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The Arizona Daily Star

FINAL Edition

VOL. 130 NO. 26 TUCSON, ARIZONA, TUESDAY, JANUARY 26, 1971 FIFTY PAGES

Good Morning TOP of the NEWS

GENERALLY FAIR. The weatherman predicts generally fair weather conditions today, with slightly warmer afternoon temperatures and a near-zero chance of rainfall. The high for today should be near 70 with the morning low near 40. Yesterday's high was 67 and the low was 36.

A new storm sent temperatures plunging across the northern Plains Monday and strong winds raked the central Plains from the Rockies to the Mississippi River Valley. Details on Page 10A.

Global

OIL TALKS PROGRESS. A new formula that might satisfy the demands of the world's oil companies over global price agreements is taking shape in Iran. But negotiations are far from over. Page 15A.

BIRTH CONTROL. The Vatican begins a new campaign against governmental support of artificial contraception, and labels the United States as "the leader of the ranks of promoters of a worldwide birth control policy." The Vatican is urging more research to perfect the church-approved "rhythm method." Page 7A.

National

STUDENT PEACE TREATY. The National Student Assn. plans to ask all Americans to endorse the group's "People's Peace Treaty" which was negotiated with North and South Vietnamese students. Page 5A.

PESSIMISTIC BANKER. The chief economist of Chase Manhattan Bank of New York expects slow growth, high unemployment and continued inflation for the U.S. in 1971. He expects a decline in unemployment and inflation in 1972. Page 11A.

Arizona

SENTENCED TO DEATH. Two teenage Negroes accuse the court of racial prejudice after hearing a Maricopa County Superior Court judge announce sentences of death in the gas chamber for their roles in the slaying of a 17-year-old grocery store clerk during a robbery. Page 10A.

MO UDALL SURVEY. The Second District congressman reports that in a poll answered by 32,000 of his constituents, 26,000 favor getting out of the Vietnam war in one way or another. A vast majority also favors admitting Red China to the U.N. Page 1B.

Local

BEAUTY NO FORTUNE. A pretty young actress visiting Tucson finds that her beautiful face is not her fortune. Producers believe anyone who is that good-looking is incapable of handling emotion-packed roles the female star of "The Cross and The Switchblade" is seeking, she says. Page 11A.

RARE CARVING. The Metropolitan Museum in New York City has returned the Tucson Art Center's pre-Columbian stone carving which has been part of a "Before Cortes" exhibit at the Metropolitan since Sept. 30. Page 15A.

Index

Bridge	6B	Horoscope	10A
Comics	16-17B	Mostly Hers	13-14A
Crossword	6B	Movies	6B
Editorial	18B	Pub. Rec.	15A
Financial	7-8B	Sports	2-5B
Good Health	9A	TV-Radio	17B

Anti-Loitering Measure Passed By City Council

By Al. BRADSHAW Jr.
Star Staff Writer

An anti-loitering law was passed last night by the Tucson City Council after more than two hours of usually orderly discussion.

The ordinance will assist police officers in preventing disturbances such as those that occurred in recent days near the University of Arizona, in the opinion of Police Chief William J. Gilkinson.

About 150 persons filled the city council chambers at City Hall to hear and participate in the debate of the ordinance.

Mayor James N. Corbett and the council heard comments from 31 persons, seven of them favoring the law and 20 opposing it. Four persons urged the council to give the issue further study.

The Arizona branch of the American Civil Liberties Union presented a statement against the ordinance, saying it is too broad and unconstitutional.

City Atty. Lewis Murphy said the bill is patterned after a California law that has been upheld by the California Supreme Court. He said the U.S. Supreme Court has refused to review that law.

Councilman Robert Royal, an attorney, questioned the constitutionality of some points of the ordinance and said he hopes to see an early test case of it.

Mayor Corbett, before casting his vote, said that for "the health, welfare and safety of this community, this ordinance is a necessity. The most difficult job in America today is to be a member of a law enforcement agency."

Two residents told the council that unless they were given protection from street disorders under such legislation they would move from Tucson.

Several young people said they feel the ordinance is unfairly pointed at so-called street people. They said they think that under this

★ Grand Jury Probes Disorders. Page 1B.

law anybody could be arrested for simply walking on a street if an officer decided to arrest that person.

The ordinance will make a person guilty of loitering if he remains or wanders in a public place for the purpose of begging, gambling with cards, dice or other gambling paraphernalia, or soliciting another person to participate in deviate sex acts.

An important point of the legislation that concerns activity near the university campus will make it unlawful for person to:

"Loiter or remain in or about a school, college or university building or grounds, not having any reson or relationship involving custody of or responsibity for a public or student, or any other specific, legitimate reason for being there, and not having written permission from anyone authorized to grant the same."

It will also prohibit persons from selling merchandise or services, unless authorized, in and transportation gaeltity.

A new loitering law here fills a void created about two years ago when the City Council repealed a vagrancy ordinance. Also, John H. Burps, the Tucson police legal advisor who prepared the original draft of the loitering proposal, said the present Arizona vagrancy law "is most likely unconstitutional."

The ordinance was called for on Oct. 26 by City Councilman Richard Kennedy. The original draft of the law was written by John H. Burpe, legal counsel to the Tucson Police Department. It was reviewed by Deputy City Atty. Norbert Ludwig before being presented to the mayor and council.

Before opening the discussion session last night, Corbett said:

"This council will be run with dignity. Any outbreaks and you will be removed from these chambers, and I mean immediately."

There were no loud outbreaks or jeering from either faction. But after proponents once loudly applauded the speech of a middle-aged woman, the mayor halted discussion until three uniformed policemen were inside the chambers.

Price Hikes On Bread, Milk Seen

Opponents, Proponents Of Dating Bill Argue

By JOHN RAWLINSON
Star Legislative Writer

PHOENIX — Higher bread and milk prices were forecast Monday by opponents of proposed bills requiring the placing of baking and pasteurization dates on those products.

Proponents and opponents of the measures presented their views to the House Agriculture Committee. Sen. Clovis Campbell, D-Phoenix, is sponsoring both bills.

Opponents of the bill from the state's baking and dairy industries generally argued that the bills would force higher prices for both products as it would pit competitor against competitor on a basis of first delivery date to retail outlets.

Proponents of the bill cited poor consumer qualities, in some instances, in bread and milk, and confusion among consumers as to the meaning of coded dates on milk cartons and colored wire on loaves of bread.

Attorney Gerry Levine, representing the Maricopa Legal Aid Society, charged that consumers have the right to know the age factor of a food product before they buy it.

He cited an instance where a mother of six children on welfare had purchased five loaves of bread at a surplus outlet, only to learn later that all loaves were spotted with mold.

Art McBrayer, also with the Legal Aid Society, said surveys conducted in Phoenix and Tucson indicated $1 million in consumer-purchased milk is poured down "Arizona household drains" annually because of the age of the milk.

He said the surveys revealed the average household in Arizona throws out half a gallon of milk every three months. He said the survey showed that housewives falsely believe that milk is replenished daily at the supermarkets. "They were not aware," McBrayer said, "of the coding system used by the industry that is designed to keep milk on retail shelves for at least 10 days."

E. S. "Bud" Walker, D-Ajo, said the purpose of Monday's hearing "was to determine whether bad milk is being sold. "Personally, I think it's happening," he said. Walker

(Continued On Page 18A, Col. 7)

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Water Commission Bill Re-Introduced In House

By LES SCHLANGEN

PHOENIX (AP) — A bill creating a state water commission and abolishing the Arizona Interstate Stream Commission was introduced Monday in the Arizona House.

The bill, first introduced at the last session, was sponsored by the House Committee on Natural Resources, headed by Rep. Stan Turley, R-Mesa. Intent of the bill is to consolidate control over nearly all water resources, now scattered through 25 agencies, under a single department.

The proposal stirred up a bitter fight last year between urban and rural legislators over proposed membership of the commission. It was approved by the House but died in the Senate.

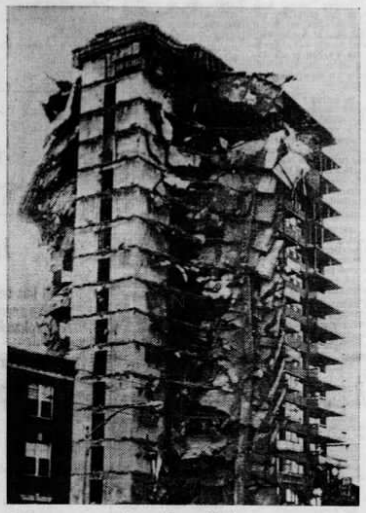
The former bill sought to have members of the commission drawn from at least five counties, but the new one proposes only that no more than four of the seven members be from any one political party. The State land commissioner and the Arizona Power Authority chairman would serve as ex-officio members.

Rated a high priority measure, the bill was brought to the floor as House Bill 3 despite its late introduction. Gov. Jack Williams, backed by many of the state's top water officials, has urged its passage as a way to deal more efficiently with the state water resources and future distributions from the Central Arizona Project.

The only other bill introduced in the House Monday was a proposed constitutional amendment which would provide that all judges be appointed by the governor before standing for election by the voters. Based on a judicial reform adopted by Missouri and several other states, the proposal would require that the appointed judges be chosen by voters in the first general election more than three years after being appointed.

Superior court judges would be selected for six years, appellate jurists for eight years and supreme court justices for 10.

A judicial council, which would select nominees from which the governor would make appointments, would be composed of three lawyers, three laymen appointed by the governor and the chief justice of the supreme court, who would serve as chairman. The attorneys on the council would be selected by the state bar.



Dangling Ruins

Residents of nearby apartments were ordered to leave the area after a 16-story apartment building under construction collapsed Monday. One construction worker is reported missing and three others were injured in the collapse. A fire department spokesman says the remaining structure, shown above, appeared weakened and leaning. See story on Page 15A. (AP Wirephoto)

Manson, 3 Women Guilty Of Murders

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LOS ANGELES — Charles M. Manson and three young women who were members of the strange hippie family that he put together were found guilty Monday of the massacre-like Tate-LaBianca murders.

The jury delivered its verdict just before noon, ending more than 42 hours of deliberation that was spread over nine days.

The defendants showed virtually no emotion as the clerk of the court read the verdicts. But as they were being led from the heavily guarded courtroom Manson again mumbled his complaint that he was denied the opportunity to present a defense and warned Superior Court Judge Charles H. Older that "You won't outlive this, Old Man."

Manson and two of the women — Susan Atkins, 22 years old, and Patricia Krenwinkel, 23 — each were convicted on seven counts of murder in the first degree. The fourth defendant, Leslie Van Houten, 21, was convicted on two counts of first degree murder. All four were also found guilty of conspiracy to commit murder.

In California conviction of murder in the first degree carries an automatic penalty of life imprisonment or death in the gas chamber. The jury also sets the penalty.

Immediately after the verdicts were read and the jurors polled, Older announced that the penalty phase of the trial would begin Thursday, at 9 a.m.

Prosecutor Vincent T. Bugliosi, who remarked that he was "very pleased" with Monday's verdict, said that he would ask the jury to assess the death penalty.

Paul Fitzgerald, chief counsel for the defense, expressed some bitterness over the verdict. "We lost the case when we lost our request for a change of venue," he said.

Irving Kanarek, Manson's lawyer, scoffed not only at the verdict but at the trial in general. "It was just entertainment for the public," he said.

Once the verdicts were announced Kanarek rose to ask that the decision be nullified, but he was ruled out of order by Older. Kanarek said that he had evidence that the jury was pressured into arriving at what he said was a "group decision."

Older interrupted an in-chambers conference at 10:15 a.m. to notify attorneys that the jury had reached a verdict.

Immediately, unusual security precautions went into effect. By the time the jury was brought in, 90 minutes later, there were 13 uniformed bailiffs in the courtroom and more than a dozen others who sat in the spectator's section dressed in plainclothes.

As the verdict was being read deputies stood behind each of the defendants. The three girls, who had been whispering furiously to each other, stopped to listen as the clerk of the court began to read. Manson, sitting across the table from the girls, often stroked his neatly trimmed beard and gazed at the ceiling. It was

(Continued on Page 2A, Col. 7)

Fulbright Asks Explanation Of Asian Policy

WASHINGTON (AP) — Secretary of State William P. Rogers was asked Monday to explain to the Senate Foreign Relations Committee what one senator called an "abrupt and drastic change" in U.S. policy in Cambodia.

Describing U.S. bomber and helicopter support of Cambodian and South Vietnamese troops this way, Sen. Frank Church, D-Idaho, said the Senate has not been deceived by the administration, but still he and other committee members would like to learn the facts.

Committee chairman J. W. Fulbright, D-Ark., said he had written Rogers asking him to appear in a closed session Thursday, and a full open session of the committee later.

State Department sources said Rogers will accept the committee's invitation to testify.

Fulbright said it is his understanding Rogers will not appear publicly until after President Nixon's state of the world address early next month. Secretary of Defense Melvin R. Laird will be asked to appear before the senators too, Fulbright said.

At issue will be the Cooper-Church amendment barring money for ground-combat troops and advisers in Cambodia and whether its intent and spirit have been violated by the administration in Indochina operations.

On this, Fulbright told newsmen after a closed planning session of his committee: "I think the spirit of the amendment is inconsistent with the greatly enlarged role we're playing in Cambodia — according to the press."

Neither Fulbright nor Church said President Nixon's expanded air war in Indochina is technically in violation of the amendment.

However, Fulbright said, "I think it has been made clear by a majority of the Senate that we not enter into a greatly enlarged role in Cambodia and Laos."

Ranking Republican committee member Sen. George Aiken of Vermont said the President's withdrawal schedules for Indochina are being met and "we can't expect to go through this without incidents."

But Church saw in the enlarged air war a "very abrupt change of policy that has expanded our role in Cambodia."

Has the Senate been deceived?

"I would say not," Church answered, but added that Laird's and Rogers's testimony to the committee in December left the impression that "the air war was directed against interdicting supply lines . . .

"Now," Church said, "we are told without consultation with the Senate, we have a wider war."

Meanwhile, a Defense Department spokesman said the Pentagon does not interpret the Cooper-Church amendment as prohibiting the sending of U.S. instructors to train Cambodian soldiers in Cambodia.

Although the spokesman, Jerry W. Friedheim, said he is unaware of plans for any U.S. training program in Cambodia, instructors could be sent "if they were not engaged in ground combat."

Friedheim differentiated between instructors and advisers, saying "advisers would be a misnomer since people think of advisers as combat advisers."

Congressional critics of the war are fearful that the widening American role in Cambodia could result in a replay of the U.S. involvement in Vietnam which began with the sending in of troops described at the time by the Kennedy administration as advisers.

Meanwhile, in battle action, North Vietnamese and Viet Cong soldiers launched attacks Monday night against the defense perimeter of Phnom Penh, tense Cambodian capital under dusk-to-dawn curfew because of an enemy war of terror spreading in the streets.

Capt. Chhang Song, a Cambodian high command spokesman, said the major battle was fought at the village of Phnom Prey Khiev, 24 miles northwest of the capital, where an enemy force of 500 struck half an hour after darkness. The other battles were at Suang, 18 miles south of the capital, and at Chreva Sar Kandal, 28 miles to the southeast. All three enemy assaults were driven back by air strikes at midnight, he said.

The curfew order in Phnom Penh followed an attempt to bomb the South Vietnamese Embassy on a main boulevard and new attacks on the city's outer edges and the airport, already severely damaged by an enemy raid last Friday.

In Saigon the South Vietnamese government proposed that it and North Vietnam release immediately all sick and wounded prisoners of war, including American airmen held in the North.

North Vietnam has consistently refused to negotiate a prisoner exchange without a definite schedule for complete withdrawal of all U. S. troops.

U.S. Overcharged $33.5 Million By Contractors

WASHINGTON (AP) — The agency charged with eliminating excessive profits on space and defense contracts has reported that during fiscal 1970 is found private contractors overcharging the federal government by nearly $33.5 million, the highest overcharge total in a decade.

The Renegotiation Board, in its annual report to Congress, said that during the last fiscal year it made 123 determinations of excessive profits totaling $33,613,457. In 68 cases, the Board said, contractors made voluntary refunds or price reductions of $18,168,705.

In the other 55 cases, the board ordered contractors to refund the excessive profits. Nineteen contractors have appealed the orders in U.S. Tax Court. At the end of the fiscal year, 31 contractors had not responded to the refund orders but still had time to do so. In the other five cases, the deadline for response had passed and collection procedures were begun.

The 1970 total of $33.5 million was the highest since fiscal 1960 when the Board found overcharges of $52.7 million.

The 1970 overcharges were up 33 per cent from fiscal 1969 when the Board found excessive profits of $21.3 million. The increase reflects the most active period of Vietnam procurement buildup, the board said, and added that the determinations next year could be even higher.

"Because of the time lag that necessarily results from a complete processing of the increased number of assigned cases, the full impact of the buildup is not yet reflected," the board's report said.

The Renegotiation Board is the only independent federal watchdog over government contracting. Since the board's creation in 1951, it has made 4,007 determinations of excessive profits totaling more than $1 billion.

Only if his total profits on all renegotiable contracts are deemed excessive is he ordered by the board to make refunds to the government.

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