

## Commission cites voting fraud

HARRISBURG (AP) — The state Crime Commission said yesterday it has uncovered apparent large scale voting fraud, including fictitious names and ghost voters, in the 183rd Legislative district in South Philadelphia.

In a report, the commission said 38 per cent of the votes cast in the 48th Ward, 9th Division in the primary last April were fraudulent. Out of 582 votes, 159 were cast by fictitious persons or persons with phony addresses.

Among the names found on official voter certificates were Amos n' Andy, Candy Barr, Milton Shapp, Arlen

Specter and Nikita Kruschev.

A total of 159 names were signed by the same person. " . . . the serious problems discovered in this district raise the question as to whether the same kind of problems exist in other districts," the report said.

The commission said it is continuing its investigation in the ward but doesn't have the manpower to extend it elsewhere.

The commission urged the legislature to pass new restrictions on the use of absentee ballots, require training for election inspectors, and extend the period election records must be kept.

The commission said 20 people were registered from the address of a home owned by the mother of Rep. Matthew Cianciulli Jr., who won the 183rd legislative seat in a special election held last April.

Commission investigators found that 11 of the residents never lived at the address and that the others lived there only part time or lived in New Jersey.

Investigators found 11 voters who had listed their address as a building that had been owned by Cianciulli's brother-in-law but had been vacated several months before the April primary.

## Five coal miners still missing

# Water halts Tower City search

TOWER CITY, Pa. (AP) — Work on drilling a second hole into Big Lick Mountain in search of five missing coal miners stopped shortly after noon yesterday when the drill struck water at the 355-foot mark.

Drilling will not begin again until this afternoon. By then, workers should be finished installing a casing in the hole to keep the water out, a mine spokesman said.

The delay was the second of the day encountered by rescue crews at the drilling

site. Earlier yesterday, drilling was halted briefly at the 175-foot mark when a soft fill was hit. Steel casing was also installed at that point.

Drillers estimate that they will break through the mountain into the mine shaft at about 398 feet.

On Tuesday, an electronic probe inserted 432 feet through a hole bored into a mine shaft where it was thought the miners might be failed to detect signs of life.

The drilling equipment was then moved 55 feet away to

the current site.

John Shutack, of the federal Mining Enforcement and Safety Administration, said rescuers had not given up hope.

"We have a job to do and it isn't over yet," he said yesterday. "Man has been known to live underground for a long period of time. That's something we can't determine."

"Every man in this area is working his heart out in there," Shutack said of the rescue crews. "If you tell

them you gave up hope they'll run you off this property."

Inspectors accompanying rescue crews were making detailed notes of the operations for use in a future investigation.

The five men have been missing since March 1 when a torrent of water raced through the Kocker Coal Co. mine, washing away support timbers that caused cave-ins.

Four men are known dead and one miner, Ronald Adley, 37, was rescued Sunday.

## Tunnels were used for Army germ war

PHILADELPHIA (AP) — People in Huntingdon and Franklin counties in south central Pennsylvania had no clues back in August 1955 that the Army was practicing biological warfare nearby in two tunnels along the Pennsylvania Turnpike.

"I had just gotten home from the Army that summer," Elwood Gallagher, now 44, recalled in a telephone interview yesterday. Home for Gallagher is Burnt Cabins, a town of about 200 at the edge of the Tuscarora Tunnel, where the Army sprayed simulated germs in August 1955.

heard "anything from anybody, either."

The Army, as part of biological warfare tests that continued in parts of the country until 1969, put the simulated germs into the Tuscarora and Kittatinny tunnels.

According to testimony Tuesday before a Senate subcommittee given by Edward A. Miller, assistant secretary of the Army, the Pennsylvania tests were designed to see how far the germs would spread.

In addition, the Army said it spread the simulated germs on Route 10, also in South Central Pennsylvania on Jan. 7, 1955 and at the Naval facility in Mechanicsburg.

"I was just relaxing after being in the Korean war, helping my mother run the hotel," he said. "I can't recall that there were any signs of illness that month or what. I don't remember a lot of people getting sick. We didn't know anything about those germs then."

Carl Lang, 23, is the civil defense director for Huntingdon County. He was only two years old in 1955, but he said Wednesday he hasn't

Researchers in the office of Sen. Richard Schweiker said yesterday health records for the periods following the tests show no indication of increased flu or pneumonia cases in the affected areas.

The Army said the simulated germs were considered at the time to be harmless and that they are still considered to be safe.

## Municipal officials fear immunity loss

HARRISBURG (AP)—Once upon a time there was a king of England, who, the courts said, could do no wrong.

So began the law of sovereign immunity. Today, it protects government officials from citizens who might want to sue them.

But some local officials in Pennsylvania fear state courts have eroded their immunity. They wonder if future decisions might not eliminate it.

These officials say it would be impossible to govern if every official action could result in their financial ruin.

"It's like the six-gun of the 1970s. People will sue if they get a chance, said Phil Friday, editor of the Pennsylvania Township News, a local government publication.

Herbert Braden, a supervisor in Bensalem, Bucks County, estimated there is a suit a week against his township. Most involve zoning and land development, but two suits resulted from deaths—one a jail suicide and another an auto accident.

Local government immunity has been granted through court decisions that have changed the rules from time to time. State government immunity is more certain, since it is part of the Pennsylvania Constitution.

Even though you can sue a local government or school district treasury, you cannot collect damages from individual local officials, state officials or the state treasury in county or state courts.

In federal court, you can collect damages against any government official, if you can prove he violated your civil rights. "How long the law will remain in this posture is anyone's guess," said a January article in the Pennsylvania Township News.

An immunity case involving local officials is now before the state high court, and local government organizations feel the decision may bring the next change in immunity law. It could bring the end of immunity altogether.

"We must maintain civil immunity for public officials," Braden said. "If we didn't have it, no one would serve. What man of means would put his family in jeopardy to serve the public? When you take an action, you're always affecting someone."

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## Tax raise proposed, more school funds

HARRISBURG (AP) — A subsidy bill that would increase school aid and require new taxes was introduced yesterday by the chairman of the House Education Committee.

6 per cent to 7 per cent, and hike the gas tax from the present 9 cents a gallon to 11 cents.

The proposal by Rep. James J.A. Gallagher would add \$232 million to Pennsylvania's \$1.2 billion school subsidy bill. That's a 19 per cent increase.

Gallagher's bill makes several changes in the current formula for determining school aid. The existing formula is complicated, but the key elements are the student enrollment, the district's spending per student and the district's wealth as determined by the market value of real estate.

Philip Murphy, executive director of the education committee, said new taxes would be necessary to support the proposal.

Districts with higher market value receive less aid, on the theory that those are the richest districts.

But the amount of taxes and the form they would take depends on the total state spending and revenue picture.

That often isn't the case, however. A district may have high market value because of a few valuable properties, but the population may be poor. This district would get too little aid.

Gov. Shapp has proposed new taxes just to balance his \$9.4 billion spending program, which only includes an additional \$79 million in public school funds.

Another district might have low real estate values, but a wealthy population. The result would be to much aid.

The governor wants to boost the sales tax from the current

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