

FIRST MISS TEXAS TECH ... Peggy Gutlery

## Lach found guilty in Fort Worth; 40 year jail sentence assessed

Benjamin Lach, former Tech graduate student, Saturday calmly heard a jury in Fort Worth find him guilty of murder with malice and sentence him to 40 years in a penitentiary.

Lach was on trial for the murder of Tech cleaning woman Sarah Alice Morgan in December of 1967. The state had asked for the death penalty.

LACH SHOWED little emotion when the guilty verdict and the sentence were read by Judge Byron Matthews in Criminal District Court No. 1.

When Lach entered the courtroom to hear the verdict, he was smiling, but the smile left his face as Matthews read, "We, the jury, find the defendant guilty as charged in the indictment."

The jury deliberated one hour and 58 minutes to reach the guilty decision and deliberated only 48 minutes to decide the punishment.

Defense co-counsel Bill Gillespie and A. W. Salyars indicated the decision will be appealed.

WHEN THE 11-MAN, one-woman jury indicated they had reached a verdict, Matthews told spectators, "I trust we won't have any outbreaks when this verdict is read. If anyone feels he cannot control his emotions, please leave the courtroom now."

The guilty verdict was read at 3:22 p.m. and an hour and ten minutes later the jury called for 40 years imprisonment for Lach.

Neither state nor defense attorneys presented evidence on punishment. However, prosecutor Alton Griffin told the jury, "We felt the facts in this case justify the penalty of death."

Griffin added, if the penalty returned were not death, it should be confinement for the rest of Lach's life.

Defense attorney Gillespie appealed to the jury for the minimum of two years.

WHEN THE JURY returned its verdict, Matthews asked the panel if he might add "in the penitentiary" to the jury's written verdict "... be set at 40 years."

The panel responded with a loud yes and Matthews advised the attorneys he would write in the addition.

In final arguments on guilt or innocence, prosecutor Griffin told the jury, "Alice Morgan gave her life so Benjamin Lach could make high grades."

"I submit to you that the evidence shows Benjamin Lach killed her."

The state then attacked defense arguments that someone else might have committed the murder. Griffin again ran through some of the evidence presented during the trial, including the unaccounted-for key to the murder scene, facts surrounding the arrest of Lach and attack on the testimony of a woman who said Lach had walked her home the night of the murder.

GRIFFIN ALSO said other witnesses placed him in the building shortly before the scalpel slaying.

"I submit to you the evidence shows Ben Lach killed her ..."

"Benjamin Lach wasn't the one lying on the floor in room 304-J ... with his throat cut ... with his spinal column cut almost two inches ... he cut in slashes."

"This is the kind of individual that society cannot afford to have on the streets of Tarrant County, Lubbock County or Boston..."

The defendant's mother, Mrs. Herman Lach of Boston, wept during final arguments.

Lach's attorneys cited in the final arguments the inability of the state to prove their case.

"WHEN BLAIR CHERRY says you're going to turn a killer loose on society, you weigh that ... You just weigh that. Look right down the wire in every instance at the logic of this case and look at the failure of the prosecution to prove beyond reasonable doubt," Gillespie said.

"When you do this," he added, "the scales of justice will tip one way--to the side of the defendant."

Salyars said the state had four key points in their case and those points were not without reasonable doubt.

The defense constantly reiterated the state had not linked Lach to the killing.

Gillespie said the state "never connected one thing to Ben..." He said a shirt, size 15½ by 34, was sent to the FBI and was not linked to the defendant. But,

he pointed out one prosecution witness, Dr. Francis L. Rose, testified he didn't know his shirt size.

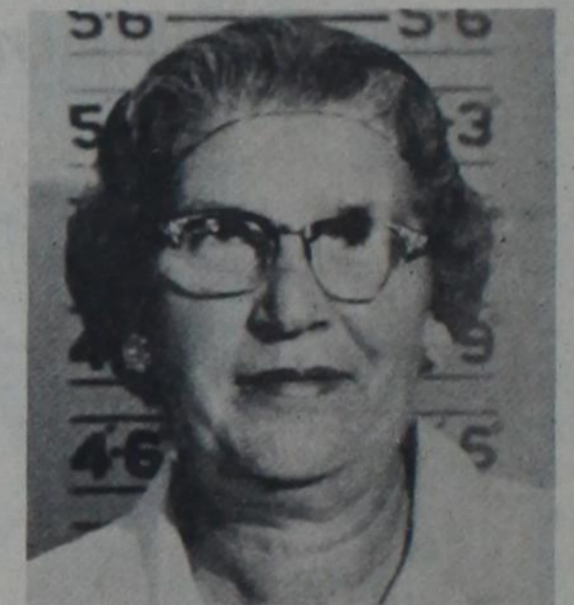
GRIFFIN POINTED out Rose was in class at the time of the murder and left only for a few seconds. He added testimony indicated Rose was not gone long enough to have left his classroom, gone to his lab (the murder scene) and returned in the length of time he was gone.

Griffin then accused Lach's attorneys of "trying someone else in lieu of a defense."

There was no indication late Saturday of the disposition of burglary and theft over \$50 charges filed Friday against Lach.



BENJAMIN LACH-1967



ALICE MORGAN-1967

### Says Lach innocent

## Mother defends son

FORT WORTH (AP)--"If there is justice in this country my boy will be called innocent and I can take him home with me," said Mrs. Lucy Lach of Mattapan, Mass.

She sat alone on a bench in the courtroom while a jury deliberated the fate of her son, Benjamin Lach, in the 1967 murder at Lubbock of a Texas Tech cleaning woman.

I TALKED with him yesterday and he told me he is innocent. He has never once lied to me in his life. He would have no reason to lie to me now for I am not his judge. I believe him."

"He never drank. Never smoked. Studied hard always. He worked hard also. He was like a father to his brother and sister and they loved him like one. He is kind. He could never kill."

Mrs. Lach willed away unwelcome tears clouding her pale eyes.

She had told the jury Friday that her parents and her husband's parents and other relatives were killed by the Nazis after Hitler occupied Poland. She said she and her family fled Poland, going first to Israel and then, 12 years ago, to America.

BRUSHING at a wrinkle at her bright blue gabardine dress, Mrs. Lach touched briefly Saturday on those days of her son Benjamin's infancy.

"He was a boy born at a bad time in history," she offered.

"I can say no more to you now. In some countries there is no justice. I hope there is justice in this country. But I wait to see. My son is innocent. He told me."

When the jury reported a verdict of guilty she sat stolidly. Not a tear traced

its way down the high cheekbones. A friend beside her whispered a word of comfort. A defense lawyer and his wife joined her as the jury moved out to decide the penalty. "I will appeal it all the way, regardless of money," said the lawyer.

Mrs. Lach had no comment. She twisted a pair of colored glasses from hand to hand. When the jury returned a verdict with a sentence of 40 years, she watched without comment as her son smiled.

## Tech dads honored; various awards given

The Dad's Association and the Association of Women Students, which sponsored the 14th annual Dad's Day, registered 361 dads of Tech students Saturday.

They extended thanks to the Tech fathers for their support to higher education.

The introduction for the pre-game activities was a parody of the Gettysburg

Address. Randy Brillhart, president of the Saddle Tramps, said, "The students resolve that these dads shall not have paid in vain; that the Dad's Association, for the dads, by the dads, and of the dads shall not perish from this campus."

Arch Lamb, Sr. was awarded as the Dad of Tech Spirit. In 1936, Lamb was a Tech cheerleader and also organized the Saddle Tramps. Today he is director of the Tech Rodeo Association and director of the Tech Museum.

Tarachand J. Doshi was presented as the Dad Who Came the Greatest Distance. Doshi traveled from Bombay, India.

The award for the Dad With the Most Children at Tech was given to Joe Simek. Simek has four children at Tech and four more planning to attend Tech.

The Spencer A. Wells award, an award to a member of the faculty who has made outstanding contributions to this institution, was received by Dr. Paul Woods, professor of History and sponsor of Saddle Tramps and Chi Omega sorority.

Also featured in the Dad's Day pre-game events was Lincoln Williston of Austin, who is the newly elected president of the Dad's Association.

Two persons inducted into the Athletic Hall of Honor were Dr. Clifford B. Jones, president emeritus of Tech, and Marshall Brown, former Tech basketball player. Dr. Jones received his award in absentia.

A scroll of appreciation was presented to Mr. C. A. R. Anderson of Ft. Worth, in honor of he and his four children, on the basis of performance, leadership, citizenship, and scholarship.

The Tech Band also honored Tech Dads by spelling out "DADS" in their half-time drill.

## Senator urges FBI off campus

WASHINGTON (AP) - Citing his own survey of police chiefs, student leaders and college administrators, Sen. George McGovern has urged that FBI agents be barred from campus investigations unless invited by local authorities.

The South Dakota Democrat indicated that if the Justice Department fails to adopt the proposal as policy, he will introduce legislation to force the issue.

ONLY THREE weeks ago, President Nixon signed a bill authorizing immediate FBI jurisdiction in campus bombings or burnings.

But most of the 90 police chiefs, 111 college presidents and 120 student body presidents who responded to McGovern's survey said they oppose having federal agents act on their own initiative in such incidents.

Results of the survey were released Sunday.

At the same time, McGovern wrote Atty. Gen. John N. Mitchell to ask that "the decision to send agents onto a campus... be conditioned on the approval or request of the college president or local police officials."

That sentiment was reflected in the survey by 69 per cent of the police chiefs, 83 per cent of the college presidents and 98 per cent of the student leaders.

AS TO WHETHER FBI agents should be used at all under any conditions on campus, some 81 per cent of the police

chiefs said yes, but only 43 per cent of the college presidents and 8 per cent of the student leaders agreed.

The police chiefs and the administrators generally favored vesting the power to approve use of FBI agents with the college president or municipal authorities.

THE STUDENT LEADERS asked that faculty and students themselves share in the decision.

McGovern said his questionnaire was mailed to leaders in 300 college communities throughout the nation.

## Doctors knocked

WASHINGTON (AP) - A study group sponsored by Ralph Nader said Sunday that the U.S. medical profession does not merit the trust placed in it, primarily because patients cannot be reasonably sure of receiving competent care.

The study group, composed of a former federal health official and students from law and medicine, proposed that the federal government take over the setting of standards for medical care in hospitals and doctors' offices.

"Although the world's best medical care has always been practiced in the United States, the almost complete lack of internal quality control within the medical profession has also allowed a large measure of very poor medicine to be practiced," the report said.

"Every citizen is at the mercy of a system devoid of uniform, enforced standard of quality and must run the risks implied in the statistics of uneven levels of care among hospitals and physicians."

The report criticized the federal government, state medical societies and licensing officials and national organizations like the American Medical Association and the Joint Commission on Accreditation of Hospitals. It accused them of recognizing "a developing crisis in our health care system" but failing to take rapid action or proposing ineffective measures.

The AMA issued a statement defending its record, saying: "We are working almost continually with the Congress and the executive branch of the federal government to promote quality and cost controls."

The study group was headed by Dr. Robert S. McCleery, a diplomat of the American Board of Surgery and former deputy director of the Food and Drug Administration's bureau of medicine.

The report noted that medical care is

one area where people cannot judge for themselves the quality of the service they receive. For this reason, the medical profession has a unique responsibility to make sure that the system is monitored to weed out poor quality care. Monitoring is poor, if it exists at all, the report concluded.

To support their claims, McCleery and the students cited these health statistics rankings for the United States compared with other industrial countries: 13th for the death rate of infants in their first year.



CROWDED AVENUE--Doug McCutcheon, Raider running back, crashes through Horned Frog defenders. Tech defeated Texas Christian University 22-14, Saturday.

### 'Best dressed' deadline set for contestants

Wednesday is the deadline for entries in the Best Dressed Coed Contest. Any Tech coed may enter.

Entrance fee is \$5. Entries must also turn in four three by five notecards. On these should be a short autobiography and descriptions of clothing to be worn in the contest. Both the fee and the cards must be turned in to Room 103 of the Journalism building no later than 5 p.m. Wednesday.

Clothing worn in the contest must be three different outfits, one from each of three categories. These are sportswear, classwear and formal dress.

Sponsored by Theta Sigma Phi, the contest will be in the Ballroom of the University Center Saturday from 10 a.m. to 2 p.m. The winner will be featured in the La Ventana.

The winner and the first two runners-up, as well as their sponsoring organizations, will receive prizes.

For more information contact Diane Millen at 762-3023.



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## Letter to the editor

### Attendance questioned

There has been some conversation among students as to whether or not attendance should be taken in the classes. I do not think that a college student should be limited to a certain number of absences. It is the responsibility of the student to go to class, and by the time he reaches the college level he should know that regular class attendance is very important. Also, since the student pays for his education he should have the prerogative of deciding whether or not to attend his classes consistently. Because the prime objective of the student is to learn, his achievements cannot be measured by class attendance.

by an evaluation of his knowledge of the course in which he is studying.

Kathy Phillips  
315 Clement

## Campus Comments

By Marsha Nash

Recently there have been several letters printed regarding "panty raids."

If most guys knew how much the female dorm residents groaned at even the slightest hint of such an escapade, they would quickly resort to other methods to expend their excess energy.

Surrounding the term panty raid are many illustrious stories, of girls showering the raiders with underwear, of boys breaking into women's residence halls, and of girls being frightened to death.

These are not average, and the freshman coed is quickly disillusioned. Panty raids are just not that spectacular.

Girls are sent out into the hall for their protection which to some is a relief, to others a hassle, and to still others an outright joke.

It may be incomprehensible to some guys, but most girls would prefer to not have an obnoxious guy yelling outside their windows. They would prefer to be able to remain in their rooms and sleep, study, or finish the soda pop, potato chips, and conversation with friends.

Guys, be realistic! About the time you decide to go tramping around campus, most girls have just been out with their "honey" or have been talking to him over the phone for the last hour and a half.

"When you come running past their windows, they are thinking about that special guy and could care less about you.

If girls were shut in the dorms as if they were prison cells (which is debatable and not to be discussed here), they might go crazy at the sight of a guy standing beneath their window.

Grow up and face the times! My dad and your dad still brag about swallowing goldfish and making panty raids, but in this era of the "new morality" and "women's liberation," panty raids are passe.

## Beat Baylor

### THE UNIVERSITY DAILY

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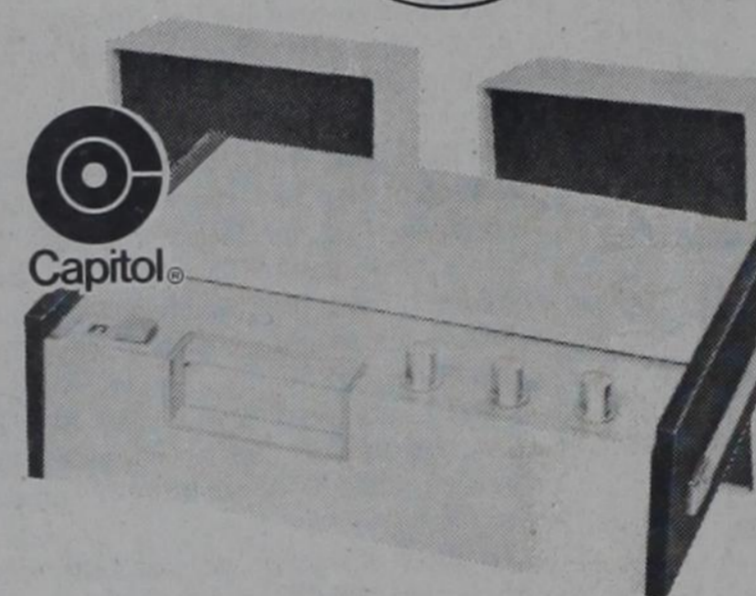
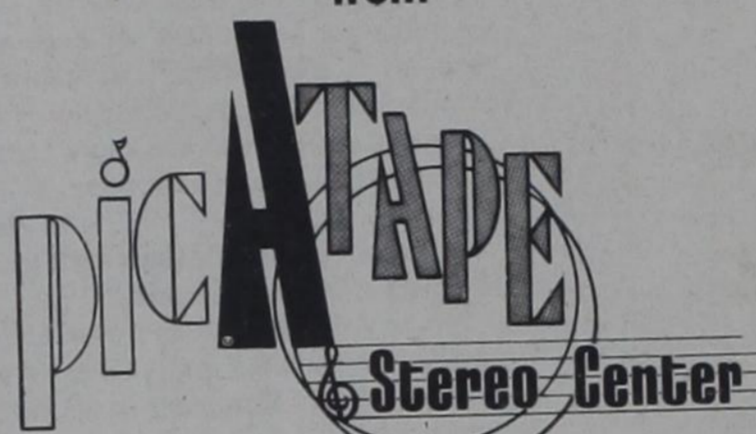
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THE UNIVERSITY DAILY



# Archaeologists hear Mazonowicz

The lecturer for the first fall meeting of the Lubbock Society of the Archaeological Institute of America will be Douglas Mazonowicz, noted throughout the world for his accurate copies of ancient paintings, reproduced by serigraphy.

He will speak on "Prehistoric Cave Paintings of France and Spain" at 7:30 p.m. Wednesday in the Assembly Room of the new Tech Museum. Members and friends of the society in West Texas and eastern New Mexico are invited. There is no charge.

Mazonowicz' work is featured in collections throughout the world. Silkscreen prints and color slides of his paintings will be used in his lecture and later made available for purchase.

His works are prized particularly because many fine examples of prehistoric art are difficult, if not impossible, to photograph. Some are situated in remote and almost inaccessible places, in shelters high on steep cliffs or in narrow passages of underground caves.

Before going to work in his studio, Mazonowicz spends considerable time on site making drawings, color notes, taking measurements and photographs.

## Peace symbol draws complaints

A mimeographed sheet entitled "Beware the Communist 'Peace' Symbol" has prompted complaints from some parents of pupils enrolled at a junior high school.

The school-approved sheet, with a drawing of the symbol in one corner, begins with a statement from "Rev. Richard Wurmbbrand, formerly of Rumania." It reads:

"The symbol of the Communist peace is a very well known symbol. It was called the 'witches foot' in the Middle Ages, and it was a common symbol of the devil, with the cross reversed and broken."

The sheet goes on to attribute the origin of the symbol to Communists and suggests that communists "are winning their battle for men's minds" through widespread use of the sign.

works have been sponsored by the Smithsonian Institution in the United States and the Arts Council of Great Britain. The official Spanish international exhibition, "Expotur" features copies Mazonowicz made in caves and rock shelters of Spain.

For additional information write Mrs. R. G. Rekers, Secretary, Lubbock Society, Archaeological Institute of America, 3028 67th St., Lubbock, Tex. 79413.

## Rodeo riders earn \$200 scholarships

Three members of the Tech Rodeo Association were presented \$200 scholarships by the Hub Lions Club in brief ceremonies recently at a business meeting of the association.

Scholarships went to Ab Hendley of Vealmoor, J. W. Meyer of Lubbock and Pow Carter of Fort Sumner, N. M. All are animal science majors. Hendley and Meyer are juniors, Carter is a senior.

Hendley, son of Mr. and Mrs. A. S. Hendley of Vealmoor, competes in roping events; Meyer, son of Mr. and Mrs. Cecil Meyer of Arlington, rides bulls and bareback broncs, and Carter, son of Mr. and Mrs. Powhatan Carter Jr. of Fort Sumner, is a calf roper and bulldogger. Carter is president of the rodeo association.

The presentations were made by Don Sager, immediate past president of the Hub Lions and Jerry Cloud, treasurer of the organization.

The Hub Lions Club members handle sales and collection of

## Today in history

Today is Monday, Nov. 9, the 313th day of 1970. There are 52 days left in the year.

Today's highlight in history: On this date:

In 1872, the Great Boston Fire broke out and raged for three days, killing 35 persons and destroying nearly 1,000 buildings.

In 1923, 14 Nazis were killed as federal troops broke up a march of Adolf Hitler's storm troopers in Munich, Germany.

In 1933, President Franklin D. Roosevelt created the Civil Works Administration to provide jobs for more than four

million unemployed Americans. Five years ago-A power failure blacked out parts of eight northeastern states and two provinces of Canada. New York City was without power for 10 hours and thousands were trapped in underground subway tunnels at the height of the evening rush hour.

One year ago-Additional victims of the 1968 Tet massacre at Hue, South Vietnam, were unearthed and the death list rose to 2,300.

NEW YORK (AP) - It is an honored American tradition to save one's pennies until they accumulate to one dollar and then put the dollar into a savings account.

Everybody has been taught the story. The dollars grow into hundreds and then thousands. It may take many years, but through the magic of compound interest, those pennies eventually become a fortune.

The savings tradition still exists in frugal America, which

in recent months has been putting about 7.5 per cent of take-home pay into savings of one sort or another, an extraordinarily high rate.

Savings banks vigorously promote the concept of small savings being the road to security. Who in the past few months hasn't seen a chart showing how money invested in certificates of deposit can double in less than 15 years?

But there is a perceptible change now in the old tradition.

Inroads have been made, perhaps permanently. Savers have become more sophisticated, a bit more cynical and much more impatient.

Rising inflation and taxes have been major factors behind the change. Social Security has lessened fears of insolvency in old age. And there has been a quite perceptible broadening of the attitude that money should be used now rather than at some later date.

Analyzing the old tradition, a good many savers have concluded that the process of turning pennies into dollars may have made some enduring fortunes, but for the heirs rather than for the savers.

And most Americans suspect, if they don't know for sure, that while the bank may tell them their money will double in a specified number of years, the truth is it may not grow at all or may even decrease if inflation isn't contained.

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MAIN AT UNIVERSITY

## Raider Roundup

NCAS will hold a regular meeting at 6 p.m. Tuesday in room 466 of the BA Building.

THETA SIGMA PHI Theta Sigma Phi will have a business meeting at 7:30 p.m. Tuesday in the Conference Room of the Journalism Building.

BEST DRESSED COED Applications should be turned in by 5 p.m. Wednesday to Diana Millen at 4207 A Main St. or in room 103 of the Journalism Building.

LUTHERAN STUDENT CNETER W. C. Ellzey, professor of home and

family life, will speak on "The Dating System in America" following a student supper at 6 p.m. Sunday at the Lutheran Center. Cost of the supper is 75 cents.

AREA+AGGIE COUNCIL A joint meeting between the students and faculty of Home Economics and Agriculture will be held at 7 p.m. Thursday in the Ballroom of the University Center. There will be a panel of faculty members, a mixer and a dance.

TECH OUTING CLUB The Tech Outing Club will meet at 7:30 p.m. Tuesday in room 44 of the Science Building. A Thanksgiving skiing trip and a rafting trip will be discussed.

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# Raiders defeat TCU; retain title hopes

**Bob Brewster**

## A salute to Tech spirit

If there ever was a time when this university stood taller than at Saturday's Tech-TCU football game, it must have been quite an event. The spirit of the student body was overwhelming at Jones Stadium. The performance of the Red Raider football team was matched only by the enthusiasm shown by the fans in the stands, the cheerleaders, the Tech band, the Saddle Tramps; anyone and everyone at the game was at their best.

It was a day for Tech to remember for a long time.

Jim Carlen expressed his appreciation for the spirit at the game in a post-game interview. Carlen believes that student support of their college team is one of the most important factors in a team's success and Saturday's show was the best example of this that could be found anywhere.

When the Raiders faced a third down situation from the TCU six-yard line in the third quarter, quarterback Charles Napper called for time out and went to the sideline to talk to

Carlen. Tech was behind, 14-10, and needed a touchdown to take the lead.

Head cheerleader Bill Abernathy instructed the crowd to do the yell "all for the Raiders stand up and hollar", and a deafening roar went up from the stands that was probably heard by TCU fans in Fort Worth. Napper responded by hitting Johnny Odom with a touchdown pass in the corner of the end zone and Tech was never behind from that point.

That is only one example of the excellent spirit that stood out Saturday from Tech's student body. Of course, it is always easier to show support for a winning team, but there was no drop-off in enthusiasm when TCU led the game at halftime.

Carlen has made the Raiders a winner in his first year as head coach and his team deserves the kind of spirit that was shown Saturday.

However, the football team is not the only winner at Tech this year. The students of this campus have proven that they are winners, too, and that makes Texas Tech University the ultimate winner.

## McCutchen sets rushing mark

The Red Raiders stayed very much alive in the Southwest Conference race and increased their chances for some kind of post-season bowl bid behind the record-breaking running of Doug McCutchen in Saturday's 22-14 win over TCU.

McCutchen rambled for 204 yards on 32 carries to barely miss the all-time Tech rushing record of 206, set by Walt Schlinkman in 1952. The sophomore from Bronte broke the school record since Tech has been in the SWC, which was set by John Scovell when he rushed for 176 yards against Texas in 1967.

The Raiders now stand 4-1 in conference play, good for undisputed possession of third place behind undefeated Arkansas and Texas. The Horned Frogs saw their hopes for a trip to the Cotton Bowl go down the drain when Steve Judy fumbled on the Tech four-yard line and Larry

Molare recovered after TCU had driven 82 yards in an attempt to score a go-ahead touchdown.

From there the Raiders marched upfield and registered three more points on Dicky Ingram's third field goal of the day and the final score went up on the board. TCU did not manage to cross the goal line in the second half after taking a 14-10 lead at halftime.

Jim Carlen praised his Raider players after the game for their performance.

"You just can't say enough about this team," Carlen said. "I am proud of our kids, they play like a team. I'd like to say once again that Charles Napper is a winner."

Napper quarterbacked the Raiders brilliantly in clutch situations, converting many a third down situation into a first-and-10. Charley completed nine of 18 passes, one of them a touchdown to Johnny Odom on a

third-and-six maneuver in the corner of the end zone. That score came in the third quarter and put Tech ahead to stay, 16-14.

Carlen also had praise for Judy, who moved the Frogs well on the ground and through the air the entire game.

## No practice

Jim Carlen announced the Raiders will not practice today because of the physical condition of the squad. The players are sore after Saturday's TCU game and need a day of rest, according to Carlen.

Monday is normally only a day of light exercising and loosening up.

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TYPING: Qualified Commercial Typist; IBM Electric, spelling, grammar and punctuation corrected. Marge Holly, 792-8856, 747-2877.

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