

Good Morning TOP of the NEWS

FAIR AND WARMER. Fair skies today and tomorrow are expected to bring a slow warming trend with highs of 65-68.

Temperatures ranged from 67 to 35. Details on Page 4A.

GERMANS, FRENCH. Ten years after the German and French sign a friendship treaty, the leaders get together in an atmosphere of great amiability despite their long history of animosity. Page 11A.

BLACK MUSLIMS BLAMED. The leader of the Hanafi Muslims blames Black Muslims for the slaying of seven of his followers and, vice versa, declares war. Page 12A.

GM CAR RECALL. General Motors has recalled 17 million of its 1971 and 1972 cars, including full-sized Chevrolets, Pontiacs, Buicks and Oldsmobiles. A gravel shield must be installed on the bottom of the cars. Page 18A.

WATERGATE TRIAL. A man who listened to Democratic Headquarters conversations via a wiretap tells the judge he thought it was legal because his orders came from the security chief of the re-election committee. Page 18A.

MUSLIM GUNMEN. Three of four defendants in the weekend shooting in New York City in which one policeman was slain are being held without bail. A police spokesman says this is a "test case" and urges electrocution. Page 18.

PROTEST BY ASSESSORS. County assessors throughout the state are to mail letters to the state in protest of the new computerized method of determining residential market values. Page 7A.

NATURAL GAS CURBS. A 90-day moratorium on extension of new natural gas lines in Arizona homes and businesses is rejected by the Arizona Corporation Commission. Page 4A.

DEATH PENALTY. Two defense attorneys in the state claim that capital punishment is cruel and unusual punishment and that existing capital laws are unconstitutionally vague and unconstitutionally applied. Page 18.

NO-FAULT CLAIMS HURDLE. No-fault auto insurance for Arizona, including the proposed constitutional amendment that would radically change payment benefits in victims of auto crashes, is approved by the House Commerce and Industry Committee. Page 12A.

PROBATION BILL. Two House committees recommend passage of a proposal to revise the state's laws on handling inmates. Page 18.

PROPERTY TAXES. The City of Tucson can eliminate its property tax — rather than just lower it — says First City's treasurer. Tucson Mayor Leo Murphy had proposed a 30-cent reduction. Page 18.

JUVENILE ORIENTATION. The Pima County Juvenile Court Center continues its intensive overhaul of the county's youth detention system. Among its suggestions is that no more local youths be sent to Fort Grant. Page 18.

TRANSIT SYSTEM. Auto-free transportation systems are being studied by the city and would be intended to make the downtown area "vibrant" and "exciting." Third of a four-part series. Page 18.

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Jetliner Toll Put At 80

KANO, Nigeria (AP) — A chartered jetliner carrying 200 Moslems home from a pilgrimage to Mecca crashed and burned on the runway of Kano's airport Monday while coming in for a landing in a fog. Officials said they fear 180 persons perished.

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HE IS FATALLY BRUISED Found On Floor Of Ranch Home



Lyndon B. Johnson 1908-1973

SAN ANTONIO, Tex. (AP) — Lyndon Baines Johnson, whose presidency in the turbulent 1960s launched the nation on a course of sweeping domestic reform but fundered on the war in Vietnam, died Monday.

The 64-year-old Texan, who had a history of heart trouble dating back to 1960, was taken ill at his ranch in Johnson City, Tex., and was rushed to Brooke Army Medical Center here, an aide said.

He was pronounced dead at 5:43 p.m. (EST) at San Antonio International Airport by a Johnson City physician identified as Dr. David J. Abbott.

President Johnson's cardiologist, Dr. George McGarranhan, said the cause of the death appeared to be coronary thrombosis.

An autopsy was performed at Brooke General Hospital by Col. L. R. Blymer, chief of pathology at Brooke. The autopsy showed that Johnson had severe coronary artery disease with complete occlusion of two of three major arterial supplies to the heart.

The third major artery was about 60 percent occluded. Complete results of the autopsy will await further evaluation.

Press aide Tom Johnson also announced that the former president will lie in state at the LBJ Library from 1 p.m. (EST) today until 8 a.m. Wednesday.

A full hour guard of the U.S. armed forces will be present. Various members of Johnson's former staff will be at his side at the library, as they were during his years in public life, said Tom Johnson.

No other funeral arrangements were announced.

A spokesman for the family said the former president was found lying on his back on the floor of his bedroom by two Secret Service agents assigned to him. He said the agents were in the Secret Service quarters about 100 yards from the ranch house.

Johnson, the 36th president, was the nation's only living former president, his death coming less than a month after that of Harry S. Truman.

President Nixon called Johnson "a dynamic leader, a unique personality and a man of great ability and unshakable courage."

He added: "It is particularly heartbreaking that even so our flags fly at half staff in President Truman's memory, another of our nation's heroes, who lived at the same time as Johnson."

The Johnson spokesman, Tom Johnson, — no relation — quoted Johnson's wife, Lady Bird, as saying after her husband's death: "His health seemed no different than it had been recently. He seemed a bit quieter but was in good spirits."

Johnson was quoted as saying she cooked breakfast for her husband Monday morning as she had for the past three days while the house attendant was vacationing.

Tom Johnson said at a news conference that the former president — who usually took a nap after lunch — called the ranch switchboard at 4:50 p.m. (EST) and asked that an agent be sent to his bedroom.

Agents Ed Noland and Harry Harris arrived with a portable resuscitator two minutes later. "They found Johnson lying on his back on the floor next to his bed," Tom Johnson said. "It seemed it appeared he was dead."

Noland applied mouth-to-mouth resuscitation. Johnson was dead, said Col. George McGarranhan, a Brook Army cardiologist who took over as Johnson's personal physician last July, was notified.

At 4:54 p.m. (EST) Secret Service agent Mike Howard, whom Johnson originally had called for, arrived at the former president's bedroom and applied external heart massage. Moments later, Johnson was placed in a plane and flown to San Antonio, Tom Johnson said.

The three agents, Dr. Abbott, pilot Barney Hewitt and Mrs. Dave Malachuk, wife of the former president, were aboard the plane, Tom Johnson said.

McGarranhan arrived at the San Antonio airport shortly after the plane bearing Johnson and confirmed the death.

Mrs. Johnson was reached by radio telephone in a car one block from the LBJ Library at Austin and flew by helicopter to Brooke. A hospital spokesman said Mrs. Johnson left Brooke at about 6 p.m. (EST) today.

Johnson made his last major public appearance Jan. 16 in the inauguration of Gov.olph Briscoe in Austin.

Kissinger In 'Final' Session

PARIS (AP) — Henry A. Kissinger arrived Monday night for what may be his final negotiating session with Hanoi's Le Duc Tho on a Vietnam cease-fire agreement.

The U.S. presidential adviser made no statement after his flight from Andrews Air Force Base, Washington, and went directly to a meeting with Foreign Minister Tran Van Lam of South Vietnam.

In Washington, Secretary of Defense Melvin R. Laird hinted to newsmen that a cease-fire agreement would be finalized Wednesday.

And White House spokesmen, responding to questions, said they did not believe the death of former President Lyndon B. Johnson Monday night would delay Kissinger's Vietnam talks.

A spokesman said the meeting "has to proceed." American officials said Kissinger would confer with Lam again Tuesday morning prior to his final session with Tho in the International Conference Center near the Arc de Triomphe.

The center was the site of the four-year-old peace talks which were suspended indefinitely on Jan. 18.

Kissinger's current trip to Paris is his 16th mission in search of peace in Vietnam. He and Tho have met 21 times for a total of more than 50 hours since Kissinger indicated on Oct. 26 that "peace is at hand."

Their last meeting, on Jan. 12, concluded their most intensive week of secret bargaining, when they were said to have established the broad outlines of a accord.

Tuesday's talks at the conference center — the old Majestic hotel building — will be the first meeting of the two negotiators on neutral ground. Previous sessions have been held at sites provided by one side or the other.

After dedicating a Postcard courier to the memory of an Air Force general, Laird was asked by reporters for information on the return of prisoners of war.

"We've told you all that we can until last Wednesday," Laird replied.

It was perhaps the furthest clue yet that Kissinger is to meet Tho for the first time since the start of the Paris negotiations.

The same day also was cited as the initialing date of Communist high-command documents reported captured in South Vietnam Sunday.

Kissinger smiled and waved at newsmen standing in the rain as he boarded the blue, silver and white jet from the presidential fleet at Longmeadow after conferring for an hour with Nixon. He made no departure statement, and the White House continued its steadfast refusal to discuss any aspect of the Vietnam situation.

Even as Kissinger was flying across the Atlantic, critics from both sides continued their technical talks in Paris, presumably working out language of the final second proclaiming a cease-fire, arranging for the exchange of war prisoners and setting up machinery to renege the South Vietnamese government.

White House Press Secretary Ronald L. Ziegler said newsmen he could not at this time discuss the process to be followed in concluding any peace agreement but said "you will have appropriate notice of the procedure."

In Saigon, South Vietnamese officials reported that a captured Communist high-command document disclosed North Vietnamese and Viet Cong troops that an agreement would be initiated in Paris at 8 a.m. Wednesday.

The undated document, the sources said, stated that the agreement would be formally continued on Page 6A, Col. 7.

States Overruled On Abortion Laws

BY WARREN WEAVER JR. 600 New York Times News Service

WASHINGTON — The Supreme Court overruled Monday all state laws that prohibit or restrict a woman's right to obtain an abortion during her first three months of pregnancy. The vote was 7 to 2.

In a historic resolution of a fiercely contested issue, the court drafted an entirely new set of national guidelines that will result in heavily liberalized anti-abortion laws in some 48 states but not legalize the procedure anywhere.

Establishing a detailed timetable for the relative legal rights of pregnant women and the states that would control their acts, the majority specified that:

—For the first three months of pregnancy the decision to have an abortion lies with the woman and her doctor, and the state's interest in her welfare is not "compelling" enough to warrant any interference.

—For the last 10 weeks of pregnancy, the period during which the fetus is judged to be capable of surviving if born, any state may, if it wishes, prohibit abortion, except where they may be necessary to preserve the life or health of the mother.

The ruling will not affect existing laws in New York, Alaska, Hawaii and Washington, where abortions are now legally available in the early months of pregnancy.

But elsewhere in the nation, it will require rewriting of statutes. The state Texas decided by the court Monday will invalidate strict anti-abortion laws in 21 states; a second decision involving Georgia will require considerable rewriting of more liberal statutes in 15 others.

Associate Justice Harry A. Blackmun wrote the majority opinion in which Chief Justice Warren E. Burger and Associate Justices William O. Douglas, William J. Brennan, Jr., Potter Stewart, Theodore Marshall and Lewis F. Powell Jr. joined.

Dissenting were Associate Justices Byron R. White and William H. Rehnquist. Calling the decision "an exercise of raw judicial power," White wrote that "the court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life which she carries."

The majority rejected the idea, pressed by opponents of liberalized abortion including the Roman Catholic Church, that a fetus becomes a "person" upon conception and is thus entitled to the same present and equal protection guarantee of the Constitution.

Blackmun concluded that "the word 'person'" as used in the 14th Amendment, does not include the fetus.

... although states may acquire, "at some point in time" of pregnancy an interest in the "potential human life" that the fetus represents, to permit regulation.

It is that interest, the court said, that permits states to prohibit abortion during the last 10 weeks of pregnancy, after the fetus has developed the capacity to survive.

In its decision on the challenge to the Georgia abortion law, the high court majority struck down several requirements that a woman seeking to terminate her pregnancy at that state would have to meet.

Among them were a flat prohibition on abortions for out-of-state residents and requirements that hospitals be accredited by a private agency, that applicants be screened by a hospital committee and that two independent doctors certify the potential danger to the applicant's health.

The Georgia law permitted abortions when a doctor found in "his best clinical judgment" that continued pregnancy would threaten the woman's or health, that the fetus would be likely to be born defective or the pregnancy was the result of rape.

The Supreme Court majority, with Blackmun writing the opinion again, emphasized that this medical judgment should cover all relevant factors: "physical, emotional, psychological, familial and the woman's age."

In some of the 11 states with laws similar to Georgia's, doctors have tended to take a relatively narrow view of what constituted a woman's health in deciding whether an abortion was legally justified.

The Texas law that the court invalidated entirely was typical of the criminal statutes prohibiting all abortions except those to save a mother's life. The Georgia law, approved in 1972 and altered by the court Monday, was patterned after the model penal code of the American Law Institute.

In the Texas case, Blackmun wrote that the (Continued on Page 6A, Col. 7)

Foreman Takes Frazier Crown

KINGSTON, Jamaica (AP) — In one of the great upsets in boxing history, George Foreman knocked and champion Joe Frazier in the second round of their scheduled 15-round heavyweight championship.

Foreman, a 21-1 underdog, took charge immediately and decked Frazier six times in the two rounds.

Referee Arthur Mercante signaled the end of the fight with 1:30 remaining in the second round.

(Fight details, Page 12.)

State Court Labels Pot A 'Narcotic'

PHOENIX (AP) — The state Supreme Court ruled Monday that Arizona's drug problem justifies classifying marijuana as a "narcotic drug" with tough penalties upon conviction.

(The National Commission on Marijuana and Drug Abuse reported in 1972 that "marijuana is not a narcotic... and should not be classified as such.")

A Coconino County Superior Court judge sentenced Leo Anthony Washworth to five years in prison for furnishing marijuana. Washworth's attorney appealed the conviction, saying it was too harsh for the crime.

But the Supreme Court differed, also saying that the mandatory three-year prison term in Arizona for the offense is valid.

Justice James Duke Cameron wrote the unanimous Supreme Court opinion, which pointed out that the use of marijuana in Arizona "is widespread" and harsh penalties may "discourage its continued use."

"These are facts which our state Legislature may have considered in justification for retaining marijuana under the Narcotic Drug Act with its resulting more severe penalties," he added.