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Mutscher told must begin serving time

Mutscher, convicted of conspiracy to accept a bribe, must begin serving his five-year probation despite plans for a U. S. Supreme Court

A spokesman said the court would formally issue its mandate Thurs-

Also covered by the order were two of Mutscher's associates, former Rep. Tommy Shannon of Fort Worth and former speaker's aide Rush McGinty of Austin.

Lawyer for the three men had of Criminal Appeals ruled Wednes-filed motions asking the court to stay day that former House Speaker Gus its mandate pending a possible hearing before the Supreme Court on issues raised under the U.S. Constitution

The state court has turned down all appeals on behalf of the three former state officials. Issuance of a mandate to carry out sentence is the court's final act after affirming a

The three men were convicted of conspiring to accept loans and pro-fitable stocks deals from Houston promoter Frank Sharp in exchange for their efforts in 1969 to win passage of two bank deposit insurance bills sought by Sharp.

Lawyers plan to ask the Supreme Court to throw out the convictions on the ground that the defendants were immune from prosecution under state and federal constitutional provisions intended to guarantee free and open legislative

The appeals court has rejected the claim, saying such protection did not extend to illegal behindthe-scenes activity.

Brooks to be tried in Houston

Brooks, 19, must stand trial in the same city where he is accused of participating in the slayings of 27 male teen-agers, a district court sive news coverage judge ruled Wednesday.

Brook, accused in four of the 27 deaths known as the Houston mass murders, will be tried here Feb. 17, District Court Judge William Hatten ruled Wednesday.

hearing to see if the trial should be moved out of city because of mas-

Hatten ruled earlier this year that Brooks' co-defendant, Elmer Wayne Henley, 18, should be tried elsewhere. Henley was tried in San Antonio on six counts of murder and received a 594-year prison term.

Both Henley's lawyer, Will Gray, the district attorney's office to hold a and Brooks' attorney, Jim Skelton, had opposed changes of venue. Hatten refused Gray's plea to keep the trial here but listened to Skelton's arguments. Hatten also granted a motion

Wednesday by Skelton forbidding lawyers on either side to comment about the case. Don Lambright, an assistant district attorney who is prosecuting the

Brooks case, told Judge Hatten he believes the publicity in this situation is as great as in the Henley case. "The defendant feels he can get a fair trial in Harris County (Houston)

so your motion will be denied,

Brooks gave officers a statement in which he admitted luring youths to the home of Dean A. Corll, 33, and then being present when they were homosexually raped, tortured and murdered. Brooks denied participation in the killings.

Peniston Cafeteria

THE BATTALION Page 9
THURSDAY, NOVEMBER 14, 1974

Special Thanksgiving Candlelight Feast

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Prosecution will call wife in cyanide case

UTPB president

reassigns' editor

HOUSTON (AP) — A prosecutor \$60,000 in insurance on the two said Wednesday that the wife of a children. Poisoned candy was given husband.

Asst. Dist. Atty. Mike Hinton slated to begin Jan. 6. said Wednesday that Mrs. Dayenne O'Bryan will be a prosecution witness against her husband, Ronald O'Bryan, 30.

O'Bryan is charged with giving his son, Timothy, 8, candy laced with cyanide on Halloween night. He is also charged with the attempted murder of his daughter, Elizabeth Lane, 5, and three other

(Continued from page 1)

editorials that are condemning in

nature, contain slanderous mater-

ial, mudslinging or four-letter

Amstead stressed that the publi-

cation is funded by the state, not by

student service fees and is not a stu-

dent newspaper. He described it as

He also said Asbery was an emp-

loye of the university, paid by state

funds and "he violated his agree-

ment as an employe of the school

when he printed a letter to the

Amstead said a newspaper advis-

ory committee, consisting of one

representative from the staff, fa-

culty, administration and student

editor in the weekly publication."

a newsletter.

man accused of poisoning his son to the other three children, who with trick-or-treat candy to collect went trick-or-treating with the life insurance will testify against her O'Bryans, as a cover-up, they say. O'Bryan's trial is tentatively

> Mrs. O'Bryan testified before a grand jury on Monday but did not testify at a hearing Tuesday in which a judge denied bond for her hus-

'Mrs. O'Bryan is a very strong woman, and has been very cooperative in the case," Hinton said

He added that under Texas law a wife may testify against her husband in any case involving injuries to her Officers say O'Bryan had over children if they are under age 16.

objections of Dr. Robert Rothstein,

faculty advisor to the Windmill,

after Asbery said he "had made the

decision as a journalist and felt the decision was soundly based.

Asbery said he felt the letter was

well written and that the student

had something to say; his responsi-

bility as an editor required him to

When contacted, Asbery said, "I

feel that UTPB is definitely a failure

in higher education. In my opinion,

President Amstead should account

for his actions. He should explain

those actions not only to the board of

regents, but also to all universities

associated with the University of

cision, but that a "legal suit would

be my last resort." He is now trying

to form a student newspaper but is encountering difficulty with fund-

Asbery said that if student support can be gathered, this week's issue of "Dr. Amstead's newsletter"

will be censored by the students,

either by shredding or burning.

thing, not frozen or

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canned . . . We call it

Asbery also said he "intends to

Texas system.

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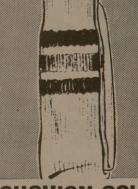


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