

# Bank reports Shapp blackmail

PITTSBURGH (AP) — A top official of Mellon Bank affirmed a newspaper report yesterday that Gov. Shapp personally offered to withdraw legal action against the bank in exchange for a \$61 million loan to the state's housing agency.

Mellon vice president Charles Jarrett said the report in the Sunday Pittsburgh-Press was correct, but declined to elaborate.

"I am under specific instruction to make no further comment because we are threatened with litigation," Jarrett told an

Associated Press reporter in a telephone interview.

The press quoted an unnamed Mellon source as saying Gov. Shapp asked the bank in January to bail out the financially troubled Pennsylvania Housing Finance Agency.

The source, according to the newspaper, quoted Shapp as telling a bank official, "If you can help us with the housing agency, we can forget any legal action against the bank."

The Press source said the bank has "plenty of witnesses to back up the fact the offer was made by Gov.

Shapp to us."

"If it's not a form of blackmail, I don't know what it is," the source said.

Pete Donnelly, Shapp's assistant press secretary, denied the report.

"I believe exactly the opposite is true," Donnelly said. "The governor had heard that there was perhaps a connection between the suit and the authority case."

"The governor hoped that was not the case and he spoke to Mr. Higgins. Higgins assured him it was not so. This was before the published report. There

was no connection."

Last week Shapp called on Mellon Bank to resign as the trustee of the Pennsylvania Public School Building Authority (PPSBA). He claimed the bank has cost the state more than \$6 million through bad investments of public funds, and he joined the PPSBA board in calling for legal action against Mellon.

Higgins claimed the authority was responsible for management of the money, and he pledged the bank would fight the attempted ouster in court.

# Author prints accusations Pope denies gay charges

VATICAN CITY (AP) — Pope Paul VI declared yesterday that accusations that he is a homosexual are "horrible and slanderous insinuations."

The charges were made by French author Roger Peyrefitte, a self-proclaimed homosexual, in a 3,000 word article printed by the Italian weekly magazine "Tempo." Police have seized the magazine.

Without mentioning Peyrefitte by name, Pope Paul said in a brief address to a crowd of about 20,000 in St. Peter's Square:

"We know that our cardinal vicar and the Italian Bishops' conference have urged you to pray for our humble person, who has been made the target of scorn and horrible and slanderous insinuations by a certain press lacking dutiful regard for honesty and truth."

"We thank you all for these demonstrations of faithful piety and moral sensibility," the 78-year-old pontiff added as the crowd applauded and cheered him.

The cardinal vicar of Rome, Ugo Cardinal Poletti and the Italian bishops' conference had appealed to Italian Catholics to join in prayers in a "day of consolation" for the Pope yesterday.

Special prayers were said for the Pope in all Italian Roman Catholic churches following the appeal and parish priests delivered sermons to defend the Pope against Peyrefitte's allegations.

Police have seized "Tempo" in Florence on orders from a state attorney, and suit has been filed against the magazine editor on grounds he abused the honor of the Pope as the head of a foreign state, a crime in Italy.

Under the 1929 agreement between Italy and the Holy See, the Pope and Roman Catholicism are granted special protection against libel and slander.

In his article, originally written for a French sex magazine, Peyrefitte wrote: "I said in my latest book with all due respect to a Pope, especially a living one, that he was a homosexual. It's well known that Paul had as a boyfriend a movie actor whose name I am not going to mention but whom I recall very well."

In the early 1950s, Peyrefitte's book, "Saint Peter's Keys," was seized by police in Italian bookshops on grounds it abused religion. In 1958 Peyrefitte was expelled from Italy following a written attack against Pope Pius XII.

In the latest article, Peyrefitte attacked a document issued in January in which the Vatican restated the condemnation of sexual acts outside marriage as sinful, despite urging understanding for homosexuals.

"Tempo" made the article its main story of the week with a full front page caricature of Pope Paul.

The Pope, who spoke from the window of his study to the crowd before giving his Sunday blessing, said that "this and other deplorable episodes have their origin" in the Vatican document on sexual ethics.

He said it is because of this "that we urge you to give this document and all the teachings it includes attentive consideration as well as to consider it a matter of virtuous observance... against the licentious hedonism spread in the custom of modern world."

# Manslaughter conviction fought

BOSTON (AP) — Lawyers for Kenneth C. Edelin, the doctor convicted of killing a fetus during a legal abortion, go before the state Supreme Court today to argue that the alleged victim died before birth.

This, they say, is enough reason to throw out the verdict against Edelin, who was convicted of manslaughter 14 months ago.

In a written argument filed before the appeal, Edelin's lawyer, William P. Homans Jr., said, "The conviction cannot lawfully be sustained unless there is sufficient evidence... that the fetus was born alive outside the body" and the doctor caused its subsequent death by acting "wantonly or recklessly."

"Since the record contains no such evidence, the trial judge erred in failing to direct a verdict of not guilty and to set aside the jury's verdict," he said.

Edelin, 37, an obstetrician at Boston City Hospital, was convicted Feb. 15, 1975, and sentenced to one year's probation. He was accused of killing a 20- to 24-week old male fetus that he aborted in 1973.

It was one of the most significant abortion cases since the U.S. Supreme Court barred states from interfering in a woman's right to an abortion before the fetus can survive on its own.

After Edelin's conviction, some doctors said they were reluctant to perform abortions after the first three

months of pregnancy.

In his instructions to the jury at the conclusion of the trial, Superior Court Judge James P. McGuire said, "A fetus is not a person and not the subject of an indictment for manslaughter." In order to become a person protected by law, it must be born outside its mother's body, he said.

The prosecutor, Newman A. Flanagan, countered in his argument to the appellate court that Edelin tried to asphyxiate the fetus while it was still inside the mother and then failed to save it after it was born.

"The defendant's action, in short, reflects not ignorance but an awareness of consequences, not a passive observance of events taking

their course and affecting the child but a positive, gratuitous effort to kill the child in the uterus, not good faith but half truth and concealment," Flanagan said.

Homans said the judge also erred in allowing improper evidence to be shown to the jury, particularly a photograph of the fetus.

"The prosecutor's extraordinarily inflammatory use of the photograph, capped by his plea to the jury to 'humanize' the fetus, shows the true thrust of the photo was directed to the passions and emotions surrounding the powerful yet extraneous ideological issue of the right to life of the unborn fetus," Homans said.

# Army equipment shortage called 'critical'

LANTANA, Fla. (UPI) — Army Secretary Martin R. Hoffman says a "critical" shortage of equipment would enable only half of the U.S. combat troops to be fully equipped if war was declared, the weekly National Enquirer reported yesterday.

The Enquirer quoted Hoffman as saying, "If we were to go to war tomorrow, the Army could equip only 51 per cent of its 16 divisions. This is a critical situation."

Hoffman said the Army has only 39 per cent of the tanks, 51 per cent of the armored personnel carriers, 71 per cent of the attack helicopters and 78 per cent of the artillery it needs.

Dr. Malcolm R. Currie, director of Defense Research and Engineering, was quoted as saying, "At present our defense capacity is simply not sufficient and beyond 1977 things will get even worse."

"The Soviet lead in artillery over the U.S. is now seven to one, in tanks six to one, in tactical aircraft, two to one. The momentum is now on the side of the Soviets and it is staggering."

"The Soviet Union sees war as inevitable and we have every reason to believe they seek world dominance. Yet we have only the fourth largest army in the world,

after China, Russia and India, and our navy has shrunk to a point too low to protect our interests worldwide," Currie was quoted as saying.

Army Chief of Staff Frederick C. Weyand was quoted as saying that Soviet ground forces outnumber the U.S. Army three to one and with their eastern European satellites they have "a vast advantage" over North Atlantic Treaty Organization land forces in tank, other armor and artillery.

"In the event of a conflict, our army deployments would be too little and too late," Weyand was quoted as saying.

House Armed Services Committee member Rep. Robin Beard, R-Tenn., was quoted as saying, "Witness after witness... has testified that the U.S. is now at its lowest ebb of military hardware production, while the Soviet Union is now at its height... There is no button you could push... that would create plants all of a sudden to start producing munitions."

"The Soviet Union has a six to one advantage over us in every phase of military production except for helicopters. I'm afraid they're developing a commanding lead," Beard said.

# Twin mine disasters under study

WHITESBURG, Ky. (UPI) — Operating under some harsh criticism, a five-man government panel will question some 40 witnesses in hearings opening today to determine what caused the twin Scotia mine disasters which killed 26 men last month.

The makeup of the panel already has drawn considerable fire, including the suggested removal of Robert E. Barrett, the new ad-

ministrator of the federal Mining Enforcement and Safety Administration (MESA), and Harrel N. Kirkpatrick, Kentucky commissioner of mines and mineral resources, from the panel. Barrett has been named to chair the panel.

Miller said it was a "clear conflict of interest" for Barrett and Kirkpatrick to serve on the panel when they were responsible for authorizing rescue and safety

crews to enter the mine after the first explosion, which killed 15 miners March 9.

Two days later, a second explosion took the lives of 11 men, including three MESA inspectors, who had gone into

the mine on a volunteer safety mission to test the atmosphere and repair the roof.

Those 11 victims remain entombed in the mine, which the government ordered temporarily sealed for safety.

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