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legislature

ATTACKS CAMPAIGN 'LIES'

Mrs. Smaby still seeks seat

By JIM SHOOP

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Claiming she was the victim of a "dirty, vicious whispering campaign," an attorney for Mrs. Alpha Smaby Monday carried her fight to a special House committee to regain the seat she lost in Minneapolis' 41st District election last Nov. 5.

Mrs. Smaby, a DFLer, served in the House for two terms before her loss to Edward Brandt and John Skeate, both Conservatives, for the two seats up for election in the district.

Her attorney, Thomas Keller, argued yesterday that some literature used by Brandt in his campaign misrepresented Mrs. Smaby's position and wrongfully depicted her as the leader of a radical leftist movement.

He focused his attack on a public opinion survey taken by North Star Surveys, Inc., Golden Valley, at the request of the Hennepin County Republican organization.

Three questions in the survey attempted to link Mrs. Smaby with positions favoring the legalization of marijuana, draft resistance and



Mrs. Smaby Brandt

disobeying laws, Keller maintained.

Brandt's attorney, Michael J. Bolen, who was to give his side of the case late today, was expected to argue that the Brandt literature merely associated Mrs. Smaby with the official platform positions of her party, which is fair political comment.

Brandt said after the meeting yesterday that he had little to do with the survey's preparation, merely delivering a file of clippings to North Star's owner, Paul Segner. He said he did not see it until after it was completed, disapproved of the Smaby questions then and ordered his supporters not to use the responses in any literature.

One of the questions quoted an ad Mrs. Smaby had signed in the Minnesota Daily, the University of Minnesota paper, supporting the position of Dr. Benjamin Spock, William Sloan Coffin and others in the draft resistance movement.

A question immediately followed that noted that Dr. Spock and some of the others had been "convicted . . . of violating the laws of the United States. Knowing this would you say you approved or disapproved of Mrs. Smaby's position?" The results were the same.

A third question said that "one of the groups with which Mrs. Smaby is associated had proposed that the use of marijuana be made legal. Would you say such a law should or should not be enacted by the legislature?" Again about 85 percent said no.

Keller said that Segner admitted during Mrs. Smaby's court suit in December and January that no group with which she was associated favors the legalization of marijuana.

There was no doubt, Keller argued, that the purpose of the question was to "disseminate a vicious lie concerning the position of Mrs. Smaby."

Keller also objected to a Brandt brochure saying Mrs. Smaby was endorsed by the

Hennepin DFL, which also backed "government loans for so-called students convicted of off-campus rioting and looting." Since the committee is controlled 3 to 2 by Conservatives and since the challenge involves a Conservative representative, the chances for Mrs. Smaby's success are considered remote.