

# National

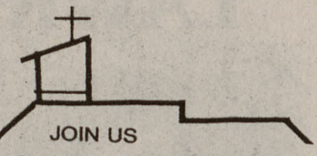
## Councilmen flocked to payoff 'like flies'

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**United Press International**  
PHILADELPHIA — Two city councilmen charged with bribery in the nation's third Abscam trial were attracted to payoffs by FBI undercover agents as if they were flies flocking to honey, the government's top informant said Thursday.

"They came to us for business," testified Melvin Weinberg, who has been on the FBI payroll since 1969. "We put the honey in the pot and the flies came."

Weinberg, who has figured prominently in all three Abscam trials, was referring to Councilmen George X. Schwartz and Harry P. Jannotti, accused of taking a total of \$40,000 in bribes to help a phony Arab sheik finance hotel construction in Philadelphia.

During cross-examination, Schwartz's lawyer, Richard Sprague, asked, "You wanted to see what kind of bees came in to nip at the honey?"

"The middlemen came to us. We didn't go to them," Weinberg said.

In opening remarks Wednesday, Assistant U.S. Attorney James J. Rohn said Schwartz and Jannotti "corrupted their offices" by agreeing to use their influence in exchange for the money, and said secretly recorded videotapes would prove it.

But Jannotti's lawyer, J. Clayton Undercoffler, indicated his client was the victim of entrapment. Sprague, deferred opening remarks to the six-man, six-woman jury until later.

**"We put the honey in the pot and the flies came," testified Melvin Weinberg, who has been on the FBI payroll since 1969.**

The government charged that Schwartz, 65, took \$30,000; Jannotti, 56, took \$10,000.

The trial resumed Thursday before U.S. District Judge John P. Fullam.

Rohn told the jury the videotapes will show that Schwartz and Jannotti attended meetings at Philadelphia's luxurious Barclay Hotel "to receive payoffs in return for using their influence in City Council."

The agents told the councilmen the sheik was interested in financing construction of a hotel in South Philadelphia, but would not pursue the project "unless he could take care of problems in advance" concerning zoning and licensing and inspections, Rohn said.

At a meeting Jan. 23, Schwartz boasted he could "deliver

city council to (FBI agent Michael) Wald on his bid," Rohn said.

In a meeting the next night, Rohn said Jannotti's agents "his vote would be there in City Council if it arose."

But Undercoffler asked the jury to "look for the indications of the misrepresentations" when the tapes of the meeting are played.

During the meeting, Undercoffler said Jannotti's agents "at least 15 times" that he would support the project only "if it was legitimate."

"The evidence will show that Harry Jannotti wanted the city," Undercoffler said. "The evidence will show Harry Jannotti didn't want to take the money."

Fullam told the jury it must decide the issue of entrapment — whether the defendants were pre-disposed to take the money whether they were persuaded to do so by the agents.

Indicted with Schwartz and Jannotti were Councilman Louis Johanson and Philadelphia lawyer Howard Criden, who was indicted last month in the first Abscam trial in New Jersey.

Fullam severed their trials from the current proceedings, ruling the guilty verdicts might be prejudicial. But Johanson and Criden might be called as witnesses.

## Court rules God is not a person

**United Press International**  
VANCOUVER, British Columbia — God is not a person and a prayer is not a private conversation between two parties, a Canadian appeals court says.

The British Columbia Court of Appeals ruled Wednesday a man who was heard by a policeman to say "Oh, God, let me get away with it just this once," must stand trial again for inciting arson. The ruling reversed a lower court decision which acquitted the man on the grounds of prayer being inadmissible evidence.

In its 2-1 majority decision, the province's court of appeal ruled prayer was admissible evidence since God is not a person, defined in the law as "a human being having rights or duties recognized by law."

Justice Henry Hutcheon said he did "not accept the proposition the word 'person' ... extends beyond the human species," saying the prayer did not constitute a "private conversation" as defined by the Criminal Code, because God was not a person.

Davie had agreed to undergo a lie detector test in connection with the incident, but before starting the procedure, a police sergeant left Davie and went into an adjacent room equipped with a video camera and microphone.

The supplication was presented as evidence in Davie's ensuing county court trial, but the judge ruled it was a private conversation, which under Criminal Code provisions must be between two persons, and therefore privileged information and inadmissible.

## War stress no defense

# Vet guilty on drug rap

**United Press International**  
BOSTON — A Vietnam veteran claimed his involvement in an international drug smuggling ring was the result of "Vietnam syndrome," an uncontrollable, combat-triggered urge to take dangerous risks. The jury did not believe him.

Peter L. Krutchevski, 36, a Michigan businessman, was found guilty Wednesday of helping to smuggle 26 tons of marijuana from Colombia to Gloucester, Mass., in 1975. He faces a total of 20 years in jail at his sentencing Oct. 6.

The former Army helicopter pilot admitted his involvement in the drug episode, but claimed he suffered from delayed stress syndrome — commonly called "Vietnam syndrome" — a mental disorder affecting Vietnam veterans.

Krutchevski told jurors the illness rendered him unable to cope with a

return to civilian life. He now runs a gas development firm in Lansing, Mich.

Defense attorney Roger Craig maintained his client's uncontrollable need to take dangerous risks qualified him as legally insane, and therefore innocent of drug-smuggling charges.

The jurors deliberated for several hours Tuesday and most of the day Wednesday before handing down its verdict.

The so-called "combat-fatigue" disease, likened by one psychiatrist to "shell shock," is recognized by the American Psychiatric Association and the Veterans Administration.

The defense has been successfully used in cases in California and Pennsylvania, but Wednesday's verdict marks the first time it has been used

in a non-violent premeditated

Krutchevski admitted the \$500,000 in the drug scheme, but he pleaded insanity due to stress suffered during his two years in Vietnam.

Psychiatrist Dr. Donald T. WASHINGTON revealed "no evidence of insanity" during his two-year examination of Krutchevski. Earlier in the trial, a preliminary hearing revealed "no evidence of insanity" during his two-year examination of Krutchevski.

That testimony was contested, climbing to \$4.5 billion. Earlier in the trial, a preliminary hearing revealed "no evidence of insanity" during his two-year examination of Krutchevski.

"He was driven . . . He could not adhere his conduct to the requirements of law," Tanay said. The defendant's actions were a direct result of his illness, an acting

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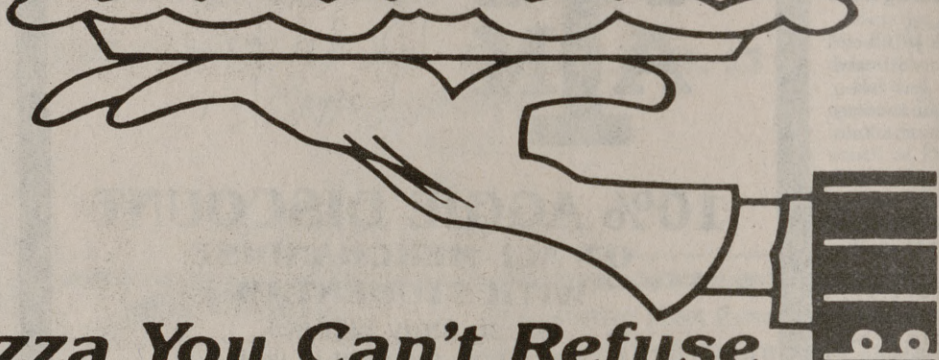
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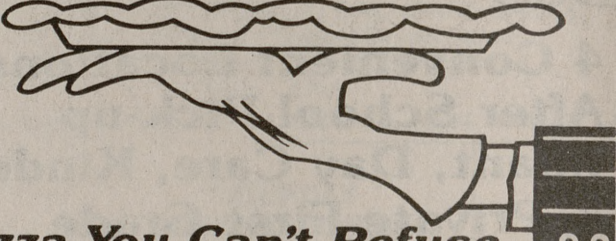
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