

The Battalion

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Warm
and
clearing

Saturday & Sunday — Partly cloudy, afternoon thundershowers wind southerly 10 to 15 m.p.h. High 91-93, low 72-74.

Gus Mutscher may face trial for bribery

AUSTIN, Tex. (AP)—The Travis County district attorney's office has drawn up bribery indictment papers against Gus Mutscher, speaker of the Texas House of Representatives, and two other state officials, the Associated Press learned Thursday.

An informed source told The Associated Press the indictment papers have been filled out and only await the grand jury foreman's signature, should the grand jury decide to indict.

The source stressed that the papers have not yet been presented to the grand jurors for a decision.

If the grand jury acts, the indictments would be the first major criminal charges growing out of a continuing investigation by state and federal officials of stock frauds in Texas.

Frank Sharp, a Houston promoter around whom the stock scandal centers, has drawn a three-year suspended sentence and a \$5,000 fine for violating federal banking charges, and a minor figure in the case has been charged in a federal perjury indictment.

The informed source, who declined to be identified, said Mutscher, state Rep. Tommy Shannon of Fort Worth, and Mutscher's top aide, Rush McGinty, are accused in the district attorney's documents of accepting bribes in the stock scandals.

A fourth document, the source said, was being prepared for grand jury consideration against John Osorio, former president of National Bankers Life Insurance Co. The allegations being pre-

pared will allege the filing of a false report with a state agency.

The U. S. Securities and Exchange Commission is seeking an injunction against National Bankers Life, Sharp and Osorio, among others, to prohibit fraudulent securities transactions. A hearing on the injunction began Monday in U. S. District Court in Dallas.

The source said the papers contend the alleged bribes consisted of profitable stock deals for Mutscher, Shannon and McGinty in return for efforts to pass legislation favorable to Sharp's banking activities.

The source said the grand jury will not be presented the papers until Dist. Atty. Robert O. Smith and Dist. Atty. Carol Vance of Houston can agree on which county would have jurisdiction in the event indictments are returned.

The source said grand jury action is not expected one way or the other until perhaps the last two weeks of September.

Dist. Atty. Smith had no comment on the report but did say he has been talking with Vance on the jurisdiction question.

Osorio and McGinty have testified before the grand jury here.

Sharp recently testified before the Texas House investigating committee that there was a "tacit agreement" between Mutscher and him involving passage of the banking bills and the loan from Sharpstown State Bank for purchase of the National Bankers Life stock.

All of the politicians named in federal depositions taken for the Dallas federal civil suit declare that was no connection between

their stock-bank loan deals and the banking legislation. Gov. Smith, who made \$62,500 in the deals, has pointed out he vetoed the bill after passage by the House and Senate.

Osorio, when he appeared for the grand jury testimony, told newsmen that there was no connection between the legislation and the deals.

"It was just coincidental," Osorio declared.

Rep. Shannon was House sponsor of the two banking Bills, which were written in Osorio's office at the direction of Sharp, principals have testified.



QUARTERBACK LEX JAMES talks with newsmen Thursday at Kyle Field during the freelance interview phase of the Southwest Conference Press Tour's visit to A&M. For Press Day stories, see pages 3 and 4. (Photo by Mike Rice)

Building forces it

'Gardening between ditches' done here

"Gardening between ditches" is how A&M landscape architect Robert H. Rucker described the university's fall landscaping program.

A&M's \$63 million building program has the sprawling campus torn up from one end to the other, yet Rucker said some noticeable landscaping improvements are in progress.

He said site development will begin within two weeks at the new \$10 million Engineering Center. The building will be ready for classes later this year.

Currently in progress are sight and sound baffles — berm earth sculptures — at the golf course and 1,000 car parking lot east of the Engineering Center. The

earth dam for the first lake east of Kyle Field, near the Floral Test Garden, is completed.

Rucker said the golf course baffles of Hwy. 6, New Main Drive and Bizzell Street will shield golfers from the sights and sounds of street traffic.

In some places the earth banks have been constructed five feet above the street curb, giving the area a rolling hill effect.

Rucker noted players on the number two tee cannot see or hear the traffic. "There's no discomfort whatsoever," he reported.

Tees four and seven also are protected and the number 10 tee has an added advantage.

Golfers who slice the ball won't have to worry about breaking car

windows on Bizzell Street. The baffles will either stop the ball or, if the ball clears the baffle, there is no danger of it hitting in the street.

Rucker said winter grass will be planted and bluebonnet seeds will be added next spring.

"In two years, the area should be covered with bluebonnets in the spring," he observed.

Fill for the golf course and dam projects came from the Memorial Student Center excavation.

Parking lot 50 has baffles on University Drive and additional berms will be added facing the Engineering Center.

Rucker said the first lake, part

of a lake system for the park area between Throckmorton and Houston Streets, will be a small "aesthetic lake" with recycling waterfall, ducks or black swans and a small island.

The lake will not be fenced and fish will be added to keep mosquitoes down. The Wildlife Science Department is cooperating on the project.

Rucker reports as soon as the dam stabilizes winter grass will be planted. The lake will extend north to the footbridge and there will be a waterfall and small garden on the south end.

The lake water level will be mechanically controlled.

Engineering Center site devel-

opment includes top soil, grass planting and live oak trees. There will be a live oak grove on the University Drive side of the building.

Underground irrigation systems and permanent grass planting will start in the early spring.

A water fountain and pool were included in the architect's plans, and will be working when the building is accepted, Rucker said.

He pointed out Military Walk, west of the Academic Building, will be closed for construction of utility tunnels. When construction is completed, a mall is planned for that area, he added.

Rucker disclosed funds for site development of all the new buildings have been appropriated.

Chilling big toes called cold cure

WASHINGTON (AP)—Development of a cure for nose colds—by chilling the big toes with a refrigerant chemical—was claimed Thursday by two researchers from Israel.

The researchers even said the technique apparently provides indefinite immunity against such runny-nose maladies, according to preliminary findings among 100 patients treated during the past year.

But some American scientists snorted at the idea.

The Israelis reported the idea is this:

Sudden temporary chilling of the big toes almost immediately brings about a lowering of the normal body temperature within the nose because, they said, the big toes and the nose are nervous system "reflectors" of one another in their response to external stress. And this nasal tempera-

ture-lowering—along with humidity-lowering—"dries up the nostrils," thereby "curing" the cold, they said.

They indicated the concept is based partially on the ancient Chinese method of acupuncture—sticking needles in one part of the body to attack an ailment elsewhere.

But two American medical specialists on the common cold, asked by a newsmen to evaluate the report, said that:

While the toe-chilling technique might conceivably abort or reduce the severity of a nose cold due to an allergic reaction, they seriously doubt it could have any effect against cold due to viruses.

And the Americans generally pooch-pooched the suggestion that the technique could provide long-time immunity, even against allergic type colds.

Soviet missile lead could lead to war, U.S. analyst claims

WASHINGTON (AP)—A civilian defense analyst told congressmen Thursday the Soviets have a missile lead that could give an American president only two alternatives in a crisis: cave in or threaten nuclear war.

Dr. William R. Kintner, director of the Foreign Policy Research Institute of Philadelphia,

University National Bank "On the side of Texas A&M." —Adv.

said the Soviets' increase to 1,900 missiles from 1,100 during the current U.S.-Soviet arms limitation SALT talks makes clear they are using the talks as a tactic for gaining military superiority over America.

"Unless we do something very quickly," Kintner testified, "an American president could be faced with the quandary of having to decide whether to give in to Soviet demands in any conflict around the world or launch a nuclear first strike."

Ex-Ranger A&M's new police chief

Texas Ranger O. L. Luther of Bryan, the new University Police Director, officially took office Wednesday.

Luther, 54, succeeds Chief Ed E. Powell, who retired Aug. 31 at age 65. Powell, who joined the university staff in 1957, has been chief of the security office since Jan. 1964.

"We are extremely pleased Ranger Luther has accepted the appointment as head of our university police," said Dean of Students James P. Hannigan. The police department is organized

under the Dean of Students' Office.

"We have worked with Ranger Luther frequently in both on and off campus problems and always found him cooperative and helpful," Hannigan continued.

"Ranger Luther is a proven leader and his leadership will aid the University Police Department. Chief Powell has an outstanding record with the university and he will be missed," the dean added.

Luther is considered one of the most dedicated law enforcement

officers in Texas. He was honored in July by Bryan-College Station Jaycees as the Outstanding Local Law Enforcement Officer of the Year.

Luther joined the Texas Department of Public Safety in 1942 and has been with the department since, except for service in the Navy during World War II.

Luther returned to the DPS following the war and was named supervisor of highway patrol in Bryan in 1957. His entire public career has been centered in the Brazos County area.

In 1961 Luther was named a Texas Ranger and he currently is one of 80 in the state. He is assigned to Co. F out of Waco.

Throughout his career Luther has attended law enforcement courses and is a graduate of special FBI schools. He holds the Certificate in Advanced Law Enforcement Education awarded by the state.

Luther also has served as an instructor in the Department of Public Safety Academy in Austin and was responsible for DPS educational activities in the five county Brazos Valley area.

Among his duties are assisting police and sheriff's offices in Brazos, Burleson, Madison, Leon and Robertson counties. He also is given special assignments throughout the state, among them the successful investigation of the 1968 Sam DeGelia murder in McAllen.

Hannigan said Luther has assisted Texas A&M through a security plan for the Cyclotron Institute, traffic and parking planning and aided the Dean of Students' Office and University Police Department.

Judge accuses SEC lawyers of stalling

DALLAS (AP)—U. S. District Court Judge Sarah T. Hughes angrily scolded Securities and Exchange Commission lawyers Thursday and ordered them to limit their evidence to what is directly pertinent in the Texas stock fraud case.

When SEC lawyer James Sims ventured to object, the judge cut in sharply. "Don't argue with me," she said. "Do as I say. I want you to speed up this trial and omit irrelevant matters."

The judge's rebuke came at mid-morning with Donald S. Akins, one of the defendants, on the stand for the second day. Only six witnesses have been heard and there are 63 to come, plus any the defense may call.

Searching questions were put to Akins about loans to defendants in the case, some of them secured by unregistered stock in corporations that also are defendants.

Akins is the former executive vice president of National Bankers Life Insurance Co., whose stock the SEC alleges was manipulated so that politicians in Austin could make quick profits

with the possible end result of influencing legislation.

Akins was also at one time a 5 per cent stockholder in Nashwood Corp., which is owned by former Texas Atty. Gen. Waggoner Carr and his one-time law partner John Osorio, who was president of NBL. Akins was briefly president, by Osorio's invitation, of Dallas Bank & Trust Co., which Carr and Osorio controlled through South Atlantic Corp., another of their companies.

Akins was asked in detail about Nashwood's financing through Frank W. Sharp's Sharpstown State Bank of its purchase of West Virginia Life Insurance Co., another deal in which Nashwood turned an \$82,000 profit through its 30-day ownership of Lake Travis Lodges Inc. in Central Texas, and other transactions.

At one point Sims zeroed in on Nashwood's 1968 corporate income tax return which showed Akins being paid \$2,400 in salary along with payments to officers of the company. Akins said he never received the money, which was only carried in the report as accrued salary so as to make Nashwood's profit look less for

tax purposes.

Akins said he became president of Dallas Bank & Trust Co. by invitation of Osorio, so that he could make a survey of its loan portfolio which had been causing some trouble.

He described how South Atlantic acquired the stock of Dallas Bank & Trust and how loans at DB&T financed the purchase of

control stock of City Bank & Trust Co., of which Akins also became an advisory director. He said DB&T had loans of about \$2 million secured by CB&T stock.

At one point during his explanation of the various interlocking relationships and outstanding commitments, Akins was asked about a \$150,000 unsecured loan which DB&T made to Andy By-

ram, another of the defendants in the case. He was asked if he knew what the proceeds were used for. He replied that he understood they were used for the benefit of RIC International, a South Atlantic subsidiary now in bankruptcy. Byram's name was used in the deal because RIC International had already reached its loan limit, he explained.

Nixon lost advantage in recognizing Red China, William Buckley tells YAF group in Houston

HOUSTON, Tex. (AP) — By recognizing Red China as he did, President Nixon abandoned a strategic weapon of diplomacy without getting anything in return, conservative William Buckley, editor of the National Review said here Thursday.

Speaking at a news conference, Buckley said he also thought Nixon's proposed trip to Red China was a mistake and could possibly be claimed by the Red Chinese as a psychological victory.

"I think it's mistaken because

I think there is no quid pro quo," he said. "I don't know how his visit is going to be presented to the Red Chinese, but I think it's not too difficult to guess. We know the Oriental significance of the trip being in that direction rather in the other direction.

"The Red Chinese are not going to throw away the psychological benefits of stressing that the trip was in that rather in the other direction."

Buckley made the comments at a news conference on the opening

day of the Young Americans for Freedom's national convention here.

In a later keynote address, Buckley attacked Nixon's policy of deficit spending and said that "the American experience" has reinforced the concepts of classical economists who have denounced unbalanced budgets.

He said the arguments by liberals that deficit spending helps the employment situation has not been borne out in the last 40 years.