

Smith Innocent Of 'Fragging'

FT. ORD, Calif. (AP) — A military jury Tuesday found Pvt. Billy Dean Smith, the first soldier brought to trial in the United States in a "fragging" incident, innocent of charges he killed two officers with a grenade in Vietnam.

Smith, a 24-year-old black from Los Angeles' Watts section, was acquitted of six counts of murder, attempted murder and assault but was found guilty of assaulting a military policeman who arrested him soon after the fragmentation grenade exploded.

The conviction on the single assault charge carried a maximum penalty of one year at hard labor, dishonorable discharge, forfeiture of all charges and reduction to lowest enlisted rank. The jury of five whites and

two blacks, all career officers, was to begin deliberations later Tuesday in the "penalty phase" of the trial, in which the defense can argue for leniency. Smith has been in custody for 20 months.

Smith had pleaded innocent to all charges. If convicted of the murder charges, he faced a mandatory sentence of life imprisonment.

Smith showed no emotion when the verdict was read. He stood and saluted the president of the court, then embraced members of his family and his attorney, Luke McKissack.

The jury's decision automatically will be reviewed by Maj. Gen. Harold G. Moore, commanding general of Ft. Ord, and can be appealed to the U.S. Court of Military Appeals.

The private had been accused of detonating a grenade that killed Lts. Thomas A. Dellwo of Choteau, Mont., and Richard Harlan of Dallas, Tex., on March 16, 1971, at Bien Hoa air base near Saigon.

He also was accused of attempted murder of his commanding officer, Capt. Randall Rigby of Ft. Sill, Okla., and a sergeant, Billie E. Willis of Big Stony Gap, Va., who the prosecution contended were Smith's intended victims.

The jury began deliberations Monday. It returned its verdict after hearing again parts of the testimony given by W. O. Otis Hensley, an Army crime lab technician. Hensley had linked a grenade pin found on Smith with a grenade lever found near the scene of the explosion.



ELTON JOHN bangs out the rock-and-roll at last week's concert. His enthusiasm often lifted him out of his piano chair during the course of the night.

\$1,000 Service Awards Given

William B. Averyt and Robert L. Reed, both of the Texas Highway Department's Austin offices, received \$1,000 outstanding serv-

ice awards at the opening session here Tuesday of the 46th annual Highway Short Course.

Averyt, assistant right of way engineer for THD's Right of Way Division, was awarded the 1972 Dewitt C. Greer Award.

Reed, bridge design engineer for the Bridge Division, received the 1972 Gibb Gilchrist Award.

The latter award honors the former state highway engineer and former A&M president who died May 12.

The Greer award honors the man who has served for the past two years as chairman of the Texas Highway Commission and also is a former state highway engineer. Greer was one of the opening session speakers.

Averyt was honored for developing administrative policies and procedures for the purchase of right of way when the Right of Way Division was formed in 1956. Due to his efforts, the department established a working program compatible with design and construction requirements for the Interstate program.

Reed was selected for his work as lead design engineer on a special project which developed a new design analysis concept to prevent deterioration of concrete slabs in bridge construction. His new design procedures are expected to significantly reduce the cost of maintenance resulting from bridge slab deterioration throughout the United States.

Resonance by Steve Gray

After the Elton John concert, someone wrote in saying A&M should bring more quality groups like John's bunch to G. Rollie. This is a thought shared by many. The only problem is, there just aren't many groups as "quality" as Elton John.

I read recently that a reporter asked John why he was so crazy on stage. Elton John answered, "I play pop music." That's the key to his popular live performances, he knows what his music is and happily accepts it as pop.

He doesn't attach importance to his songs individually, as Bread so pitifully did, but rather concentrated on the effect his songs had collectively. An Elton John concert is of such high quality that comparisons are almost unfair.

This Friday, Looking Glass comes to town. They have one album and a single, "Brandy," which needs no introduction. It was a giant hit for this quartet from Rutgers, which first got together in the summer of '71. The album is simply called "Looking Glass." It's not bad for a premier effort. It has a lot of piano, tight drumming and some original material.

The strongest point of "Looking Glass," however, is the vocals. Three of the members sing, even alternating at the lead position.

As expected, "Brandy" is the best cut, but there are some close seconds. "Jenny-Lynne," the album opener, is a lively number with a good chorus. Like most of the record's songs, it tells a simple little story, which fits in fine, musically.

"Don't It Make You Feel Good" makes me feel good enough to look forward to their concert just to see if they have anymore stuff like it. It is a real rocker with a couple of chicks singing back-up that sound too good not to be black. Hopefully, they will be along with the rest of the group.

Looking Glass is a good enough album to be worthwhile without having "Brandy" on it — though

just barely good enough, they can find a few more along the lines of "Feel Looking Glass might be a fun.

John Denver is now known figure in today's scene. So far, neither his records show it, but he's out if he still has the smiling freshness he started Tuesday night at G. Rollie Coliseum after the bombing.

Denver has put out six to date, the most financially successful being "Poems, Prayers and Promises." It was the strength of this album that Denver made last year's tour, during which he stopped A&M. As many of you know, his show was very friendly, one of the year's Now his "Rocky Mountain LP is selling and he's back again.

John Denver is one of the stardom his agency has been claiming last two years. His television special last surprised everyone by a large audience in the "dead" post-midnight time. The variety show was popular, urging registration election interest in general came across warm and bright. The only mistake he made allowing Argent to perform "Hold Your Head Up" again.

Denver gave his "Leave a Jet Plane" away to Peter and Mary and recently performed on Arlo Guthrie's album donating "City of New Orleans" to Woody's boy. So, he's not only had a better original of his own songs, he's ready have the stardom he destined for.

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