

SF 7 arguments Monday

By JACK HANDEY

ESTANCIA — Three weeks of testimony and three tableloads of evidence later, the trial of the Santa Fe Seven will be punctuated by final arguments from both sides tomorrow.

It will then be up to the eight-woman, four-man jury to add the final footnote: conviction or acquittal for all, or part, of the seven defendants accused of trying to kill police at a Chicano school near Santa Fe last Labor Day.

The legal phraseology for the charge is assault with intent to commit a violent felony, to wit: murder. The legal penalty upon conviction is prison, to wit: 2-10 years.

Nuclear navy urged

SAN DIEGO (UPI) — Adm. Hymen G. Rickover, father of the nuclear submarine, said Friday the Arab oil embargo shows a clear threat to the warship if it is unable to get oil. "It is the need for a reliable worldwide fuel distribution system that is the Achilles heel of our oil-fired Navy."

Such actions by foreign oil suppliers "could have disastrous results on the ability of our oil-fired naval forces to fight in case of war," he told the San Diego Press Club.

"It is time for establishing a firm program for making all new major combatant ships for our striking forces nuclear

The case has been a vortex of controversy, swirling amidst smaller eddies of ethnic, political and even religious argument.

The prosecution at the trial, represented solely by Deputy District Attorney Bruce Kaufman most of the time, would be satisfied with winning the criminal argument. It won't be easy.

Kaufman, denuded of four guns and a bounty of bullets as evidence because the judge ruled they were the fruits of a warrantless search, has had to rely mainly on photos and the sometimes-contradictory testimony of police witnesses.

barrel to buy and deliver oil to Navy ships," he said. At that cost, he said, it would take \$270 million worth of fuel to run the nuclear-powered carrier USS Nimitz with oil-fired engines.

DUBLIN (AP) — Fat babies are a problem of modern society, say doctors at St. James Hospital in Dublin. They have a greater tendency to infections of the upper respiratory tract, like pneumonia. They are more likely than thin children to have stomach troubles like enteritis and appendicitis.

Nevertheless, he claims the testimony he has evoked will hold up as "direct" evidence.

Defense counsel Morton Simon has likened Kaufman's case to "a house of cards, built on circumstantial evidence." Morton and the six other defense lawyers have tried to shift blame to the police, claiming they over-reacted with excess gunfire and excess vandalism.

The ultimate excess of death was dealt to a 19-year-old girl at the gun battle. Linda Montoya was mortally wounded by a police bullet. Two policemen and one defendant, Jose Morfin, were wounded.

The defendants themselves—Eugene Romero, his brother Andrew, Geronimo Garduno, Joe Gomez, Leroy Ortega, Paul Carrillo and Morfin—have never taken the witness stand.

Testimony in the trial ended Friday on a heated note. A New Mexico ranger, David Anderson, said that Santa Fe Police Officer Manuel Moya was facing away from the school, Escuela y Colegio Tonantzin, when he (Moya) was wounded.

It was the felling of Moya which ignited the gun battle. At issue is whether Moya was shot by an someone at the school or by someone else, possibly a police officer.

Anderson said the shot came from one of two groups he

spotted in front of the school when he and Moya drove up. "I saw what I believe to be a rifle in the hands of one person..." in one of the groups, he said.

Medical reports show the bullet which pierced Moya's shoulder probably struck him from behind.

Anderson said he had a .38 caliber pistol in his hand at the time of the Moya shooting, but he said he didn't fire it.

Anderson was one of three rebuttal witnesses presented by Kaufman over incensed defense objections. One of them, policeman Larry Lujan, testified he observed broken glass "in the immediate vicinity of the windows, on the outside."

Lujan's testimony conflicts with that of defense witness Roberto Garcia, who said he saw glass only on the inside of the school building's windows.

In other proceedings Friday: —Sam Leyba testified he and Geronimo Garduno were "target practicing" with a .22 rifle near Buckman Road the day of the post-sundown shootout.

Leyba and companion Johnny Valdez were arrested in a car on Agua Fria Road near the school the day after the Sept. 3 incident. A rifle was found in the trunk of the car, the two were

arrested, and Leyba was released Sept. 6, according to testimony.

Leyba, co-director of the school with Garduno, said he left the school just prior to the shooting. He wasn't indicted.

—The New Mexican learned through a copy of a Sept. 8 signed statement by Santa Fe Police Officer Anthony Griego that the policeman says he fired four shots at a figure crawling toward him which refused to surrender.

The bullet which mortally wounded Miss Montoya in the shootout was later traced to Griego's service revolver.

Griego was subpoenaed for the trial but never was served. He is reportedly out-of-state.

—District Judge Santiago Campos admitted as evidence two guitars, a saxophone, a figurine of the Virgin Mary and other items which were allegedly vandalized in the wake of the gun battle.



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