



The Mountaineer



Publication of The American Legion Mountaineer Boys' State

VOL. 47, NO. 5

JACKSON'S MILL, W. VA. 26452

1984
FRIDAY, JUNE 22, 1983

ATEN-HUT

FORWARD MARCH

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FORMAL REVIEW VIEWED BY STATE AND AMERICAN LEGION OFFICIALS

The Annual Formal Review was observed Thursday afternoon at 4:00 on the athletic field. Each cottage passed in review for many observers.

Many guests were present for the formal review:

A. J. Manchin, Secretary of State, was present once again. He also visited Boys' State on Wednesday evening.

Also in the viewing stand were members of the newly elected Board of Public Works of MBS for 1984, and the Supreme Court Justices.

American Legion Department Commander, Miles Epling, was in attendance once again. We were happy to have him at the Sunday night assembly.

Bob Vass, Department Adjutant of the American Legion was present in the viewing stand. We welcome his appearance yearly.

Ike Mayfield, Past Department Commander of the American Legion and his wife, Wilma Mayfield were present. Mrs. Mayfield is a Past National Vice-President and Past Department President.

Last, but not least, the efforts of all Junior and Senior Counselors was evident during the formal review. We want to congratulate all counselors and all citizens for a job well done.

And what would a formal review be without a band. Congratulations to Rick Reese and the MBS Band!!!

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MILES DEAN SPEAKS TO CITIZENS

Mr. Miles Dean, Director of the Governor's Office of Economic and Community Development, spoke to the Citizens of Mountaineer Boys' State at the dinner meal on Thursday, June 21, 1984.

Mr. Dean spoke basically on the subject of West Virginia's Economy. West Virginia's economy is dependant upon Coal, Gas, and other basic raw industries. Our economy also depends on what the rest of the world is doing in industry because we supply basic raw materials for these industries, he said.

West Virginia must enact short-term solutions many times in order to offset the economy. West Virginia's successful economy must come from long-term solutions.

Mr. Dean gave the citizens an opportunity to ask questions. One question was asked from each table, and Mr. Dean answered each question.

We would like to express our appreciation to Mr. Dean for once again being with the citizens during their week at Jackson's Mill.

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VICE-PRESIDENT OF AT&T COMMUNICATIONS ADDRESS EVENING ASSEMBLY

Mr. John D. Landers, Vice-President of AT&T Communications, addressed the Thursday evening assembly. Mr. Landers congratulated the citizens on their accomplishments in being selected for Boys' State, and then explained to the citizens that government and business must work together if our economic system is to work. "Business provides jobs, pays taxes, and produces the funds that enable government to operate. If business is to function efficiently, the degree of regulation of business must be fair and impartial. In the case of the new AT&T, it is not fair that AT&T be regulated while its competitors be able to operate without regulatory control."

Our thanks to Mr. Landers for being here with us!!!!

TWO SCHEDULED GUESTS WERE UNABLE TO ATTEND MBS

The Honorable Robert E. Maxwell, Judge of the U. S. District Court for the Northern District of West Virginia, was the schedule speaker for Thursday Evening's assembly.

Judge Maxwell became ill and was unable to attend Mountaineer Boys' State. We are sorry he was unable to be with us this year, but we are very appreciate for the many years he has faithfully attended MBS.

We wish him a speedy recovery!!!!

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Clyde M. See, Speaker of the West Virginia House of Delegates and Democratic Nominee for Governor of West Virginia, sent his regrets that he could not attend Boys' State due to a conflict in his schedule.

Mr. Oce Smith, Sergeant-at-Arms of the House of Delegates, read a telegram to the citizens at assembly. Mr. See sent the telegram of apology for the schedule conflict. Mr. Smith substituted for Speaker See.

CONGRATULATIONS ON THE BAR EXAM TO TEN CITIZENS

On Monday, a Bar Exam was given to all citizens. A certain score is required on this exam before a citizen is permitted to run for Attorney General or Justice of the Supreme Court.

Ten citizens did extremely well on the test and we would like to mention those citizens. They are as follows: TOM SPATIG, Lewis Cottage, missed 3; TIM STUTLER, Braxton Cottage, missed 2; MICHAEL SAYRE, Randolph Cottage, missed "0"; TOM BELL, Randolph Cottage, missed 2; GARY PATTERSON, Randolph Cottage, missed 2; BRETT MALONE, Randolph Cottage, missed 3; BILL ADAMS, Randolph Cottage, missed 3; DAVID BRANNON, Randolph Cottage, missed 3; ROBERT GILLESPIE, Randolph Cottage, missed 3; and DAVID WARWICK, Randolph Cottage, missed 3.

CONGRATULATIONS, CITIZENS!!!!

COURT SCORES FOR THURSDAY

KANAWHA - 99
MONROE - 100
PANHANDLE - 97
WEBSTER-BARBOUR - 95
CALHOUN - 90
LEWIS - 90

COURT SCORES FOR WEDNESDAY

MARION - 94
GILMER - 95
BRAXTON - 100
RANDOLPH - 99
MONONGALIA - 95
UPSHUR - 97

THE WEST FORK RIVER REVIEW 1984

WITH YOUR HOST, MR. KENNETH LEGG

FIRST ROUND

- UPSHUR - "Heavy Metal Men of Tomorrow" - Entire Cottage
CALHOUN - "The Delta Midget" -- Mark Zalaznik & Danny Eddy
PANHANDLE - "Break Dancing" - Marty French
RANDOLPH - "Real" guitar playing - Seth Maynard
BRAXTON - "Little Charlie and the Eager Beavers" -
John Hill, Leader
LEWIS - "Humorous" poetry - Brian Price
MONROE - Break Dance -- Kevin Scott
MARION - Piano Solo - Darrell Billiter
MONON. - "Air Band" - Bud Deboni, P. J. Perry, Pat Long,
Dave Manzo, Greg Bell, Dave Riccadonna, Tim
Hinegardner
GILMER - Singing & Dancing Act - ENTIRE Cottage
WEBSTER - Guitars - Robert Cannon & Joe Workman
KANAWHA - "Tips" a comedy - David Lee, Mike Chapman, Roger
Harrison, Damon Wenger
BARBOUR - "Musical" - Sixteen Members

SECOND ROUND - AS TIME PERMITS

- WEBSTER - A singing Act - The Four Unknowns
MARION - "Basketball Antics" - John Hay & Charles Haverty
LEWIS - "Piano Solo" - Fred Brown
RANDOLPH - "Surprise"!!!! - Entire Cabin
PANHANDLE - "Men of Tomorrow" - Todd LaNere, Tim Burkett,
Rick Suba, Scott Wajda, Doug Reed

SCHEDULE FOR FRIDAY
JUNE 22, 1984

MORNING

6:30

REVEILLE AND CLEAN QUARTERS

7:20

FLAG RAISING

7:25

BREAKFAST

8:10-11:50

ALL CITY, COUNTY, OFFICERS, MINOR COURTS, PROSECUTORS AND CITIZENS AT WORK IN RESPECTIVE JURISDICTIONS, MINOR TRIALS ORDINANCES, BUDGET, JURY DUTY AND OTHER LOCAL ADMINISTRATIVE UNITS AT WORK ON PROBLEMS AND BUSINESS

BOARD OF PUBLIC WORKS IN CONVERENCE WITH GOVERNOR ON APPOINTMENTS

ADJUSTMENTS IN THE BUDGET TO MEET NEW LEGISLATION, CONDUCT OF DEPARTMENTS

STATE POLICE IN OPERATION AS A DEPARTMENT

BD. OF EDUCATION AND SUPT. MEET IN COTTAGES

SUPREME COURT OF APPEALS

12:00

CITY AND COUNTY GOVT. FORMS DUE

1:15-5:00

STATE POLICE ORGANIZED AND WORKING BAND AND MUSIC INSTRUCTION AND PRACTICE AT ASSEMBLY HALL

RECREATION SCHEDULE ARRANGED AND POSTED DAILY. WATCH FOR TIME OF CONTEST FOR YOUR COUNTY.

5:15-5:25

RETREAT

5:30

DINNER

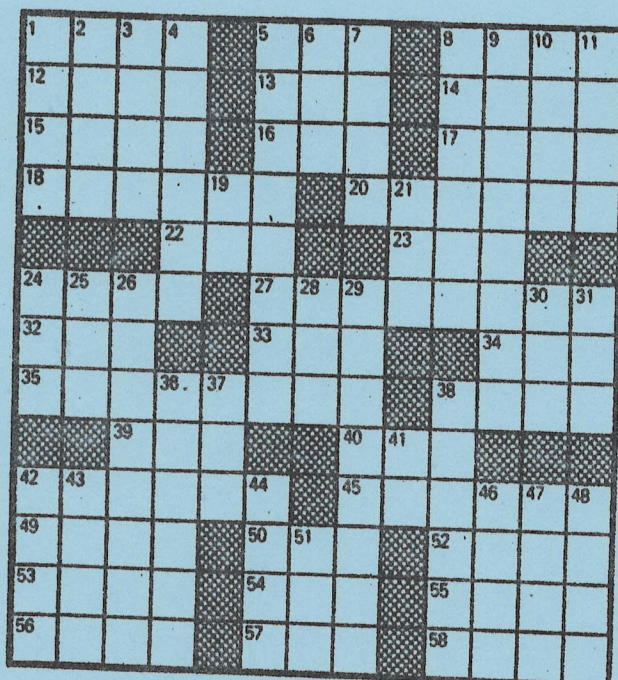
8:00-10:45

ASSEMBLY - TALENT SHOW - PICNIC

10:45

TAPS - ALL CITIZENS IN BED - LIGHTS OUT AT 11:30 P.M.

- ACROSS**
- 1 Skid Row dweller
5 Morse symbol
8 Fussess
12 Dry
13 Altar phrase
14 Indonesian boat
15 Frigid
16 Patriot's uncle?
17 Abhor
18 Playwright Eugene
20 Smart
22 Excessively
23 Tokyo, once
24 Torso
27 Prolongs
32 Corn unit
33 Argon, e.g.
34 Compass pt.
35 Police searches
38 On the deep
39 Wildebeest
40 Tavern
42 Water birds
- 45 Pele's sport
49 Eden name
50 Illuminated
52 Possess
53 Pleasant
54 Pro
55 Mine outputs
56 Visits
57 Join
58 Budget item
- DOWN**
- 1 Texas city
2 Press
3 Cleo's river
4 Unusual thing
5 Knock loose
6 Harem chamber
7 Mausoleum
8 Plant pests
9 Old military units
10 Vow
11 Bird feeder bonus
19 Behold!
- Avg. solution time: 25 min.
- 21 Actor Owen, to friends
24 Cot
25 Canoe accessory
26 Acceleration contest
28 Scoundrel
29 Helped
30 French article
31 British brew
36 Dwarfs' kin
37 Sister
38 Ship stopper
41 Fleming's "Dr. -"
42 Author Andersen
43 Entertainer Adams
44 Cabbage dish
46 Be concerned
47 Flat
48 Take it easy
51 Frost the cake



RECREATION SCHEDULE

FRIDAY, JUNE 22, 1984

AREA II - SOFTBALL

LEWIS (N) VS. KANAWHA (N) If Lewis (N) wins, the tournament will be over. If Kanawha (N) wins, a second game will be necessary.

AREA I - VOLLEYBALL

1:30 BARBOUR VS. PANHANDLE (F)
2:00 CALHOUN VS. MONONGALIA
2:30 MONROE (N) VS. BRAXTON (N)
3:00 MARION (F) VS. MONROE (F)

AREA IV - BASKETBALL (No games scheduled)

COTTAGE INSPECTION FOR THURSDAY, JUNE 21, 1984

BARBOUR - 99	KANAWHA - 99	MONROE - 96
BRAXTON - 98	LEWIS - 96	PANHDL - 99
CALHOUN - 96	MARION - 99	RANDOLPH - 98
GILMER - 98	MONON. - 98	UPSHUR - 98
		WEBSTER - 96

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SCOT DUVALL, FORMER MBS SUPREME COURT JUSTICE SPEAKS TO CITIZENS

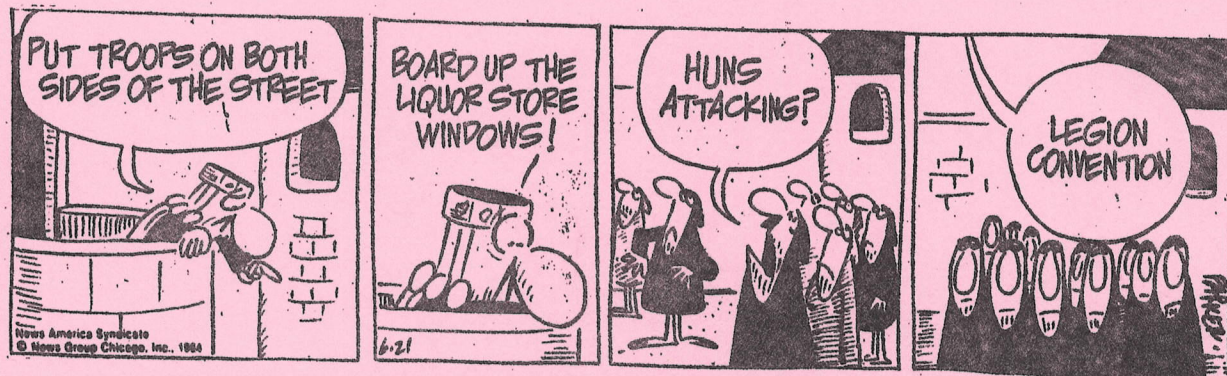
Scot Duvall, Jr. Counselor in Randolph cottage, spoke to the citizens at assembly tonight. He was a 1982 Boys' State citizen, being elected to the position of Supreme Court Justice. Scot was fortunate in having the opportunity to attend Boys' Nation as a result of his attending Mountaineer Boys' State.

He spoke to the citizens about the importance of Boys' Nation and also the opportunity they are given by being selected from the high schools to attend Boys' State.

He praised the American Legion for their efforts in sponsoring MBS and recognized the fact that many men have lost their lives for our country.

He told the citizens that they would have to be making a very important decision after their senior year. He told them to select a college and a profession, but to be wise in making their decisions.

Scot is an asset to Boys' State and we wish him much success in his sophomore year at LaFayette.



AT&T COMMUNICATIONS FRISBEE CHAMPIONS

LONGEST THROW

SHAWN NIBERT
(BRAXTON)

MOST ACCURATE

MARK RADER
(LEWIS)

PAIRS

ANDY BAKER (LEWIS)
TODD HOPKINS (LEWIS)

MOUNTAINEER BOYS' STATE vs. BARBOUR COUNTY

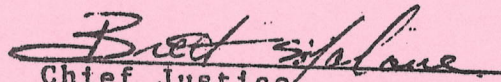
1. The Supreme Court of Appeals of Boys' State does hereby issue a Writ of Mandamus ordering Barbour County to remove all ownership signs from the following:

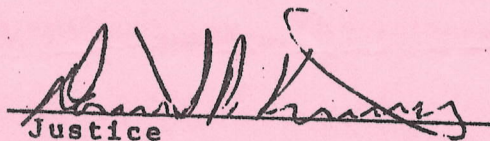
Flameway Hall

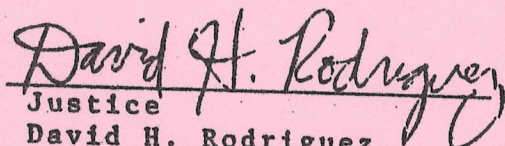
The Local Water Tower Involved

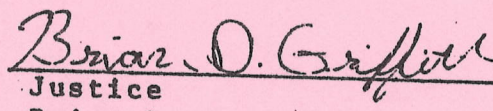
All Barbour County Buildings, Trees, etc.

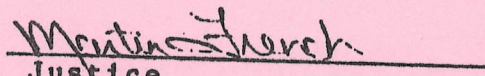
2. The Court also recommends that Barbour County, if desiring to obtain the involved areas of land, follows the correct procedure. This procedure involves the Mountaineer Boys' State Legislature; it does not involve a property deed from the Governor of Boys' State.
3. Barbour County will be given until 7:30 of June 21, 1984. A failure to comply will result in positive action by the Citizens of Mountaineer Boys' State, 1984.


Chief Justice
Brett L. Malone


Justice
Daniel P. Kinney


Justice
David H. Rodriguez


Justice
Brian D. Griffith


Justice
Martin French

POST-RULING NOTE: Barbour County failed to comply with said Writ of Mandamus, and in so doing, several members were apprehended by the Mountaineer Boys' State Police, and were subsequently taken before Governor Spencer for a hearing. Governor Spencer decreed that although he was extremely disappointed, he would give said citizens a warning, stipulating that if the incident occurred again, that he would take stern action.

CITIZENS OF BOYS' STATE vs. BOYS' STATE LEGISLATURE

Decision entered June 21, 1984

Mark A. Riffle representing the Citizens of Boys' State

As brought before the Supreme Court of Appeals of West Virginia on the 21st day of June, nineteen hundred and eighty four, the Boys' State Attorney General, representing the Citizens of Boys' State, has questioned the constitutionality of the eighteenth amendment to the Boys' State Constitution ratified by a special election, June 18, 1982 by the 1982 Boys' State Legislature.

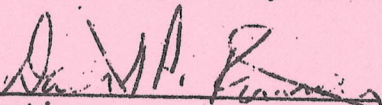
The eighteenth amendment states that the Bar Exam "will be based on a percentage grade whereby each person that passes said percentage will have passed the examination. Said percentage shall be 60% and shall not fluctuate. Each question shall be worth one point whether right or wrong." We today consider whether this enactment of the Legislature passes constitutional muster.

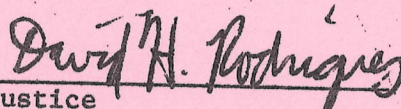
According to the Separation of Powers Doctrine, the power to determine the eligibility of a lawyer to act before a court of law is vested exclusively in the Supreme Court of Appeals of West Virginia.

Thus, the amendment governing the Bar Exam has been ruled unconstitutional and void from the Mountaineer Boys' State Constitution by means of improper statutory procedures and in violation of the Separation of Powers Doctrine.

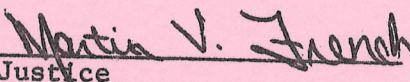
With the repeal of the amendment, the court must now face the task of establishing a standard for future admittance to the Mountaineer State Bar.

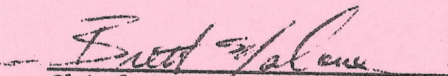
The Separation of Powers Doctrine vests specific powers in the executive, legislative, and judicial branches of the government. As the Supreme Court has exclusive power to rule on lawyer acceptance, as stated in the Separation of Powers Doctrine, it has been decided that the most effective program to prepare for evaluation of lawyers which will be before a West Virginia Court of Law is through standards by which the before mentioned exam allows for only the top scores of the 37.5% of the Citizens of Mountaineer Boys' State be deemed to pass the Bar provided that everyone take the Bar exam. Stated another way, the top 37.5% of the scores will be deemed passing grades, and will provide eligibility for the Boys' State Bar Association.


Justice
Daniel P. Kinney


Justice
David H. Rodriguez


Justice
Brian D. Griffith


Justice
Martin French


Chief Justice
Brett Malone