suffering from a mental disturbance, and not that he did not commit the killing.

### Monday wasn't Monday's day

GREAT FALLS (AP) — Monday was both a good and bad day for James Monday, an airman at Malmstrom Air Force Base.

Monday was driving near the base on the northeast side of Great Falls when his automobile was struck broadside by a Milwaukee Road freight train.

The freight demolished the car with the impact and by shoving it about 200 yards down the track with Monday trapped inside. The Great Falls Fire Department was called to cut into the car and release the trapped driver.

Monday was taken to the base hospital where he was treated for minor bruises and scratches and released.

## Candidates invited to meeting

HELENA (AP) — All candidates for the office he is vacating were invited by Gov. Forrest H. Anderson to a meeting in Helena Tuesday of his Manpower Advisory Council.

The invitation was in the form of a letter to Senate Majority Leader Dick Dzivi, D-Great Falls, with copies to the other four Democrats and four Republicans seeking party nominations June 6 as governor.

Dzivi had telegraphed the governor about the alleged adverse effect on employe pension plans as the result of the sale of the Anaconda Forest Products Co. to Champion International.

"This and numerous other matters of direct concern to the employes have been under study by members of the Governor's Manpower Advisory Council ever since the sale was announced earlier this month,"

the governor wrote.

"By working with management and union representatives, council members hope to formulate recommendations which will ease the transition period," he added.

Anderson said that since all of the governor candidates may have suggestions to offer he decided to invite them to the council meeting beginning at 1:30 p.m. in the Governor's Reception Room in the Capitol.

### Laurel cyclist is 'satisfactory'

Mitchel Parntean, 37, Laurel, is reported in satisfactory condition at Deaconess Hospital Monday night after suffering cuts and bruises in a motorcycle accident about 7 p.m.