

# Judges hear reapportionment debate

CHEYENNE, Wyo. (AP) — Debate over circumstances surrounding the disparities in representation created by Wyoming's 1971 reapportionment act marked oral arguments Friday before a panel of three federal judges in Cheyenne.

The panel took the constitutional challenge filed by 10 persons, including seven incumbent state legislators, under advisement and adjourned to meet in private with attorneys for both sides.

The judges gave no indication when a decision would be handed down, although there is a deadline of sorts since filing for the legislative districts now in effect begins May 31.

Hearing arguments were John Pickett, senior circuit court judge, and U.S. District Judge Ewing Kerr, both of Cheyenne, and U.S. District Court Judge George Templar of Topeka, Kan. Both Kerr and Pickett sat on the panel which reapportioned the Wyoming Senate in 1965.

The attorney for the plaintiffs, State Rep. Harold Meier of Lander, said the question to be decided is whether the deviation in representation among the various districts is so great as to constitute "invidious discrimination" and whether there is adequate justification for the variances.

Atty. Gen. Clarence Brimmer, on the other hand, argued that Wyoming constitutes a unique situation and what might not be permissible in another state would be permissible in Wyoming.

He said that the 1971 law is the best that can be drawn up given the circumstances of attempting to comply with county lines and that it shows only minor differences from the reapportionment drawn up by the federal panel in 1965 which was affirmed by the U.S. Supreme Court.

Assistant Atty. Gen. Don Painter, arguing in favor of the 1971 plan, noted that the state had dropped its arguments that the court lacked jurisdiction and that there is no claim on

which related to the 1971 law. He also said that the plaintiffs are the state itself, the 1971 reapportionment, and anything to be with racial, ethnic or ethnic considerations.

Painter contended that the deviations balance out to some degree because a county which is overrepresented in one House is underrepresented in the other. Meier claimed the representation in 15 of the 23 counties varies more than 10 per cent from the average.

But Painter said the plaintiffs

also "nothing more than a faint hope that the legislature will improve" on the 1971 act. Brimmer also argued that the 1971 plan allowed disparities greater than those included in the plan now under challenge. And he claimed the 1971 plan is "as workable a plan as we can suggest."

Brimmer said under the circumstances which must be considered in a sparsely populated state like Wyoming, these variances are unavoidable.

He said the 1970 legislature "did attempt" to change the law and the judges should not have a mandate for reconsideration of an apportionment plan which died in the 1971 legislative session.

That plan had been backed by several of the plaintiffs in the pending suit.

The 1971 plan added one member to the 41-member House and left the Senate at 30 members while juggling some district lines and representative seats among the counties.



## City seized

South Vietnamese marines make their way through the rubble-strewn streets of Dong Ha, 10 miles south of the DMZ. In a tank-led thrust Friday the North Vietnamese

captured the town, which had been part of the South Vietnamese defense line below the DMZ.

## Reber quits state race

HELENA (AP) — Joe Reber, who filed Thursday for the Democratic nomination as lieutenant governor resigned from the race Friday citing business reasons.

Secretary of State Frank Murray said the \$15 filing fee would not be refunded. Reber, of Helena, a hotel owner and plumbing contractor, served in the State Senate in the 1969 session and was later a member of the Montana Water Resources Board.

The Democrats now have House Minority Leader Bill Christiansen, Hardin, and painting contractor Edward Warren, Great Falls, in the race for the number two state office.

## News in brief

HELENA (AP) — A \$30,000 grant for research on the role of the Idaho bathtub in the structural evolution of north-west Montana has been made to the University of Montana.

Sens. Mike Mansfield and Lee Metcalf, both D-Mont., said in a release from Washington that the grant was made by the National Science Foundation.

HELENA (AP) — The Bureau of Reclamation of the Department of the Interior has made a \$20,000 research grant to Montana State University, Rep. Dick Shoup, R-Mont., said Friday.

Shoup said the funds would be used for conducting research

and testing the applicability of existing computer models for cloud growth and seedability in the state of Montana.

BUTTE (AP) — A Denver man, B. W. Roberts, has been named exploration manager of the Montana Power Co. and its subsidiary, Canadian-Montana Gas Co. Ltd.

J.E. Corette, chairman and chief executive of the utility, said Roberts has assumed his duties with headquarters in Billings.

Roberts is a veteran of 20 years of experience in natural gas and oil geological and exploration activities in the west and southwest.

## Two-year-old mystery becomes 'case closed'

CHEYENNE (AP) — It had been more than two years that an unsolved murder case lay in the Laramie County sheriff's office files.

The only known fact was that a woman's battered body was found Feb. 8, 1970 in a roadside ditch 18 miles east of Laramie.

And then, within the past two weeks, identification of the body was made and a suspect determined, culminating Friday in the arrest of a Minnesota man on a first degree murder charge. Laramie County Atty. Thomas J. Carroll said the charge was filed against George Costello from the St. Paul suburb of Forest Lake, Minn.

The charge was sent to Minnesota by the Cheyenne authorities Friday and later in the day Costello, about 33, was taken into custody by the Ramsey County (St. Paul) sheriff's office in Minnesota.

The charge was lodged in connection with the death of 33-year-old Eunice Kratochvil of White Bear Lake, Minn.

## Indian youth conference set

MISSOULA — The fourth annual Kiy-Yo Indian Youth Conference will be held May 4, 5 and 6 at the University of Montana.

The conference is cosponsored by the University and the UM Kiy-Yo Indian Club.

The conference will consist of five panels, five guest speakers, a banquet, concert, art show, cultural exhibits, queen contest, pow wow, parade, and rock dance. Campus events will be in the University Center Ballroom.

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Costello was described as a State Corrections Department worker employed at the Lino Lakes Reception and Diagnostic Center.

Mrs. Kratochvil was a counselor at the same facility.

The woman was unidentified until this month when Sheriff

## Slaying suspect is arraigned

PORTLAND, Ore. (AP) — A 38-year-old transient was arraigned Thursday in the death of a Portland tavern owner.

Melvin Leroy Weeks is accused in the stabbing of Forrest Mast Sweet, 48, a former Butte, Mont., resident.

## ATTENTION!! All Teamster A.G.C. Employees (Heavy and Highway Construction)

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## North Dakota voters oppose constitution

FARGO, N.D. (AP) — North Dakota voters rejected Friday a proposed new state constitution that was written in convention earlier this year to replace the charter approved at statehood in 1889.

Unofficial returns with 1,034 of the state's 1,832 precincts reporting, showed 60,300 votes against adoption of the new constitution and 38,287 votes favoring it.

There were four alternate proposals on the ballot with the constitution question, two of which appeared to have gained favor from the voters, but died with the defeat of the main proposal.

The proposal defeated by the largest margin was one that would have changed the legislature from a two-house body to

a unicameral chamber. The vote against a single-house legislature was more than two-to-one.

Voters also overwhelmingly rejected a proposal that would have given 18-year-olds adulthood.

Proposals approved, singly, but killed with the constitution, included one repealing the ban on lotteries and another setting new restrictions on the number of signatures necessary to in-

## Jury favors defendant

CUT BANK (AP) — A Cut Bank jury took only five hours Thursday to reach a decision in favor of Albert Uthoff, defendant in a suit asking more than \$1 million as a result of a 1970 traffic accident.

The suit was filed on behalf of the widow of Richard Halsey and her three children.

Halsey, of Libby, died March 30 in a Spokane hospital. The plaintiff blamed the 1970 accident on his death.

initiate or refer a law. The constitutional document came under fire from organized labor because of a section affirming the state's so-called right-to-work law, but most other major organizations went on record in favor of the new charter.

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## Great Falls battles fire

GREAT FALLS (AP) — Four fire departments were battling flames at the Western Grain Terminal Association building on the western outskirts of Great Falls late Friday.

Cascade County authorities said the fire was first reported at 11:23 p.m. There were no immediate reports of any injuries or the extent of damage.

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## 200 unusual vehicles will be auctioned off

PHILADELPHIA (AP) — Would you like to buy a 1904 Ford Model T for \$8,000 or a 1932 Duesenberg roadster for, say, \$80,000? Or what would

you pay for the 1940 Cadillac used by Marlon Brando in "The Godfather"?

Antique car buffs with rich tastes and big bankrolls, and

collectors with an eye to investment, will be seeking the buys of a lifetime at the one of the largest auctions of its kind ever held in America.

More than 200 unusual vehicles valued at \$1.5 million—the oldest an 1880 horse-drawn mahogany and oak hearse—go on the block Saturday on the campus of suburban Cabrini College.

"It's an infatuation," says Kirk F. White, running his second auction. Last year he sold 83 vehicles for \$489,270.

In the pile of well-oiled machinery, some beautifully restored and others beaten and battered, are 10 Rolls-Royces, 11 Mercedes, 21 pre-World War II Fords of T and A vintage, 9 Packards, 9 Cadillacs, 9 Porsches, 8 Chryslers, 7 Chevrolts, a dozen MGs, a half-dozen Bentleys and Jaguars, and a couple of Hispano-Suizas and Daimlers.

Plus: a Renault tank, a double-decker London bus, a motorcycle with stainless steel fenders, a Caddy built for an Arab sheik with the roof raised five inches to accommodate the turban and a horn that plays "Bridge on the River Kwai," and a 1947 Crosby.

## Montana given \$16.8 million

WASHINGTON (AP) — Following are estimated allocations of federal revenues to states and major local governments as provided by the legislation the House is scheduled to consider next month.

The bill was developed by the House Ways and Means Committee as a substitute for President Nixon's general revenue sharing proposal and has been approved by the administration.

Allocation estimates have been made only for the first year of the five-year program. Total first-year allocations to states, \$1.8 billion; to local governments \$5.5 billion.

Montana State share, \$6.9 million; local share, \$3.9 million. Allocations to major cities and the counties they are in: Great River, \$13,529; Sweetwater County, \$146,941; Riverton, \$25,849; Fremont County, \$220,522; Sheridan, \$71,287; Blaine County, \$138,888.