



EDWARD J. GURNEY
...two counts remain

Gurney Retrial Set Jan. 5

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Former Sen. Edward J. Gurney (R-Fla.), who served on the Senate Watergate committee, will be retried Jan. 5 on charges of conspiring to create a \$233,000 political slush fund and making false declarations to a grand jury, the Justice Department said yesterday.

Gurney, 61, was acquitted in August by a federal jury in Tampa, Fla., on five of seven counts in an indictment but the jury deadlocked on two counts, causing a mistrial.

Four additional counts

named Gurney's alleged co-conspirators. One codefendant, Joseph Bastien of Winter Park, Fla., also will be retried. Bastien was Gurney's executive assistant in the senator's Winter Park field office.

Gurney was acquitted on one count of bribery, one count of receiving unlawful compensation, and three of four counts of making false declarations to a grand jury.

The original 11-count indictment charged Gurney and six codefendants with conspiring to create a \$233,000 fund for Gurney by soliciting contributions from persons who had matters pending before the Department of Housing and Urban Development.

In return for the contributions, the grand jury said, "pressures and influence would be exerted upon officials and employees" of the department to give the contributors favored treatment.

Gurney was the first U.S. senator to be indicted on a felony charge since 1924, when Montana Sen. Burton K. Wheeler was cited for influence-peddling. That charge was later dismissed.

Gurney, a former Navy officer and World War II hero who walks with a limp from shrapnel wounds he received, was acquitted in Tampa Aug. 5 of five felony charges in the first bribery-conspiracy trial, which lasted six months. The jury deliberated for 10 days before announcing it could not reach agreement on two charges.