

**CASCADE COUNTY - Mob. bids for the month of March 1972**

Public bidding for the month of March 1972 is being held in accordance with the provisions of the Montana Public Bid Law. The following are the items to be bid:

**Public Works** - Various Planning Board, Board of Health and Law Enforcement Meetings throughout the month.

**Bids were advertised for 10,000 gallons of Base Oil to be opened at 11 o'clock A.M. on March 31. The bid received was that of Phillips Petroleum Co. in the amount of 1190 per gallon. Motion was duly made by Milo F. Dehn to accept the bid. Motion was carried.**

**Bids were advertised for Asphalt Concrete Materials (1,000 tons) to be opened at 10:30 o'clock A.M. on March 31. The following bids were received: Long Construction Co. & Mont. Sand & Gravel in the amount of \$4 per ton. Black Eagle Paving Co. in the amount of \$4.25 per ton. Motion was duly made by Milo F. Dehn to accept the low bid of Black Eagle Paving Co. Motion was carried.**

Notice was given that the Board would apply to the County Treasurer for Tax Deed to each of the following described parcels of property: Lot 13 in Block 131 in First Addition to the Townsite of Great Falls; N. 70 ft. of Lot 14, Block 134 in First Addition to the Townsite of Great Falls; and Lot 1, Block 1 in Stocklet, Mont.

A meeting was held to hear protests to the dissolution of Fire District No. 15 located on the south side of the Sun River North of Wedgewood Park. No persons appeared to protest the dissolution. The Board thereupon passed a resolution dissolving the said Fire District effective as of June 30, 1972.

**Bids were advertised for a 4-ton, 4-wheel drive truck for the Weed Control Department to be opened at 1:30 on March 31. The following bids were received: Bison Motor Co., \$3,920.00; International Harvester Co., \$3,707.00; City Motor Co., Inc., \$3,944.00 and Frontier Dodge Co., \$3,948.00. Motion was duly made, seconded and carried to accept the low bid of International Harvester Co.**

**Bids were advertised for 14,400 gallons of Amine and 990 gallons of Ester Weed Chemicals to be opened March 31 at 2:00 P.M. Bids were received as follows:**

	AMINE	ESTER
	Gal. Lb.	Gal. Lb.
Standard Oil Co.	2.10	2.40
Great Falls, Inc.	2.06	2.41
Ag. Dist., Inc.	1.985	2.363
Peavy Co.	1.948	2.308
Westchem	1.943	2.29

Upon motion duly made, seconded and carried, the low bid of Peavy Co. was accepted by the Weed Control Board as being in the best interests of Cascade County.

The Board met with Chuck Parrel of the Department of Natural Resources and others to determine the method of submitting an application for Flood Area Insurance. The Planning Board is to prepare the preliminary material for the application.

The Board passed a resolution authorizing Commissioner John St. Jermain to execute and file applications on behalf of the County of Cascade with the United States Government and the State of Montana for grants to aid in the construction of sewage treatment facility improvements and to furnish such information as the State Department of Health and the Environmental Protection Agency may reasonably request in connection with such applications and to sign all necessary legal documents therefore.

The Board passed a resolution establishing speed limits in various areas in the vicinity of Giant Springs. Lawrence Fasbender Sr. was appointed to the Inter-Local Commission in the City of Great Falls.

The Board passed a resolution granting themselves authority to sign a contract with the State Board of Health regarding a State grant for sewage treatment at Vaughn.

During the sessions of the board for the month of March 1972, the following claims were examined and allowed and warrants ordered issued in payment thereof:

GENERAL FUND	
Poulsen's, Inc., Sup.	\$ 228.69
Medden Construction Supply Co., Wholesale Flooring Sup.	7.30
GF City-County Planning Bd., % Co. Share	36.24
Roger D. Graff, Tribune	4,000.00
Bennett Pontiac GMC, Tax Refund	143.95
Great Falls Tribune, Adv.	6.00
Frontier Dodge, Inc., Maint., HD	170.00
Frontier Dodge, Inc., Pickup, HD	3,000.00
M&P Meat Co., Reimb. Assr. Singer Business Machines, Ribbons, Treas.	26.65
Croxford & Sons, Burial	10.00
Yellowstone Boys Ranch, Bd & Comm.	350.00
Poulsen's Inc. Sup. Consumer Reports, Subscription, Co. Ag.	1,450.90
Montana Coop Extension Serv., Records	14.00
	12.50

**SELECTED - Candy Herda, daughter of Mr. and Mrs. Edward Herda, Chinook, has been accepted into the United States school band and chorus. Miss Herda will play alto-saxophone with the band. She will fly to New York where she will join the group of 82 band students and 38 students. They will then fly to Amsterdam where they will rehearse for five days before touring Holland, West Germany, Switzerland, Italy, France and Belgium. The tour will last three weeks. Miss Herda will leave in June.**

**Constitution Proposals Supported**

**MILES CITY (AP) - House Speaker James P. Lucas, R-Miles City, said Monday he generally favors the proposed new constitution.**

Lucas said he believed there were some areas of the proposed document that could have been improved.

Lucas said he believed the constitution might have gone farther into the overhaul of the state's judicial system. He said the document also appears to "remove some of the fiscal accountability from the University System."

On balance, Lucas said, there are many good things in the new document. He singled out the constitutional provision for annual sessions of the legislature. Annual sessions, Lucas said, will relieve some of the pressure that has come on recent sessions of the legislature, which now meets every two years in a regular session of 60 days.

Asked about the side issue of a unicameral, or one-house legislature, Lucas said, "I am not a strong proponent of the unicameral."

**Legal Advertising**

**CALL FOR BIDS**  
The Board of Trustees of School District Number One, Great Falls, Montana.

**NOTICE FOR BIDS**

Bids will be received, publicly read aloud at 10:00 A.M. Wednesday, May 24, 1972, by the Department of Public Works and the Board of Examiners of the Architecture and Division, 1000 East Sixth Street, Montana, for the Addition, Employment Security Plans, Montana, and after bids will be received, read aloud at this time for contracts: General Contracting Work and Electrical Work.

Bids submitted on the forms the contract documents, which may be secured at the Board of Examiners, Helena Avenue, Helena, Montana, payment of Fifty-Dollars cash, any plan holder, such set promptly and in will be refunded his payments and other conditions and other conditions may be examined at the Architecture & Division, 1500 East Sixth Avenue, Helena.

Bids accompanied by bid bond in the amount of 10% of the bid. Successful bidder shall provide performance bond equal to 100% of the Contract. Bidder shall comply with all terms and must meet the State Statutes. Contractor to have a current Montana License of the State.

Withdraw his bid for at least 3 days after the actual opening thereof, reserves the right to waive or reject any, or all

of Administration  
B. SAXBY, Director  
of Examiners  
MCENANEY, Executive  
5/3-10-17

**NOTICE FOR BIDS**

Trustees of School District No. 1, Chouteau County, Montana, sealed bids for School Bus in the office of the Assistant Superintendent of Schools, 1100 South, Great Falls, Montana (2669).

Bids received until 10:00 A.M. on March 31, 1972 at which time bids will be opened in the Board of School Administration.

and other information in the office of the Transportation or in the Assistant Superintendent for Falls Public Schools, 1100 South, P.O. Box 2669, Great Falls, Montana.

Bids will be considered unless accompanied by cash or cashier's check, or bank money order or any case drawn and issued by a banking association of the State of Montana, or by a corporation incorporated in the State of Montana, or bonds executed by a person authorized to do business in the State of Montana, in the amount of each single bid by the chairman of the Board of Trustees. Great Falls as a guarantee of completion.

The Board of Trustees reserves the right to accept or reject any or all of the bids and to award the contract to the lowest bidder at the school district.

W. ERICKSON, Assistant Superintendent for Business  
4/20-27, 5/3-10

**NOTICE FOR BIDS**

Trustees of Fort Bend District No. 1, Chouteau County, Montana, request bids: 19,000-22,000 pounds lvs and one (1) body, 60 ft., F.O.B. Fort Benton.

W. Erickson & Co., Comm. Equip.	20.00	W. Erickson & Co., Comm. Equip.	20.00
Harry J. Crane, Mill, Treat.	23.20	W. Erickson & Co., Comm. Equip.	20.00
Edward L. Mason, Treat.	23.20	W. Erickson & Co., Comm. Equip.	20.00
Raymond R. Rasmussen, Assessor	100.00	W. Erickson & Co., Comm. Equip.	20.00
Bert L. Rasmussen, Assessor	26.00	W. Erickson & Co., Comm. Equip.	20.00
Rev. Mr. M. J. Rasmussen, Assessor	27.00	W. Erickson & Co., Comm. Equip.	20.00
Assoc. Research, Inc., Pri.	17.25	W. Erickson & Co., Comm. Equip.	20.00
J. Her	17.25	W. Erickson & Co., Comm. Equip.	20.00
NEA Express, Transp. Chgs.	16.75	W. Erickson & Co., Comm. Equip.	20.00
Sher	16.75	W. Erickson & Co., Comm. Equip.	20.00
Coop to Coop Stores, Letters	7.80	W. Erickson & Co., Comm. Equip.	20.00
Billie Tins, Alignment, Sher	10.00	W. Erickson & Co., Comm. Equip.	20.00
Flynn Insurance Agency, Insur.	16.65	W. Erickson & Co., Comm. Equip.	20.00
Sher	16.65	W. Erickson & Co., Comm. Equip.	20.00
Brighton-Up Shop, Frame, Sher	5.15	W. Erickson & Co., Comm. Equip.	20.00
Croxford & Sons, Burial	1,200.00	W. Erickson & Co., Comm. Equip.	20.00
Montana Building, New, Cl. Comm.	218.75	W. Erickson & Co., Comm. Equip.	20.00
John C. Hall, Pub. Defender	628.41	W. Erickson & Co., Comm. Equip.	20.00
IBM Corp., Ribbons	19.00	W. Erickson & Co., Comm. Equip.	20.00
Snowmobile Rentals, Title Fees, Treas.	16.00	W. Erickson & Co., Comm. Equip.	20.00
Allstate Payroll, Mil. Vn. Prob. OW.	46.00	W. Erickson & Co., Comm. Equip.	20.00
Washington I. Vanderpool, Tax Refund	97.95	W. Erickson & Co., Comm. Equip.	20.00
Intermountain Transport Co., Frt. Treas.	32.80	W. Erickson & Co., Comm. Equip.	20.00
E. J. Green, Bd. & Care	110.25	W. Erickson & Co., Comm. Equip.	20.00
Western Office Equip., Ribbons	4.00	W. Erickson & Co., Comm. Equip.	20.00
Western Senc. Serv., HD	23.13	W. Erickson & Co., Comm. Equip.	20.00
VWR Scientific, Sup., HD	1.50	W. Erickson & Co., Comm. Equip.	20.00
Triangle Tire, Valve Stem, HD	11.97	W. Erickson & Co., Comm. Equip.	20.00
Montana Photo, Film, HD	11.97	W. Erickson & Co., Comm. Equip.	20.00
Meiko Hearing Aid Service, Hooples, HD	13.26	W. Erickson & Co., Comm. Equip.	20.00
Corvair Medical Equip Co., Serv., HD	71.54	W. Erickson & Co., Comm. Equip.	20.00
Bison Motor Co., Repair, HD	14.33	W. Erickson & Co., Comm. Equip.	20.00
Applied Research Institute, Sup., HD	18.45	W. Erickson & Co., Comm. Equip.	20.00
American School Health Assn., Sub., HD	15.00	W. Erickson & Co., Comm. Equip.	20.00
National Chemsearch Corp., Chemicals	124.38	W. Erickson & Co., Comm. Equip.	20.00
Case Sanitary Supply Co., Sup.	164.00	W. Erickson & Co., Comm. Equip.	20.00
Falls Supply Co., Sup.	16.46	W. Erickson & Co., Comm. Equip.	20.00
Great Falls Gas Co., Tax Refund	19.80	W. Erickson & Co., Comm. Equip.	20.00
George Ciffo, Mill, Sher	42.35	W. Erickson & Co., Comm. Equip.	20.00
Sheriff's Deputies, Meals, Sher	17.70	W. Erickson & Co., Comm. Equip.	20.00
Tribune Printing Co., Sup.	568.55	W. Erickson & Co., Comm. Equip.	20.00
Mailing Shop, Sup.	47.18	W. Erickson & Co., Comm. Equip.	20.00
Payroll, March Salaries	99,235.61	W. Erickson & Co., Comm. Equip.	20.00
Edward L. Shober, Fravel, Exp. Com.	79.44	W. Erickson & Co., Comm. Equip.	20.00
Great Falls Gas Co., Serv.	12.54	W. Erickson & Co., Comm. Equip.	20.00
Montana Power Co., Serv.	652.03	W. Erickson & Co., Comm. Equip.	20.00
Flynn Insurance Agency, Boiler Insurance	222.35	W. Erickson & Co., Comm. Equip.	20.00
Grogan-Robinson Lbr. Co., Sup., CR. Rec. & YH	18.17	W. Erickson & Co., Comm. Equip.	20.00
Carl Weisman & Sons, Inc., Feedcocks, YH	7.41	W. Erickson & Co., Comm. Equip.	20.00
Dorand Pizzini, Mil.	9.63	W. Erickson & Co., Comm. Equip.	20.00
Northwest Airlines, Fare, Diet. Ct.	105.00	W. Erickson & Co., Comm. Equip.	20.00
Cascade Logging, Inc., Treas.	48.32	W. Erickson & Co., Comm. Equip.	20.00
Alarm Service, Inc., Serv., Treas.	10.00	W. Erickson & Co., Comm. Equip.	20.00
Flynn Insurance Agency, Insur.	85.00	W. Erickson & Co., Comm. Equip.	20.00
Physicians & Hospital Supply, Sup., HD	2.01	W. Erickson & Co., Comm. Equip.	20.00
Valley Motor Supply, Sup., HD	146.54	W. Erickson & Co., Comm. Equip.	20.00
AA Printers & Lithographers, Slickers, HD	11.00	W. Erickson & Co., Comm. Equip.	20.00
Appleton-Century Crofts, Book, HD	12.16	W. Erickson & Co., Comm. Equip.	20.00
Farmers Electric Supply, Serv.	100.00	W. Erickson & Co., Comm. Equip.	20.00
Kernaghan's Service, Gas, Sher.	133.71	W. Erickson & Co., Comm. Equip.	20.00
J. and W. Oil, Serv., Sher.	52.20	W. Erickson & Co., Comm. Equip.	20.00
Mahson Lumber Co., Gas, Sher.	24.62	W. Erickson & Co., Comm. Equip.	20.00
Frontier Dodge, Inc., Serv., Sher.	100.60	W. Erickson & Co., Comm. Equip.	20.00
Holiday Car Wash, Car Washes, Sher.	8.60	W. Erickson & Co., Comm. Equip.	20.00
Monarch Canyon, Serv., Gas	80.72	W. Erickson & Co., Comm. Equip.	20.00
Bison Motor Co., Serv., Sher	80.07	W. Erickson & Co., Comm. Equip.	20.00
Mrs. R. M. Lumpkin, Gas, Sher	24.00	W. Erickson & Co., Comm. Equip.	20.00
Odgaard Bros., Gas, Sher.	175.80	W. Erickson & Co., Comm. Equip.	20.00
John Peters, Hotel, Sher.	22.00	W. Erickson & Co., Comm. Equip.	20.00
Standard Hill Groc., Gas, Sher.	7.02	W. Erickson & Co., Comm. Equip.	20.00
Standard Oil, Gas, Sher.	5.00	W. Erickson & Co., Comm. Equip.	20.00
Murray S. Moore, Tax Refund	6.50	W. Erickson & Co., Comm. Equip.	20.00
Comm. Comm. & Electronics, Serv. & Pts., Sher.	261.81	W. Erickson & Co., Comm. Equip.	20.00
Crane Supply Co., Serv., Sher.	24.05	W. Erickson & Co., Comm. Equip.	20.00
East Super Save IGA, Dog Food, Sher.	56.54	W. Erickson & Co., Comm. Equip.	20.00
Treasure State Photo, Photo Serv., Sher.	10.55	W. Erickson & Co., Comm. Equip.	20.00
Ski Inn, Meals, Sher.	18.00	W. Erickson & Co., Comm. Equip.	20.00
H. H. Stetler Co., Insur., Sher.	50.00	W. Erickson & Co., Comm. Equip.	20.00
Temperature Supply Co., Serv., Sher.	23.72	W. Erickson & Co., Comm. Equip.	20.00
A. B. Dick Products, Ink., Co. Ag.	67.00	W. Erickson & Co., Comm. Equip.	20.00
Leslie Paper, Sup.	71.64	W. Erickson & Co., Comm. Equip.	20.00
Morris Sporting Goods, Sup., Sher.	118.35	W. Erickson & Co., Comm. Equip.	20.00
IBM Corp., Maint., Cr. Concl. Mt. Olive Cemetery, Mortar Base	13.12	W. Erickson & Co., Comm. Equip.	20.00
The George Co., Burials	160.00	W. Erickson & Co., Comm. Equip.	20.00
Tax Refunds, Motor Vehicles	500.00	W. Erickson & Co., Comm. Equip.	20.00
Mailing Shop, Sup.	357.20	W. Erickson & Co., Comm. Equip.	20.00
Tribune Commercial Printers, Printing	43.16	W. Erickson & Co., Comm. Equip.	20.00
Mike A. Fynyak, Tel. Reimb.	217.19	W. Erickson & Co., Comm. Equip.	20.00
Sheriff's Deputies, Reimb. for Meals	28.50	W. Erickson & Co., Comm. Equip.	20.00
Allstate Payroll, Feb. Mt. Sher.	14.65	W. Erickson & Co., Comm. Equip.	20.00
Great Falls Paper Co., Sup.	24.77	W. Erickson & Co., Comm. Equip.	20.00
Mt. Teachers Rt. System, Co. Share, Sup. Sch.	41.34	W. Erickson & Co., Comm. Equip.	20.00
Great Falls Tribune, Adv. Comm.	193.50	W. Erickson & Co., Comm. Equip.	20.00
Leslie Paper, Sup.	54.00	W. Erickson & Co., Comm. Equip.	20.00
3M Business Products, Paper	137.33	W. Erickson & Co., Comm. Equip.	20.00
Wak Electric, Coffee Pot, J.P. Court	9.99	W. Erickson & Co., Comm. Equip.	20.00
Mountain Bell, Serv.	482.22	W. Erickson & Co., Comm. Equip.	20.00
Postmaster, Stamps, Ct. Rep.	6.00	W. Erickson & Co., Comm. Equip.	20.00
Midtown Motel, Lunch, Comm. Gordan's Restaurant, Lunch, Comm.	8.00	W. Erickson & Co., Comm. Equip.	20.00
Jack Fleicher, Transcript	9.40	W. Erickson & Co., Comm. Equip.	20.00
Barbara Whilton, Travel Exp., HD	11.25	W. Erickson & Co., Comm. Equip.	20.00
Riverside Automotive, Serv., HD	57.05	W. Erickson & Co., Comm. Equip.	20.00
Billy Bonner, Reimb., HD	104.72	W. Erickson & Co., Comm. Equip.	20.00
	25.00	W. Erickson & Co., Comm. Equip.	20.00

**POOR FUND**

Cascade County Treasurer, Food Stamps	\$5,018.51
Roadside Grocery, Groc.	78.44
Northside Market, Groc.	172.40
Roxbury's Groc.	77.50
Midport Mart, Groc.	22.44
Bullrey's, Groc.	32.00
Bullrey Food Stores, Groc.	2,075.52
Albertson's No. 211, Groc.	894.92
Stafford's Market, Groc.	10.00
Sawley Slocas, Inc., Groc.	378.60
M. Allen Jones, MD, Serv.	78.00
Tedd C. Kinney, DDS, Dental Service	82.00
Coach House Cafe, Meals	161.25
Gale's Cafe, Meals	60.00
Gale's Cafe, Meals	30.00
Tracy's Fine Foods, Meals	5.50
Husted's Great Falls Corp., Clothing	20.00
Big Bear Surplus, Clothing	10.00
Montgomery Ward, Clothing	33.34
Sears, Roebuck & Co., Clothing	10.00
Valu-Mart, Clothing	9.40
Yellow Front Store, Clothing	19.77
Frey's Service, Gas	9.00
Husky Gas Station, Gas	5.00
Kernaghan's Service, Inc., Fuel	55.00
Great Falls Electric Corp., Serv.	19.50
Great Falls Gas Co., Serv.	148.10
Montana Power Co., Serv.	50.18
Grogan-Robinson Lbr. Co., Pres-to-Logs	72.50
Petrolane Steelas, Propane	66.25
Kernaghan's Service, Fuel	12.50
Armstrong Masonry, Presto Logs	20.00
Montana Power Co., Serv.	25.42
Montana Power Co., Serv.	78.69
Great Falls Gas Co., Serv.	85.69
Walter Water Department, Serv.	22.00
Walter Dept. Petty Cash, Exp. Security Div. Pers., County-ly Share	6.39
Roche Laboratories, Drugs	4,906.66
Warner-Chilcott, Drugs	979.41
McNeil Laboratories, Inc., Drugs	210.00
McKesson & Robins Drug Co., Drugs	215.70
Montana Deaconess Hospital, Service	598.54
Rest Payroll, Rents	11,694.15
Cl. Water Dept., Serv.	94.00
Great Falls Gas Co., Serv.	4.20
Montana Power Co., Serv.	11.82
Eve Crowell, Board and Care	39.26
Snyder Drug, Drugs	30.00
Petkevich X-Ray Lab., X-Rays	413.30
Leslie Paper, Paper	320.70
F. M. Petkevich, MD, Readings	13.80
M. W. Schmidt, MD, Serv.	399.00
M. W. Schmidt, MD, Serv.	8.00
Dudman, P. Page, MD, Serv.	18.00
Robert J. McGregor, MD, Serv.	30.00
Mont. Neurological Clinic, Serv.	7.00
Wm. J. Roberts, MD, Serv.	85.00
Paul M. Melvin, MD, Serv.	219.00
Radiology Group, Serv.	299.00
Great Falls Clinic, Serv.	581.50
Fritz D. Hurd, MD, Serv.	246.50
Public Drug Co., Inc., Drugs	272.35
Skeggs Drug Center, Drugs	201.70
Western Drug, Drugs	69.93
Deane's Pharmacy, Drugs	76.15
Skeggs Drug Center, Drugs	109.05

Board of Commissioners for the Month of 1972

At a regular meeting of the Board of Commissioners for the Month of 1972, held on March 31, 1972...

Table with columns: AMNE Gal., Lb., ESTER Gal., Lb. containing various bid amounts and quantities.

Legal Advertising section containing various business listings and advertisements such as 'Klock A.C. Co.', 'Imperial Carbon Co.', 'Electric City Printing Co.', etc.

Legal Advertising section containing various business listings and advertisements such as 'Great Falls Publishing Co.', 'Duesler Office Supply', 'National Council on Family Relations', etc.

Legal Advertising section containing various business listings and advertisements such as 'Fryberg Printing Co.', 'United Printing Co.', 'Family Service Assn.', etc.

Table containing various financial and business listings, including 'Social Security Div. Pers. Co.', 'Weed Control Fund', and 'Land Classification Fund'.

## About the Constitution

# What Experts Think

In the days ahead the Tribune will present special interpretations of the proposed new constitution by 10 members of the University of Montana faculty. The interpretations were commissioned by the University's Bureau of Government Research under the direction of Dr. Ella Waldron.

The essays are brought together in the bureau's Public Affairs report No. 11.

### By PROF. THOMAS PAYNE Dept. of Political Science CITIZEN PARTICIPATION

The proposed constitution establishes procedures by which Montana citizens may participate directly in their own government. These procedures are embodied in articles dealing with suffrage and elections, general government, and constitutional revision.

### SUFFRAGE AND ELECTIONS

The draft constitution essentially retains provisions of the present document relating to suffrage and elections, but uses about half as many words. None of the provisions to be deleted from the present constitution is of great significance, nor does the new constitution introduce drastic or untested innovations, excepting possibly legislative discretion to authorize poll booth registration.

### ELIGIBILITY AND QUALIFICATIONS:

To qualify to vote in Montana, a person must be a citizen of the United States, at least 18 years of age, and meet registration and residence requirements. The age requirement is that required by the recent amendment to the U.S. Constitution. Eligibility requirements are similar to those found in most states. A person otherwise qualified may be denied voter privileges on two grounds: imprisonment for committing a felony, or court determination that he is of unsound mind.

Eligibility for office holding is identical to that of voters, except that the legislature may add qualifications and the draft constitution specifies additional qualifications for certain elective offices. A person convicted of a felony would become eligible to hold office upon final discharge from state supervision, without the present requirement of a pardon or citizenship restoration by the governor.

stitution. A notable exception is the option that would enable the legislature to legalize gambling, one of three separate issues that will appear on the ratification ballot.

**DIRECT LEGISLATION:** The initiative and referendum provisions of the present constitution are liberalized in the draft constitution. Both initiative and referendum petitions would require signatures of 5 per cent of voters. By comparison, initiatives now require 8 per cent. Distributive provisions for both initiative and referendum petitions would require the minimum percentage of signatures in one-third of the legislative districts (which could be largely urban) instead of the present two-fifths of the counties — a substantial concession to the state's urban populations, as against the usual veto implicit in the present requirement.

**GAMBLING:** The present provision which prohibits the legislature or the people from legalizing gambling is retained, but a separate issue on the June ballot permits voters to opt for an alternate provision which would empower the legislature to legalize "forms of gambling, lotteries, or gift enterprises."

Under the optional gambling provision, the people could legalize gambling directly through the initiative.

Those who espouse gambling as a panacea for Montana financial ills should be admonished that elsewhere (with the exception of New Jersey's lottery) it has failed to produce revenues at the level promised by its proponents. Moreover, additional law enforcement costs and social costs in rising incidence of gambling-associated crime suggest that the introduction of gambling into this state would exact a substantial, if not fully visible, price.

### CONSTITUTIONAL REVISION PRESENT PROCEDURES

**RETAINED:** The draft constitution retains amendment processes of the present constitution essentially unchanged, but introduces an important new process as well, the popular initiative of constitutional amendments. It also eliminates the present limitation of three amendments which the legislature may submit in a single

every 20 years. (4) There would be no limit on the number of amendments that could be submitted to the people by the legislature at any one general election. (5) The legislature could specify that delegates to future conventions be elected on a non-partisan ballot.

**COMMENT:** With the changes indicated, the amending process would be much easier than under the present constitution. Of the five changes listed, all but one have merit. The exception is the initiative to adopt single amendments. It has been neither a successful nor an effective mode of revision in states that have employed it. Well-financed, articulate minority interests have found the initiative to be a handy weapon to exploit. More positively, the initiative may be viewed as a popular safeguard against legislative inaction on demands for constitutional change. It does seem less essential as a safeguard in a constitution which affords other, more liberalized opportunities for change.

(Next: Declaration of Rights)

## Burec Eyes East Bench Job Bids

Bids were opened Tuesday in the Great Falls office of the Bureau of Reclamation for earthwork and structures for pipe drains, berm (dike area) construction, and modification of channels on the East Bench Unit near Dillon.

The work, to be performed includes construction of 3½ miles of pipe drains, construction of a berm along part of an existing canal, and modification of a total of approximately .6 miles of channel in three existing channels.

The apparent low bidder was Clark Bros. Contractors, Victor, with a bid of \$107,647. The only other bid was received from Bill Lutheran Church, Born in Sweden, he married Marie Modin in 1913 in Minneapolis. They homesteaded near Miles City in 1914 and later he oper-

## Indians Sue Over Cig Tax Status

**BUTTE (AP)** — Store operators on the Flathead Indian Reservation have filed a suit in federal court asking that Missoula and Lake county law officers be restrained from seizing revenue-free cigarettes for sale on the reservation.

The suit was filed by the Confederated Salish-Kootenai Tribe, with tribal council chairman Harold W. Mitchell Jr. as one of the plaintiffs.

Other plaintiffs are Joseph A. Wheeler Jr. and Dorothy E. Wheeler Clickenbeard, brother and sister and until recently store owners on Indian land at which cigarettes were offered at \$2.99 per carton without the Montana revenue stamp.

The same cigarettes would cost over \$4 per carton in stores where the tax applies.

Attorneys for the plaintiffs ask an injunction halting further interference by Montana officers with Indians selling cigarettes on Indian lands. They also ask that the court reaffirm that state revenue laws and authority end at reservation boundaries.

Although the tribal council agreed to an extension of Montana law to the reservation in criminal matters and in eight specific instances of civil matters, the Indians contend the right of the state to tax cigarettes on the reservation.

## New Postmaster

### Named at Geraldine

**SAN FRANCISCO (AP)** — Appointment of postmasters in five western states has been announced by Fred Huloon, regional postmaster general.

The appointments, effective April 30, include:

Montana—Geraldine, Thomas A. Reeves.

## Treasure State Deaths

**MILES CITY — PETERSON, Gustaf, 87, died at a local hospital. Services will be Wednesday at 2 p.m. at the First Lutheran Church. Born in Sweden, he married Marie Modin in 1913 in Minneapolis. They homesteaded near Miles City in 1914 and later he oper-**

## Govt

**HELENA (AP)** — Appointment of Jay I. Sidney, businessman, to Montana's Highway Commission was announced Tuesday by Gov. Forrest H. Anderson. A Democrat, Sidney fills a vacancy caused by the

## Police D Gun Inc

**MISSOULA (AP)** —

Missoula police lieutenant in the shooting death of a man in his home has been demoted and suspended for 60 days for violating the police code of conduct by firing a shot at Chief of Police Hanson.

The disciplinary action against Warren Cochran taken by the Missoula Police Commission, Hal

James Feucht was Patrolman David April 12 after Feucht threatened Cochran's honor because of an alleged relationship with Mrs. Feucht.

Cochran testified before a coroner's jury that his friend of Mrs. Feucht helped her with some

problems. In a prepared statement Hanson said: "It was a senior officer who assisted any person whose personal problem should be so at the police station accompanied by an officer; thereby, avoiding embarrassment to the department and the City of Missoula."

Cochran had been when Strom followed into the Cochran home. Strom killed Feucht with a shotgun and was cleared of any wrongdoing.

**LIVE MUSIC**  
**Skip Kinn**  
AND HIS GUITAR  
TUES. and THURS. N  
8 P.M. to 1 A.M.

in most states. A person otherwise qualified may be denied voter privileges on two grounds: imprisonment for committing a felony, or court determination that he is of unsound mind.

Eligibility for office holding is identical to that of voters, except that the legislature may add qualifications and the draft constitution specifies additional qualifications for certain elective offices. A person convicted of a felony would become eligible to hold office upon final discharge from state supervision, without the present requirement of a pardon or citizenship restoration by the governor.

**REGISTRATION:** The legislature would establish a system of voter registration, and also "may provide for a system of poll booth registration." The present system of voter registration in Montana leaves much to be desired. Failure to register is cited by nonvoters as the most common reason for not voting. But all democratic systems find, especially as their populations become increasingly urbanized, that some form of voter registration before election day is needed to establish that the prospective voter is eligible. Poll booth registration would eliminate the present safeguards against such well-known election frauds as "repeating" and "colonizing." The legislature is free, of course, to ignore poll booth registration and to enact future registration statutes as circumstances may require.

**ELECTION PROCEDURES:** The legislature is required to provide procedures for the conduct of elections. The provisions that the winning candidate in an election need have only a plurality and that a voter is immune from arrest, with some exceptions are retained.

Suffrage and election provisions of the draft constitution would be a substantial improvement. Broad discretionary authority has been granted the legislature, while adequate safeguards protect the citizen's interest in free and fair elections.

**GENERAL GOVERNMENT**

A variety of provisions not easily fitted elsewhere into the draft constitution were brought together here. Their general effect would continue the spirit, if not the letter, of the present con-

stitution. Costs and social costs in rising incidence of gambling-associated crime suggest that the introduction of gambling into this state would exact a substantial, if not fully visible, price.

**CONSTITUTIONAL REVISION PRESENT PROCEDURES**

**RETAINED:** The draft constitution retains amendment processes of the present constitution essentially unchanged, but introduces an important new process as well, the popular initiative of constitutional amendments. It also eliminates the present limitation of three amendments which the legislature may submit in a single general election. The present constitution may be amended either:

**NEW AMENDMENT PROCEDURES:** (1) Voters could bypass the legislature in the initiative and ratification of amendments. Petitions to initiate an amendment would require signatures of 10 per cent of the voters, with at least 10 per cent in each of two-fifths of the legislative districts (not counties); the initiative amendment would be adopted if approved by a majority of those voting on the question. (2) A similar initiative approach could be used by the people to call a convention. (3) The question of calling a convention must be placed on the general election ballot once in

or channels in the past bench Unit near Dillon.

The work, to be performed includes construction of 3½ miles of pipe drains, construction of a berm along part of an existing canal, and modification of a total of approximately .6 miles of channel in three existing channels.

The apparent low bidder was Clark Bros. Contractors, Victor, with a bid of \$107,647. The only other bid was received from Bill Brothers Excavating and Construction Co., Butte, for \$141,741.00. The Engineer's Estimate for performance of the work is \$91,321.20.

Bids are currently under consideration and award will be made at a later date.

nounced by Fred Hulson, regional postmaster general.

The appointments, effective April 30, include: Montana—Geraldine, Thomas A. Reeves.

**Treasure State Deaths**

**MILES CITY — PETERSON,** Gustaf, 87, died at a local hospital. Services will be Wednesday at 2 p.m. at the First Lutheran Church. Born in Sweden, he married Marie Modin in 1913 in Minneapolis. They homesteaded near Miles City in 1914 and later he operated a machine shop here. Survivors include a daughter, Mrs. Ed Gran, Miles City; three sons and a brother.

when such a rowen into the Cochran home. Strom killed Fuecht's shotgun and was cleared inquest.

**LIVE MUSIC**  
**Skip Kir**  
AND HIS GUITAR  
TUES. and THURS. NI  
8 P.M. to 1 A.M.  
**IT'L DO B.**  
Westgate Center

Spring cleaning is upon housewives again, and an estimate that 10,000 American women will die from improper use of cleaning solutions.

Cut cost and time with eleven items from Best Line Cleaning Products, that will do a better job than 35 cleaning products!

Recommended by Parents Magazine and sold with a money back guarantee.

No charge on the use of carpet shampooer! Other items delivered free!

Call today in regard to your spring cleaning.

Open Territory for part or full time workers.

Call or Write:  
**LAWRENCE KELLEY**  
Box-3021-761-2521, Great Falls

**SKAGGS**  
**COLOR**  
**PORTRAIT**  
**SPECIAL:**  
**99¢\***



*This Week Only at Skaggs!*

Save now by taking advantage of this special one-time offer Skaggs is offering a full 5"x7" natural color photograph of your children for just 99c per child. And for that extra-nice touch, we mount each portrait in a handsome feather-edged presentation folder. Just stop in while shopping.

\*Children 10 Years of age and older, \$2.95

**HURRY! Thru WEDNESDAY**  
**MAY 3, ONLY!**  
**AT SKAGGS!**



Monday, Tuesday, Wednesday  
May 1, 2 and 3

**WE WISH TO THANK**  
**EVERYONE FOR THEIR**  
**HELP AT THE WESTERN**  
**GRAIN CO. FIRE.**

Our New Location is

### Indians Sue Over Cig Tax Status

TE (AP) — Store oper-  
on the Flathead Indian  
ation have filed a suit in  
court asking that Mis-  
and Lake county law offi-  
e restrained from seizing  
e-free cigarettes for sale  
reservation.

suit was filed by the Con-  
r a t e d Sallst-Kootenai  
with tribal council chair-  
arold W. Mitchell Jr. as  
the plaintiffs.

r plaintiffs are Joseph A.  
r Jr. and Dorothy E.  
r Clickenbeard, brother  
ster and until recently  
wners on Indian land at  
cigarettes were offered  
9 per carton without the  
ia revenue stamp.

same cigarettes would  
ver \$4 per carton in  
where the tax applies.

neys for the plaintiffs  
injunction halting fur-  
nterference by Montana  
s with Indians selling  
tes on Indian lands.

lso ask that the court re-  
that state revenue laws  
thority end at reserva-  
undaries.

ugh the tribal council  
to an extension of Mon-  
aw to the reservation in  
al matters and in eight  
e instances of civil mat-  
the Indians contend the  
instances did not cover  
ght of the state to tax  
tles on the reservation.

### w Postmaster med at Geraldine

FRANCISCO (AP) —  
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homesteaded near Miles  
in 1914 and later he oper-  
a machine shop here. Sur-  
include a daughter, Mrs.  
ran Miles City; three sons

# Governor Picks Sidney Man for Highway Board

HELENA (AP) — The ap-  
pointment of Jay Lalonde, a  
Sidney businessman, to Mon-  
tana's Highway Commission  
was announced Tuesday by  
Gov. Forrest H. Anderson.  
A Democrat, Lalonde fills the  
vacancy caused by the death of

R. E. "Pete" Coffey, Wolf  
Point. Coffey, who died last  
March 18, was serving a four-  
year term which started Feb. 1,  
1971.

The new commissioner was  
1960-61 president of the Mon-  
tana Contractors Association.

He currently is chief executive  
officer of the Richland National  
Bank; vice president of Tende-  
rloin Industries, a commercial  
feedlot operation; and president  
of Yellowstone Livestock Co.,  
all of Sidney.

The governor, in a prepared  
statement, said Lalonde "has  
demonstrated great ability in  
business and a strong dedica-  
tion to his community and his  
state. I believe these assets  
should make him a very effec-  
tive member of the Montana  
Highway Commission."

A native of Bainville, Lalonde

attended the University of Mon-  
tana and in 1937 joined his fa-  
ther in contracting, agriculture  
and other businesses. He man-  
aged the family corporations  
until 1963.

Lalonde has been president of  
the Sidney Chamber of Com-  
merce.

On the state's road agency,  
he represents Dist. 14, which  
covers the counties of Roose-  
velt, Sheridan, Daniels, Phil-  
lips, Valley, Dawson, McCone,  
Prairie, Richland, Wibaux,  
Garfield, Petroleum and Fer-  
gus.

## Police Demotion Follows Gun Incident in Missoula

MISSOULA (AP) — A Mis-  
soula police lieutenant involved  
in the shooting death of another  
man in his home last month  
has been demoted to patrolman  
and suspended for 60 days, ac-  
cording to Chief of Police E. G.  
Hanson.

The disciplinary action  
against Warren Cochran was  
taken by the Missoula City Po-  
lice Commission, Hanson said.

James Feucht was shot by  
Patrolman David Strom on  
April 12 after Feucht had en-  
tered Cochran's home. Feucht  
had threatened to shoot Coch-  
ran because of an alleged rela-  
tionship with Mrs. Feucht.

Cochran testified before a  
coroners jury that he was a  
friend of Mrs. Feucht and had  
helped her with some personal  
problems.

In a prepared statement,  
Hanson said: "It was felt...that  
a senior officer who is trying to  
assist any person with a per-  
sonal problem should have done  
so at the police station or in the  
accompaniment of another offi-  
cer; thereby, avoiding any em-  
barrassment to the Police De-  
partment and the City of Mis-  
soula."

Cochran had been off duty  
when Strom followed Feucht  
into the Cochran home. Later,  
Strom killed Feucht with a  
shotgun and was cleared by the  
inquest.

The police commission chair-  
man, Dale Dahlgren, said the  
decision had been unanimous.  
Other members of the commis-  
sion are Edwin Russ and Chet  
Murphy.

Cochran has been a member  
of the Missoula police force  
since Dec. 31, 1953.

**THE HIGHWOODS**

**MOBILE HOME PARK**

Second family section and adult only  
section to open soon.

**RESERVE YOUR LOT NOW!**

- Enclosed Heated Pool
- Hobby Shop • Recreation Building
- Laundry-Wal • \$55 Per Month

**3800 8th AVE. N.**  
Office at Entrance, 9 a.m.-6 p.m.  
**Phone 453-0713**



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# \$29<sup>95</sup>

with  
one simulated birthstone

Swirls of 14 Karat gold twist  
their way around colorful  
simulated birthstones, one for  
each of your loved ones.  
Additional stones, \$2.50 each.

## ZALES®

Jewelers  
My, how you've changed

Use one of our convenient  
charge plans

Illustrations enlarged



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## Skip King

AND HIS GUITAR

**TUES. and THURS. NITES**  
8 P.M. to 1 A.M.

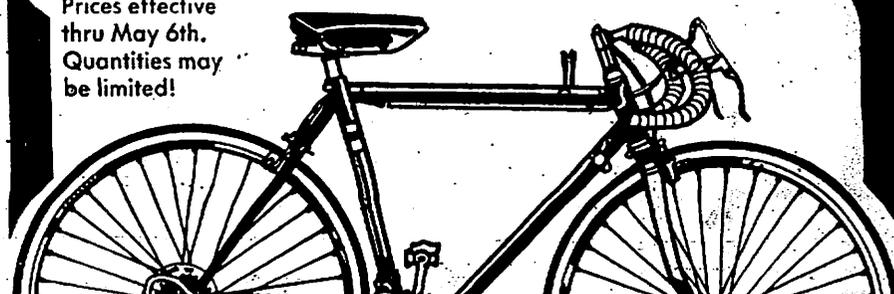
**77 L DO BAR**  
Westgate Center

# Valu-Mart

DISCOUNT SHOPPING CENTERS

Prices effective  
thru May 6th.  
Quantities may  
be limited!

## BIKE SALE



# Major Park Ads Open

**WYOMING NATIONAL PARK** — The south entrance to Yellowstone National Park was opened today, meaning all roads to the park and roads within it now are open for the season. The park, which is celebrating its 100th birthday, said only Craig Pass within the main closed area due to snow is closed. Craig Pass is expected to be open in mid-May and other passes will open later. The entrances to the park were opened last Saturday despite deep snow and severe blizzards hampered snow removal at the south entrance which caused the delay in its opening.

Snow removal at the south entrance will begin later this week and the road over the divide between Cooke City, and the Sunlight Basin is expected to be open by next week.

# Briefs

College scholarships have been awarded to three Montana students according to Montana's 100th anniversary congressional delegation.

Lee Metcalf said the delegation includes Kim Eagle, Bozeman; Jay Gardiner, Billings; and William Staudinger, Laramie.

**GO TO CONTINUE**  
**WASHINGTON (AP)** — Sen. Lee Metcalf, D-Mont., said today that bus service between Whitehall and Boulder, Colo., will be continued until June 30. The U.S. Labor Department said the service for the River School and Hospital employees was to have expired Thursday. Metcalf said the Department of Education and Welfare will provide funds from its Social Rehabilitation Service to help pay for the bus operation.

# 'Constitution Defense Fund' Reaches \$5,000

**Tribune Capital Bureau**  
**HELENA** — A private citizens group formed by constitutional convention delegates to promote the proposed new constitution has raised about \$5,000 toward its budget of \$27,000, according to John Toole of Missoula.

Toole was vice president of the convention, and is now serving as finance chairman for the citizens committee for Constitutional Improvement. The committee was put together last week after the state Supreme Court ruled that neither the convention nor the committee had authority to spend public funds for "voter education."

Toole has mailed a letter to fellow delegates soliciting help. "We will locate an office in Helena for a headquarters and probably staff it with one person," he says. "Needless to say, the committee is contacting non-delegates for additional

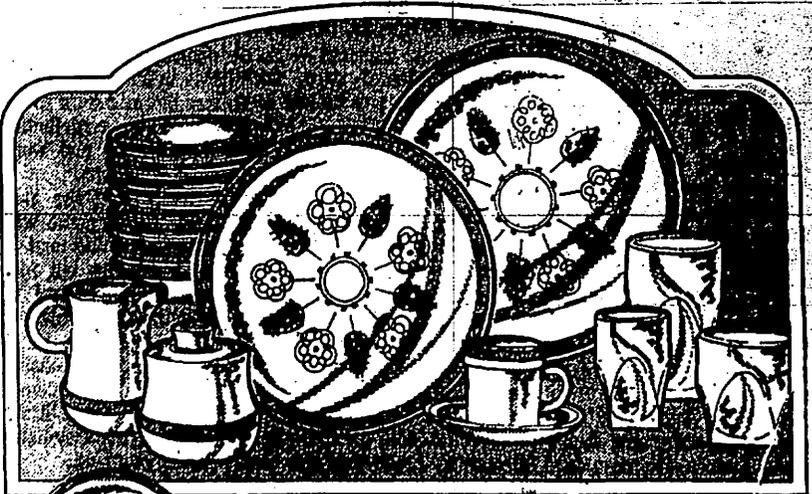
funds. Sub-committees will be formed, and the work carried forward."

Toole asks that money be sent to George Harper, treasurer, Box 1080, Helena.

He says the group may buy newspaper ads appealing for

contributions to the constitutional convention. The group also will conduct educational campaigns.

## Zales 69-pc. ironstone and glassware combination



Painted Daisy

Complete set **\$39.88**  
 Ironstone goes from oven to table! Bright splashes of color highlight the oven-safe, dishwasher-safe ironstone. And the price includes a matching 24-pc. glassware set!

- Choice of patterns**
- 8 dinner plates
  - 8 cups
  - 8 saucers
  - vegetable-dish platter
  - covered sugar
  - 8 tumblers
  - 8 on-the-rocks
  - 8 bread/butter plates
  - 8 soup/cereal bowls
  - creamer
  - 8 juice glasses

Four convenient credit plans available:  
 Zales Revolving Charge • Zales Custom Charge  
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**ZALES**  
 JEWELERS

# Baby stuff on sale. We're not kidding about the prices.

**15% off all strollers.**

**Save on our disposable and gauze diapers!**

**129**

Reg. 1.48. Pre-shaped disposables with special inner lining to keep baby drier; waterproof backing tears away with rubber pants; self-stick tapes. Daytime size, box of 30.

# Youth Guidance Home to Open Here May 15

The Great Falls Youth Guidance Home will begin operating on May 15. Greely, president of the corporation, announced the news at a meeting at the St. Thomas Home.

Greely said the board has leased dormitory space from the St. Thomas Home and for parents will live in the home. "Our organization plans to start with four children ranging in age from 13 years to 17 years," Greely said, "with the maximum number of children to be in the home at one time being set at 10."

Organization of youth guidance homes was established by the 1971 legislature. Homes currently are operating in Helena, Billings, Missoula and Shelby.

Greely said the basic purpose of the home is to help juveniles with personal and social problems in a friendly homelike atmosphere.

"Under the legislative act," Greely, a legislator and deputy Cascade County attorney, said, "ist. Judge Paul G. Hatfield,

the District Court juvenile judge, has the authority to commit youths to this home in lieu of sending them to state institutions in Miles City, Helena or Twin Bridges.

The corporation president said children also have the right to petition the court on their own behalf for placement in the home. The average stay of a child in the home probably will be about 10 months, Greely said.

Community services — medical care, dental care, social case workers, psychiatric help, educational tutoring — will be provided for the children and present plans call for them to attend local schools.

Officers, in addition to Greely, include James White, Chouteau County commissioner from Fort Benton, vice president, Warren Sawyer, secretary, and Howard Gaare, treasurer.

The local group's initial meeting was in September of last year, when the organization incorporated, with directors being elected in January of this year and the organization named

"Eighth District Youth Guidance Home" because the full Eighth Judicial District — both Chouteau and Cascade counties.

"Under the legislative act we have formed the local nonprofit corporation," Greely said, "and have 26 members of the board as representatives of all segments of the community."

"No appropriation was made by the legislature but the plan is for community support by donations, contributions, services in kind and the corporation has the authority to accept any charitable contributions and contributions and would appreciate donations."

Greely said the group hopes there will be some state contribution after the next session of the legislature but most of the support and control will come from the community.

The operation is beginning with \$40,000 in federal impact funds which have come with the Safeguard Antiballistic Missile System being installed in north-central Montana.

"But since we cannot rely on

these funds indefinitely," Greely said, "we hope the community will be able to support the home."

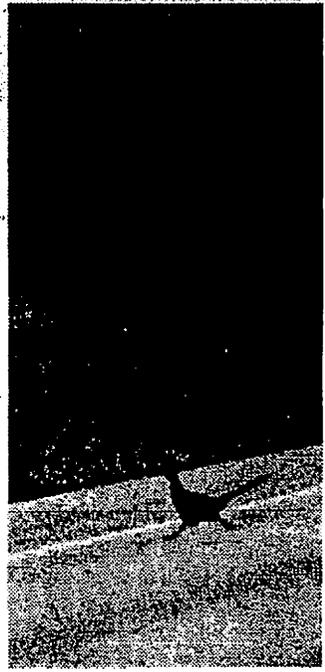
He stressed that the real savings come through the help to the individual youngsters but also noted that this program helps in reducing the populations of state institutions.

The estimated cost of keeping a child in a community home of this type is \$6.50 per day because community services are used compared to \$13.50 per day for institutions which have very limited use of community services and educational facilities.

Members of the board, in addition to the officers, are Margaret Gilfeather, Mary B. Cordingley, Ted McFaul, Dean Aanes, Sister Catherine Grant, Joan Johnson, Darlene Gustovich, Tom Oos, Eleanor Sawyer, William Bermingham, Jim Houle, Ray Grande, Carl Gladue, Sam Korsmoe, Marlo Mangold, Charles Buley, D. W. Avery, Jim Snow, John E. Hamrell, Rev. Richard Osterman and Milo F. Dean.



ONE STEP FOR CHICKEN



HA — MISSED AGAIN — chicken crosses the road to get why a pheasant always seem moment to dart in front of

## Malmstrom, Black Eagle to Be Asked To Observe Sprinkling Restrictions

Compliance with the city's sprinkling restrictions will be requested of Malmstrom Air Force Base and Black Eagle residents by the City Water Board.

The board decided Wednesday to seek the compliance because the base and Black Eagle supplied water by the city, said W. H. Pardis, board chairman. He noted that the city's contracts to supply water to the

two areas apparently prevented the board from ordering compliance.

The contract with Malmstrom AFB permits it to take a certain amount of water daily. The city also has a contract to supply water to the Anaconda Co., which in turn sells it to Black Eagle residents.

Pardis said city residents complained to aldermen Wednesday that the sprinkling

restrictions were being ignored at the base and in Black Eagle. The restrictions imposed during the weekend ban the use of set sprinkling devices and permit sprinkling with a hose only during limited times.

Problems in construction at the water plant have reduced the output and have made the restrictions necessary. They are expected to be lifted in about two weeks.

## Original Sentence Reimposed

Dist. Judge Paul G. Hatfield Wednesday reimposed the three-year deferred imposition of sentence he had earlier ordered for Ronald Dean Lords, 23, who was found guilty of first-degree arson.

Lords was given the original sentence on Jan. 6 but a petition for revocation was filed.

He was found guilty by a six-woman, six-man jury on the charge of attempting to burn his residence at 1301 5th Ave. NW. on March 10, 1971.

The jury heard testimony that Lords purchased the house and two lots for \$3,250 and subsequently insured it for \$13,000 with an additional \$6,500 for the house's contents.

Defense attorney C. E. Overfelt told the court that Lords had spent nearly six weeks in the county jail since he was taken into custody as a parole violator.

The court additionally ordered that Lords was not to contact his wife without permission of the Board of Pardons and Paroles because of Mrs. Lords' fear of her husband.

"Any violation noted in your

## Governor Will Address Women's Club Convention

Gov. Forrest H. Anderson will give the keynote address tonight at the opening session of the 11th biennial convention of the Montana Federation of Women's Clubs. The convention will continue through Saturday with all



rod B. Stuckey, chief of the National Women's Program of the Environmental Protection Agency, Washington, D.C.; Mrs. Kermit W. Haugen, president-elect of the General Federation of Women's Clubs, and Mrs. Hubert J. Bell, Kalispell, treasurer of the general federation and a candidate for third vice president, sponsored by the Montana federation.

## City Water: Misuse It, You'll Lose It

The City Water Board intends to dry out water customers who violate the current sprinkling restrictions.

The board decided Wednesday night to order service cut off for any flagrant violator who is caught twice. The first time he will be given a warning, and after the second time he will have to start getting water from

## Arlyne Reichert Ch Emphasis c

Tribune Capitol Bureau The Constitution — Convention delegate Arlyne Reichert of Great Falls says she's shifting her emphasis from getting a unicameral legislature to getting the proposed constitution itself. "Mrs. Reichert has been a leading advocate of a one-house legislature and was the chief sponsor of the unicameral pro-

Korsmoe, Mario Man  
 Mas, Buley, D. W. Av  
 Snow, John E. Ham  
 Richard Osterman  
 F. Dean.

## Original Sentence Imposed

Judge Paul G. Hatfield today reimposed the three-year sentence earlier ordered for Sean Lords, 23, who was guilty of first-degree

murder when he was given the original sentence on Jan. 6 but a petition for parole was filed.

Lords was found guilty by a six-man jury on the attempt to burn his house at 1301 5th Ave. NW, on Oct. 10, 1971.

Lords heard testimony that he had chased the house and was fined for \$3,250 and sub-insured it for \$13,000. He was also fined an additional \$6,500 for the same offenses.

Attorney C. E. Overton argued in court that Lords had been in the house for six weeks in the past since he was taken into custody as a parole violator. The court additionally ordered that Lords was not to contact his attorney for permission of the Pardons and Paroles Board. Mrs. Lords' fear of her husband was noted.

Hatfield noted in your opinion that Hatfield told Lords, "I will bring you back and sentence you and there is a minimum penalty for first-degree murder."

## See:

Letter to Mrs. Russell, 232 18th Ave. NW. Letter to Mrs. Ronnie, 17 7th Ave. N. (Correc-

## AGE LICENSE CATIONS

Fogger Lawton Jr., 23, in Air Force Base, and Ira Martin, 19, March 15.

## ADJUDICATION GRANTED

Traub from John H. and wed Sept. 25, 1971, in Falls. No children's former name, Ruth restored.

## ADJUDICATION GRANTED

Candice Readicker Robert W. Readicker, cruelly wed June 21, power Plaintiff custody nor child and \$75 per



**HA — MISSED AGAIN** — Everyone knows that a chicken crosses the road to get to the other side, but why a pheasant always seems to wait until the last moment to dart in front of a vehicle remains a

mystery. This feathered fool was caught in the act along the Belt Creek road north of Monarch as he played "chicken" with a state highway department truck. (Staff Photos by Wayne Arnst)

## Arlyne Reichert Changes Goal

# Emphasis on Passing Constitution

Tribune Capitol Bureau delegate Arlyne Reichert of Great Falls says she's shifting her emphasis from getting a unicameral legislature to getting the proposed constitution itself. Mrs. Reichert has been a leading advocate of a one-house legislature and was the chief sponsor of the unicameral proposal in the convention.

The choice of whether to have a unicameral legislature or keep a bicameral will be on the ratification ballot as a separate issue. However, the vote on the issue is meaningless unless the body of

the proposed constitution is ratified. "If the constitution passes," says Mrs. Reichert, "we can always mount an initiative to get unicameral, whereas if it doesn't pass, we'll never get unicameral past the legislature." (The proposed constitution would permit initiative amendments, while the present constitution allows only the legislature to propose constitutional amendments.)

Mrs. Reichert and delegate George Harper of Helena had teamed up to push for unicameral, and had raised about \$500 through their "unicameral

for Montana Club" to support their effort. But Mrs. Reichert says she's pulling out and concentrating on the constitution itself. "I'm very worried now," she says, "because so many of the powers that be seem to be lined up against the proposed constitution."

The club has been putting out a brochure describing "the things you get if you move into a one-house legislature," including accountability, responsibility, and efficiency. "Try it, you'll like it," proclaims the brochure, and "one house can live cheaper than two."

## June 30 End Of Suburban Fire Fighting

A committee representing residents of 13 fire districts outside the Great Falls city limits was told Wednesday that fire protection provided by the city will end June 30.

The city receives approximately \$64,000 annually from Cascade County to cover the cost of providing fire protection to the outlying areas.

The committee was told that the funds provided by the county do not cover the actual cost of serving the districts.

Committee member Bruce Nelson said the group agreed that the city cannot afford to subsidize the outlying districts and asked that the city determine how much money is needed annually to continue the service.

Nelson said city representatives are expected to provide the figures at the next meeting Wednesday in the Downtowner.

## Commission to Answer Questions About Airport

Questions about the Great Falls Airport improvement project will be answered by the Airport Commission at a news conference scheduled for 4:30 p.m. today.

Jim Connelly, the new commission chairman, arranged the conference. Five of the six commissioners are expected to be present. Former chairman Leo Graybill Jr. was removed from the commission by the City Council April 24. Graybill contends, however, that the action was illegal.

Others who will be present to answer questions include Airport Advisor Byron Dickey, who is scheduled to become the airport manager at Midland, Mich., May 15. Ed Dickinson of James C. Buckley, Inc., New York, airport consultants, and H. E. Protzmann Jr. of Burns & McDonnell, Kansas City, Mo., the engineering consultant for the project.

The news conference will be held in the former FAA Building just south of the airport terminal.

## Bread Rises Not Only In the Pan

Bread and milk, that old farm favorite food team, teamed up again recently, but this time in the news. Both have increased in price.

Increases of 1 to 2 cents per loaf have gone into effect in grocery stores on major line items. The premium quality 1½ pound loaf of bread now retails for 45 cents.

Clarence D. Fishbaugh, manager of Eddy Bakery, said that the price rise was made throughout a four-state area including Montana, Wyoming,

## Boy Treated For Injuries In Car Crash

Gary Cue, 12, was released from the Malmstrom Air Force Base Hospital Wednesday after being treated for injuries sustained in a two-car collision Tuesday night.

Cue, son of Maj. Terrance Q. Cue, 1508 Meadow Lark Drive, was a passenger in an automobile driven by Wilma A. Gar-

## Friday, Saturday Signup

# Idaho Grain Barge Project Gives

Billings  
\$13,350,000

Billings (AP) — A wrong-way driver was blamed for the death of a woman killed in a traffic accident in a Billings court Wednesday. The woman, Dorothy M. Garcia, was killed in a traffic accident on Nov. 6, 1971. The suit, filed by Dorothy M. Garcia in behalf of the estate of Josephine Englehart, charged Roger W. Dvorak, Billings, drive his vehicle into a car in which Mrs. Englehart was riding. The accident, the suit said, occurred a southside Billings intersection on Nov. 6, 1971.

LEWISTON, Idaho (AP) — The Army Corps of Engineers will issue a navigation permit to a Lewiston firm for a barge loading facility on the Snake River, according to Col. Richard M. Connell, Walla Walla district engineer for the corps. Connell held a public hearing April 24 at which a number of objections to issuance of the permit to Nez Perce Roller Mills were expressed, including one by the Department of the Interior. Connell said that objection has been withdrawn, although he said the nature of it was

never made known to the corps. The City of Lewiston, which was concerned about the structural adequacy of a 64-year-old building owned by the firm, has also withdrawn its objection, Connell said. He said the building was "not a constraint on the corps from the standpoint of a navigation permit." City Manager William D. Williams said Nez Perce Roller Mills officers have informed him the firm is consulting an engineer and will "come in with structurally sound recommendations to the city building

Inspector" with its application for a building permit. Connell, however, emphasized as he did at the public hearing that the permit issued by the corps will be good only until June 30, 1973 when construction of the main portion of the dam along the river is planned.

The Lewiston firm plans to ship grain from Montana, northern Idaho and eastern Washington downstream to Lewiston.

## East Helena Mayor Quits House Race

HELENA (AP) — Mayor David E. Foster of East Helena said Wednesday he is withdrawing from competition for a Dist. 12 seat in the Montana House of Representatives.

He said his decision to resign his Democratic candidacy was prompted by demands on his time as mayor and chemistry instructor at Helena High School.

He also said there is some question about the holding of two public offices at the same time, adding: "Under no circumstances would I resign my post as mayor."

## Four Con Con Delegates to Talk at Harlem

HARLEM — Margaret S. Warden and Marian Erdmann of Great Falls, Erv Gysler of Fort Benton and Leslie Joe Edkildsen of Malta will discuss the proposed Montana Constitution on a Blaine County program tonight in Harlem.

The program, open to all, is sponsored by Blaine County Extension Homemakers Clubs with Mrs. Francis Bardanoue as planning chairman. Panelists are all Constitutional Convention delegates.

## Congestion Costly

HAIFA, Israel (AP) — Congestion at Israel's Mediterranean ports cost the national economy nearly \$6 million during a four-month period, shipping officials reported. They said world shipping companies imposed surcharges on Israeli importers and exporters for time lost through idling in the harbors.

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# Under Proposed Constitution Rights Are Righted

There is the first interpretation of the proposed new constitution by one of 10 members of Montana's newly formed constitutional commission, which is headed by the U.S. Bureau of Government Research.

## Declaration of Rights By EMLIE LORING

Montana's 1972 constitutional convention, as expected, drafted a strong declaration of rights. The proposed article preserves essential rights presently protected, adds important new rights, clarifies present language, and deletes some obsolete provisions of the present constitution.

**SUBSTANTIVE RIGHTS:** Traditional rights of self-government, inalienable rights, freedom of speech, press, assembly, and religion, and the right to bear arms all would be retained, although some have been re-phrased. Additional substantive rights would be guaranteed. A strongly phrased new clause would protect against discrimination on the basis of race, color, sex, culture, social origin or condition, or for political or religious ideas. Protection would be given against both private (by any person, firm, corporation, or institution) and governmental discrimination; this would extend protections presently afforded by the 14th amendment to the U.S. Constitution. The present national constitution does not yet protect against discrimination on the basis of sex. The reference to culture would protect American Indians, Montana's largest ethnic minority.

A right to individual privacy is a significant innovation, expressly mentioned in only three other state constitutions. The right is not enumerated in the national constitution but its existence has been suggested in some modern supreme court decisions.

Another important new right would be that of citizens to participate in the operation of government, to examine documents, and to observe the deliberations of all agencies of government. The "right to know" would also be affirmed, except where "demands of individual privacy would exceed the merits of public disclosure." When governmental agencies accumulate vast amounts of essentially private information, sometimes erroneous, serious infringements of privacy else-

detention and protect personal liberty.

Restoration of all rights to one convicted of crime, after termination of state supervision for that crime, would be a significant new right. Presently the restoration of political rights depends upon the governor, and there is now no provision to restore occupational rights to a felon who has discharged his debt to society.

The proposed constitution reaffirms that lands owned or held by Indians shall remain under the absolute jurisdiction and control of Congress until revoked by the consent of the United States and Montana. A number of Indians testified at the convention, insisting that the disclaimer of state jurisdiction over Indian lands be retained, although there have been assertions that the provision is no longer necessary. Congress has given states permission to amend such constitutional disclaimers when the state wishes to assume criminal and civil jurisdiction over reservations. Montana, except for criminal jurisdiction over the Flathead Reservation, apparently is not prepared to accept the financial and administrative burdens of assuming such jurisdiction and it is therefore doubtful if the disclaimer could be eliminated. Although present national legislation requires Indian tribes to assent to state jurisdiction, there is no state constitutional or legislative provision requiring tribal agreement. The present disclaimer provision is important to Montana Indians.

**PROCEDURAL RIGHTS:** Basic procedural rights such as due process of law, freedom from unreasonable searches, right to counsel, to reasonable bail, and against compulsory self-incrimination have been retained in the draft constitution. It also proposes additional protections beyond those now guaranteed. A criminal defendant may not now waive jury trial (to be tried by a judge) in felony cases. The new Bill of Rights would permit such waiver giving the defendant the choice, whether jury or judge would try the facts. This has been possible in the federal courts and in about half the states and it is desirable for Montana.

The presumption of innocence would be strengthened by requiring a unanimous verdict in all criminal cases. The present

Similarly those who seek environmental legislation may find it helpful to have statements of state policy in the constitution. The legislature would have the power to act in environmental and social welfare areas under either the old or the new constitution.

Citizens desiring stronger legislation or protect environmental and cultural right should consider whether the proposed legislative structure will be more conducive to such a legislative product. The assertion of rights and in the environment and resources article will need legislative action and executive energies to accomplish affirmative results.

The Declaration of Rights in the proposed constitution reaffirms present provisions and declares additional rights. The improvements are probably not sufficient in themselves to swing votes for the proposed document. I find the new Declaration of Rights better both in procedural protections and in political philosophy. If one has serious reservations about other sections, the new Declaration of Rights, alone, is not such an improvement as to warrant an affirmative vote. If the new document is defeated and we are left with the existing constitution, the present Declaration of Rights is satisfactory and we could expand protections through legislative action or constitutional amendment.

## County Pay Issue Hits New Snag

**BILLINGS (AP) —** Federal Court Judge James F. Battin has ruled he does not have jurisdiction in an action brought against the state of Montana on behalf of all elected county officials. Battin's ruling approved a motion by the state to dismiss the complaint which was filed in U.S. District Court in Billings last July.

The judge said the county officials cited no authority for their contention that the state had surrendered sovereign immunity.

He said the fact that Montana allows suits against it by its own citizens does not support a finding that it has acceded to federal jurisdiction.

The suit was originally filed in state district court at Helena in March 1970 by two county officials — Ed Shubat and Bert Hurwitz — on behalf of themselves and all other elected county officers.

They sought to force the state to abide by a law passed by the legislature in 1969 which allowed county officials to receive pay raises during their terms.

The Lewis and Clark County District Court upheld the law but was reversed by the Montana Supreme Court. The appeal to federal court followed.

## 17 'Clan' Ad Appeal of Cl

**SAN FRANCISCO (AP) —** A court trial to decide whether clearcutting is sound practice on National Forest lands was ordered Wednesday by the 9th U.S. Circuit Court of Appeals. The court reversed the dismissal of a commune group's injunction suit to stop clearcutting of 59 acres in Oregon's Umpqua National Forest. It ordered the case remanded

## Faulty Furnace Claimed in Death at Butte

**BUTTE (AP) —** A Whitehall man filed suit against Sears Roebuck and Co., Tuesday seeking \$300,000 in damages because his wife allegedly died of carbon-monoxide poisoning from a faulty furnace.

Mel Smith filed suit in U.S. District Court, alleging wrongful death in the Nov. 27, 1971 incident that claimed the life of Lolita Smith, 57.

Smith's complaint said Mr. Smith died from carbon monoxide in the home from a furnace purchased from Sears and allegedly installed without a regulator.

Smith asked \$150,000 as a administrator of his wife's estate and the same amount in damages to himself.

TODAY OF SNEAK PREVIEW

# Gray Hardaway I



government. To examine documents, and to observe the deliberations of all agencies of government. The "right to know" would also be affirmed, except where "demands of individual privacy would exceed the merits of public disclosure." When governmental agencies accumulate vast amounts of essentially private information, sometimes erroneous, serious infringements of privacy elsewhere guaranteed by the draft article could occur if all government files were opened to the public. Examples would be the names of natural parents in adoption proceedings and the names of persons seeking public health treatment for venereal disease. Segments of the Montana press have objected to this exception that would protect personal privacy. It may be hoped they will reevaluate their opposition.

The traditional sovereign immunity of the state from suit would be eliminated. Montana would join more than two-thirds of the states to permit suit for personal or property injury against either the state or its political subdivisions. The draft constitution would absolutely forbid suspension of the writ of habeas corpus, the basic historic judicial mechanism to challenge

tenure cases. The new Bill of Rights would permit such waiver giving the defendant the choice whether jury or judge would try the facts. This has been possible in the federal courts and in about half the states and it is desirable for Montana.

The presumption of innocence would be strengthened by requiring a unanimous verdict in all criminal cases. The present constitution permits a two-thirds verdict in misdemeanor cases. A basic proposition of Anglo-American law is that guilt in a criminal case must be proven beyond a reasonable doubt. If a third of a jury of one's peers is not convicted of guilt, the prosecution has not met this burden of proof.

Presently juvenile proceedings are not considered to be criminal, thus basic rights afforded adults may be denied to young people. A new provision would assure that the rights of those under the age of majority (18) will include all the fundamental protections of the Declaration of Rights. The United States Supreme Court has been moving toward guarantees of basic rights of juveniles in several important ways. If a young person in a first confrontation with the judicial system may be denied the right to counsel, to confront his accusers, to a speedy jury trial, and to other protections afforded adult defendants, it may be difficult to convince that youth of the fairness of "the system."

Some of the draft provisions have been criticized on the ground that they are not "self-enforcing" in the manner of most protections in the Federal Bill of Rights. On the national level freedom of the press is secured by the express prohibition that "Congress shall make no law abridging freedom of speech or press" and that "no state shall . . . deprive any person of life, liberty, or property without due process of law." An injured party may enforce these rights directly by court action against the public official or agency attempting to enforce a law alleged to violate the constitution.

The draft Declaration of Rights states that "all persons have the right to a clean and healthful environment . . . and of pursuing life's basic necessities." This is not self-enforcing. An individual probably could not effectively enforce this right in a court of law because no legal duty has been placed on government. But the 1889 Constitution also imposed moral duties on the legislature. For example, the Constitution now provides that the legislature has the duty to establish a system of public schools. Those who want public kindergartens or more vocational training go to the legislature, not to the courts.

## Copper Surplus Not Expected To Materialize

NEW YORK (AP) — Stockholders of Kennecott Copper Corp. were told here Tuesday an anticipated surplus of copper appears not to have materialized and the company may quicken its expansion in the United States.

Frank R. Milliken, Kennecott president, told stockholders at their annual meeting that production increases projected in Chile and Zambia were not achieved.

U.S. production was also slowed because of requirements to install air pollution equipment, Milliken said.

"This reduction will continue to affect our operations—and those of other copper producers—for the next two years or so," he said.

Milliken also told stockholders he believes the company can successfully fight a Federal Trade Commission order to divest itself of the Peabody Coal Co. Oral arguments on that order are to be heard in the 10th Circuit Court of Appeals in Denver this fall.

Milliken indicated Peabody is a profitable subsidiary in the face of what he claimed is a coal shortage reaching crisis level.



Katherine Gray

Bob Hardaway

Preview Week seems a fitting time to recognize employees, who are retiring. Their efforts here they were, in part, responsible for our fresh

Come in today and say hello to them. They a cup of coffee and maybe even a cookie.

Come on in... you have a!



# MONTANA

CORNER OF FIRST AVE. N. AND FIFTH ST. DRIVE-THRU FACILITY MEMBER FDIC

# Need for frank, open discussion

Another summit

It is good that the Tribune has re-  
ceived several letters critical of its sup-  
port of the proposed new Montana con-  
stitution. It is good that the people are  
thinking about the document which will  
be voted on at the primary election  
June 6. There is need for thorough and  
widespread discussion of the matter.

Certainly there are weaknesses in the  
proposed constitution and every citizen  
has the right to point out its inade-  
quacies. Proponents of the new consti-  
tution also have a right and respon-  
sibility to bring out strong points of the  
document drafted by a body of 100 dele-  
gates in convention in Helena last win-  
ter.

In coming weeks the Tribune will de-  
vote considerable space to the proposed  
constitution. Our editorial position is  
clear — that we believe the proposed

constitution is a great improvement  
over the constitution under which Mon-  
tana has lived since becoming a state  
in 1889.

While there are certain weaknesses in  
the proposed document, it provides a  
way, unlike the old one, for it to be  
amended on a more flexible basis.

It is encouraging that Montana citizens  
are beginning to think seriously about  
the June 6 election and the new consti-  
tution. We believe that when they  
compare its advantages and disadvan-  
tages, they will conclude the 1972  
model would enable the state to face  
these changing times better prepared  
than under the archaic 1889 document,  
written to match conditions of the post  
Civil War era when there were no au-  
tomobiles, airplanes, computers, intercon-  
tinental missiles or moon flights.

# Hard to find a convention site

If the Republicans shift their national  
convention to Miami Beach, as now  
seems likely, it will be the sixth time  
both parties have met in the same city  
the same year, but the first time the  
site for a convention has been changed  
after another city had been selected.

San Diego was the party's — and Pres-  
ident Nixon's — first choice, but doubts  
about the city's financial ability and the  
inadequacy of the hall could not be  
erased.

Chicago has been the most popular con-  
vention city for both parties; the Re-  
publicans have met there 14 times and  
the Democrats, 10 times. Baltimore was  
the most popular city in the early years  
with both parties. The Democrats held  
six successive conventions there, from  
the first in 1832 to 1852. The Re-  
publicans held their first convention in  
Philadelphia in 1856, and have been  
back four times, while the Democrats  
have met there twice.

When Abraham Lincoln was nominated  
the first time, the Republicans met in  
Chicago's new Wigwam, a building  
erected expressly to house the conven-  
tion. Another city which built a new  
hall especially to house a convention  
was Kansas City, where the Democrats  
met in 1900 in an auditorium hastily  
constructed after the existing one was  
destroyed by fire. William Jennings

Bryan was the nominee. The Repub-  
licans met in the same hall 28 years  
later to nominate Herbert Hoover.

Other cities which have hosted two con-  
ventions are Cleveland (Republicans,  
1924, 1936); New York City (Demo-  
crats, 1868, 1924). San Francisco enter-  
tained the Democrats in 1920 and the  
Republicans in 1956 and 1964, and Cin-  
cinnati had the Republicans in 1876  
and the Democrats in 1856 and 1880.  
Philadelphia had the Republicans five  
times and the Democrats twice; and  
St. Louis had the Republicans once and  
the Democrats four times but not since  
1916 when Woodrow Wilson was re-  
nominated.

Cities which have hosted one conven-  
tion are Atlantic City (Democrats in  
1964); Charleston, S.C. (Democrats,  
1860); Denver (Democrats, 1908); Los  
Angeles (Democrats, 1960 when John F.  
Kennedy was nominated); and Minne-  
apolis (Republicans in 1892).

Air conditioning has been a boon to  
national political conventions. When  
the Republicans met in Baltimore in  
1864 to renominate Lincoln, it was so  
hot the back door had to be kept open  
on the noisiest corner in the city. The  
proceedings included the shortest key-  
note address on record.



Max Lerner

YOU UNDERSTAND nothing about Richard  
Nixon unless you understand the emotion he  
feels about the powers of the presidential of-  
fice. This is in turn linked with what he feels  
—and Kissinger, too—about the global power  
balance. Success for the Hanoi offensive would  
upset that power balance by the effects it  
would have in every foreign ministry. Hence,  
Nixon's response of the B-52s. Hence, the Kis-  
singer talks in Moscow, and hence, also, the  
return of Le Duc Tho to Paris and the de-  
cision to resume secret negotiations there, car-  
ried on earlier between Le Duc Tho and Kis-  
singer.

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was first officia  
king trip. It wil  
Moscow summit

THERE IS A  
emerging as the  
—a pair of super  
States and Russ  
just below (Chi  
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My fellow commentator, James Reston, wrote  
a buoyant piece the other day on the "miracle"  
of Henry Kissinger, which came close to the  
beautification of St. Henry. I share his admira-  
tion for Kissinger's hard work, his long-range

Each of the five  
as its strengths  
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ternal convulsio  
preoccupation  
China. Japan's i

James J. Kilpatrick

# Another summit



## James Reston

**NEW YORK**—President Nixon is now approaching another critical decision in Vietnam! What to do if the enemy stops the invasion before or after the battle for the former Vietnamese capital of Hue, and offers to make a deal while Hanoi is in control of a large part of the north of South Vietnam?

There have been some reliable indications through the embassies in Paris and Washington that Hanoi and the National Liberation Front will do just that, and such a pause in the fighting would put the Nixon administration and the Thieu government in Saigon in a very awkward situation.

So long as the Communist offensive goes on—and it is making alarming progress—Nixon's policy is clear. He has stated that he would do "whatever is necessary," short of using atomic weapons or sending the American expeditionary force back into the battle on the ground—"until the North Vietnamese stop their offensive in South Vietnam."

But he has left himself an out. He has not said that he would continue his air and naval attacks until they pull back of the Demilitarized Zone and get their troops out of South Vietnam, but only "until the invasion stops." What then if it stops, with Hanoi in substantial control of the north or even of Hue?

... Hanoi will probably call for a cease-fire at Hue . . . and ask for a compromise settlement'

"The only thing we have refused to do," Nixon said in his last Vietnam policy statement on April 26, "is to accede to the enemy's demand to overthrow the lawfully constituted government of South Vietnam and to impose a Communist dictatorship in its place."

But when Le Duc Tho of the North Vietnamese politburo got back to Paris on April 30 to re-open the negotiations, he denied that he was demanding a Communist government in Saigon.

"In South Vietnam," he said in a formal statement "what we want is a government of national harmony. . . We in no way want to impose a 'Communist regime' in South Vietnam such as Mr. Nixon has fabricated, but our people is also determined not to permit the American administration to establish a puppet power in its pay."

**WE HAVE HEARD** all this before, but with the enemy invasion cutting South Vietnam in half and threatening Hue, the alternatives before the President are hard and even ominous. The farther south the enemy penetrates, the closer the armies get together and the more they move into populous civilian areas, where the President has to risk hitting the ARVN and the South Vietnamese people.

He can insist on fighting the battle through, relying on the South Vietnamese and American air and naval power to smash the invasion and drive the enemy back of the DMZ, or, if the enemy pauses and offers to negotiate at Hue, he can agree to negotiate for a coalition government in Saigon, with the Communists and without General Thieu.

**IT IS A HARD BARGAIN**, but he is probably going to have to choose between fighting even harder while he withdraws his ground forces and negotiating a new coalition government in Saigon. Nixon has been up against many hard decisions since he entered the White House, but this may be the hardest of all, especially since he has to try to reconcile the tough moral line he took at Secretary Connally's ranch in Texas, with his mission to Moscow this month to negotiate "a generation of peace" which is his main presidential election argument.



## Max Lerner

**UNDERSTAND** nothing about Richard unless you understand the emotion he about the powers of the presidential of this is in turn linked with what he feels Kissinger, too—about the global power. Success for the Hanoi offensive would that power balance by the effects it have in every foreign ministry. Hence, his response of the B-52s; Hence, the Kissinger talks in Moscow, and hence, also, the of Le Duc Tho to Paris and the de to resume secret negotiations there, can earlier between Le Duc Tho and Kis-

of the world's power balance going on. It was first officially recognized in Nixon's Peking trip: It will be signed and sealed in the Moscow summit talks.

**THERE IS A PENTAGON** of great powers emerging as the dust of recent events settles—a pair of superpowers still at the top (United States and Russia), a triad of great powers just below (China, Japan, Western Europe). No one power can be dominant any more; nor can the two superpowers pretend to divide the world between them.

Each of the five has its weaknesses as well as its strengths. America's are its domestic discontents, as China's are its persisting internal convulsions. Russia's weakness is its preoccupation with the looming power of China. Japan's is its lack of a strong resource

allow commentator, James Reston, wrote want piece the other day on the "miracle" enry Kissinger, which came close to the lification of St. Henry. I share his admira- for Kissinger's hard work, his long-range



# Constitution Issue Faces Labor Test Saturday

Operating Engineers' local number, some 1,000 union men are reported viewing the new constitution with alarm because of a controversial change in the state "Antidiversion" Amendment.

The Antidiversion Amendment to the existing 1889 constitution precludes spending of highway funds for non-highway purposes. The revenue and finance article of the proposed document would allow the spending of highway monies on other purposes if three-fifths of the members of each house of the legislature give their approval.

The worries by the Operating Engineers puts them in line somewhat with such strange political bedfellows as the powerful Highway Users Federation, which includes contractors. Some segments of the engineers reportedly fear the

possibility of the legislature diverting road earmarked money to other purposes could interrupt the free flow of federal money and cut out some highway-related jobs and income.

Missoula Delegate Mae Nan Robinson, a Republican, voiced the belief Thursday that the AFL-CIO session would determine the fate of the new document.

"Apparently, strong minded opposition to the constitution is developing from the same vested corporate interests that financed the ill-fated sales-tax effort and the S.O.S. organization last fall," she said.

The AFL-CIO was four-square against the S.O.S. group and labor was instrumental in the clubbing a proposed 2 percent retail sales tax for Montana look at the hands of the voters. The election of delegates to the Constitutional Con-

vention was held concurrently with the sales-tax election and resulted in a partisan breakdown of 58 Democrats, 38 Republicans and six Independent delegates to write the new constitution.

But there is no visible counterpart of the S.O.S. group for the delegates to point to and the new constitution is not viewed by many labor leaders as an issue as far-reaching as the sales tax.

The Saturday session of the labor group will feature a pro-constitution panel of delegates talking about the new document. The panelists — George Harper, I-Helena; Chet Blaylock, D-Laurel; Rick Champoux, D-Kallapell; Arlyne Reichert, D-Great Falls and Mike McKeon, D-Anaconda — were among the most liberal of the 100 delegates.

Murry said the convention

may be enticed or to take a strong stand one way or the other on the constitution and to work hard to implement what ever is decided.

There is some reported labor rank-and-file unrest, however, over a provision that allows the Montana "University" System more leeway in spending money. Individual labor union locals have, from time to time, had disputes with the various university system units on collective bargaining units. Some union leaders have expressed a fear that the university system might be even harder to deal with if it is less accountable to the legislature.

Montana's proposed constitution does not contain the right-to-work section that helped sink a proposed constitutional revision in neighboring North Dakota. In that state, labor was one of the first

groups to announce opposition to the new document and went out and helped lead a drive to a referendum.

The proposed Montana Government does, however, hold out the potential for statewide property tax change and labor leaders have contended for years that corporations and many agriculturists interests get favorable tax treatment, especially at the county and local level.

The chance of endorsement of the proposed constitution by the AFL-CIO is heightened by the reports of the groups generally opposing it. Labor leaders recall that the Associated General Contractors and Montana Chamber of Commerce are veteran supporters of the right-to-work provision.

"I expect many of the local unions are going to be hesitant to become bedfellows with groups like that, which not only supported the sales tax but supported right to work, which would destroy the trade union movement in Montana," Murry said.

## Regents Hold Authority For On-Campus Drinking

HELENA (AP) — Atty. Gen. Robert L. Woodahl issued a promised ruling Thursday that the Board of Regents has the authority to allow or prohibit drinking in student rooms of Montana University System residence halls.

The two-page opinion was issued for Edward W. Nelson, executive secretary of the six-unit system, who asked: "Can alcoholic beverages be held or consumed in a student's room in a residence hall on a campus of a unit of the Montana University System?"

At outset of the regents' April 10-11 meeting, Woodahl an-

nounced that the opinion was being prepared and told the board members what it would say.

It was thought the regents would discuss the matter at that meeting and, possibly, reach agreement on a policy. However, no action was taken.

Next meeting of the regents is scheduled for July 10-11.

In the opinion, Woodahl said only one statute might be thought to conflict with the regents' power over possession and consumption of alcoholic beverages within an individual student's room on campus.

He was referring to a law prohibiting drinking in a public place other than licensed taverns or other places specially licensed for the consumption of liquor.

The attorney general noted that residence halls have areas open to the public. But he said an individual student's room is not open to public access and,

therefore, is not subject to the statutory restriction.

## Highway Limits Return to Three Sectors

HELENA (AP) — The Montana Department of Highways will return three more sections of road to statutory speed and load limits effective May 9.

They are U.S. 10 from Butte to the junction of Montana 41, Interstate 15 (U.S. 91) from Butte to Boulder and U.S. 212 from the junction of Interstate 90 Custer Battlefield Interchange to the junction of U.S. 312 three miles northwest of Broadus.

Spring breakup on some roadways had caused the department to restrict load and speed limits for trucks and buses on a temporary basis.

## Cash Balance In State Funds Up \$10.9 Million

HELENA (AP) — The total net cash balance in all state funds is \$10.9 million more than last year by the end of April, according to E.V. "Sonny" Omholt, state auditor.

Omholt said the net balance as of the end of April was \$65.1 million compared to \$54.1 million last year.

His figures included a general fund deficit of \$6.1 million, a \$3.3 million drop from last year.

He said the total bonded indebtedness was \$85.4 million compared with \$84 million a year ago.

Investments were \$257.4 million compared with 210.1 million a year ago.

## Missile Road Approved Near Conrad, U.S. Funded

HELENA — The Montana Department of Highways has received approval from the Federal Highway Administration for the location and design of a highway construction project north of Conrad in Pondera County.

The project begins at the junction of a county road and U.S. Highway 91 approximately 4 miles north of Conrad. It then proceeds west for three miles, north about 2.5 miles and then northwesterly approximately 1.5

This proposed graveled surfaced two-lane roadway will consist of grading and shaping of approximately the first five miles with probable realignment of the last two miles, signing, delineation, and irrigation structures that may be required, depending on alignment. This project will be financed with federal funds.

Maps indicating this location and design and other pertinent data relating to the project are

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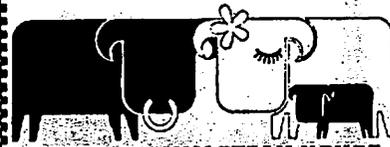
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**SIZZLER FAMILY STEAK HOUSE**

# Now You Can't Even Believe Smokey the Bear

BOZEMAN (AP) — No matter how Smokey the Bear may tell it, forest fires aren't all bad. For example, foresters intentionally burn about 60,000 acres of the Francis Marion National Forest near Columbia, S.C., each year. And the forest's

long leaf pine are healthy and prospering because of it, they say. This is what is known as "prescribed burning" and foresters use it as a tool of forest management. Fire, like water and soil, they

say, is a natural part of the forest environment and must be taken into consideration in managing woodlands. The foresters point out that this burning is under carefully controlled conditions, with moist soil, cool temperatures

and light winds. It burns out the underbrush, but does not affect the trees themselves. The theme of burning to maintain the forest in its natural state is one of several being discussed at a meeting here, where 151 forest fire authorities from the United States, Canada, Mexico and a scattering of other countries are exchanging ideas. If the principle of "prescribed burning" had been applied to the pine country north of Los Angeles, many believe, the disastrous fires of recent years there could have been prevented. Without fire, William H. Hendrickson, environmental coordinator for Everglades National Forest in Florida, told a symposium, the Douglas fir forests west of the Cascade Range probably would turn into cedar and hemlock forests and the pine forests of the Southeast would yield to broadleaf trees. Dal Hall of the Canadian Forestry Association stressed that fire can be used only in certain regions. For example, it can't be used in hardwood forests, mixed forests or in thin-barked pines, spruce and fir. But where fire can be used, it not only clears out the underbrush for a new growth of shoots and forage for wildlife, but also helps the regeneration of some species of trees. The heat of a ground fire, briefly warming the seed cones of long leaf pine to 140 degrees, causes the cones to open several days later and drop seeds. The same is true of Jack pine, lodgepole pine of the Rockies, knob cone pine of the West and sand pine of the Southeast, the foresters said in interviews. Without fire, several foresters said, the condition of a forest deteriorates, as an accumulation of residue—needles, twigs and fallen bark—builds up on the forest floor.

## Monoxide Kills 3 Near Miles City

MILES CITY (AP) — Three men died of carbon monoxide poisoning and two others were hospitalized Thursday as they worked on a cipro beneath Sand Creek at the farming community of Insey, near Miles City.

The dead were identified as Tom Dolan Sr., Billings and Gordon Nation and Don Spradall, both of Miles City.

A spokesman of the Custer County Sheriff's Department said the men were about 100 feet underground. One of the five noticed the gas leakage, escaped and ran for help.

The Miles City fire department recovered one who was still alive and the bodies of the other three when they entered the underground space with gas masks.

## Bozeman Trial Alleges Assault On Policeman

By Tribune Correspondent  
 BOZEMAN—William Rogers, 22, Chicago, will face trial in district court Monday on charges of burglary and assault on a Bozeman policeman.

Rogers was arrested April 12, following an alleged breakin of a Bozeman service station. An officer, Ron Morton, was said to have been staked out in the station.

The two allegedly scuffled and during the altercation Morton was hit over the head.

Judge W. W. Lessley denied a defense motion Monday which sought a psychiatric examination for Morton at the State Hospital in Warm Springs.

## Ammo Explodes, Brings Suit For \$118,573

BUTTE (AP) — Edward G. Scanlon of Two Dol filed a suit for \$118,573 in federal court Wednesday against Norma Projektil, a Swedish corporation.

Scanlon alleges Norma ammunition he was using while hunting in Wheatland County Nov. 24, 1970 exploded and injured him.

The suit also names Norma Precision Division, General



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## By the Bear

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## 5,000 REA Loan

BOZEMAN (AP) — A \$5 million loan of \$405,000 to the Stone Valley Electric Co. will be used to finance 65 distribution lines to 65 customers.

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The suit also names Norma Precision Division, General Sporting Goods, of South Lansing, N.Y., as U.S. representative of the Swedish company.

# Legislative Facelifting Suggested by Con Con

This is the third interpretation article on the proposed new constitutions by University of Montana Faculty members under the auspices of the UM Bureau of Government Research.

BY PROF. ELLIS WALDRON  
Dept. of Political Science

A new state legislature is offered by the draft constitution, substantially more modern and predictably more responsive to citizen interests and desires than the present legislative assembly. However modest the changes proposed for other elements of state and local government, the convention delegates demonstrated substantial discontent with the existing legislature, and proposed important changes.

This is one of three special referendum options. If a majority of the voters approve the general draft constitution and the special unicameral option, the legislature would become a single chamber of 90 to 105 members in 1975. Experience with the innovation would be reviewed by the voters after five years, in 1980. Disapproval of the experiment would continue the bicameral legislature. Legislators (called Senators) in the unicameral body would serve for four years, half elected each biennium.

Significant changes are proposed in the legislative branch, whether the unicameral or bicameral form is chosen in June.

MODE OF ELECTION: All legislators would be elected from single-member districts. That is, each citizen would vote for and be represented by one senator only, or by one senator and one representative in the bicameral form. Present multi-member representation of the sort that elects 18 legislators at large in Yellowstone County, 18 in Cascade County, and 12 in Missoula County would be terminated. Voters in populous centers would elect their representative (bicameral) or senator (unicameral) from a neighborhood district about the size of one or two wards. The senator in a bicameral legislature would be elected from two representative districts combined. Proponents of the single-member district believe it heightens responsibility.

district but must reside in the county. Voters in rural areas would elect their single senator and representative (if the legislature is bicameral) from a district comprising parts or all of several counties that hopefully would share some community of interest. Terms of service in the bicameral option would remain as at present, four years for senators and two years for representatives.

SESSIONS: The legislature would meet every year. Length of session would be 60 legislative days rather than 60 consecutive calendar days. The session would extend into April rather than early March as at present. This would afford some relief from the terrible time strictures that now minimize citizen access and exaggerate the dependence of everyone upon full-time lobbyists for well-heeled special interests.

All hearings, committee meetings, and formal sessions must be public, with a record of "every vote of each member" on "each substantive question" in committee or general sessions. These requirements would open up all stages of the formal legislative process to public view. They might also lead to greater use of the party caucus for essential decisions, and to stronger party discipline. They would stretch out the time required for process and build pressure on the 60-day session limit.

But the legislature itself could extend the length of subsequent sessions if the 60-day limitation proved to be too rigorous. Statute or resolution could increase future sessions to perhaps 75 or 90 legislative days without requiring a constitutional amendment. The legislature also could call itself into special session "at written request of a majority of the members." It would not need a governor's call for a tandem extension of the regular session.

ORGANIZATION AND PROCESS: Each chamber would elect its own officers and the lieutenant governor would no longer preside in the Senate. Measures pending at adjournment of the first session in a biennium would carry over to subsequent sessions within the biennium, as in congress. Judicial challenge to a statute for conformity to prescribed constitutional standards must be

individuals and associations. Procedural rules of the 16th century such as requirements of three readings (from a time when rapid printing of bills was not even a dream) and that revenue measures must originate in the lower house have been dropped. Also gone are archaic and unworkable corrupt practices codes and some other red-plush victorian touches. But the legislature is charged to enact a general code of ethics for all public officers and employees, state and local, to prohibit conflict between public duty and private interest.

The governor would retain the item veto in appropriation measures, gain an amendatory veto in which he could indicate what provisions would be acceptable, and lose the pocket veto. The legislature could reconvene itself to override an end-of-session veto.

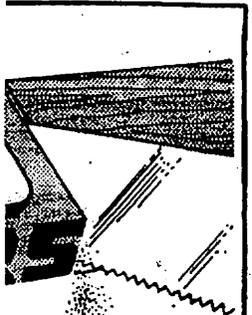
REAPPORTIONMENT: Upon ratification of the new charter and after each federal census, redistricting for legislative and congressional elections would be accomplished by a five-member commission, whose members could hold no public office. Majority and minority legislative leaders would designate four members who would then select a fifth member to serve as chairman. The legislature could recommend changes in the commission's districting plan, but these changes need not be accepted. Within limits set by the constitution and statutes, the commission might fix the precise size of the legislature. But each senate district must comprise two house districts, in the bicameral form, and all districts must be compact, of contiguous territory, and as nearly equal in population as practicable. One member would be apportioned to each senate and house district.

LEGISLATIVE DUTIES: Perhaps to a greater degree than in the present constitution, the new legislature would be charged with important affirmative responsibilities: to implement numerous "new" rights listed in the Declaration of Rights that would not be readily enforceable by court suit in the absence of legislative standards; to effectuate Article IX on protection of environment and of natural and cultural resources; and to establish a consumer counsel who would represent the public in rate-setting processes. All doubt about legality of

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The suit also names Norma Precision Division, General Sporting Goods, of South Lansing, N.Y., as U.S. representative of the Swedish company.

Scanlon said in his complaint that he bought the ammunition made by the defendant in Coeur d'Alene, Idaho, in November 1969.

the special unicameral option, the legislature would become a single chamber of 90 to 105 members in 1975. Experience with the innovation would be reviewed by the voters after five years, in 1980. Disapproval of the experiment would continue the bicameral legislature. Legislators (called Senators) in the unicameral body would serve for four years, half elected each biennium.

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be public, with a record of "every vote of each member" on "each substantive question" in committee or general sessions. These requirements would open up all stages of the formal legislative process to public view. They might also lead to greater use of the party caucus for essential decisions, and to stronger party discipline. They would stretch out the time required for process and build pressure on the 60-day session limit.

But the legislature itself could extend the length of subsequent sessions if the 60-day limitation proved to be too rigorous. Statute or resolution could increase future sessions to perhaps 75 or 90 legislative days without requiring a constitutional amendment. The legislature also could call itself into special session "at written request of a majority of the members." It would not need a governor's call for a tandem extension of the regular session.

**ORGANIZATION AND PROCESS:** Each chamber would elect its own officers and the lieutenant governor would no longer preside in the Senate. Measures pending at adjournment of the first session in a biennium would carry over to subsequent sessions within the biennium, as in congress. Judicial challenge to a statute for conformity to prescribed constitutional standards must be brought within two years of its effective date. Several traditional requirements for the legislative process would be retained, such as limitation of bills to a single subject, enactment by a majority of all members present and voting, and prohibition of non-appropriation "riders" to appropriation bills.

The draft legislative article is significant for what it did not carry over from the present constitution. Gone are the detailed lists of proscribed local, special, and special-interest laws. There is a simple prohibition of local and special laws where a general law could serve, and there is a single section prohibiting appropriations to enumerated types of private

redistricting for legislative and congressional elections would be accomplished by a five-member commission, whose members could hold no public office. Majority and minority legislative leaders would designate four members who would then select a fifth member to serve as chairman. The legislature could recommend changes in the commission's districting plan, but these changes need not be accepted. Within limits set by the constitution and statutes, the commission might fix the precise size of the legislature. But each senate district must comprise two house districts, in the bicameral form, and all districts must be compact, of contiguous territory, and as nearly equal in population as practicable. One member would be apportioned to each senate and house district.

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**DIRECT OR POPULAR LEGISLATION:** Liberalized provisions initiative and referendum suggest that direct legislation outside the assembly could become more common. Moreover, constitutional amendments could be proposed by popular initiative and adopted without involvement of the legislature. But the legislature would no longer be limited in the number of constitutional amendments it could submit in a single election, and the governor would no longer share in the proposal of constitutional amendments.

(next: the executive)

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## Out-of-State Law Grads File Suit for 'Bar Rights'

BUTTE (AP) — Two out-of-state law students filed a suit in federal court Wednesday challenging the Montana system of admitting prospective lawyers to practice law in the state.

Plaintiffs James L. Huffman, a student at the University of

der admitting them to practice without taking the exam. The complaint is directed at Montana Supreme Court Chief Justice James Harrison. It alleges he may continue or abandon the present policy at his discretion.



## Decision-Making Up to Administration

# Banks: Financial Buck S



**IT MIGHT AS WOOL BE SPRING** — This May's weather has been a mixture of lion and lamb, but Montanans keep hoping real spring will arrive soon. Capturing the spirit of their hopes is Ellen Magnuson, 19, of Helena, a freshman in music at Montana State University who is 1972 Miss Wool of Montana. She won the title in competition at the Bozeman school and will represent the state in next month's national Miss Wool contest in San Angelo, Tex. (MSU Photo)

By MIKE WENNINGER  
Tribune Staff Writer

Great Falls' banks have issued a statement saying they are not responsible for the city administration's decisions related to the financial crisis.

The statement was issued Friday afternoon by the Great Falls Clearing House Association after its members met with Mayor John J. McLaughlin and two aldermen. McLaughlin and Alderman Dominic Fontana told a reporter they would not discuss the meeting. In response to questions, they told the reporter to get the association's statement.

The statement was released by the association's president, Scott Stratton, vice president of the First National Bank. The comments referred to statements made this week by McLaughlin. The association said:

"There were recent statements in the press by a public

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## Marines

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Spokesman Jerry W. Friedman said Gen. Creighton Abrams, the U.S. commander in Vietnam, has authority to take whatever action necessary to protect the 68,000 American troops still in the war zone.

He indicated this could include bringing ashore as an

KELLOGG, Idaho workers, already almost 75 hours of entombed miners earth's surface, cooperation rescue

Only a few hours Co. advised the fact to give up the vigil and "go home and officials announced experimental tele device called a tr in hopes of reach The number of

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# 2 Airliners Hijacked

By THE ASSOCIATED PRESS

Two hijackers seized jetliners in separate parts of the country

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# 2 Airliners Hijacked

BY THE ASSOCIATED PRESS

Two hijackers seized jetliners in separate parts of the country Friday, one demanding \$300,000 ransom and parachutes and the other ordering that he be flown to Cuba.

An Eastern Airlines 727 jet was hijacked as it left Allentown, Pa., by a man who collected \$303,000 ransom in bills up to \$1,000 denominations, then ordered the plane from Washington, D.C., to New Orleans, La., with Air Force jets in pursuit.

The hijacker, who allowed the other 48 passengers and one stewardess to leave the plane at Dulles International Airport after collecting ransom money and six parachutes, was still aboard when he plane landed in New Orleans.

Airline spokesmen said that the hijacker wanted the plane loaded with full fuel and wanted to leave New Orleans as soon as possible, although it was not known what the gunman had in mind.

However, Eastern spokesmen said the plane was temporarily grounded because a hydraulic pump was found to be low on fluid and had to be changed.

At one point the plane had returned to Dulles and refueled because the hijacker said he was unhappy that he did not get larger denomination bills. He was given larger bills during the second stop at Dulles.

As this drama unfolded, another gunman took over a Western Airlines 737 jet with 81 persons aboard during a flight from Salt Lake City to Los An-

geles. After landing at Los Angeles International Airport, the aircraft, Flight 407, was taxied to a remote area where a Western spokesman said seven adult passengers and four children were allowed off.

Although the hijacker at first said he wanted to go to Hanoi in North Vietnam, he later ordered he plane flown to Cuba, authorities said. It took off from Los Angeles and arrived in Dallas, Texas, early Saturday morning. The crew operated at gunpoint during the flight, which was delayed by inclement weather.

A cordon of FBI agents, FAA personnel and Dallas police, all heavily armed, kept newsmen out of sight of the plane.

The gunman claimed in a note that the hijacking was the work of "several heavily armed members of the anti-imperialist movement" who were threatening additional hijackings if U.S. military intervention in Indochina continues, but Western officials said they believed only one person was actively involved in the hijackings.

The day of airline turmoil also saw an Alitalia airliner full of Sicilians going home to vote in Sunday's national elections crash and burn on a Sicilian mountainside, killing all 115 persons aboard. See story on page 2.

WASHINGTON (AP) — The Pentagon Friday left open the possibility that additional troops, most likely 7th Fleet Marines, might be landed in South Vietnam if Hanoi's offensive endangers the remaining American GIs.

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He indicated this could include bringing ashore as an emergency safety measure some or all of the 5,000 Marines now aboard 7th Fleet ships in the South China Sea.

Abrams, Friedheim said, also could beef up U.S. combat strength in Vietnam by substituting some noncombat-support personnel with combat troops, provided within the approved manpower level set by President Nixon.

The Pentagon also said the United States will reopen a base in Thailand to handle the new increase in U.S. air power for the war in Southeast Asia.

Friedheim said the base at Takhli, north of Bangkok, will be used again on an emergency basis. The site, he said, is the destination for 72 F4 phantom fighter bombers being flown from New Mexico. The base brings to six the total of U.S. bases for mounting strikes in Indochina.

Relying extensively on air power, the administration plans to cut troops strength in Vietnam to about 49,000 by July 1.

Since the start of the North Vietnamese offensive six weeks ago, both Secretary of State William P. Rogers and Secretary of Defense Melvin R. Laird have said repeatedly that no American combat ground troops would be sent back into the war zone.

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Classified Comics Crossword Editorial

TRIBU

## Dollar Devaluation Official

WASHINGTON (AP) — The United States formally devalued the dollar Friday after Congress cleared an appropriations bill which had held up the declaration.

Treasury Secretary John B. Connally notified the International Monetary Fund that the United States is changing the par value of the dollar from one thirty-fifth to one thirty-eighth of an ounce of gold.

The change will become effective at noon Monday.

It is the final official step by the nation in fulfilling its agreement to devalue the dollar by raising the official price of gold from \$35 to \$38 an ounce.

That agreement was reached last December at an International Monetary Conference in which the currencies of several major nations were changed, settling a long monetary crisis.

# Money, Invisible Enemy Worry Cor

HELENA, (AP) — A citizen's group which decided to scrap objectivity in favor of a positive campaign to sell the constitution to Montanans before the June 6 primary laid its tentative battle plans Friday during its first formal meeting.

With 6,080 in its treasury and plans that call for \$26,000 for the campaign, the Committee for Constitutional Improvement felt it was faced with an invisible enemy backed by large corporate interests and a growing opposition from voters in various areas of the state, especially eastern Montana.

"We definitely favor the constitution, so let's not be untruth-

ful, but sell the constitution on its good points," said George Harper, Helena.

The problem, however, before putting a concentrated effort to the voters before the primary election was money. The committee, headed by former Voter Education Committee chairman John Toole, Missoula, spent much of its first meeting discussing ways of getting money in the shortest amount of time.

The committee was formed after the Montana Supreme Court last week ruled that the Voter Education Committee had no authority to spend \$45,000 in public funds for educational purposes. The convention committee was retained for ad-

ministrative purposes not dealing with voter education and several members immediately formed the citizen's group.

The bulk of the \$26,000 budget — \$18,000 — was designated for saturation in newspapers, television and radio.

But the method of using the media raised several areas of dissent among the committee members, particularly appeals for money through the newspapers.

"I don't have enough faith in the goodness of Montanans who may read an ad and say 'well, I'll send some money in,'" said David Drumm, Billings, who suggested a testimonial approach from prominent citizens

in each area along with a coupon that would give readers the opportunity to send money.

Another suggestion by Drumm drew a more favorable reception from the committee's members. That suggestion was to contact larger contributors in various areas to raise the money "because of the short amount of time left before the election."

Newspaper appeals were left to local delegates who would decide on how to insert the appeals in newspapers, television and radio.

Because some delegates left the convention with either a negative attitude or kept in the middle, the committee decided

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experimental television camera and a device called a torpedo would be used in hopes of reaching the miners.

The number of missing after Tues-

The main rescue effort choked to a frustrated halt in the dark hours of Friday morning when dangerous smoke billowed out of a high speed elevator

fore Saturday night. First a camera, just developed by Continued on page 2, col. 3

# Good Morning!

## The Lockhorns



"No, she doesn't get in the last word. She's NEVER had a last word."

## Weather Forecast

East of Divide — Widely scattered showers. Cool. High 45-55. Lows 30s.

West of Divide — Partly cloudy. High 55-65. Low 30s.

## India, Pakistan Skirmish

Story on page 2

## Northern Pipeline May Tap Tiger-Ridge Gas Field

Story on page 3

Classified	17-21	Markets	16
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Crossword	12	TV Guide	13
Editorial	6	Weather	2

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# By 17 House GOPs Cease-Fire Move Urged

© New York Times

WASHINGTON — Seventeen House Republicans who have tended to support the Administration's Vietnam policies urged President Nixon Friday to propose a cease-fire in Indochina and to seek a political settlement of the conflict in the United Nations.

In a joint letter to the President, the 17, usually identified with the moderate wing of their party, expressed concern over continued strategic bombing of North Vietnam and expressed doubt that the administration's policy of Vietnamization would lead to an end of the war.

The letter was initiated by Rep. Howard W. Robison of New York, who noted in a statement that all 17 Republican signers have generally supported the President's Vietnam policies but were "increasingly concerned over the pattern of events" in Indochina.

The group urged that the President undertake "yet another 'end-the-war' initiative" by seeking Soviet cooperation in "a new plan for peace" in his talks this month with Soviet leaders. Such a plan, as outlined by the group, would include acceptance by both sides of a "cease-fire-in-place" with

the "simultaneous transfer of the political issues underlying the conflict to the United Nations."

## S. Viets Fail To Open Roads

SAIGON (New York Times)— South Vietnamese attempts to open the highways to the besieged cities of An Loc north of Saigon and Kon Tum in the central highlands were beaten back by the communists Friday, with serious losses to the government forces, reports from the field said.

North Vietnamese troops overran a fire base near An Loc and reclosed Highway 14 to Kon Tum after it had been opened briefly by government paratroopers and massive air strikes by U.S. B-52s, fighter bombers and gunships.

Early Saturday Communist sappers overran a South Vietnamese infantry base only six miles north of Pleiku, killing about 80 paratroopers, an American adviser, and destroying six howitzers, according to military reports reaching Saigon.

The North Vietnamese were holding the position despite heavy air strikes.

# Worry Constitution Drum-Beaters

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using the areas of committee y appeals the news-

h faith in mans who say well in," said lings, who onial ap- nt citizens

in each area along with a coupon that would give readers the opportunity to send money.

Another suggestion by Drumm drew a more favorable reception from the committee's members. That suggestion was to contact larger contributors in various areas to raise the money "because of the short amount of time left before the election."

Newspaper appeals were left to local delegates who would decide on how to insert the appeals in newspapers, television and radio.

Because some delegates left the convention with either a negative attitude or kept in the middle, the committee decided

to form "truth squads," groups which would hit trouble areas like Malta, Glasgow, Miles City and other parts of eastern Montana to give the committee's point of view.

Drumm urged the members against "brush fires" in generating a head-on battle with the special interests they believed were conducting an underground campaign to undermine the new document.

Dale Harris, former executive director of the Constitutional Convention disagreed: "Fighting the corporations may be the best way to win the election."

Harris, who occasionally advised the committee as it

probed various avenues of the campaign, volunteered to aid the committee in its campaign for 30 days at no cost.

Harris urged the members to recruit organizations which endorsed the document for active participation in promoting it. He told the committee that it must conduct an aggressive campaign.

John Hanson, representing dentists Association, told the committee that opposition in North Dakota, where a new constitution was defeated last week, conducted its campaign with negative questions like "Do you know..." and then

presenting the negative aspects of the document.

"People in eastern Montana listen to the North Dakota radio, too," Toole said as he urged the committee to accept the "truth squads" as a method to put their side across.

Still uncertain was whether the committee can use a film taken during the convention and prepared by a Bozeman advertising firm. The committee was not sure whether it would have to approach the state to make arrangements to use the film or, if the state refused to pay for it, the com-

Continued on page 2, col. 1

SUSPENSE... and in Paris that such a meeting had been held but, until Friday night, the White House declined confirmation or denial. Press Secretary Ronald Ziegler said the United States had suggested Kissinger's trip be acknowledged publicly, but the Nixon Administration did not do so because the North Vietnamese "urgently requested" the fact of the meeting and the content of the discussion remain completely private.

### Willing to Negotiate Cease Fire

BRUSSELS (AP) — Secretary of State William P. Rogers told the North Atlantic Council Friday the United States is willing to negotiate a cease-fire in Vietnam and leave political questions until later. U.S. sources quoted him as saying that if the other side is serious, the United States is open-minded on how to negotiate. Afterward, Rogers told reporters he does not expect the situation in Vietnam to bar President Nixon's visit to Moscow later this month.

### Tells of Housing Manipulations

WASHINGTON (AP) — A former inner-city real estate speculator described to a Senate subcommittee Friday how federal home ownership programs were misused to steer poor families into overpriced houses often destined to be foreclosed and abandoned. John Morales, New York City, said he paid kickbacks, described as gifts, to officials of mortgage companies and title insurance firms for expediting his transactions.

flight. Last July in the worst aviation disaster on record, a Japanese domestic All Nippon airliner and a Japanese air force jet collided, killing 162 persons. Ten other crashes have taken more than 120 lives each.

### Antiquity Item Brings \$260,000

NEW YORK (AP) — A turquoise glazed sphinx once owned by the British archeologist who opened King Tut's tomb has been sold for \$260,000—a record price for an antiquity item.

Robert S. Brown of New York bought the sphinx, whose head is a portrait sculpture of Amenhotep-III, father of Tutankhamer, in the auction sale at Parke-Bernet Galleries.

Bozeman Mostly cloudy through Sunday with showers in the area Saturday 53, low Saturday night 34, high Sunday lower 50s. Probability of showers 30 per cent through Saturday night.

East of Divide — Mostly cloudy and cool with widely scattered showers today. Shower increasing tonight and Sunday. High today and Sunday 45-55. Low tonight 30s.

West of Divide — Partly cloudy with few showers today. Showers becoming more numerous tonight and Sunday. Little temperature change. Highs today 52-65. Lows tonight 35s. Highs Sunday 50s.

Extreme Northeast Montana — Cloudy and cooler with intermittent light rain through Sunday. Lows at night 45 to 40. Highs both days 43 to 50. Chance of rain 50 per cent through Saturday night.

Central Montana — Cloudy and cool with numerous light showers through Sunday. Lows at night 36s. Highs both days 43 to 52. Chance of rain 40 per cent through Saturday night.

Las Vegas 90 40  
 Little Rock, cloudy 80 50  
 Los Angeles, cloudy 65 58  
 Louisville, clear 74 45

**FORECAST**  
 Figures Show High Temperatures Expected For Daytime Saturday  
 Isolated Precipitation Not Indicated—Consult

**FORECAST** — The Nation casts rain over the Great Rockies Saturday, with the Rockies and west of the temperatures are forecast states, with warm temperatures. (AP Map)

# Constitution Drum-Beaters

Continued from page 1  
 tee could buy the film and tribute it.  
 Toole said seven television stations had offered to run the film the night before the election.  
 Other suggestions put to Toole were the use of jingles on

radio and television and bumper stickers and buttons.  
 An executive committee consisting of Toole, Harper, Betty Babcock, Jerry Loendorf, both of Helena and Drumm was formed to conduct of the routine business already approved by the whole committee.

Betty Wallem, representing the Montana League of Women Voters, said her organization was offering its facilities and personnel to aid in the campaign. She was confirmed as a member of the committee.

The committee itself was briefly at odds on who should be on it. Toole favored picking members strategically, recruiting prominent citizens who would be valuable in the campaign, especially key figures of organizations that endorsed the constitution.

Harper opposed the idea of restricting the membership, saying anyone who wants to participate should be able to.

"We have to have a definite body so we know if there are enough present to make decisions," Toole argued.

Both ideas were incorporated when Toole received approval to form a body which would act on committee business and at the same time said anyone who wanted to participate in the committee and express their views.

Toole said the Voter Education Committee had received several requests for additional copies of a tabloid which had been distributed before the supreme court's ruling.  
 Hanson said he wrote to those

requesting the tabloids that they would have to contact the secretary of state's office because the Voter Education Committee no longer existed in its educational function.

MONTANA			
City	High	Low	Pcp.
Billings	57	42	.14
Bozeman	52	35	.02
Butte	50	45	.13
Butte	50	32	—
Cut Bank	50	34	—
Dillon	57	40	—
Drummond	55	40	.11
Glasgow	52	37	T.
Great Falls	52	38	.02
Helena	62	35	—
Harlow	53	32	—
Holden	47	37	.15
Kalispell	53	43	T.
Lewistown	50	36	—
Livingston	49	39	.01
Miles City	58	41	—
Missoula	52	45	—
Thermopylae Falls	54	37	T.
West Yellowstone	59	40	—
Whitehall	57	36	.12

NATIONAL			
City	High	Low	Pcp.
Albany, cloudy	57	47	—
Albuquerque, clear	61	45	—
Anchorage, cloudy	41	36	—
Asheville, clear	72	42	—
Atlanta, clear	76	49	—
Birmingham, cloudy	75	46	—
Bismarck, clear	73	47	—
Boise, clear	71	42	—
Boston, clear	64	38	.01

### Great Falls Tribune

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Morning & Sunday	\$30.00	\$18.00
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Morning & Sunday	\$35.00	\$19.00
Sunday Only	25.50	14.75
Morning Only	14.00	8.50

Home Delivery Rate  
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 Morning and Sunday 75c per week  
 Monday only 55c per week  
 Sunday only 25c per week

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 P.M. Monday through Thursday for next morning  
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# Union Pledges to Back Proposal Labor to Support Constitution

By a 10-0 vote, the union delegates voted to support the proposed constitution of the COPE. The vote was 10-0 in favor of the proposal, which would support the passage of the proposed constitution of the COPE. The union delegates also voted to support the proposed constitution of the COPE. The vote was 10-0 in favor of the proposal, which would support the passage of the proposed constitution of the COPE.

At the same time, the union delegates voted unanimously not to endorse any political candidates for the primary and did not take any position on the side issues of the constitution — the death penalty, unicameral legislature and gambling.

Only nine members opposed supporting the document. They represented the state's Operating Engineers and United Transportation Union.

But after the vote on supporting the measure, the dissenters said they would leave the special convention of the Committee on Political Education united with the rest in working for passage of the document.

The vital endorsement came after a panel of Constitutional Convention delegates drew a barrage of pointed questions from the union delegates.

Leading the barrage was Joe Crosswhite, Kallispell, representing the Operating Engineers.

Crosswhite clashed frequently with Con Con delegate Arlyne Reichart, Great Falls, over the anti-diversion amendment, which would allow legislators

to spend money previously earmarked for highway uses only for other purposes.

Crosswhite, who pointed out that 40% of the 1,000 operating engineers in the state work are directly or indirectly connected with the Montana Highway Department.

"What happens if federal funds are frozen and when they are unfrozen, matching funds have been siphoned off for other purposes?" Crosswhite asked.

He said he was afraid the legislature — under pressure to adjourn near the end of the session — would grab the highway funds to meet their general budget needs.

Mrs. Reichart replied: "It would be tough to get three-fifths of the legislature to do that and I doubt if we will ever fall to have matching funds for highways."

She urged the union delegates to "trust the legislature" elect people who would work for the union goals.

Mrs. Reichart and other delegates stressed that it was a people's document and admitted the constitution would depend greatly on a responsive legislature.

With new anti-diversion amendment, Mrs. Reichart said, "we are not opening the door, but peeking in the window to see what is going on inside."

She had told the delegates that the \$218-million budget of the Montana Highway Depart-

ment could be used for more projects and also gives the legislature controls how the money is used.

Other Con Con delegates at the COPE convention were George Harper, Helena; Mick McKeon, Anaconda; Chet Blaylock, Laurel and Rick Champoux, Kallispell.

The executive board of COPE opened the convention by recommending that the delegates support the new constitution. The recommendation said document's "good points far outweighed its shortcomings."

The executive board cited the anti-diversion amendment, the section creating two separate boards of education and more home rule for cities as points not meeting its approval.

The good points, the executive board said, were the right of the people to initiate constitutional amendments, open meetings in the state legislature, the provision for the Office of Consumer Affairs, a broadened bill of rights and the revenue section "deletes tax favoritism."

Sharp questioning came from the COPE delegates about various provisions in the document that may open the door for a right-to-work law. Questioned was the wording in the bill of rights and the more home rule for cities.

Both Blaylock and McKeon assured the delegates various sections of the document could not be construed as methods to sneak a right-to-work law in.

Single member districts came under some questioning. J.D. Lynch, Butte, representing the American Federation of Teachers and a legislator, questioned the validity.

McKeon told him that the national trend is toward the "one-man, one-vote rule" and "we have to live with it."

Champoux asked Blaylock, "How are we going to peek in the window at the Board of Regents?"

Champoux pointed out that elected officials would be on the board and it would still be answerable to the legislature.

The entire theme of the question and answer session came back to one thing: Can the union put their trust in the legislature.

"We have to trust out legislature," Harper said. "We put them in office and if they do not answer the needs of the people, we can get rid of them."



PEGGY O'MALLEY

## Carroll Coed 4th in Speech In Nation

BOWLING GREEN, Ky. (AP) — Carroll College sophomore Peggy O'Malley, representing Montana colleges and universities, finished fourth in the women's competition of the National Oratory Contest.

Candy Winston of Defiance College, Ohio, won first place honors in competition with representatives of 39 states.

John Banner of Loras College, Iowa, won the men's honors.

Miss O'Malley, of Big Sandy, Mont., became the first Montanan to finish among the top four places since Valerie Dickerson, also of the Helena school, took second place six years ago.

Students from Eastern Michigan College and Mankato State College, Minn., with Miss Winston, finished ahead of Miss O'Malley who earned the trip by winning the Montana championship earlier this year.

## Miners Remembered

HELENA (AP) — The Montana AFL-CIO paused in its deliberations on whether to support the proposed state constitution Saturday to pledge its aid to the families of victims of the fire at the Sunshine Mine in Kellogg, Idaho.

Vacation Homesites

• AT THE FORKS OF THE TETON RIVER, NEAR TETON CANYON 22 miles West of Choteau, in the shadow of the Bob Marshall Wilderness. Near Teton Pass ski area.

• YEAR-ROUND RECREATION

spell. Burley will be in the cemetery. Biglow was born in Michigan. He died Clifford T. Nash in 1919 they moved to the Flathead valley. Nash died in February. Vivore include a stepdaughter Betty Gordon, Hawaii.

KALISPELL — LOGAN the William, 84, of Kallispell died Thursday. Services will Monday at 1:30 p.m. in the son Chapel. Burial will Conrad Memorial Cemetery was born in Iowa. In 19 moved with his family to Flathead Valley. He farmed til retiring. He married garet Ellen Johnson June 23, 1962. Survivors include daughters, Mrs. James (lis) Campbell of Kallispell Mrs. Robert (Lucille) T son of Weed Heights, N brother, Charles of Col Falls, five grandchildren two great-grandchildren.

KALISPELL. FISHER, "Jack", 54, of Happy died in Whitefish Thursday. Services will be Monday p.m. in the Austin Chapel. will be in the Whitefish tery. He was born in Galt, He worked in building cot ion throughout the w states. He married Nada ser Aug. 12, 1946, in Ma Calif. They lived in Ka Polson, Idaho Falls and A age before moving to Valley in 1969. She died J.

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Served with deep-fried Bermuda Onion Rings  
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# Shelby Teacher Wins Battle for Contract

SHELBY — Mrs. Gerald Axtell, Glasgow attorney, (Jane) Bourke, tenured elementary special education teacher in Shelby School District 14, will be offered a contract for the 1972-73 school term.

The decision was announced following a special executive session of the district board of trustees Friday night. Mrs. Bourke had contested her dismissal and a formal hearing was conducted Tuesday night, ending at 2 a.m. Wednesday.

The Friday night session lasted nearly six hours, informed sources said. It was an informal hearing conducted also to listen to arguments over the dismissal of two non-tenured teachers, John Holzberger, a high school instructor, and Mrs. Ben Ober, an elementary teacher whose husband also teaches in the district. A third teacher, Mrs. Ron (Dolores) Hecht, also a non-tenured teacher, did not ask for a hearing. She is also an elementary teacher.

The trustees have taken decisions on Holzberger and Mrs. Ober under advisement. Mrs. Ober was represented by L. Neil

Board members deliberated on Mrs. Bourke's dismissal following the Holzberger-Ober hearings.

About 150 persons attended the formal Bourke hearing, where 19 witnesses were called by Toole County Attorney Rae Kalbfleisch, who as county attorney represents the school board in legal matters, and John P. Moore, Cut Bank, who represented Mrs. Bourke.

One of the alleged reasons given for her dismissal was that she had not filed the evaluation reports on her class's progress. She produced carbon copies of all her evaluation reports during the hearing. A supervisor called her an excellent teacher and said he had collected her evaluation reports and turned them over to higher administrators.

Called to testify for the board were Shelby school administrators, a special education supervisor of the State Department of Public Instruction, two former trustees and one teacher.

Testifying for Mrs. Bourke were four fellow teachers, a public health nurse and five parents. Mrs. Bourke also appeared in her own behalf.

Mrs. Bourke is ending her fourth year of teaching in the Shelby school system. She is a member of the Montana Federation of Teachers, AFL-CIO.

Members of the school board hearing the case were Marvin Wolfe, chairman, and Robert Fowler, Mrs. Jeanette Marra, Bob Vermillion and Jack Parker.



SCRAPPY SCRAPPERS - Troop 14, working on America Project SOAF Resources), pitch in with Jim Heim to clean up Tw Tenth Avenue South. Co



CAN'T SCARE US—Lisette Carter and John Doney have no fear of a Kachina doll made by fifth-graders at Sacajawea elementary school. Similar "spirit dolls" and figures have been used for centuries by Indians in Southwestern United States in religious ceremonies. The figure is one of many items to be displayed at an Art-Science Fair, today, 1-5 p.m. at the lower level of the C. M. Russell Gallery. (Staff Photo by Wayne Arnst)

## Crash Injures Two

Two Sand Coulee youths were being treated at Deaconess Hospital for leg fractures following a collision between the motorcycle they were riding and an automobile in Tracy.

Sharon Butler, 15, and Dale Korin, 19, were injured when their motorcycle hit the rear end of a car being backed out of a driveway.

## EPA Official Tells Hearing

Hearings involving Detroit auto makers on environmental control standards which will

force construction of non-polluting autos was the news reported Saturday morning in a talk by environmental leader, Mrs. Sherrod B. Stuckey. Mrs. Stuckey, chief of of the National



Stuckey

## State Chamber to Hear Graybill, Governor

The program for the annual meeting of the Montana Chamber of Commerce Friday will include a number of Great Falls speakers.

Registration for the event, to be held at Hotel Rainbow, will begin Thursday from 4 to 5:15 p.m. and will continue Friday from 7:45 a.m. to 12:15 p.m.

Leo Graybill Jr. of Great Falls will be speaker during the opening session, which will begin at 9 a.m. He will discuss the

Panelists will be Hollister Larson, Robert Lake and C. Dan Regan.

Paul Johnson, president of the Great Falls Area Chamber of Commerce, will welcome chamber delegates to a noon luncheon. Dennis Dunne, president of Northwest Bancorporation, Minneapolis, will be luncheon speaker. He is a former Great Falls resident.

In the afternoon, Millard Penney, federal liaison officer for

## Nursing School Director Says

# Pill-Popping Patients Plague MDs

An anesthesiologist preparing a patient for surgery has a problem when he finds that the patient takes a "a little green pill three times in the morning."

Dr. Virginia Hartridge, director of the School of Nurse Anesthetists, Mayo Clinic, Rochester, Minn., discussed how the anesthesiologist must go about determining what medication a patient is taking and possible

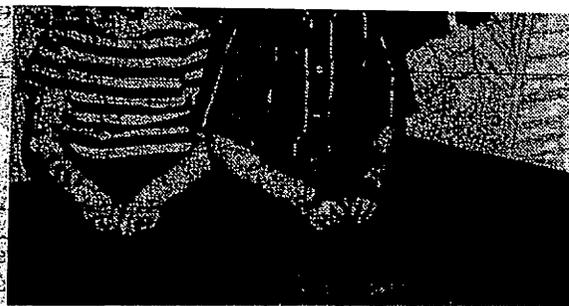
cal practitioner and teacher at Mayo Clinic, warned Montana nurse anesthetists that they must be aware of any long-term or recently taken drugs or medication a prospective patient may have in his system in order to avoid unfortunate side-effects when an anesthetic is administered.

She also told a Tribune re-

jecting the patient to complete unconsciousness.

Old people and children present special problems to the anesthetist, she pointed out.

Nurse anesthetists are commonly used in most areas of the country, Dr. Hartridge said, particularly in small hospitals where doctors of anesthesiology are not available. The nurse anesthetists receive two years of



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Leo Graybill Jr. of Great Falls will be speaker during the opening session, which will begin at 9 a.m. He will discuss the Constitutional Convention, over which he presided.

A film, "Escape to Montana's Glacier Park," will open the convention. The musical background for the film was done by Scott Warden, former Great Falls man, now state advertising director.

Panelists who will discuss the convention will be Stan Stephens, Ty Robinson and Keith Anderson.

Gov. Forrest H. Anderson's topic for discussion will be "A Quality Total Environment."

Panelists will be Hollister Larson, Robert Lake and C. Dan Regan.

Paul Johnson, president of the Great Falls Area Chamber of Commerce, will welcome chamber delegates to a noon luncheon. Dennis Dunne, president of Northwest Bancorporation, Minneapolis, will be luncheon speaker. He is a former Great Falls resident.

In the afternoon, Millard Penney, federal liaison officer for the Mountain Plains Federal Regional Council, Denver, will address the meeting, as will Dan Austin, U.S. Chamber of Commerce, Minneapolis.

Lyle Mariner, legislative officer for the Department of Agriculture, Washington, D.C. will speak on "The Year of the Schmoos and the Rat."

in the district. A tired teacher, Mrs. Ron (Dolores) Hecht, also a non-tenured teacher, did not ask for a hearing. She is also an elementary teacher.

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Dr. Virginia Hartridge, director of the School of Nurse Anesthetists, Mayo Clinic, Rochester, Minn., discussed how the anesthetist must go about determining what medication a patient is taking and possible reactions of the medication to a particular anesthetic.

Dr. Hartridge spoke during a meeting of the Montana Association of Nurse Anesthetists here Saturday. The group will end two day of conferences today with a breakfast meeting in the Glacier Room of Holiday Inn.

Dr. Hartridge, who is a clinical

practitioner and teacher at Mayo Clinic, warned Montana nurse anesthetists that they must be aware of any long-term or recently taken drugs or medication a prospective patient may have in his system in order to avoid unfortunate side-effects when an anesthetic is administered.

She also told a Tribune reporter that research on anesthetics is resulting in products that are making surgery safer all the time. Forane, she mentioned is one of the newer anesthetics which looks very promising. Research is also continuing to lead to anesthetics which allow the doctor to perform his surgery without sub-

jecting the patient to complete unconsciousness.

Old people and children present special problems to the anesthetist, she pointed out.

Nurse anesthetists are commonly used in most areas of the country, Dr. Hartridge said particularly in small hospitals where doctors of anesthesiology are not available. The nurse anesthetists receive two years additional training beyond that of a registered nurse.

Other speakers at the meeting were Dr. Keenan Boyce and I John H. Stone.

### Where's the Fire?

2:25 a.m., 718 1st Ave. N., couch fire.

**O'Connor Funeral Home**  
2425 8th Avenue North  
Telephone 453-7257

**JANOSOV** — Funeral services for John Janosov, 78, 2635 3rd Ave. N., will be held from O'Connor's Monday at 10:45 a.m. and at Sts. Peter and Paul Church at 11 a.m. Burial will be in Mount Oliver Cemetery. Rosary will be recited (this) Sunday at 8:16 p.m. at O'Connor's.

**TAFOLLA** — Funeral services for Edward W. Tafolla, 57, 2019 Central Ave., will be held from O'Connor's Tuesday at 10:45 a.m. and at St. Ann's Cathedral at 11. Burial with military honors at Mt. Oliver Cemetery. Rosary 7 p.m. Monday at O'Connor's. The casket will be open only until Monday at 6:45 p.m.

Chapel of Chimes



### The road to Moscow



## Richard Wilson

WASHINGTON — The consequences of progressive defeat in Vietnam weigh heavily on the Nixon administration. The President spoke of it in Texas. Secretary of State Rogers talked around it on national television. Vice-President Agnew advertises to the subject from time to time.

The nature of the reality of defeat, however, is unknown in this country outside the former Confederate States of America, and that was more than a century ago. Americans do not know how to react to defeat. They can only speculate on the consequences. We were not "defeated" in Korea; in a sense we "won" because a quarter of a century later a strong, independent South Korea still exists.

"We will not be defeated," the President has said. Presumably this was an expression of a will not to be defeated—not merely the expression of an opinion—and, to implement that will, he implies an aerial bombardment of the North of unprecedented intensity.

**'The consequences of defeat threaten to be progressive, rather than a blessed relief from the war nobody likes'**

If the past is a guide to the present, there is a wide difference of opinion on whether or not intensified bombing of the North can force the Hanoi government to halt its invasion of the South.

It must be concluded that the President believes there is some half-way point, some limit beyond which Hanoi will not go in order to avoid the damage it will suffer from intensified bombing. This limit could conceivably be the occupation of the two northern provinces of South Vietnam as seat of a liberation government.

If that were accepted, it would be at least a partial defeat. The consequences of defeat would still have to be faced.

WHAT WOULD DEFEAT really mean? First, of course Communist South Vietnam, or one rapidly moving in the direction. This would bring with it the debate over America's frustrated purpose and whose fault it was, an agonized and divisive accounting of the losses in manpower, money and prestige in a war begun and escalated in Democratic administrations.

The Nixon position would be that from the beginning of his administration he recognized that American ground troops must be withdrawn and he did so. He hoped that "Vietnamization" and American air support would save an independent South Vietnam. He tried and failed but the war was, in fact, ended so far as America was concerned, through in defeat—not by his choice but because foes of the war had so undermined the American will that the war could not be further pursued.

THE PSYCHOLOGY OF DEFEAT would be likely to produce further agonies, as in France which sank to the level of a third-class power. In a nation as strong as the United States, self-incrimination might be expected to pass, and the national psychology might actually get a temporary lift from being done with the hated war on any terms.

The consequences of defeat, however, may prove more durable and not go away, as so many would hope, when we are out of Vietnam once and for all. A nightmarish blood bath cannot be dismissed as unlikely. When the American conscience had survived that horror, if it happened, there would be likely to be other consequences requiring unaccustomed adjustment to the idea of defeat.

For this would not be merely an American defeat. It would be a victory for Communism, and so exploited throughout the world.

Opinions can vary on the degree of effect in Thailand, the Philippines, Japan. Perhaps the tumbledown domino theory...

# Our readers' opinions

**'No position taken'**  
Some Constitutional Convention delegates have accused Montana trade associations of compiling a \$100,000 fund to defeat the new constitution.

We initiated a meeting with 12 other organizations' directors to study the new constitution on April 24, in Helena. Pros and cons of the new document were discussed and at no time was any mention made of creating a fund of any size to promote or defeat the new constitution. In fact, no position was taken either way.

At our noon luncheon, an economics professor from the University of Montana spoke on the Montana State Council on Economic Education, Labor unions, large corporations, small businessmen are deeply concerned that only 5 per cent of our high school students receive education on basic economics, and therefore we have joined together to financially support this cause.

It is regrettable some convention delegates will

stoop so low to create a straw man to pass their new constitution. It seems they don't want voters to study it, but to simply accept their judgement as gospel.

**JOHN T. CADBY**, Helena  
(Executive president,  
Montana Automobile Dealers Association)

### Better way to spend time

It appears that some of the delegates to the Constitutional Convention, e.g. Payne, Champoux, are trying to stampede the voters into approving the proposed constitution by the use of "scare" tactics. They charge that there is some big, powerful organization against it and therefore the voters should approve it.

So far this organization has not yet made its presence felt. Until such time as it does, it would appear that their time would be better spent explaining to the voters why the new constitution is an improvement over the old one.

**JAMES PETERSEN**, Helena

Law School Dean on Proposed Constitution

# Many Things Unchanged in Judiciary

This is the first interpretation of a part of the proposed new constitution by University of Montana faculty members under the auspices of the UM Bureau of Government Research.

By DEAN ROBERT SULLIVAN

**School of Law**  
The convention rejected the majority report of its Judiciary committee, voted to debate the minority report, and adopted it with several modifications. In comparison to the present constitution many things remain unchanged. A unified court organization was not adopted. The present three tiers of courts — the Supreme Court, district courts and justices of the peace — would be retained and their autonomous operation preserved. The creation and change of judicial districts and the number of district judges to be authorized would remain in legislative control. Election of judges would be retained with Supreme Court and district judges to be selected as now on a non-partisan ballot and justices of the peace on a partisan ballot.

**NEW PROVISIONS**  
Changes proposed include lengthening the elective terms of all judges — Supreme Court from six years to eight, district court from four years to six, and justice of the peace from two years to four. The legislature could increase the size of the Supreme Court from five justices to seven and "create such other courts as may be provided by law." The justice of the peace would retain status as a constitutional officer. The number would be reduced from at least two in each organized township to at least one in each county, but "the legislature may provide for additional justices" in each county. They would be paid "monthly compensation" and provided facilities to perform their duties "in dignified surroundings."

A significant addition is the proposal to create a "judicial standards commission" with authority to investigate complaints, conduct confidential proceedings, and make recommendations to the Supreme Court for the removal and discipline of judges. The commission would consist of two district judges, one attorney and two citizens who are neither judges nor attorneys.

A less significant change would be made in the selection and retention of judges and in the filling of vacancies that occur during an elected term of office. The provisions would apply to the Supreme Court and

district judge would have to stand for approval or rejection in the general election on the basis of his record. Limitations would be imposed upon the discretion of the chief executive in making appointments to fill vacancies that occur during the term of office of a Supreme Court justice or a district court judge. A replacement would have to be appointed from nominees selected as the Legislature would provide. The replacement must be confirmed by the senate and at the first election following confirmation and after each succeeding term there must be the conventional nonpartisan election which might or might not be contested. In comparison to the existing method of appointment by the governor and to the merit plan of selection in effect in many states, this would be a cumbersome process and not an improvement of present arrangements.

### DELETIONS FROM AUTHORITY

There would be several significant deletions from authority that exists in the present constitution. The assignment of judges by the Supreme Court from one district or county to another for temporary service could be done under the proposed judicial article only "upon request of the district judge." This is not compatible with efficient administration of the work of courts and with the flexibility necessary to accommodate the administration of justice to emerging problems of our society. Rules of procedure would be "subject to disapproval by the legislature in either of the two sessions following promulgation." This would impede an essential function of the Supreme Court and it disregards the inherent powers of the court as a separate independent entity in a tripartite allocation of governmental authority. An innocuous modernization would delete constitutional status of the clerk of the Supreme Court as an elective office.

### COMMENT

Evaluation of the proposed judicial article presupposes some standard of comparison. The consensus of the Conference of Montana Citizens for Court Improvement in 1966 enumerated minimal requirements for modernization and improvement in the Montana judicial system. Of judicial selection and tenure, the consensus provided: "The nonpartisan election system of selecting the judges has not succeeded in removing the Montana judiciary from political pressures and uncertainties. To

increase the number of judges seeking re-election at the end of a term. Nonpartisan election would be continued. Merit selection to fill vacancies during a term of office would be ineffective under the requirements of Senate confirmation and nonpartisan election.

In the matter of court organization and administration, the consensus concluded that "... a unified court system is more desirable than the present autonomous system of courts in Montana today." The continuation of three levels of courts and the deletion of proposed express authority for administrative supervision over lower courts in the section on Supreme Court jurisdiction reflect a policy decision to limit the exercise of control by the Supreme Court. Although there is a provision for "general supervisory control over all other courts," comments to the minority report of the convention's judiciary committee indicate that the phrase did not include administrative control. The minority report provided for "... general supervisory and administrative control over all courts." Its comment states: "This addition (administrative control) was made to clarify the supervisory powers of the Supreme Court and to permit the Supreme Court to exercise centralized administrative direction for the entire judicial system." Deletion of this authority in the draft article effectively preserves the present autonomous system of courts noted in the Citizens Consensus.

In the matter of courts of limited and special jurisdiction the Citizens Consensus provided:

"The type and quality of justice presently being provided in these courts could be materially improved by adoption of a unified court system which would provide a district court level of judicial quality for all legal proceedings. This unified court

system would be more economical and efficient than the present system of courts. It would also be more uniform and would provide a more effective means of administering justice. The present system of courts is a patchwork of courts of different types and jurisdictions. This system of courts is a patchwork of courts of different types and jurisdictions. This system of courts is a patchwork of courts of different types and jurisdictions.

To preserve justice of the peace as elective constitutional officers and to omit authorization for supervision of their judicial activities within the court system are effective prohibitions of a unified court system.

Amendments to the minority report of the judiciary committee, judicial article. The continuance of justices of the peace as constitutional officers and the requirement of one justice for each county may nullify the creation of small claims courts, because the possibility of securing justices of the peace who have the legal education usually considered to be requisite for claims adjudication is remote in counties with small population. The Legislature may provide "jurisdiction concurrent with that of the district court" for other courts. However, the absence of authority in the Supreme Court to supervise and coordinate the activities of other courts limits the flexibility of this provision.

Other standards for comparison are available. What have states similar in geography and population to Montana done? Whether these measures or the consensus statement of the citizen's conference be used as the basis for comparison, it appears that improvements proposed are not significant, while restrictions limit the flexibility to prepare for the problems of the future. The expectation of modernization and improvement in the administration of justice is minimal. Other articles of the proposed constitution may offset these inadequacies. This is conjectural.

(Next: Revenue and Finance)



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## v. Lester nsolving

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occur during an elected term of  
office. The provisions would  
apply to the Supreme Court and  
to district courts. If an  
incumbent judge did not run  
again there would be an election  
on a nonpartisan ballot. Other-  
wise, the election would be a  
contested one if an opponent to  
the incumbent judge filed for the  
office. If no opponent filed, the

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## CONTINENTAL AUTO SALES

## 4 Governor Candidates Pledge Indians Support

MISSOULA (AP) — Four  
Montana gubernatorial hopefuls  
pledged their energies to aid  
Indians in-person at the fourth  
annual Kyi-Yo Indian Youth  
Conference at Missoula, re-  
presented by Freda Beasley,  
an Assiniboine Indian. She told  
the audience that Smith favors  
preservation of Indian culture  
and legislation to provide "the  
best possible services from gov-

# Dunkle Endorses Main Body of Proposed Constitution

**Tribune Capitol Bureau**  
**REIDANA** — Republican gubernatorial candidate Frank Dunkle endorses the main body of the proposed constitution, but says he'll vote no on the side issues.

The former state fish and game director supported the proposed document with hesitation, saying "It should have been put out for review with public hearings. Then the delegates should have come back, made the necessary corrections and put it to the electorate in November.

The constitution ratification election is scheduled the same day — June 6 — as the primary election.

Dunkle said he would vote against the three side issues — abolition of capital punishment, establishment of a one-house legislature and a change to allow the people or the legislature to authorize gambling.

Here's what Dunkle says about the side issues:

1. A unicameral legislature. "I agree thoroughly that we should have annual sessions. The uni-

cameral legislature has not been successful in the one place it operates, Nebraska. They have had more bills than they could take care of. No one has indicated how a unicameral system would work. I don't believe a unicameral legislature would be cheaper.

"The unicameral legislature has not been adequately explained to me in terms of whether it will work. The ballot just says, are you for a unicameral or a bicameral legislature. I want the advantages of a unicameral spelled out."

2. Gambling. "I am opposed to open gambling in Missouri. There should still be a prohibition against gambling in the constitution. If you are talking about bingo, this could be handled with a constitutional referendum so the people can decide whether bingo is to be a proper pastime in churches and nonprofit organizations.

3. Capital punishment. I am opposed to prohibiting capital punishment in the constitution. I will not argue the moral or religious issues. When a crime

is committed, the responsibility of the courts is to determine if the crime is capital. I believe that the courts have done a good job of this. I believe that the courts have done a good job of this. I believe that the courts have done a good job of this.

**WATCH FOR**  
**FRANK 'n' STEIN**

# 9 p.m. \$ DAY BELL RINGERS!

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CHARGE-SHOP . . . the convenient way to shop

SAVE ALL DAY **12** 11½ HOURS!  
9:30 A.M. **9** P.M.

Parisian Room Luncheon

Italian spaghetti with meat sauce, with green salad, roll and butter, coffee or tea. Relax with this delicious lunch.

**1.00**

Boy's Long Sleeve Knit Shirts

Sizes 10-20, values to 7.00

**2.69**

2nd floor

**NYLON PANTIES**

Your choice of tailored or lace trim panties and briefs. Sizes 4 to 8. White and assorted colors. 6-pr. 3rd Floor

**\$5**

**MEN'S SLIPPERS**  
slippers 100 to 110  
2nd department street lev

SALES **1.99**

grant from the Golden Eagle Fund, newest service project of the Fraternal Order of Eagles. To date 13 grants have been given or approved to be bestowed as soon as arrangements can be made. This is the first phase of the Fund's people-helping program which entails the awarding of \$50,000 in grants, intended as only the beginning of a long range undertaking which will be accelerated as time goes on.

The initial grant from the fund was \$1,000 to a hobby shop for Columbus,

for senior citizens who live alone, are partially disabled or house-bound, lonely or discouraged. Other centers so far recognized with grants are in Phoenix, Ariz., Mt. Angel, Ore., Elkins, W. Va., Sarasota, Fla., Glassboro, N.J., Providence, R.I., and Rumford, Maine.

A community owes a great deal to its senior citizens. Whatever it can do to brighten their daily lives and help them stay active, alert and cheerful is time and effort well spent.

## Our readers' opinions

### 'Poorest, least efficient plan'

You don't have to be an engineer to understand the law of gravity! And with this in mind, it doesn't take an engineer to know that the poorest spot in town to locate water storage is the lowest spot on the entire system.

But that is exactly where the famous Black & Veatch firm has located it. Not only that; they put it where the important existing water lines are, making it necessary to move them at great expense and inconvenience to our taxpayers and residents.

This is beyond a doubt the poorest plan, the most inefficient, the most expensive way they could dream up!

J. B. AUSTIN, 1100 3rd Ave. N.

### Delegates have special interest

Supporters of the proposed Montana constitution seek to discredit opponents of the document as the grumbling of special interest groups, as if such groups had no legitimate interest in the general welfare of Montana or in constitutional processes.

Delegates themselves have a special interest in the promotion of the document if merely to justify their own recent activities financed by the taxpayers. These taxpayers, not incidentally, include most of the special interest groups in our great state.

Furthermore, it is hardly conceivable that the several special interest groups who got what they wanted would knock a constitution they created in the collective mind of the Convention.

STEPHEN A. BIRCH, 2625 4th Ave. S.

### Urges change to city manager

I have a solution to our city problems. Tax problems, if only people in charge and decent people would listen.

Get a city manager; vote out the mayor sys-

tem and his clan. As you know, the mayor deal is getting us deeper and deeper into debt all the time, so try out the manager system. There is nothing to lose and a whole lot to gain.

Lots of eastern cities that were on the verge of bankruptcy, with mayors as leaders, switched over from mayors to city managers and those places have really flourished and pulled out of the red.

If this keeps up, we won't be able to afford living in this town, as taxes will be higher than salaries. So wake up before it's too late; try for the city manager system. You won't be sorry!

MRS. J. R. SMITH, R.F.D., Great Falls

### Long range, short vision!

A few of us bitterly fought that two-lane death trap called a bridge on Tenth Avenue South. We insisted that if you were going to build the damn thing, make it a four lane, but the Loud Mouths won.

A few of us fought like hell to build a civic center building which would be nicely located and a credit to our city, both in efficiency and beauty, for the next 50-100 years. We got a pile of junk instead, because the Loud Mouths won again.

It's the same old story now with the airport. The Loud Mouths are at it again. Rest assured, they'll get us a second-class, third-rate terminal which in a short time will be a death trap, a pile of junk and a perfect example of too little, too late.

The Loud Mouth bespeaks a vacant mind. There are some people who always try to depreciate the dreams and efforts of those who would dare aspire to heights which are on a higher level than their own.

JOE RUTAN, 2120 6th Ave. N.



W. F. Buckle

WHAT I WANT TO know is: Why have we known so little? Why have we misjudged so gravely? I ask the questions, at this point, clinically, without prejudice to any future right to give way to anger.

One week ago the President of the United States told the entire country and the entire world that the invasion of South Vietnam would be repulsed, that that was the solid military judgment of General Abrams.

Today the South Vietnamese are almost everywhere in letters, the millions of pounds of bombs we continue to dump over North Vietnam and much of South Vietnam appear to be about as related to stopping the North Vietnamese offensive as underground atomic explosions in Amchitka. One province is gone, another teeters at the brink; the refugees swarm out of the cities in such numbers as the Chinese did during the thirties fleeing the Japanese; the South Vietnamese army falls apart, whole regiments and divisions become nothing more than journalistic abstractions.

Why didn't we know? Anticipate it? Warn against it?

*'... a lot of people ... after assimilating the loss of South Vietnam ... are going to ask hard, technical questions'*

There are many cases to be made against President Nixon, but let us confine ourselves to the one that says simply: With all his experience, with his knowledge of the dozen times his predecessor ventilated an optimism which proved to be inopportune to the point of being macabre, what did he do to overhaul the means by which he got his information?

Is it the fault of General Abrams, who was there before President Nixon was elected? What is the nature of Abrams' miscalculations: Was it on the morale of the South Vietnamese that he guessed wrong? If so, why did he guess it wrong? Did he make enough allowances, in his estimates, for the morale factor? If not, why not?

DID THE DEFENSE Department probe the matter, or simply accept the estimates of the commander in the field? Did the CIA contribute to the estimate? When, early in Mr. Nixon's term, the CIA advised that Vietnamization would not work, were its arguments confuted, and if so by whom, using what arguments, what analysis?

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Monday, May 1, 1971

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## James Reston

WASHINGTON — During this latest crisis in Vietnam, has been a mood of morbid anxiety in Washington, a nation of waiting for the bombs to fall on Haiphong, feeling that this is very risky business which will not be enemy's offensive.

At such a time, when even Joe Alsop is asking us all to it would seem a sensible and logical idea for the President to call the responsible members of the Cabinet and the Congress together to discuss "the clear and present danger" but this is not what has been happening here.

The Secretary of State, William P. Rogers, is touring European capitals, talking about the President's schism visit this month to Moscow, which is providing the artillery and mobile anti-aircraft guns for the Hanoi in Mike Mansfield and Hugh Scott, the Democratic and Republican leaders of the Senate, have been in Peking during of the crisis, and while the North Vietnamese have been advancing on the old Vietnamese imperial capital of Hu President has been in Texas proclaiming his policies to relay of the Treasury Connally's friends.

'Washington knows there is a serious crisis, but it hasn't the vaguest idea which side of (the President) will be in charge next week'

Meanwhile, the big topic of conversation among the old and reporters in Washington has been: "Where's He Well, it turns out, Mr. Kissinger was at the big press conference in Washington last Saturday, then in Paris on Tuesday to the North Vietnamese, then at a private dinner explaining it all to some puzzled big shots in New York, but what means and where it's all going has been left to the administration's public relations men, who seem to know little about the facts than anybody else.

This is obviously one way to deal with a delicate and dangerous military and diplomatic problem, the tactics of cannot be broadcast to the world, but it is a highly peevish way, and the truth is that nobody knows what Nixon means if his bombs and his diplomacy do not work in the next weeks any better than they have in the last few.

FOR NIXON BELIEVES that secrecy, surprise, and unpredictable moves like the invasions of Cambodia and the bombings of Hanoi and Haiphong are virtues that the enemy off balance, and if they scare Hanoi as much they have alarmed Washington, he may be right.

Nixon, the old Navy poker player, has gambled (1) that he could pull out his combat ground troops to please the sentiment at home without risking a modern tank and art offensive by the Communists; (2) that he could count on South Vietnamese, backed by U.S. Air and Naval power, to smash any such invasion if it came; and (3) that, if all failed, he could still compel the Communists to negotiate a compromise settlement by threatening or actually bombing Haiphong and Hanoi.

His first two assumptions did not work out as he hoped planned, and now he is left with the third: To bomb the city in the hope of compelling a compromise on his terms, or to keep that decision quite clearly in his own hands.

THE RESULT — And this is why Washington is now so edgy is that even his own associates, let alone the Congress, are left to speculate on what he will do. Which Nixon will do — the hard-liner who will stick to his original policy of supporting General Thieu in Saigon and opposing Communist aggression, or the flanker...

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WHAT I WANT TO know is: Why have we known so little? Why have we misjudged so gravely? I ask the questions, at this point, clinically, without prejudice to any future right to give way to anger.

One week ago the President of the United States told the entire country and the entire world that the invasion of South Vietnam would be repulsed, that that was the solid military judgment of General Abrams.

Today the South Vietnamese are almost everywhere in tatters, the millions of pounds of bombs we continue to dump over North Vietnam and much of South Vietnam appear to be about as related to stopping the North Vietnamese offensive as underground atomic explosions in Amchitka. One province is gone, another teeters at the brink; the refugees swarm out of the cities in such numbers as

told us that it was last October that we discovered that the enemy was preparing for a great offensive. Indeed. Did we know on what scale the enemy was preparing? Did our intelligence services perform usefully? Did we weigh the amount of equipment being off-loaded from the Soviet freighters? Did we know the nature of the material? Did we infer the uses to which it would be put? Did we organize our defenses, given the assumptions, competently?

There are many things to be focused upon in the next weeks, having to do with the consequences of what is happening in Vietnam, but one of them surely is the dumbfounding incompetence of our calculations. We have been made to sound like Nicholas II, confidently advising the court that the imperial navy would knock out Japan in three weeks.

Montana Political Analysis

# Opponents Ignoring Constitution

By PAUL FREEMAN  
Associated Press Writer

HELENA (AP) — The opponents of Montana's proposed new constitution may be ignoring it to death.

In a series of developments keying on unfriendly opinions from the Montana Supreme Court, the proposed document appears in for a rough time. Major support is coming mainly from the delegates who wrote it.

Related Political Analysis  
On page 4

But in a successful political campaign in this state, an ogre of some kind is as necessary as an angel and the anti-construction monster has not yet become publicly visible.

So the delegates pushing for a favorable vote on the new document have been able only to make dark hints about the corporate behemoths backing campaigns against a June 8 ratification by the people.

If such a united front by large interests exists there is no "Save Our State" (SOS) committee to focus on. There is not a Ken Nybo (SOS state chairman) to do a disappearing act with the names of contributors.

And that same Supreme Court that has hamstringing the Constitutional Convention's "information" campaign by ruling it cannot spend public money, has ruled in the SOS case that, in effect, there was no reason for Nybo to have left town ahead of the sales-tax election.

Sensing the political uncertainty out in the hustings, candidates for elective offices generally have avoided the constitution. Senate Majority Leader Dick Dzivi, running a campaign against Democratic front-runner Thomas L. Judge for the governorship, broke ranks with the silent candidates Thursday and endorsed the new constitution.

It may be a long time before there is any indication whether Dzivi's endorsement will:

— Gain him support in cities, where the proposed document is reported getting a good reception.

— Force other candidates into making their feelings known.

— Or sink Dzivi's primary bid among the voters of Eastern Montana, where the proposed document does not exactly rank

with the Bible as recommended reading.

Dzivi has little to lose by trying to force the issue with Judge on the proposed Constitution. Judge's current term as lieutenant governor has given him statewide exposure to the voters, something Dzivi has had little of before his current campaign.

Judge has been blessed with a strange turn of events in the office of Gov. Forrest H. Anderson. Anderson was, until recently, plagued by health problems and frequently deferred to the ambitious and accessible Judge on political speechifying, ribbon cuttings and even as acting governor.

The peril in that for Judge lies in the concerted attempt by Republicans to put the two men together in the "Anderson-Judge Administration."

There are few insiders who believe that there was ever even so much as good fellow-

ship between the feisty Anderson and his smooth-talking running mate of 1968 prior to Anderson's decision to forget another term.

When Anderson had further immediate ambitions, he tended to view the ambitious Judge as a threat. When Anderson lost his ambitions for office, he became more accommodating, since Judge was the obvious front-runner.

Added to that equation was Anderson's hearty and ill-concealed dislike for Dzivi, whom Anderson belatedly tried to sink when Dzivi bid for the majority leader's job in the State Senate.

One of Anderson's partial creations as a public figure is Republican Frank Dunkle. Dunkle was known as the director of the Fish and Game Department — and nothing else — until Anderson made him a star in a series of husses that gave Dunkle a shining gloss as an environmental hero. There is a little doubt that Anderson, if he

had his last two years as governor to do over again, would bite his tongue and do battle with Dunkle.

But Dunkle's standing as an environmentalist is not all an asset in a GOP primary campaign. The bespectacled former beaurcrat is now running a quiet campaign aimed at keeping his environmental support on the one hand while trying to convince Republicans that his party credentials are in order.

Dagmar agriculture man Ed Smith, a state representative who sided with the Democrats in killing off the 2 per cent sales tax, is to Dunkle as Dzivi is to Judge.

Smith began his bid for the governorship with an easy-to-remember name that few people knew.

Smith must attract the regular Republicans in the primary while crossing his fingers in the hope that the new teen-aged vote and a significant Democratic-independent crossover to the GOP primary does not go to Dunkle.

Dzivi's position is much the same, but different. He must hew out an anti-Judge constituency among Democrats and hope that enough Republicans give him their primary ballots to deny Judge the nomination.

Most of the 1972 campaign amounts to politics-as-usual. The largest unknown quantity, however, is the proposed new constitution hewn out by 100 politically activist delegates barred by the Supreme Court from running for other office.

The revised document, and the delegates who wrote it, are scarcely the favored people among many of the incumbent politicians of the legislature. Had the Supreme Court ruled that delegates to the convention could run for other offices, the lines would have been clearly drawn at least on the constitution. Many of the delegates were itching to run against incumbent legislators to further their own ambitions and to sell the document they authored.

But the court decision dashed those hopes and a subsequent court ruling — issued one day after the deadline for filing for all state offices, including the Supreme Court — prevented the convention delegates from spending public money in a voter-information campaign.

The only possibility for any drastic revision in the year's political scenario appears to be the new constitution — and the opponents are going to have to be put on public display if that is to happen easily.

## Montana Roundup

By JOHN MacKAY  
Tribune Staff Writer

### Unheralded Visit

At exactly 1:29 p.m. Friday the west-bound Amtrak passenger train rolled to a gentle stop in Glasgow, about 30 minutes late. It's arrival went practically unnoticed, except for the disgruntled motorists, faced with a forced wait or a four-block detour, for the west-bound on-Burlington Northern's line blocks the Fourth Street South crossing. Finally traffic moved, and those that did take the time to look back had no idea they were watching the arrival of one man more responsible than anyone else for the continuance of railroad passenger train service to northeastern Montana — Department of Transportation Secretary John Anthony Volpe. He spent 10 minutes in Glasgow and traveled by Coast Guard jet to Washington, D.C.

### Newest Resident

Newest resident of the Montana Veterans' Home in Columbia Falls is Joe Montgomery, 96, last commander of Montana's Spanish War Encampment. "Colonel" Montgomery is the only Spanish War veteran resident at the home and commented: "I like it here though it's the first time I've lived in a senior citizens' home. The previous Saturday was "Joe Montgomery Day" in Lewistown, his home for many years. En route to Columbia Falls Joe stopped in Cut Bank long enough to be photographed with Susie and Don Pfau of Lewistown, his traveling companions.

### Pharmacist Paints

Jim Staley, long noted as a pharmacist in Harlowton, has turned his talents to painting. Recently he presented a painting of Fort Howie to Hal Stearns, publisher of The Harlowton Times. The fort was built in 1887 on a flat meadow located on the present Holiday ranch east of the entrance to Spring Creek, the first settlement on the Musselshell.

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# Revenue and Finance Article of Proposed Constitution

## Belief Shown in Representative Government

This is the sixth interpretation of a part of the proposed new constitution by University of Montana faculty members, under the auspices of the U.M. Bureau of Government Research.

By MAXINE JOHNSON  
Associate Professor of  
Business Administration

The revenue and finance article is a testament to the belief in representative government held by members of Montana's Constitutional Convention. 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.

### THE POSITIVE

A number of interesting changes were made in the provisions for property tax administration. The state government would be charged with responsibility for appraising, assessing, and equalizing the valuation of all taxable property. In part, this provision was dictated by recent court cases in other states which have found inequalities in local school funding unconstitutional and which may result in widespread state funding of public schools. There is no guarantee, of course, that state government will do a better job of equalizing the impact of property taxes than county offices have done in the past. Taxpayers may hope, however, that the inequities which presently exist within and among taxing districts can be reduced through statewide administration of the property tax. Taxpayers also should recognize that this section, plus the removal of the 2-mill limit for state purposes, opens the door to property taxation for state as well as local government activities.

Section 5 exempts from the property tax all United States, state, and local government property, property of charitable institutions, nonprofit hospitals, and burial grounds, plus property used strictly for religious worship or educational purposes. Other decisions as to what property, if any, to exempt are up to the legislature. They may, for example, choose to continue the gross proceeds tax in lieu of the property tax on mines. They may, if they wish, abandon the pretense that such property as securities and bank

the tax on new cars are not earmarked. And the permissible uses or earmarked funds have been expanded to include local government road and street systems as well as highway safety, driver education, and tourist promotion programs. The section also provides that the legislature, by a three-fifths vote in each house, may divert the earmarked funds to other uses. Thus it is conceivable — although perhaps unlikely — that sometime in the future highways will not be automatically funded at the expense of other badly needed public services.

When it came to the investment of public funds, the convention abandoned its hands-off policy and included several restrictions which might better have been left to the judgment of the legislature. No public money except retirement funds could be invested in private corporate capital stock. The public school fund and the permanent funds of the university system could be invested only in "public securities of the state, its subdivisions, local government units, and districts within the state, or bonds of the United States, or other securities fully guaranteed as to principal and interest by the United States, or such other safe investments bearing a fixed rate of interest as may be provided by law." There are honest differences of opinion as to how state money should be invested, and few would disagree with the idea that security of funds should be the first consideration. Many experts would contend that such limitations should be left to the legislature and that in years to come investment opportunities other than public or fixed rate securities may represent prudent and safe investments. Surely when tax monies are so hard to come by, a constitutional limitation that may in the future restrict non-tax income sorely needed by state and local governments seems ill advised.

### FEW REGRETS

Section 12 of the revenue and finance article requires the legislature to "insure strict accountability of all revenue received and money spent by the state and counties, cities, towns, and all other local government entities." Montana citizens interested in what happens to their tax money might wish that another sentence requiring a

uniform accounting system for all state and local agencies had been added. Until such a system is installed (and it can be done by statute), we will never have a complete picture of overall government expenditures in Montana. And until we know how our money is being spent, we cannot begin to understand what is going on, or to demand true accountability from our state and local governments.

### 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 new revenue and finance article represents progress. Among the things it permits or directs the legislature to do, which it cannot do under the old constitution are:

1. Provide for property tax administration at the state level.
2. Exempt property from taxation.
3. Levy property taxes for state purposes.
4. Provide for independent appeal procedures for taxpayer grievances.
5. Overrule the earmarking of revenue for highway purposes, but only by a three-fifths vote of the members of each house.
6. Create state debt, by a two-thirds vote of the members of each house.

But there are also limitations on the actions of both state and local governments. Let any reader be apprehensive that the new constitution provides license for improvidence, the limitations, too, deserve summarizing. Among other things, the proposed constitution forbids:

1. An unbalanced budget.
2. The creation of debt to cover budget deficits.
3. The use of borrowed funds (state or local) for any purpose other than that specified in the authorizing law.
4. The payment of money from the state treasury without an appropriation.
5. The investment of state money (except retirement funds) in corporate stock.

And the legislature is directed to require strict accountability of all revenue received and money spent by all state and local governmental units.

(Next: Environment and Resources.)

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Section 5 exempts from the property tax all United States, state, and local government property, property of charitable institutions, nonprofit hospitals, and burial grounds, plus property used strictly for religious worship or educational purposes. Other decisions as to what property, if any, to exempt are up to the legislature. They may, for example, choose to continue the gross proceeds tax in lieu of the property tax on mines. They may, if they wish, abandon the pretense that such property as securities and bank accounts are presently being taxed and expressly exempt them from taxation.

If the new constitution is approved, disgruntled property taxpayers will have a new appeal procedure at their disposal, to be established by the legislature. No longer will the same agency do the assessing and handle the complaints:

The new constitution leaves the administrative details of the tax system to the legislature. It does not provide for constitutional tax boards at either the state or local level. The new state tax agency will be established by the legislature and administered by the executive branch of government. This is in contrast to the existing state board of equalization, which is constitutionally ordained and independent of both the executive and legislative branches.

The new revenue and finance article would omit the section of the old constitution which had been construed to prohibit state revenue sharing with local governments. If the new constitution is approved, then constitutional limitations will no longer be a deterrent to increased state aid to local governments. The new article does not prescribe debt limits for state and local governments — they are properly left to the discretion of the legislature. It requires a balanced budget — the state may not go into debt to cover deficits incurred because appropriations exceeded anticipated revenue. And no state debt (for construction of public buildings, etc.) could be created unless authorized by a two-thirds vote of the members of each house of the legislature or a majority of the electors voting thereon. These provisions seem reasonable and appropriate.

#### THE NEGATIVE

Not everyone, of course, will be happy with all the article's provisions. This writer has two major reservations. In a bow to the highway lobby, the delegates retained the earmarking of revenue from gross vehicle weight fees and excise and license taxes (except general sales and use taxes) on gasoline, fuel, and other energy sources for highway purposes (Section 6). The new constitution does allow more flexibility than the old in that regulation fees and

governments seems ill advised.

#### FEW REGRETS

Section 1.26 of the revenue and finance article requires the legislature to "insure strict accountability of all revenue, received and money spent by the state and counties, cities, towns, and all other local government entities." Montana citizens interested in what happens to their tax money might wish that another sentence requiring a

#### Death Toll 10

SPRINGFIELD, Ill. (AP) — The death toll from a fire that swept through a nursing home here climbed to 10 Sunday with the death of an elderly woman who was critically burned in the blaze.

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# Environmental Article Offers Something New

This is the seventh interpretation of a part of the proposed new constitution by University of Montana faculty members, under the auspices of the UM Bureau of Government Research.

By WILLIAM TOMLINSON  
Coordinator, Student  
Environmental Research Center  
And  
PROF. CLARENCE GORDON  
Director, Environmental  
Studies Program

The draft constitution offers a substantively new article on environment and natural resources where there are no comparable provisions in the present constitution.

Provisions of the proposed Article IX omit almost entirely the features of an article submitted by delegate Louise Cross, along with other proposals submitted by lobbying environmentalists, but the article still has merit compared with coverage of such matters in the present constitution. The proposals are conservative, but not ultra-conservative, and they are thus worthy of consideration.

This review is submitted by two environmentalists who concede limited ability to interpret these provisions from a legal point of view. The perspective is the extent to which the proposed constitutional language on environment and natural resources may reasonably be expected to advance the environ-

mental goals declared in the document.

A provision that "the state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations" is potentially the most sweeping proposal. It puts the burden of maintaining a livable environment upon the citizens of the state, yet falls, without legal interpretation or statutory amplification of the statement, to set forth clearly who legal recourse citizens would have against those who knowingly and willingly degrade the environment.

There is provision for the reclamation of land disturbed by taking natural resources such as coal and hard rock minerals. A vast area of the land surface of Montana overlays coal reserves which it is now economically feasible to recover. But the delegates treated the subject lightly with a two-sentence provision that leaves to the legislature the entire burden of setting standards and of providing administration of such reclamation. Power company lobbyists did their job well on this subject of reclamation as did agricultural and industrial lobbyists on the water rights provisions.

All of the present provisions on water rights are retained, but the convention refused to include recreation as a beneficial use of water. We believe there is no reason for concerned citizens to accede to this apparent assumption. We believe that future citizen pressure will gain full recognition of recreation as a beneficial use of water.

A significant new provision would place all waters of the state — surface, underground, flood, and atmospheric — in trust. As trustee the state would have responsibility to manage the appropriations and uses of this water. Another provision declares that the legislature shall provide for the control, administration, and centralized records of water use. These provisions come at a critical time for a western state. In 1968 Congress enacted the Colorado River 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

Another section of the draft constitution covers resources such as cultural, scenic, recreational, and historic areas which the legislature shall identify, acquire, restore, and administer. This provision has much potential benefit for the environment if citizens inform and force the legislature to fully implement it.

As with most older constitutions, environmental concern was largely unrecognized in the 1889 Montana Constitution. The emphasis then was on resource development. Constitutions of the past decade, however, have increasingly recognized environmental degradation and have reflected this awareness in their language.

In 1970, Illinois included an "environment" article in a new constitution. This article mandates the legislature and each person of the state to achieve and maintain a healthful environment and commands the legislature to provide necessary regulations to implement this general policy. The article further recognizes each person's right to a healthful environment and provides that each person may enforce this right through legal proceedings.

Michigan adopted an environmental protection act in 1971.

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 that "the legislature shall provide . . ." The scope and strength of legislation is, therefore, discretionary with the legislature.

Article IX of the proposed constitution does not clearly state individual authority to implement its obligations (as does the Illinois constitution). However,

Article IX of the draft constitution, states: "All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment . . . and seeking their safety, health, and happiness in all lawful ways." The nature of action which may be enlisted to implement these rights will be decided by the legislature and courts of Montana. It is our belief that this language in the declaration of

## Anderson Unique, Says Brown

HELENA (AP) — A governor of California said today he hopes "A build something" will be named Montana's retiring Gov. J. H. Anderson.

"What did they name you?" a newsmen asked Monday G. "Pat" Brown former two-term California governor visited Anderson Capitol.

"Nothing—not even a" he replied.

Brown, who received honorary degree at Carroll in Helena Sunday, said Heves Anderson is one of governors—if not the only one who has served in all branches of government.

Anderson, stepping down year's end after one term governor, has served as associate justice of the Supreme Court and as a member of the Montana House of Representatives.

Both Anderson and Brown were state attorneys before becoming governors. Brown was defeated in 1970 for a third term by Gov. Reagan.

## Montana Guards Preparing for Idaho Training

BOISE, Idaho (AP) — National Guard engineers units from north Idaho two weeks of annual training this weekend and are working on improving roads in the Snake River valley and are working on the south Idaho desert.

They are the first of 10 National Guardsmen who will undergo summer training here at Gowen Field this week.

The roads and gunner will be used later by cavalry units from 10th Cavalry from Oregon, Nevada and Montana.

The Idaho cavalry units arrive in Gowen Field and the first and second regiments of Montana's 10th Cavalry will arrive here.

## Grazing Grounds In Beaverhead

**PROF. CLARENCE GORDON**  
Director, Environmental  
Studies Program

The draft constitution offers a substantially new article on environment and natural resources where there are no comparable provisions in the present constitution.

Provisions of the proposed Article IX omit almost entirely the features of an article submitted by delegate Louise Cross, along with other proposals submitted by lobbying environmentalists, but the article still has merit compared with coverage of such matters in the present constitution. The proposals are conservative, but not ultra-conservative, and they are thus worthy of consideration.

This review is submitted by two environmentalists who concede limited ability to interpret these provisions from a legal point of view. The perspective is the extent to which the proposed constitutional language on environment and natural resources may reasonably be expected to advance the environ-

## Water Users Invited to June 10 Meet

HELENA (AP) — A Legislative Council subcommittee seeking ways to improve the administration of water projects in Montana has invited representatives of some water-user groups to a June 10 meeting.

Rep. Albert E. Kosena, D-Anaconda, chairman of the nine-man subcommittee, said a cross-section of water-user associations is being invited.

"They range from major associations to smaller ones so the subcommittee can get a true picture," Kosena said. The meeting was scheduled to give the members a chance to ask some "pertinent questions" before adopting preliminary recommendations.

Final recommendations for legislation will come at a June 24 meeting of the subcommittee.

A 1971 House resolution called for the study of the Water Resources Board which now is part of the State Department of Natural Resources.

## Some Kalispell Carpenters Walk Off Jobs

By Tribune Correspondent

KALISPELL — Pickets were up Monday morning on some construction jobs in Kalispell. But the Carpenters District Council of Northwest Montana

state, yet falls without legal interpretation or statutory amplification of the statement, to set forth clearly what legal recourse citizens would have against those who knowingly and willingly degrade the environment.

There is provision for the reclamation of land disturbed by taking natural resources such as coal and hard rock minerals. A vast area of the land surface of Montana overlays coal reserves which it is now economically feasible to recover. But the delegates treated the subject lightly with a two-sentence provision that leaves to the legislature the entire burden of setting standards and of providing administration of such reclamation. Power company lobbyists did their job well on this subject of reclamation as did agricultural and industrial lobbyists on the water rights provisions.

All of the present provisions on water rights are retained, but the convention refused to include recreation as a beneficial use of water. We believe there is no reason for concerned citizens to accede to this apparent assumption. We believe that future citizen pressure will gain full recognition of recreation as a beneficial use of water.

A significant new provision would place all waters of the state — surface, underground, flood, and atmospheric — in trust. As trustee the state would have responsibility to manage the appropriations and uses of this water. Another provision declares that the legislature shall provide for the control, administration, and centralized records of water use. These provisions come at a critical time for a western state. In 1968 Congress enacted the Colorado River 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." 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 the available water 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 a 13-state area bounded by Montana, Wyoming, Colorado, Kansas, Missouri, Iowa, Minnesota, and North Dakota.

As with most older constitutions, environmental concern was largely unrecognized in the 1889 Montana Constitution. The emphasis then was on resource development. Constitutions of the past decade, however, have increasingly recognized environmental degradation and have reflected this awareness in their language.

In 1970, Illinois included an "environment" article in a new constitution. This article mandates the legislature and each person of the state to achieve and maintain a healthful environment and commands the legislature to provide necessary regulations to implement this general policy. The article further recognizes each person's right to a healthful environment and provides that each person may enforce this right through legal proceedings.

Michigan adopted an environmental protection act in 1971.

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 that "the legislature shall provide . . ." The scope and strength of legislation is, therefore, discretionary with the legislature.

Article IX of the proposed constitution does not clearly state individual authority to implement its obligations (as does the Illinois constitution). However,

Article IX of the draft constitution states: "All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment . . . and seeking their safety, health, and happiness in all lawful ways." The nature of action which may be enlisted to implement these rights will be decided by the legislature and courts of Montana. It is our belief that this language is equivalent to (enforcement provisions) of the Illinois constitution and should be so interpreted.

Title IX of the draft constitution is a far cry from articles on the environment that were proposed to the convention. However, unlike the present constitution, the draft provisions recognize and allow legislative and citizen action on many issues concerning environment and natural resources. While we believe that it is a conservative article, as are most other articles in the proposed constitution, the whole proposed constitution, the whole proposed constitution deserves support by the citizens of Montana.

(Next: Local Government).

"Nothing—not even a ditch," he replied.

Brown, who received an honorary degree at Carroll College in Helena Sunday, said he believes Anderson is one of the few governors—if not the only one—who has served in all three branches of government.

Anderson, stepping down at year's end after one term as governor, has served as an associate justice of the State Supreme Court and as a member of the Montana House of Representatives.

Both Anderson and Brown were state attorneys general before becoming governor. Brown was defeated in his bid for a third term by Gov. Ronald Reagan.

## Montana Guard Preparing for Idaho Training

BOISE, Idaho (AP) — Idaho National Guard engineering units from north Idaho began two weeks of annual training this weekend and are hard at work improving roads and gunnery ranges on the southwestern Idaho desert.

They are the first of 6,500 National Guardsmen who will undergo summer training maneuvers at Gowen Field this year.

The roads and gunnery ranges will be used later by armored cavalry units from Idaho, Oregon, Nevada and Montana.

The Idaho cavalry unit will arrive in Gowen Field May 27 and the first and second Squadrons of Montana's 163rd Armored Cavalry will arrive June 10.

## Grazing Group In Beaverhead Gains \$60,000

WASHINGTON (AP) — A loan of \$60,000 from the Farmers Home Administration has been approved for the expansion of grazing areas in Beaverhead County.

Rep. Dick Shoup, R-Mont., said the loan would be made to the Big Hole Grazing Association. The association will use the funds to purchase 640 acres of land to increase the carrying capacity of its range.

The association is a nonprofit organization of 16 farmer-ranchers who share use of the association range to increase their livestock production.

The loan is repayable within 40 years at 5 per cent interest.

within the federal agency for greater involvement with the public.

There is no FTC office in Montana at this time.

This  
Mother's  
Day

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THE WINDSOR GUARDSMAN

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It's a beautiful FTD Mo  
in a handsome, reus  
pitcher. Hand crafted

### Anderson Unique, Says Brown

HELENA (AP) — A former governor of California said Monday he hopes "A building or something" will be named for Montana's retiring Gov. Forrest H. Anderson.

"What did they name after you?" a newsman asked Edmund G. "Pat" Brown as the former two-term California governor visited Anderson in the Capitol.

"Nothing—not even a ditch," he replied.

Brown, who received an honorary degree at Carroll College in Helena Sunday, said he believes Anderson is one of the few governors—if not the only one—who has served in all three branches of government.

Anderson, stepping down at year's end after one term as governor, has served as an associate justice of the State Supreme Court and as a member of the Montana House of Representatives.

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### Grazing Group In Beaverhead Gains \$60,000

WASHINGTON (AP) — A

### U.S. Pondering Role in Consumer Aid

BILLINGS (AP) — William Erxleben, regional director for the Federal Trade Commission, told a hearing today that the FTC is trying to determine its role in consumer protection in Montana.

Erxleben said the Billings hearing would not solve any consumer problems, but might bring some to the surface.

He said past criticism of the FTC for allegedly not enforcing consumer-protection laws has resulted in internal changes within the federal agency for greater involvement with the public.

There is no FTC office in Montana at this time.

# Montana's Biggest Oil, Gas Auction In Three Years Expected June 13

HELENA (AP) — Montana's largest auction of oil and gas leases on state-owned land in about three years is scheduled for the Capital City on June 13.

Director Ted Schwinden of the State Department of Lands said leases on 246,416 acres will be offered to bidders in 530 tracts.

All but eight of the tracts are accompanied by checks for the minimum yearly rental of \$1 an acre, which means they will go under lease even if no competitive bids are received.

Eight tracts on which leases

have expired are being offered by the State Land Board for indefinite-term leases.

Many of the tracts going on the auction block in the state agency's second lease sale of 1972 are in the natural-gas area of Chouteau, Fergus, McCone and Judith Basin counties.

September 1969 was the last time the guaranteed revenue to the state was close to a quarter-million dollars prior to a state auction of oil-gas leases.

At this year's first auction,

held in March, rentals paid for leases on state land brought the state \$140,000, an average of \$1.50 an acre.

### Visit Postponed

TOKYO (AP) — U.S. presidential adviser Henry A. Kissinger again has postponed his unofficial visit to Japan and expressed hope that he would come to Japan at an early date after his visit to Moscow with President Nixon. Japanese newspapers reported Sunday.

This Mother's Day

# Send Mom

# a Sweet Surprise.™



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# To inform, not propagandize

The Committee for Constitutional Improvement, formed to take up the task of informing the public about the proposed new state constitution to be voted on June 8, deserves all the support it can get in the undertaking.

The committee was set up after the Constitutional Convention's Voters Education Committee was dissolved in the wake of a state supreme court ruling that the latter lacked power to spend public funds after final adjournment of the convention on March 24.

But members of the new committee consider themselves free now to sell the constitution as best they can, unhampered by the official objectivity they felt obliged to observe as long as they were using public funds. Time is short, however, and the new group is in need of whatever support may be

forthcoming in the way of contributions directed to it in Helena.

The aim of the committee is not to propagandize, but to be truly informative. As George Harper of Helena, treasurer of the group, explained, "We definitely favor the constitution, so let's not be untruthful, but sell the constitution on its good points."

Citizens who would like to see the restrictive constitution of 1889 replaced with one geared to today's conditions can be sure of one thing: Reactionary elements which wish for selfish reasons to keep the state shackled by the limitations of the old constitution, will not spare time nor money to block adoption of the new constitution. Those who wish better things for Montana will want to see that the Committee for Constitutional Improvement lacks for neither.

## Proposal makes sense

Many are not ready yet to accept President Nixon's cabinet reorganization plan in total, but a single department of natural resources which would pull all matters relating to environmental policy together under one head makes sense.

As Secretary of the Interior Rogers Morton told the conservationist Sierra Club in San Francisco during the weekend, only a single governmental agency "which cannot look to others in the government family for excuses or blame" can protect the nation's natural resources.

Preservation of the environment is the most urgent need in the country today. Bringing all activities connected with

this objective "under one roof" would help tremendously.

A good example of the other way, which has been only partially successful, has been to place the national forests under the Department of Agriculture, while the national parks are under the Department of Interior. Meanwhile, other departments are responsible for various aspects of mining, including strip mining with its heavy impact on the environment.

The head of the proposed centralized department of natural resources would be powerful certainly, but as Secretary Morton points out, this individual would be there to answer for mistakes and to come up with reasons, not excuses, for failures.



## Clark Mollenhoff

WASHINGTON—Republican attempts to obfuscate the White House role in the I.T.T. investigation are reminiscent of Johnson administration efforts to bring confusion into the handling of the Bobby Baker case. The fact that Baker has been granted a parole by the eight-member board of parole brings that case back in the news in a manner that makes relevant an examination of the political shenanigans used in attempts by the Johnson administration to sabotage the prosecution of the man who had been the protege of Lyndon Johnson

Most government officials are conscientious and able, but too often are frustrated by trivia touted by government public relations men. These public officials are among the unknown men to whom public service is a trust which cannot be compromised. Their dedication to the public trust is too seldom noted.

man of the National Aeronautics and Space Council.

In January, 1966, Bobby Baker was indicted on nine counts of income tax evasion, theft and conspiracy to defraud the United States government. Baker was hinting about writing a book telling the inside story on the role of many high political figures.

IN THE COURSE of the proceedings against Baker, the Justice Department team headed by Bittman came up against an array of coincidence which made it apparent that members of the highly placed circles in which Baker had moved were not eager for aggressive action against one who was threatening "tell all."

Two former Baker lawyers were nominated by President Johnson for key positions in the

## The Great Pyramids of modern



## Our readers' op

### "Too ready to condemn"

Are we as Americans so bankrupt that we can't devise a federally funded national rail passenger transportation system devoted to the public interest in all its aspects, a balanced system, free of inappropriate and bureaucratic influences?

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RAY W. FEN

(Perhaps "tj —Ed.)

It is but the first anniversary of Amtrak, the National Railroad Passenger Corporation, and already the big guns are primed to shoot it down. B. F. Biaggini, president of Southern Pacific Co., interviewed by U. S. News & World Report in January; several economic analysts of the New York Times; Brenton Wellington, transportation editor of Business Week, all have been very adept at citing statistics, costs, percentages that point to—after only one year of operation—the failure of Amtrak to show an immediate profit and to correct instantly 15 years of indifference and neglect.

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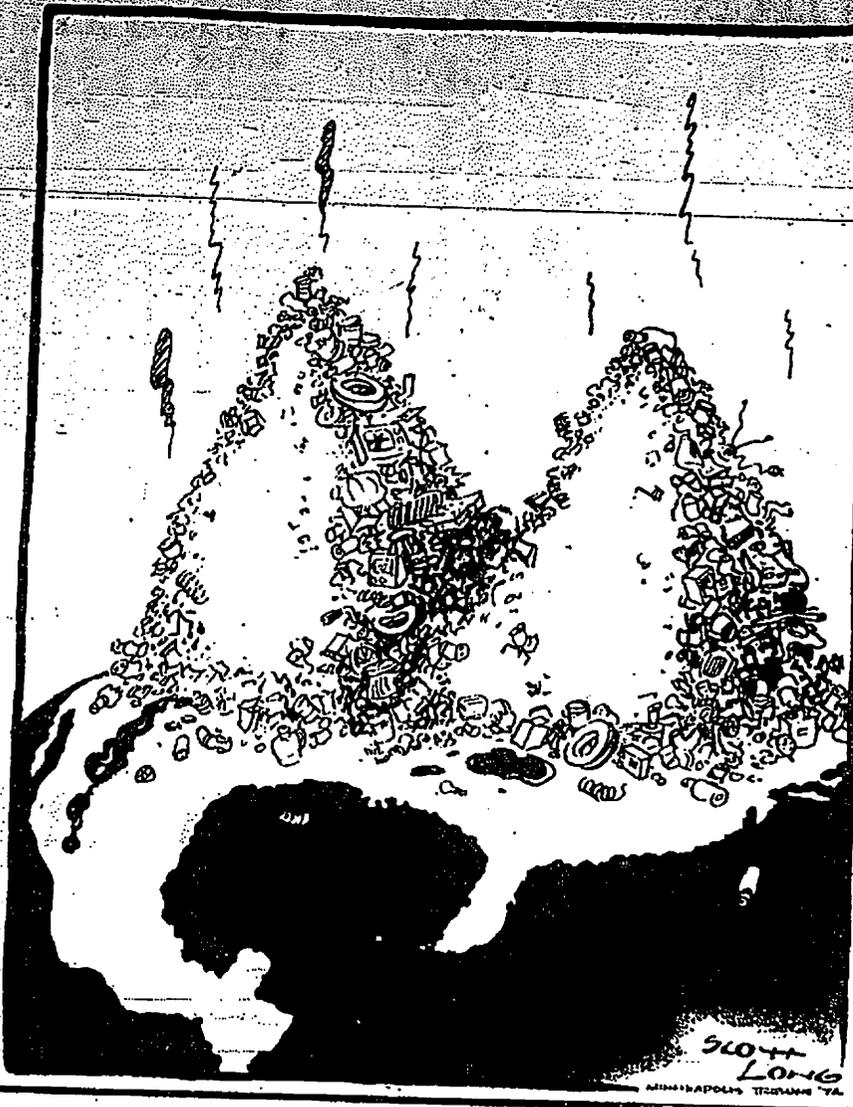
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GEORGE P. WELLCOME, 512 2nd Ave. N.

# The Great Pyramids of modern civilization



## Our readers' opinions

### 'Too ready to condemn'

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Let's see now—how long have we been involved in Vietnam? And at what cost?

guillotine" may have pleased your editorial writer's sense of figurative semantics . . . but it did a disservice to the professionalism and dedication of the Great Falls Police Department. The insinuation is undeserved!

RAY W. FENTON, 3431 5th Ave. S.

(Perhaps "tiptoeing" would have been better —Ed.)

### Sorry for mayor, aldermen

The editorial, "The 'big steal,'" tempted me to write this. Perhaps departments such as the library and park department are the ones that have been "stealing." For years, they have gotten a set number of mills, and as the city grew, so did the amount of their income, with revenue from new homes. However, they could use most of the same equipment as before.

In the case of the library, a new building was built under a separate bond issue, when we probably could have used a new jail more. Help was in the form of cheap, teen-age labor, probably with some government financial aid from different sources.

## James J. Kilpatrick

WASHINGTON—Oscar Wilde once defined a cynic as the man who knows the price of everything, and the value of nothing. The aphorism might well be turned around for today's overzealous environmentalist: He knows the value of everything but the price of nothing.

The day is swiftly approaching when the United States will have to begin to reconsider the effects of this ignorance. For the past six or eight years, the nation has been off on a head ecology kick. The movement surely has had great benefits: a vast deal of needless and avoidable pollution has been halted and the technology of pollution abatement, in every field has been galvanized.

" . . . the undoubted value of cleaner air must be reasonably balanced against such other values as economic stability and national security."

BUT WE HAVE YET to master the lesson that, while idealism is free, the implementation of idealism often is not. It bears a price. In the broad field of environmental improvement, that price is beginning to be exacted. Most Americans for all I know, may be willing to pay the price, but this is the point: We have been so breathlessly sold on the value of environmental improvement—the value of clean air and clear water, the value of cleaner highways and reduced noise level—that we have avoided sober thinking on the price that must be paid for these gains.

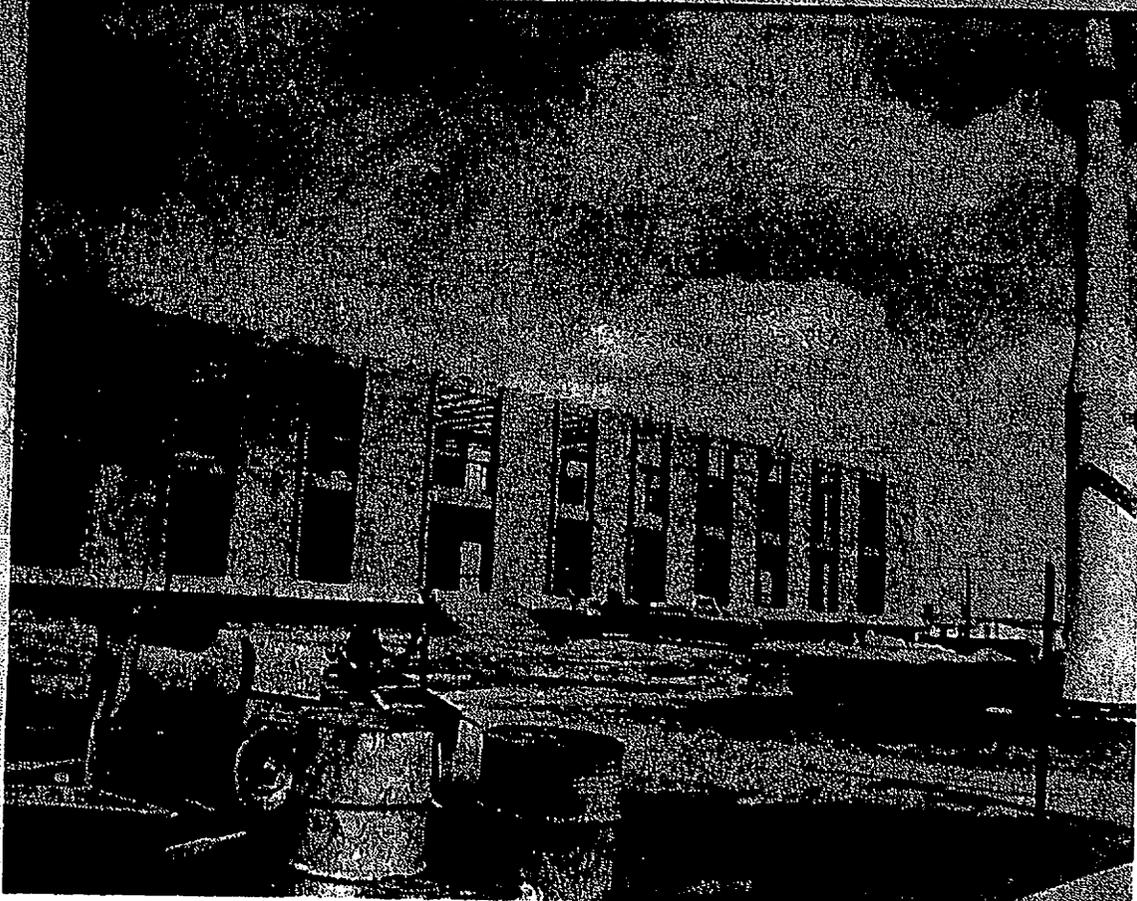
Days of reckoning are at hand. For a specific example, on might turn to the impact of the Clean Air Act of 1970. When the bill cleared Congress, everyone loved it; the vote was 374-1 in the House, 73-0 in the Senate. Most of the public's attention was concentrated on the act's requirements for automobile emissions. Little thought was given to the law's provisions for "stationary polluters." The laudable purpose was to clean up the air. Splendid!

AMONG THE MORE conspicuous stationary polluters are the nation's coal-burning factories and electric power plants. They were then purchasing several million tons of domestic coal having a high sulfur content; this coal, on combustion, produces tons of sulfur dioxide; and sulfur dioxide, in combination with moisture, produces sulfuric acid. Stationary polluters, in effect, were ordered to cut it out.

This was strong medicine; and as Carl E. Bagge has remarked like most strong medicines tried for the first time; the law has produced unforeseen national side effects. Bagge is president of the National Coal Association. As such, he is doubtless a biased witness, but his testimony last month to a Senate committee carried the hard wallop of fact.

A FEW YEARS prior to enactment of the law, Bagge said, 10 East Coast generating plants were using coal. That number has dropped to 27, as the plants have converted to use of residual fuel oil instead. In this same East Coast area, 90 per cent of this fuel oil is imported—most of it from the Caribbean, a small but increasing amount of it from the Middle East.

In recent months, such conversions have increased. In Chicago one power plant now is burning South American oil barged up the Mississippi. In New York City, the Consolidated Edison Company no longer is burning a single pound of coal. The Detroit Edison Company, after exploring the costly futility of installing gas-scrubbing units on coal-fueled generators, gave up in March and converted three plants to oil. Sulfur smog is dropping, and surely this is a value.



**MALMSTROM HEADQUARTERS** — Work has resumed after winter weather interrupted construction of a new headquarters building at Malmstrom Air Force Base. The \$750,000 building is to be completed in August. The two-story concrete-steel

structure will have a daylight basement and provide 12,400 square feet of floor space on each level. The building is located directly across the street from the present headquarters. A Minuteman missile model is seen at the right. (Staff Photo)

## Business Ordinance Council

A business licensing ordinance amended to increase the annual fees was passed Monday night by the City Council.

## Council C

It was a case of "no news is good news" so far as audience participation went at Monday evening's Great Falls City Council meeting.

After three weeks of overflow crowds, at times vociferous and inclined to take over the meeting, Monday saw just 90 spectators seat-

## Bank Suit Te Concluded in

After hearing witnesses for both sides, U.S. Dist. Judge Russell E. Smith Monday took under advisement a non-jury suit in which Merrel Cline of Grenora, N.D., asks \$71,537 from the First Westside National Bank of Great Falls for the bank's alleged failure to advance funds as allegedly promised for operation of Cline's plastics business.

Witnesses for Cline, who was represented by E. F. Gianotti, included Ed Kennik, Dale Brown, Charles W. Smerker and Clipe. Some depositions were admitted into the record. The plaintiff's presentation was completed at 11:45 a.m.

Witnesses for the bank, represented by George McCabe, included Patricia Krause, A. A. Gehrke and Robert F. Carlson. Three checks and several items of correspondence were admitted as defense exhibits.

Smith allowed both sides 10 days in which to file briefs concerning the case. Cline claimed he had a plastics manufacturing business on West Vaughn Road in 1966 and that he had a contract with Ditchmasters, Inc., to make plastic dams and headgates. Ditchmasters allegedly represented that all funds would be supplied by the bank and Cline said he went into debt for

## Delegates Speak to Kiwanis

# Two Say New Constitution More Amendable

One of the important provisions of the proposed Montana Constitution provides citizens the opportunity to amend it. Constitutional Convention delegate Margaret Warden told the Great Falls Kiwanis Club Monday.

In the old Constitution, Mrs. Warden reminded, a referendum for amendment had to be proposed by the legislature, and after the people voted on it, the governor could veto it.

The proposed document provides for a referendum to be held upon petition signed by five per cent of qualified electors in the state.

Asked about the Highway Revenue Non-diversion provision, Mrs. Warden said the Montana Highway Commission practically thumbed its nose at the Constitution Convention. Revenue and Finance Chairman Sterling Rigg three times asked the Highway Commission head

to appear before committee but each time had no reply.

"The Highway Commission spends almost half the state's entire budget and yet has no controls. This biennium its budget is about \$219 million. A study by Sen. William Bertsche in 1967 showed the Commission spent almost \$3 million in administration.

"So we made it responsible for enforcement of highway safety, driver education and administrative collection costs as well as construction and maintenance of highways, roads and bridges and tourist promotion, with a three-fifths vote of both bodies of the legislature re-

quired for any other revenue appropriation. We made it difficult to direct highway money for other than road purposes."

Delegate Robert Noble said the principal change made by the education committee on which he served was creation of the two boards. The committee listened to 175 citizens and more than 75 per cent favored this, he noted. Most convention delegates felt it would mean better service and better control of monies.

He pointed out there will be an effort to equalize school taxes throughout the state. The controversial aid-to-non-public

schools matter was left as it is, with provision the only such aid will be that from federal funds specially earmarked for non-public education.

Asked about the comparative cost of government under the proposed Constitution, Mrs. Warden said it would increase only slightly.

However, if sessions are held every year and up to 60 days, but not necessarily 60 days, with about the same number of legislators as now it would be more expensive. But a unicameral legislature even meeting every year would cost less, she said, because there would be one-third fewer legislators.

## Spinti Tells FGF

# Vo-Tech Needs Funds, Facilities

Vo-tech programs and prob-program is dovetailed into reinforce their own attitudes

## J. B. Peretti Dies at 65

# The unscheduled withdrawals



## Tom Wicker

NEW YORK—"No one knows," said the headline in the New York Times, "what he might do." And indeed, no one, including Secretary of State William Rogers, summoned home from Europe for a National Security Council meeting, could know what President Nixon might decide upon as an antidote in the current crisis in Vietnam.

The press had described admiringly the range of explosive options open to him; members of his administration had been hinting darkly of the terrible vengeance this unchecked Caesar might choose to wreak upon something abstract known only as "Hanoi" or "the enemy;" but the decision was Richard Nixon's.

And when Nixon in his majesty chose to speak to the American people Monday night about his intentions in Southeast Asia, it was an act of noblesse oblige as well as an exercise in self-justification. Nothing in the law required him to confide in a single citizen; and although it was true that he spoke only after three hours of consultation with his primary national security associates, it is well-known that these officials more nearly ratify than form presidential judgments.

'He was in that moment as true an emperor as ever existed'

Has it come to this, then, that it lies within the sole province of one man, unlimited by law or opinion, whether elected by landslide or hair's breadth, to decide without let or hindrance how the military power of the United States shall be used even in a situation his own policies have done much to create? Is that what the Constitution means, when it says that the President shall be commander-in-chief of the armed forces?"

As to the first question, there seems little doubt that the answer is "yes." Just last year, for instance, Congress passed an amendment to the military procurement authorization which declared it to be the policy of the United States to bring to an end "at the earliest practicable date" all military operations in Indochina, subject only to the release of all American prisoners of war.

WHAT WAS President Nixon's reply to that? Upon signing the measure on Nov. 17, he declared flatly that the amendment was "without binding force or effect and it does not reflect my judgment about the way in which the war should be brought to an end." It would not change his policies, he said, and in fact "legislative actions such as this hinder rather than assist in the search for a negotiated settlement."

Such high-handedness is not unique to Richard Nixon. The greatest of presidents, Abraham Lincoln, interpreted the presidential "war powers" so broadly that he repeatedly overrode both congressional wishes and military advice; and since his actions saved the Union, history generally accounts him strong and wise for having done so. But Lincoln was literally waging war for national survival, in a situation in which there was no precedent and which does not provide a precedent for anything that has followed—least of all a deliberate act of presidential policy such as Vietnam.

NIXON, IN CONTRAST, now relies almost exclusively upon the commander-in-chief's power to protect the lives of American soldiers as constitutional justification for whatever he might choose to do in Southeast Asia; yet, it is arguable that American soldiers are in jeopardy primarily because Nixon's own policies have kept them in Vietnam. So the mere act of putting troops into a place, or keeping them there, which is in itself a presidential decision, becomes the presidential justification for any other presidential action he may choose to take.

Nixon has not, for example, resorted to the use of nuclear weapons in Southeast Asia; fortunately, there is no sensible military rationale for doing so. Nevertheless the fact that the



## Richard Wilson

WASHINGTON—The role of the FBI in the general scheme of things in the nation has always been exaggerated. It is not a national police force. Its jurisdiction is circumscribed.

By far the greater responsibility for law and order resides in state, local and other federal agencies. The latter include the United States secret service, as well as numerous federal enforcement agencies operating in conjunction with the Justice Department's criminal division.

Of the \$2.3 billion budgeted for 1972-73 federal anti-crime programs, \$330 million or less than one-sixth go directly to the FBI.

These facts are recited in an effort to put into perspective a kind of hysteria which will soon evidence itself on how the post-Hoover FBI shall be run, who shall head it, and what its philosophy shall be.

In fact, the FBI is very exclusive, having in operation about 50 telephone taps in national security cases at any particular time on the scores of millions of phones in the country. In view of the politically-inspired violence and threats of violence in the era of dissent and the many bombings and depredations, a figure of 50 wiretaps (actually 36 in 1970) does not seem out of proportion.

INTERIM DIRECTOR GRAY has undertaken, as one of his first responsibilities, dispelling such distrust of the FBI as was based on hatred of Hoover. He tries to appear in the role of a reasonable and accessible official who will effect changes in style if not in substance, contrasting with Hoover's adamancy and remoteness.

This may be useful in the beginning, but in the end Gray will have to undertake, because he is required by law to do so, the type of inquiries which made Hoover so unpopular in radical in

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**'A mild manner and lowered profile may be valuable, now that it is no longer necessary to support the Hoover personality cult'**

The hysteria rises from one major source, those who imagine that the FBI is or will soon become a secret police used for political repression. This bugaboo is regularly paraded in Congress and the liberal community, which must now be astounded by the statement of Interim Director L. Patrick Gray that he has yet discovered no secret files or dossiers, a la the European secret police, on political figures and prominent Americans.

If Gray finds no such incriminating files in the future, he will have destroyed the cherished convictions of thousands of liberals and radicals that they are under constant surveillance. Their megalomania and status will have undergone a shattering deflation with the disclosure that the FBI did not even think it worthwhile to tap their telephones.

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This may be useful in the beginning, but in the end Gray will have to undertake, because he is required by law to do so, the type of inquiries which made Hoover so unpopular in radical intellectual circles. These inquiries extend to college campuses where dissent crosses the perilous boundary into overt action against the government, and to the ghettos where the creed of armed violence challenges established authority.

If Interim Director Gray receives reports of plots to blow up the capitol, or destroy its heating system, or to kidnap prominent federal officials, he will have to look into them, regardless of how juries have reacted to such charges in the past.

AND IF SUCH INQUIRIES result in renewed charges that the FBI is an agency of political repression, Gray will have to live with it, as did Hoover—having at the same time the general support of the vast majority.

A mild manner and lowered profile may be valuable, now that it is no longer necessary to support the Hoover personality cult. If Gray succeeds, he may become the permanent director of the FBI, although that would depend in a great extent on Nixon's re-election.

was no precedent and which does not provide a precedent for anything that has followed—least of all a deliberate act of presidential policy such as Vietnam.

NIXON, IN CONTRAST, now relies almost exclusively upon the commander-in-chief's power to protect the lives of American soldiers as constitutional justification for whatever he might choose to do in Southeast Asia; yet, it is arguable that American soldiers are in jeopardy primarily because Nixon's own policies have kept them in Vietnam. So the mere act of putting troops into a place, or keeping them there, which is itself a presidential decision, becomes the presidential justification for any other presidential action he may choose to take.

Nixon has not, for example, resorted to the use of nuclear weapons in Southeast Asia; fortunately, there is no sensible military rationale for doing so. Nevertheless, the fact that that was his choice; sensible or not, he COULD order nuclear warfare tomorrow and no man could stop him, unless a military chose to revolt—hardly a desirable alternative.

SINCE THE AUTHORS of the Constitution could not foresee the nuclear era, they could have had no intent to lavish upon the President that degree of power; indeed, almost every other line of the document they produced suggests the extent to which they mistrusted unchecked power, whether vested in an executive or in a people's assembly.

Richard Nixon need not be psychoanalyzed or even mistrusted in order to perceive that that mistrust was well founded; as he went on the air Monday night, it was terrifyingly true that no one knew what the President would do, that no immediate means of influencing his judgment was at hand, that no way existed to stop him from following some apocalyptic course. He was in that moment as true an emperor as ever existed and scarcely more accountable.

## Our readers' opinions

### Only 'Big Brother' need know

I heartily agree with the mayor of Great Falls when he says that he will allow only 100 persons to view the carryings-on of City Council meetings. After all, who do we think we are to want to know what goes on in these meetings.

I agree when he says that there is entirely too much harassment when the meeting is held in the Civic Center Auditorium. Shame on us! We all know it is impolite to make fun of dumb animals.

I really can't understand why citizens of Great Falls are interested in seeing something productive come out of these meetings. After all, fellow citizens, don't you realize that parliamentary procedure is more important than gainful results? We must be patient while they learn this process.

As citizens of a little dictatorship, we have no right to demand to be able to attend these meetings. Shame on you citizens who care what is happening in this city! After all, you only pay with your life's blood to see the administration well fed and to provide them transportation for whatever they desire in city vehicles.

Shame, shame on you for demanding to know where your tax dollar is spent! You have no right to know this 'Big Brother' is the only one

who has this right. After all, it may embarrass "HIM" to explain to his subjects.

I hope concerned citizens will take note of what I have said here and not take further advantage of our City Fathers.

HAROLD W. PICARD, 4605 Diana Drive

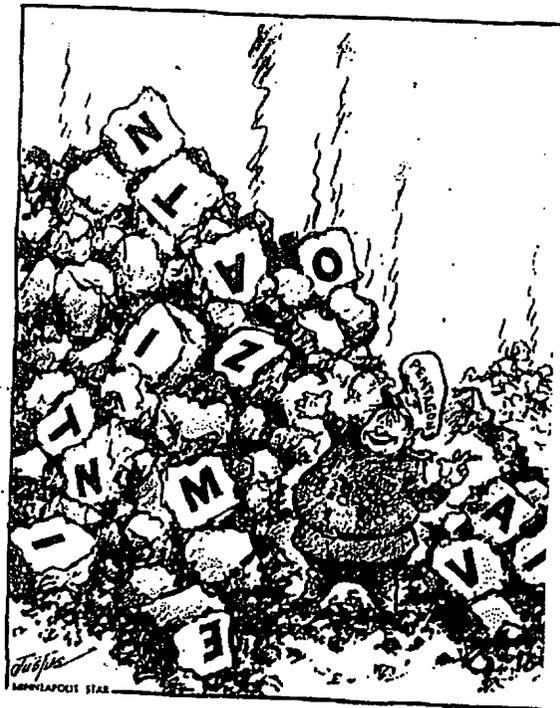
### Constitutional question

While explaining the provisions of the new Constitution to various groups and radio talk shows, the question has been raised to me 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 6.

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

ROBERT L. KELLEHER, Billings.



"Put it back together and you still have Vietnamization!"

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2. Express the editorial opinions of The Tribune only in the editorial column on this page.
3. Publish all sides of important controversial issues.

# Under Constitution's Local Government Article

# 'Flexible, Efficient' Rule for Cities, Counties

This is the 10th interpretation of a part of the proposed new constitution by University of Montana faculty members. See the samples of the UM Bureau of Government research.

By ROBERT EAGLE, Asst. Prof. of Political Science

Constitutional provisions for local government should further the basic objectives of the various units of government. These objectives include adequate services, efficient management, and responsiveness to the needs of the public. A key condition to achieve these objectives is the recruitment and continued service of qualified and competent personnel.

State constitutions allow local governments to do certain things, require them to do certain things, and prevent them from doing certain things. Within these limits, the structure and operations of local governments are defined by local legislation, by local finances and administration, and by voters.

County Government: Montana's present constitution describes the structure of county government in great detail. These provisions have been criticized as putting unnecessary limits on the ability of counties to revise their government in response to changing needs. But persons who have made service in county government their life's work value the job security that these provisions afford.

The great diversity among Montana's counties — some owning, some declining in population; some populous, others with few people — suggests that the possibility of change in county government structure is desirable as the needs of particular counties change. The local government article of the draft constitution affords some flexibility. The additional commissioner from law in use is specifically retained as one option. The legislature can provide for any number of other options. (The

draft constitution does not mention the county manager form of government now in use in Petroleum County. The legislature could continue this form as an option.)

Counties are currently more restricted in their powers than cities are. The draft constitution allows (but does not require) the legislature to grant counties legislative powers.

City Government: Cities and towns received little consideration in the 1889 Montana Constitution. 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 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 has authorized three forms — mayor-council (aldermanic), commission-manager, and commission. 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.

Charters and Local Self Government Powers: The draft constitution provides some new options to cities and counties for local charters and for self government powers. The term "local government" in the draft constitution refers to counties, incorporated cities and towns, and to other local government units which may be established by law. The charter provisions and local self government powers can be extended to all "local government units" as thus defined.

The local charter provisions of the draft constitution 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 by state legislation. 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 and counties could remain within one of the optional forms prescribed by the legislature. Some observers doubt whether smaller local units should have charter powers.

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 but allow the state legislature to place limits on local debt, thus providing a statewide check that would be easier to revise for changed conditions than the current constitutional limitation.

Powers to be Liberally Constructed: If local governments do not choose to adopt charters, there is still a possibility that they will be able to exercise more authority than presently. Relating to local governments that have not undertaken self-government powers, the proposed constitution states that "the powers of incorporated cities and towns and counties shall be liberally construed." This provision is intended to modify judicial application of Dillon's Rule with regard to cities and to relieve restrictive interpretation of Constitutional provisions affecting counties. No major shift in the relations between the state and localities is intended. It is intended that courts shall give the benefit of the doubt to authority of units of local government in "gray areas."

Consolidation: Some Montana cities or counties may wish to obtain greater efficiency of operations by consolidation of cities, of city and county, or of counties. Such consolidation is possible under the present Montana constitution, and this possibility is retained in the draft constitution. The new

provision would allow consolidation by a majority of voters where the present requirement is a majority of all electors registered. The draft constitution includes a new provision which makes it possible for two or more local government units to share the services of any officer or facilities unless such sharing is prohibited by law or charter.

Local Initiative and Referendum: The present Montana constitution does not provide for initiative, referendum, or recall procedures at the local level. The draft constitution requires the legislature to provide for local initiative and referendum, but it does not mention recall of officials.

Other Local Government Units: Special districts, an increasingly important form of local government in Montana, are not specifically mentioned in the draft constitution. However, there are provisions for "other local government units." Such units have powers provided by law under the draft constitution, and the local charter and self-government options could be made available to any of these other units of local government. The legislature would provide procedures as for cities and counties, and voter approval would be required.

Review of Local Government Structure: If the proposed constitution is adopted, each local government will be required to conduct a review of its governmental structure within four years. This review would place an alternative to the present structure before the voters for their acceptance or rejection. The draft constitution does not specify how this "alternative" must differ from the present structure. Minor alterations as well as major changes presumably would qualify.

This review proposal strikes a middle ground between requiring change for local government structures and merely permitting options which the legislature might authorize. Each locality would be required to ask itself whether present arrangements are satisfactory. With this prod from the constitution, some local governments

are apt to see some improvements they would like to make.

After this first review, another would be required very 10 years. The subsequent reviews need not place an alternative on the ballot.

Summary: The draft constitution would remove several restrictions on local governments and give more discretion both to the legislature and to local governments if they choose to exercise it. Given the diversity of Montana communities and the substantial changes reasonably expected in coming decades, such flexibility seems advisable. Nothing proposed would prevent the

voters protect efficient local government flexibility proposed

(Next page) EXCISE TAXES: New, Gas, Health, Good, Alien, 2nd St.

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WASHINGTON (AP) — The flood control projects in western Montana, including a \$67,000 project at Kalispell, are being financed by the Army Corps of Engineers. —Repairing creek banks at Kalispell County Bridge on Morrell

# Local Government Article

# Efficient' Rule for Cities, Counties

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voters at the local level from protecting their interests. More efficiency could be achieved in local government by the kind of flexibility embodied in the proposed article on local government.

(Next: Education)

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