

# Jury convicts Mutscher, associates

ABILENE, Tex. (AP) — A jury convicted Texas House Speaker Gus Mutscher and two aides today of conspiracy to accept a bribe in the Texas stock-bank loan scandals.

Also convicted with Mutscher were his two chief lieutenants, state Rep. Tommy Shannon of Fort Worth and administrative aide Rush McGinty.

Mutscher's head swayed slightly as the verdict was read. One of his lawyers, Richard "Racehorse" Haynes, dropped his head on his hands and grimaced as if he wanted to cry.

About 20 minutes after the verdict was read, Mutscher sat down on a front row bench in the spectators' section and cried openly. His wife, Donna, Miss America of 1964, stood beside him with her hand on his shoulder.

Mrs. Mutscher then sat down and sobbed. The speaker's father, Gus Mutscher Sr., and Mrs. Tommy Shannon also cried. McGinty left the courtroom. Tommy Shannon was dry-eyed.

The 8-woman, 4-man jury deliberated two hours and 20 minutes after a 13-day trial in which the defense put on no witnesses but used almost all its allotment of four hours in jury agreements in an effort to convince the jury that the state failed to meet its burden of proof.

Testimony will be taken Thursday at 9 a.m. on the sentence. Each of the defendants could get 2 to 5 years in the penitentiary.

The conviction unquestionably will have profound political repercussions in state government for years to come.

Foreman of the jury was Lar-

ry E. Yerger, 28, a McMurray College freshman and a Methodist.

The defense asked that the jury be polled and each juror confirmed that conviction was his verdict for each defendant.

Joe Shannon, lawyer for Rep. Shannon, but no relation, told newsmen, "I don't have a God-damn word to say. Nothing."

None of the other lawyers for the defendants nor the defendants themselves said anything to newsmen immediately after the verdict.

This was the first major criminal prosecution growing out of the Texas stock-bank loan scandals that came first to light in January 1971.

The jury apparently was persuaded by chief prosecutor Bob Smith that the defendants were good men that got greedy.

A parade of defense lawyers insisted the state failed to prove beyond a reasonable doubt the defendants conspired to accept a bribe.

Attorneys argued that the prosecutors presented no evidence of "a positive agreement" to commit the alleged felony.

"I submit they didn't offer it because they didn't have it because it didn't exist," one counselor declared.

The lawyers quoted freely from the judge's printed instructions to the jury, particularly the state's "burden of proof" responsibilities and the rules involving circumstantial evidence.

Mutscher, 39, a powerful government figure, is the highest-ranking state official to face felony prosecution since Gov. Jim Ferguson was impeached in 1917.

Shannon, 62, white haired and dignified looking, served as Mutscher's floor leader during the special legislative session under scrutiny.

McGinty, 32, the Speaker's top administrative lieutenant, is a member of a prominent West Texas ranching family.

The state contended the defendants received sophisticated bribes from Sharp to shove his banking bills through the legislature.

Dist. Atty. Ed Paynter of Abilene established the tone of state arguments by charging that the defendants, acting in concert, positively agreed to take loans with locked-in quick profits.

The state sought to show during seven days of testimony that the alleged payoffs came in 1969 in the form of unsecured loans from the Sharpstown State Bank of Houston.

The defense, in a bold gamble, rested without calling a single witness. Mutscher, his associates, and several others reaped hefty profits from a short term purchase of stock in Sharp-controlled National Bankers Life Insurance Co.

Gov. Preston Smith, who also profited from Sharp's generosity, vetoed the controversial bills. Smith shared a \$125,000 profit with Dr. Elmer Baum, at that time member of the state banking board and chairman of the state democratic executive committee.

Asst. Dist. Atty. Harold Jaquet led off the first state arguments Tuesday by declaring the alleged conspiracy was and is indefensible.

"I think this is the most im- See SHORT, Page 5

# The Battalion

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## Mitchell admits to conference with president of IT&T Corp.

WASHINGTON (AP) — Former Atty. Gen. John N. Mitchell testified Tuesday he met for 35 minutes with the president of International Telephone & Telegraph Corp., even though Mitchell had disqualified himself from taking part in antitrust suits against the conglomerate.

But Mitchell told the Senate Judiciary Committee that the discussion in August 1970 dealt only with ITT president Harold Geneen's arguments that the Nixon administration's antitrust policy was too vigorous.

Mitchell, who disqualified himself because his old law firm had advised an ITT subsidiary, said there was no discussion of the company's court battles with the Justice Department.

Mitchell denied knowledge also of a reported \$400,000 pledge by ITT to help finance the Republican National Convention in San Diego next August.

The committee was in its eighth day of hearings requested by Richard G. Kleindienst on a report published by columnist Jack Anderson that ITT was given a favorable settlement of the antitrust action after making the pledge.

Kleindienst was deputy attorney general at the time of the settlement last July. He has been nominated to succeed Mitchell who stepped down March 1 to manage President Nixon's re-election campaign.

The committee gave unanimous approval to the nomination prior to the publication of Anderson's accusation. The Senate has not acted on the committee's report but Chairman James O. Eastland, D-Miss., has taken the position that as far as the committee is concerned the nomination stands approved and he does not plan another committee vote.

As Mitchell underwent rather mild questioning from Democrats, there were indications that some senators will be traveling to talk with ITT lobbyist Dita D. Beard, now in a Denver hospital with a heart ailment.

Mrs. Beard, 53, is the author of a memo cited by Anderson as evidence that the antitrust settlement and convention commitment are related.

Sen. Edward M. Kennedy, D-Mass., said the committee heard a report from two heart surgeons who examined Mrs. Beard and reached an understanding that some members of the committee would fly to Denver, probably next week.

Mitchell said his meeting with Geneen came at the ITT executive's request. Its purpose, Mitchell said, was "to discuss the over-all antitrust policy of the department with respect to conglomerates."

"I assented to the meeting on the express condition that the pending litigation would not be discussed. Mr. Geneen agreed to this condition."

Mitchell said he advised Geneen that "our policy was to bring litigation only where there was a showing of anti-competitive practices."

Committee members later turned to accounts of a confrontation between Mrs. Beard and Mitchell at the Kentucky governor's mansion after the Kentucky Derby last May.

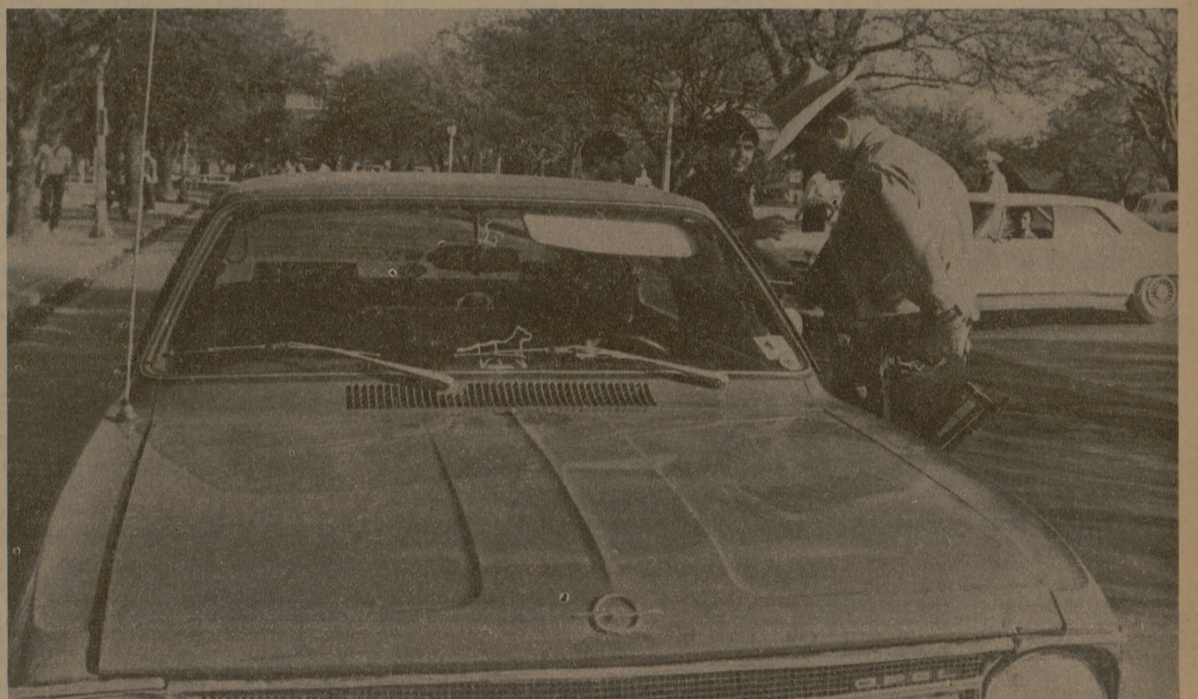
Anderson aide Brit Hume has quoted Mrs. Beard as saying that although she met initial resistance, she was eventually able to press the ITT case with Mitchell and obtain word that Nixon had asked Mitchell to go easy on the conglomerate.

Mrs. Beard was quoted by Hume as saying that Mitchell listened through a long dinner conversation about what ITT sought in the case.

To the contrary, Mitchell told the committee, he rebuffed Mrs. Beard three separate times at their Kentucky meeting, telling her he refused to discuss the case.

As Tuesday morning's session ended, Eastland said he believed Mitchell and Kleindienst had told "the cold-blooded truth" in denying any wrongdoing.

Mrs. Beard's story as related by three separate witnesses plus the memo "just didn't add up," Eastland said.



"YOU'RE IN A HEAP O' TROUBLE MAM!" Officer Robert Tucker of the University Police reprimands a speeding motorist Tuesday in front of Sbis dining hall. Repeated violations of the speed limit in the area have prompted the police to crack down, irritating motorists but providing some of the liveliest afterdinner entertainment of the term for campus dwellers. (Photo by Mike Rice)

## Zachry Engineering Center set for dedication Thursday

The formal dedication of the new Zachry Engineering Center will be made Thursday morning at 11.

The building will be named for H. B. Zachry, chairman of the board of the H. B. Zachry Co. of San Antonio. Zachry, a 1922 A&M graduate of the College of Engineering, was formerly president of the Board of Directors of the Texas A&M University System.

In honor of the dedication more than 1,500 JETS (Junior Engineering Technical Society) members will visit the building on Friday. Saturday's visitors will include many former students. Over 10,000 invitations have been mailed to A&M alumni.

Most of the engineering departments will display exhibits. Two will concern the history of moon exploration—a scale model of a lunar lander and a moon rock from the Apollo 11 moon exploration.

University of Houston President Dr. Phillip Hoffman will give the principal address at Thursday morning's dedication. Texas A&M President Jack K. Williams will preside. In addition, the Singing Cadets will perform.

The patron saint of engineers is Saint Patrick, so the dominant color at the ceremony will be green.

Green bouquets of belles of Ireland and green carnations will be flown in from California, according to Robert Rucker, who

is handling the floral arrangements.

Colorful flowers from Florida and Hawaii will also be used, he said.

The Zachry Engineering Center was constructed at a cost exceeding \$9 million dollars. The building occupies a site larger than a football field and houses the Departments of Chemical, Electrical, Industrial, Mechanical and Nuclear Engineering, the Texas Engineering Experiment Station and the Texas A&M Research Foundation.

The ground floor consists mostly of research laboratories including a laboratory nuclear reactor which can be seen by visitors. The first, second and third floors include primarily classrooms and student laboratories.

## In Florida primary

### Wallace claims landslide victory

MIAMI (AP)—Gov. George C. Wallace stormed to a landslide victory Tuesday night in Florida's Democratic presidential primary. Sen. Hubert H. Humphrey ran a distant second, while Sen. Edmund S. Muskie was trounced and far back in the field.

Among 10 defeated Democrats, Muskie of Maine was the big loser. He ran fourth, behind Sen. Henry M. Jackson of Washington.

As the election night count neared completion, Wallace had 42 per cent of the Democratic vote, a better showing than expected. With a 19 per cent showing that doubled Muskie's total, Humphrey gained most among candidates other than the Alabama governor. Jackson had 13 per cent.

Muskie was back with the also-ran entries, at 9 per cent.

President Nixon swept to victory in a Republican primary that never was a contest.

And Florida voters declared by

a gigantic 74-26 per cent margin that they would like the U.S. Constitution amended to forbid the compulsory busing of school children for purposes of racial balance. They also voted heavily for equal education for all children.

This was the standing on the long Democratic ballot, with 99 per cent of Florida's 2,481 precincts counted:

Wallace 511,352 or 42 per cent.  
Humphrey 228,850 or 18 per cent.

Jackson 166,424 or 14 per cent.  
Muskie 108,849 or 9 per cent.

Mayor John V. Lindsay of New York was fifth with 80,312 votes, or 6 per cent.

He had waged a contest with Sen. George McGovern of South Dakota for the top spot among liberal Democrats. McGovern finished sixth with 74,482 votes, also 6 per cent.

Rep. Shirley Chisholm of New York was next with 44,180 votes,

or 4 per cent.

The balance of the votes were split among four absentee entries, Sen. Eugene J. McCarthy of Minnesota, Rep. Wilbur D. Mills of Arkansas, Sen. Vance Hartke of Indiana and Mayor Sam Yorty of Los Angeles.

On the Republican side, this was the count with 99 per cent

of the precincts in:

Nixon 357,138 or 87 per cent.  
Rep. John M. Ashbrook of Ohio, 35,976 or 9 per cent.

And Rep. Paul N. McCloskey of California 16,982 or 4 per cent.

McCloskey quite the presidential campaign after the New Hampshire primary last week but his name remained on the ballot.

## Globetrotters come to A&M March 22 under Town Hall

The epitome of stardom that youngsters daydream about while shooting basketball in the driveway will materialize March 22 in A.G.M.

The Harlem Globetrotters' skilled, fun-filled version of basketball will appear here as a special attraction of the Town Hall committee.

Town Hall chairman Kirk Hawkins reminded that tickets for the sports extravaganza are now on sale. Orders can be placed by mail to the Student Program Office in the Memorial Student Center.

The Globetrotters' international unit featuring Bob (Showboat) Hall will meet the New York Nationals in an 8 p.m. centerpiece, served up with side dishes including juggling, dancing, balancing and bicycling acts.

On the Globetrotter roster for

the TAMU Wednesday contest are Hubert (Geese) Ausbie, player-coach Mel Davis, Hall, Theodis Lee of University of Houston fame, Bill Meggett, David Naves, Pablo and Walter Robertson, Clarence Smith, Dallas Thornton, Jerry Venable and Vincent White.

Lining up on the opposite end of G. Rollie White Coliseum against the Court Magicians' famous dribbling antics, quick-as-the-eye ball handling, unique shooting and other routines will be another star-studded quintet.

The Nationals play Michael De Frates, Chuck Fernandes, 6-8 Alcorn A&M alum Walter Ned, 6-7 Steve Popovich from Wyoming, Gary Schneider, Jerry Turner, Bob Simon, Dick Cabrera, Billy Crow and Allen Dean.

Trotter records are legion. Going into the 1971-72 season, they played 10,655 games in 45 seasons. The Abe Saperstein-

founded team won 10,332. Almost a third of the games—3,049—were played in foreign lands.

The Globetrotters have had five audiences with three Popes during July tours in Italy and cracked the Iron Curtain in 1959 and again in 1961 for clinics and games in Russia, Poland, Hungary and Rumania.

They were the first sports group to play the New York City Fair and in 1963 became the only American team to play the Prince Philip Charity, London's "black tie" sporting event.

Subject of a Saturday morning CBS-TV series, the Trotters under George Gillett's leadership last year drew three million fans, sending all-time attendance to over 68 million. The 1970-71 season also included the first loss in almost nine years. The National Unit dropped a 100-99 decision to the New Jersey Reds, snapping a 2,495-game win string.

## New MSC Complex fee meets minimum of funds

The \$5 increase in the Memorial Student Center Complex fee will account for only the "bare minimum" of funds needed in this area, according to Clark Diebel, controller.

The \$2 increase proposed by the Student Senate would have left a deficit of \$66,000 from what is needed, he contends. The administration rejected the Student Senate's recommendation and submitted the \$5 increase plan to the Board of Directors.

In a proposed tentative budget \$444,000 was requested from the Student Service Fee allocations for the complex. The budget now under consideration, which includes the \$5 increase approved by the Board of Directors, allows only \$214,000 for the complex.

The increase, which surprised and disturbed many student senators, was made known to the senate in February, according to Diebel. "The fee allocation was made on Feb. 23 and shown to a Student Senate committee on the next day," he said.

Each department receiving money from the Student Service Fee allocations was requested to submit tentative budgets by Jan. 25, Diebel said. He added that final budgets will be determined by each individual department after the final allocations are decided.

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