

Scrapbooks

The Honorable Roger J. Miner '56 Papers

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1968

## Book #2

Roger J. Miner '56

## Miner To Debut As DA Tomorrow <sup>11/26/68</sup>

HUDSON — Unless a criminal matter develops today, Roger Miner of Hudson will make his formal debut as district attorney when Judge William F. Christiana reconvenes County Court tomorrow.

Miner was elected to a three year term last Nov. 7 and assumed the obligation of prosecutor on Jan. 1.

Scheduled for sentencing tomorrow is Gabriel Hodge of Albany, who pleaded guilty to a charge in connection with the theft of clothing and money several months ago at the Kritzman-Maskin store, located on Warren St.

Hodge pleaded guilty last month while John G. Connor was district attorney, but sentence was deferred until tomorrow to give the defendant time to arrange some personal affairs.

## Albany Man Sentenced For Maskin Theft

HUDSON — Gabriel Hodge of Albany, this morning was sentenced to serve seven months in the Columbia County jail.

The Albany man pleaded guilty last month to participating in the theft of clothing and money from the Kritzman-Maskin store on Warren St. in Hudson. The stolen clothing and money were recovered and returned to the owner, Phil Maskin.

The newly-elected district attorney, Roger Miner, today made his first appearance in the county court. Hodge had pleaded guilty last month to the charge while John G. Connor Hudson was district attorney.

After imposing sentence Hodge was remanded to the custody of Sheriff Dewey A. Lawrence to start serving his term.

## DA Speaker At Meeting Of Alpha Nu

HUDSON — Members of Alpha Nu, the local chapter of Delta Kappa Gamma, met Saturday at the St. Charles Hotel in Hudson. Miss Ruth Sickles, president, directed the meeting.

Miss Anne Martin, program chairman, introduced Roger Miner District Attorney of Columbia County, as guest speaker. Choosing as his topic "Values In Government," Mr. Miner gave an informative talk on crime, its increases and possible ways of decreasing crime.

"An informed and concerned citizenry," said Mr. Miner, "is the best weapon against vice."

Miss Sickles announced plans for the International Convention to be held in August 1968, at the Americana Hotel in New York. Among those acting as hostesses will be Miss Ruth Sickles, Miss Mary Dardess, Miss Kathryn Parker, Miss Lois Hahn, Miss Alma Van Dyke, Miss Mildred Johnson, Miss Beatrice Chace and Mrs. Elena Farina.

Making arrangements for Saturday's meeting were Mrs. Margaret Miller, chairman, Mrs. Bernice Williams and Miss Kathryn Parker.







# Fire Unit Conducts 1-68 Greenport Dinner

HUDSON — More than 200 persons attended the annual dinner-dance of Greenport Pumper Co. No. 1 Saturday night at the Churchtown Firehouse.

Columbia County District Attorney Roger Miner, the guest speaker, discussed narcotics and how they are being used and controlled in Columbia County.

The district attorney illustrated his talk by showing samples of a number of drugs which had been confiscated by police agencies in the county.

Paul Fiore, president of the company, welcomed the firemen and their guests and noted that the event attracted a record attendance. Mr. Fiore also acted as toastmaster and introduced a number of guests including these past chiefs of the Greenport companies: Philip Lomax, Wilford Butterworth, Stanley Johnson and Christopher Groll.; past County Volunteer Firemen's Association President Web Staats, Greenport Fire Commissioner Mrs. Nancy Krutz, Greenport Councilmen Clinton Stickles Sr. and Chris Groll.

Also: Becraft Pumper Co. No. 2 officers Henry Lambert, Charles Weed, Joseph Coza, Greenport Fire Department officers, Chief Guy Kreig, First Assistant Chief Louis Krutz and Second Assistant Chief Richard Fredericks.

Members of the company auxiliary introduced were Mrs. Glenn Dickerson, vice president; Mrs. Clyde Garrison, chaplain; Mrs. Ted Dickerson,



ROGER MINER

treasurer, and Mrs. Guy Kreig, financial secretary.

The officers of the company are: Vice president, Glenn Dickerson; secretary, Joseph Cordato; treasurer, Stanely Johnson; captain, Burton Teter; and Lieutenants John Corell, Stanley Kilmer and Irving Ostrum.

Mr. Fiore also referred to the contribution to the company of three former officers who served a total of 50 years in company posts. They are: Rowland Evans, Michael Mariak and John Lugert.

Guy Kreig was chairman of the dinner dance committee and was assisted by Lester Garrison, Joseph Cordato George Washburn, John Kowal, John Otty and Robert Chilelli.

## Columbia County.

The report is entirely unofficial and District Attorney elect Roger Miner, who will make the appointment, is out of the city for a few days and could not be reached.

The present assistant prosecutor is Thomas F. Turley of Niverville. The post pays \$4,065 annually.

Miner and the assistant he will appoint take office on Jan. 1. Dist. Atty. John G. Connor and Turley will relinquish their duties in the prosecutor's office at midnight Dec. 31.

A district attorney in Columbia County is elected for three years.



# Inman Appointed Assistant County DA

HUDSON — Atty. Charles E. Inman of Greenport yesterday afternoon was appointed assistant district attorney of Columbia County by District Attorney-elect Roger Miner of Hudson.

The salary of assistant prosecutor is \$4,065 annually.

Miner and Inman will take up their new duties on Jan. 1, 1968 with the former succeeding John G. Connor of Hudson and the new assistant succeeding Thomas F. Turley of Niverville.

The appointee is a member of the firm of Coffin, Inman and Christiana, with offices on So. 4th St., Hudson. The firm will be Coffin, Inman and Schram starting Jan. 1. The new partner is Earl Schram Jr. of Claverack.

County Judge William F. Christiana will sever his connection when his new 10-year term begins on Jan. 1 as the law now prohibits a county judge from engaging in private practice.

Atty. Charles Inman is a son of former Columbia County Judge and Mrs. George C. Inman of Greenport.

The appointee graduated from Hudson High School in 1955 and from Colgate University in 1959.

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Charles Inman

# Inman

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Inman, graduate of Albany Law School, was admitted to practice in 1957. An Army veteran, he also served in the active and inactive Army Reserves. Inman is a member of the Columbia County Bar Association, the New York State Bar Association and the National Bar Association.

He is a member of the Methodist Church of Hudson, the Board of Directors of the Hudson Boys' Club, the Fort Orange Council of the Boys' Scouts of America, the Columbia County Tuberculosis and Health Association, the Hudson Junior Chamber of Commerce, of which he is presently serving as president, and the Young Republican Club.

Atty. and Mrs. Charles Inman, the former Cynthia Perkins, are parents of a daughter, Heather Lynn, age two.



DINNER—At the head table for the annual dinner dance of Greenport Pumper Co. No. 1 in Columbia County last night: Paul Fiore, company president; Mrs. Guy Krieg, secretary of the group's Ladies Auxiliary; Roger Miner, Columbia County district attorney, who was guest speaker; Mrs. Glenn Dickerson, auxiliary vice president; Guy Krieg, auxiliary treasurer, and Guy Krieg, chief of the Greenport Fire Department, who was dinner dance committee chairman. The dinner was held at the Churchtown Firehouse.







# By Hudson

HUDSON — Roger J. Miner has assumed his chair as the new exalted ruler of Hudson Lodge of Elks for the year 1968-69.

Mr. Miner was installed as exalted ruler at an impressive ceremony yesterday afternoon in the lodge auditorium.

Other officers installed in the ceremony which is open to the public are: leading knight, Jon A. Grandinetti; royal knight, Patrick Gagliardi; lecturing knight, James R. Phillips; secretary, Martin D. Mahokin; treasurer, Winfield Sagen-dorph; tiler, Fred Van Tassel;

Also, trustees, Roland F. Moon; esquire, Wilson G. Shea; inner guard, Herbert Schnitzer; chaplain, Newton R. Watts; and organist, John W. Clapp.

An unusual circumstance marked the installation. Exalted ruler Miner noted that for the first time in 48 years, Michael J. Degman was not installed in an office in the lodge. Mr. Degman declined reelection this year to the post of treasurer because of health reasons. Mr. Degman, a former Hudson mayor, has served in every office in the lodge except that of trustee. He has been a past exalted ruler and a district deputy.

### Other Officers

The new officers were installed by a team of past exalted rulers who are the local Grand Lodge officials. They are: Abram Miner, Paul S. Smoyer, William E. Yerick Sr., Morris Mellman, Daniel J. O'Neil Jr., Edwin J. Folz, Louis A. Pietro, Louis A. Pierre, Elmer Sheffield and Harold E. Van Tassel.

A highlight of yesterday's ceremony was the presentation of the exalted ruler's jewel to Mr. Miner by his father, Abram Miner, who served as exalted ruler of the Hudson Lodge 30 years ago.

After the formal part of the presentation, the elder Mr. Miner in an informal comment told his son that now, as in this term of office, to be a successful ex-

alted ruler, he must have cooperation and loyalty of each officer and each member of the lodge. The father told the son he is confident that this cooperation and loyalty is and will continue to be forthcoming during his term of office.

The Elk of the Year award, honoring a member of the lodge other than an officer, was presented to Joseph Paone by Mr. Canham. Mr. Paone served on a number of standing committees during the last year and headed several important projects of the lodge.

After the ceremony, a buffet supper was served.

## Miner Speaks On Crime

CHATHAM—District Attorney Roger Miner spoke on crime throughout the country at the meeting of the Chatham Lions Club last evening at the Chatham Bowl.

Mr. Miner also described what local citizens can do to stop such crime. Max Bervy was chairman of the program.

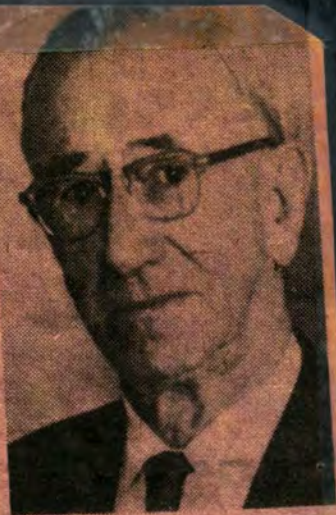
Plans were initiated for installation night to be held on June 8.

A special guest was Hicks Waldorf of Cape...





Roger Miner



Michael J. Degnan

## Roger Miner Elected Elks' Exalted Ruler

HUDSON — Roger Miner was elected exalted ruler of Hudson Lodge of Elks at a meeting held last night.

Also eventful was the fact that Michael J. Degnan was not elected to an office in 787 for the first time in 48 years. He

declined re-election as treasurer for reasons of health.

Other officers elected last night were John A. Grandinetti, esteemed leading knight; Patrick Gagliardy, esteemed loyal knight; James R. Phillips, esteemed lecturing knight; Martin D. Mahokin, secretary; Winfield Sagendorph, treasurer; Roland F. Moon, trustee for three years; Fred Van Tassel, tiler.

Roger Miner was elected representative to grand lodge and Edson C. Canham, retiring exalted ruler, alternate representative to grand lodge.

Exalted Ruler Miner appointed Wilson Shea as esquire and Herbert Schnitzer, inner guard.

Officers will be installed Sunday, March 31, at 3 p.m.

During the 47 years, Mr. Degnan served in every office but that of trustee. A former mayor of Hudson, he served as exalted ruler and also as a district deputy.

### To Elect Officers

HUDSON — Hudson Elks Lodge 787 will elect officers for the coming year at its March 18 meeting.

Nominated for exalted ruler is Roger J. Miner; esteemed leading knight, John A. Grandinetti; esteemed loyal knight, Patrick Gagliardy; esteemed lecturing knight, James R. Phillips; secretary, Martin D. Mahokin; secretary, Winfield Sagendorph; trustee for three years, Roland F. Moon; tiler, Fred Van Tassel; representative to Grand Lodge, Roger Miner; and alternate representative to Grand Lodge, Edson





**RECEIVES SERVICE PLAQUE** -- John Lugert of Greenport, recently retired from his post as Town Justice, is shown receiving a plaque for 34 years of service at last night's meeting of the Columbia County

Magistrates' Association. Making the presentation is City Judge Harold Lieberman. Looking on is District Attorney Roger Miner. (Wil-Bil Photo)

## Magistrates Present Lugert Service Plaque

**WEST GHENT** -- The installation of officers and the presentation of a service plaque to John Lugert of Greenport who had served as Town Justice until recently were the highlights of last night's meeting of the Columbia County Magistrates' Association at Kozel's Restaurant.

The following officers were installed:

President -- City Judge Har-

old Lieberman (re-elected); vice-president -- John Ptasek of Stuyvesant; secretary -- Robert Dier of Livingston; treasurer -- Joseph Pinter of Claverack; trustees -- Everett Shadic of Hillsdale and Stephen Pitcher of Chatham.

Following the installation of officers by District Attorney

Roger Miner a plaque was presented to Judge Lugert for 34 years of service as Town Justice. Lugert has retired from that position.

Also on the agenda was a general talk on the restoration of old houses and basic County history by historian Walter Miller.



# Empty School Greets Roundup

HUDSON - The John L. Edwards School was empty last night, it shouldn't have been.

The news media had proclaimed for a week in advance that an event of interest to most parents would take place.

Mayor Samuel Wheeler, Columbia County District Attorney Roger Miner and

Lambert Schmidt from Congressman Resnick's office were there to give speeches to interested parents of Columbia County.

They had five or six people to talk to by meeting time.

The meeting was the Scout Roundup, created to stir new interest in parents for scouting. The pitch the Boy Scout people made emphasized that parents need not ever have had scouting experience, just a job, interest or hobby that they would be willing to spend a little time explaining to boys.

After waiting around for an hour drinking coffee and eating donuts with several scouts in attendance the speakers and the handful who came left, the program uncompleted.

Lambert Schmidt's speech undelivered like the rest, was about the individual's right to have his own opinion, that dissent isn't unpatriotic.

He asked in his speech that Scouts love the freedom that allows this dissent and defend that country that provided it.

... of the  
... that he represented  
Charles Reid the defendant  
prior to the time he was elected county prosecutor, District Attorney Roger Miner has been granted permission by County Judge William F. Christiana to withdraw as prosecutor in a second degree manslaughter trial.

Charles Reid, of Hudson, also known as Ray Charles is charged with causing the death

of Law  
It is claimed that  
ed Johnson during  
fight at the former  
ham Bar & Grill located at  
and Columbia Sts.

Reid, who is now represented by Atty. Adolph Matties, Hudson has continued to plead innocent to the charge.

Reid retained Atty. Miner after his arrest. The indictment was returned by the October grand jury. Shortly before he assumed the office of district attorney Miner withdrew as defense counsel and Atty. Matties was retained by the defendant.

In view of his connection with the case as defense counsel Miner told Judge Christiana yesterday that he did not feel that he or his assistant Charles Inman should act as the prosecutor.

The court agreed and appointed former district attorney David Hendler, who is Hudson's police commissioner as acting district attorney in the Reid case.

Judge Christiana ordered an adjournment until April 1 to give Hendler an opportunity to confer with Reid and to familiarize himself with the action.

Henry Fulton Jr. Hudson pleaded innocent to an indictment charging second degree robbery and to a charge of criminal possession of a forged instrument. The defendant who is represented by Asst. Public Defender Russell Baller Jr. of Valatie was continued on bail and the case adjourned to April 1.

Manuel Jose Fernandez Hudson made a similar plea to similar charges and his case was adjourned to April 1. The defendants are charged with

## Magistrates To Meet Tonight 3-68

HUDSON - A special meeting of the Columbia County Magistrates' Association at which the New York State police will demonstrate the use of the "Breathalyzer", a device for measuring blood alcohol without a blood test, has been called for 7:30 this evening at City Hall, 520 Warren St., according to City Judge Harold Lieberman.

Judge Lieberman said that Police Chief William Egan would be present and that District Attorney Roger Miner would also be in attendance. He asked that all members of the Magistrates' Association be sure to attend.





**THE SPEAKERS** -- Mrs. Helen Hendrickson, president of the Ladies Auxiliary to Clermont Fire Company, thanks District Attorney Roger Miner, guest speaker, and Clermont Supervisor

Sherman Potts, master of ceremonies, for help in making the Auxiliary's banquet a success Saturday evening. (Gibson Photo).

## Clermont Fire Auxiliary wards Attendance Pins

CLERMONT — Pins for attendance were presented during Saturday evening's banquet for members and guests of the Ladies Auxiliary to Clermont Fire Company, held at Fire Station No. 2.

The pins went to: Mrs. Helen Rivenburgh, 8 years; Mrs. Minnie Heissenbuttle, 3 years; Mrs. Fay Werner, 2 years; and Mrs. Eleanor Slater, 1 year.

Mrs. Olive Moore, installation marshal; and Mrs. Polly Freer, installation officer, installed officers:

Mrs. Helen Hendrickson, president; Mrs. Ann Barringer, vice president; Mrs. Doris Lasher, secretary; Mrs. Anna Jacobson, treasurer; Mrs. Ethel

DeSalvo, chaplain; and Mrs. Olive Loonie, historian.

Mrs. Hendrickson presented her officers with gifts and each received a corsage from the Auxiliary.

Supervisor Sherman Potts, master of ceremonies, introduced the guest speaker, District Attorney Roger Miner, whose topic was "War on Crime."

The roast beef dinner was served by members of the Busy Bees of Christ Lutheran Church.

Guests were Mr. and Mrs. Charles Golden, Donald Snyder and Mr. and Mrs. Howard Gibson.

Music for dancing was provided by The Vagabonds.

The banquet co-chairmen were Mrs. Charles Hansen and Mrs. William [unclear]



# Robbery, Manslaughter Trial Dates Set By Judge

ON — County Judge  
Christiana yesterday  
set the date of trial in an  
robbery indictment and  
fixed a tentative date of  
trial of a defendant charged  
with second degree manslaughter.  
The trial of Henry Fulton,  
indicted on a charge  
of second degree robbery, was  
set down for April 15.

Dist. Atty. Roger Miner  
represented the people and  
Asst. Public Defender Russell  
Paller Jr. of Valatie represents  
the defendant.

Fulton is charged with robbing  
James Ralph of White  
Plains on Nov. 18, 1967, in  
Prison Alley, Hudson.

Fulton has pleaded innocent  
to the charge.

Tentatively set for April 23  
is the trial of Charles Reid,  
Hudson, under indictment for  
alleged second degree manslaughter.

Reid has pleaded innocent  
to a charge that he caused the  
death of Lawrence Johnson,  
city, during a fight several  
months ago at Columbia and  
N. 2nd Sts.

David Hendler, Hudson, appears  
as prosecutor in this case  
and Atty. Adolph Matties represents  
the defendant.

Dist. Atty. Roger Miner  
moved that Judge Christiana  
name another prosecutor as  
Miner had represented Reid  
on the charge prior to his election  
as district attorney. The  
district attorney said he preferred  
not to have his office in charge  
of the prosecution because of his  
prior representation of the defendant.  
The court appointed Hendler as  
acting district attorney.

Judge Christiana made the  
April 23rd date tentative as  
he has other court matters  
scheduled that date and the  
start of the Reid trial depends  
upon whether previous matters  
on the calendar can be disposed  
of on that day.

s. Knauss

ants Gov.

4-4-68

Accept

HUDSON — The board of  
governors of the New York  
State Association of Young  
Republican Clubs, meeting  
Saturday at Queens, passed  
resolutions urging the re-election  
of U. S. Senator Jacob  
Javits and endorsing Gov. Nelson  
Rockefeller as a favorite  
son-candidate for President  
at the Republican National  
Convention.

Mrs. Charles Knauss of Livingston,  
president of the Young  
Republicans, said Rockefeller  
"has compiled a record of  
outstanding achievement as  
governor and we believe his  
leadership is essential for the  
progress of this country."

The Young Republicans said  
they would offer Javits "all  
possible assistance to him and  
his campaign."

Roger Miner of Hudson  
counsel for the group, attended  
the meeting at Queens.



# Denies O'Kesson Motion Inspect Minutes of Jury 4-11-68

County Judge F. Christiana today motion which sought Lawrence O'Kesson to inspect the minutes of the grand jury which returned a first degree manslaughter indictment against O'Kesson and Priscilla Roberts, former Hudsonians. The defendants are accused of causing the death of an

eleven month old child of whom Priscilla Roberts was the mother.

In the arguments before Judge Christiana, Dist. Atty. Roger Miner contended that the granting of a motion to inspect the grand jury minutes is purely discretionary with the court and should be denied in the McKesson motion on the ground that there is insufficient factual data set forth in the moving papers to justify the granting of such motion.

The court, in his decision, said the prosecutor pointed out that the motion to inspect (the minutes) in this instance is predicated on allegations that a certain statement was obtained involun-

tarily from O'Kesson and that he (defendant) was not fully advised of his legal rights in the requirements dictated in the famous Miranda decision.

However, Judge Christiana gave his legal reasoning for ruling against O'Kesson in the following language:

"The questions raised in the defendant's moving papers are not really germane to a motion to inspect the grand jury minutes. They should be tested by means of a motion to suppress or by demand for a hearing pursuant to Section 813 of the Code of Criminal Procedure, (People vs. Huntley, another famous decision). The motion is accordingly denied."

## Dallas Manslaughter Trial Adjourned A Day

HUDSON — The trial of Lawrence O'Kesson, charged with manslaughter, has been adjourned one day in County Court at Hudson as a result of a defense action.

The short delay was ordered by Judge William F. Christiana in order that the court might hold a hearing on a defense claim that an alleged statement made by O'Kesson was involuntary and violated his constitutional rights.

The trial had been scheduled to begin tomorrow morning but the defendant's attorney,

Solomon Bender of Albany, petitioned for a hearing under the so-called Huntley decision of the U.S. Supreme Court which deals with the voluntariness of a defendant's statement.

Judge Christiana ruled he would hold the hearing at the early date and directed County Clerk Harold D. Leggett to advise members of the trial jury to report on Wednesday instead of Tuesday.

O'Kesson, a former Hudson resident, has pleaded innocent to the charge. An indictment was returned following an investigation by Hudson police

after Alvin J. Dallas pronounced dead on arrival at Columbia Memorial Hospital. Also under indictment, Priscilla Roberts, Police Officer, has pleaded innocent. The 11-month-old child was injured with the defendants.

Dist. Atty. Roger Miner, who will prosecute the indictment against O'Kesson, is expected to appear tomorrow for the hearing before Judge Christiana. The court has granted a motion by Miner that the defendants have separate attorneys.

## Pre-Trial Hearing On In O'Kesson Case

HUDSON — With everyone but active participants barred from the courtroom, County Judge William F. Christiana today was conducting a hearing into claims made by Lawrence O'Kesson, under indictment for first degree manslaughter, and whose trial on that charge will get underway tomorrow in the same courtroom.

The hearing demanded by Attorney Solomon Bender of Albany, counsel for the defendant is tied in with a famed decision of the State Court of Appeals dealing with voluntariness of any statement made by a person accused, or being questioned concerning an alleged crime. Defense counsel urged

the hearing by Judge Christiana for the purpose of taking testimony to determine if the defendant's constitutional rights were violated.

In addition to the judge, seen entering the courtroom were the defendant, his counsel, Dist. Atty. Roger Miner, Det. Sgt. Julius Brenner, and Sheriff Dewey A. Lawrence.

Court officers, outside the doors of the courtroom, were barring other lawyers, officials and the press from the room.

It is obvious the judge did not want to risk any portion of the testimony and the alleged nature of its contents to become public and possibly influ-

encing opinion-one way or another-with prospective jurors summoned for tomorrow's trial and which might result in a motion for a mistrial either by defense or prosecution.

Under the Appellate Court decisions, Judge Christiana's ruling on the alleged statement cannot be made public at this time.

O'Kesson and Priscilla Roberts were indicted after Alvin J. Dallas Jr., aged ten months and who allegedly resided with them, was reported dead on arrival at Columbia Memorial Hospital.

Each defendant has pleaded innocent at all times to the charge.



T.V.

# Man's Baby Trial For Jury Today

degree man's slau-  
ghter O'Kesson, 30,  
Hudson, went to the  
in County Court

by Dist. Atty.  
er Solomon of  
ndant, and the  
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F. Chris-

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The defense had fought to bar the man's statement from being admitted into evidence but it was admitted by Judge Christiana while Det. Sgt. Julius Brenner of the Hudson Police Dept. was on the stand, following testimony given by former Dist. Atty. John G. Connor.

The so-called confession appeared to be a synopsis of testimony offered by trial witnesses with no admissions by O'Kesson that he had committed any crime.

Briefly, manslaughter is causing death without design to effect death. O'Kesson not only did not admit doing anything that would injure the infant but contended he had tried to save the child's life by mouth-to-mouth breathing and subsequently carrying the infant in his arms to Columbia Memorial Hospital. He said he had brought the child to the room of the house and the child

night of April 6, 1967. He told of marks on the body that were "reasonably fresh" and there was a fracture in bone in back of skull, but that death came from a tear or laceration of the liver and resultant bleeding. He testified the fatal injury came from "something sharp."

Dr. Bellamy, a specialist in pathology, gave as his opinion that the child could live from 30 minutes to three hours after such an injury, adding: "I favor the shorter time."

On cross examination, the pathologist said he had not been informed that the child had fallen on numerous occasions. During a hypothetical question, defense counsel said the child was in the custody of his mother all day. Testimony was that O'Kesson arrived home at about 6 p.m. and that the child was pronounced dead at the hospital at about 8:30.

Quizzed on cross examination concerning possible "causal connection" of condition of child (relating to several falls of the child) before April 6, Dr. Bellamy testified "no relationship whatsoever."

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O'Kesson waived having a lawyer and readily answered all questions.

Judge Christiana ruled that under those circumstances, any statement made could go into evidence. The court said: "I decided the statement was voluntary. It will be up to the jury to determine if it was involuntary."

During arguments by counsel concerning the statement going in evidence, Atty. Solomon declared that witnesses for the People testified substantially with the statement made by O'Kesson on the night the child died. At this stage and when testimony for the prosecution closed, he moved for dismissal of the indictment on the ground there was no evidence to connect the defendant with commission of any crime and that there was no proof O'Kesson caused the death of the infant.

Judge Christiana denied the motions, saying he was going to leave the question of fact up to the jury.



# Bruises

"was misbehaving". On re-cross examination by defense counsel the woman said it was Defense counsel told the jury the only way the defendant could be convicted was through

## Bruise Source Described At Baby Manslaughter Trial

HUDSON — At yesterday's session of the Lawrence O'Kesson manslaughter trial in County Court, jurors heard Priscilla Robert graphically describe how a number of livid bruises on the body of her deceased infant child Alvin Dallas Jr. were caused by a series of minor accidents, and not inflicted by the defendant as the prosecution contends.

Priscilla Robert was the first witness called by the prosecution. She testified she lives in Catskill and resides with the defendant. She stated they had lived on Fairview Avenue in Hudson. She said her son, the boy who died, was Alvin John Dallas Jr.

She testified, that on the day in question, O'Kesson arrived home about 6 p.m.; the baby

was sitting in a chair in the living room; she placed the child in a crib about 6:15 before the two adults started eating; after the meal they watched television; O'Kesson was listening to the 6 o'clock news broadcast when the witness left home to go to Gohl's store; made purchases at Gohl's and returned home; after reurning

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Jensen, Copake; Keith E. Snyder, Germantown RD; John L. Waters, Canaan John F. Tay-

lumbia Memorial Hospital several months ago and was pronounced dead on arrival. Dr. Joseph Bellamy, hospital pathologist, performed an autopsy.

The defendants, who have steadfastly maintained their innocence, each pleaded not guilty when the manslaughter indictments were returned.

Judge Christiana cited law that defendants, jointly indicted, may be tried separately or jointly "in the discretion of the court."

The court said, "While it is unusual for the prosecution to initiate the motion, I find nothing in the statute or reported cases which prohibits such procedure. In fact, a prosecution motion for severance is not wholly without precedent.

"Defendants, uniquely enough, resist the motion, apparently for strategic reasons."

Judge Christiana cited several cases to support his decision for separate trials, concluding on this point: "In any event, this court holds that the district attorney is authorized to make the motion for a severance as well as defense counsel in cases of jointly indicted defendants.

"Defendants next claim that the moving papers of the district attorney are factually insufficient. Concededly, the District Attorney's affidavit is not elaborate. It merely states:

"That in the opinion of your deponent (Mr. Miner), the defendants would be prejudiced by a joint trial of the indictment and that the interests of justice would be served by separate trials of the above named defendants.

"That each of the defendants signed written statements during the investigation by the Hudson City Police, and, in the

judice of the court. "That a joint trial of the defendants would tend to confusion in the minds of the jury and would be tantamount to a denial of justice and deponent (Miner) invokes the discretion of this Court in the interests of justice to grant the defendants separate trials."

Judge Christiana continued, "The written statements made by the defendants are not attached to the moving papers, to which counsel for defendant O'Kesson strenuously objects, nor is any detailed reference made as to how prejudice will result if a joint trial is held. Neither is there any showing as to the nature of the confusion which it is claimed will result in the minds of the jury if the defendants are tried together.

"It is to be noted that the District Attorney has served notice on counsel for the defendants that he intends to offer these statements on the trial.

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"Over the objections of defense counsel, this court has examined the statements of both defendants. While the O'Kesson statement is more exculpatory than incriminating, there are remarks in the Roberts' statement which could prejudice O'Kesson."

Judge Christiana said in his decision, "...if defendants are tried together, both statements, assuming they were voluntarily made, will be offered against the defendant making such statement. Roberts' account of the incident, while admissible only against her, contains what could be damaging inferences against O'Kesson, even though disconnected from the legal issues. Thus, O'Kesson could be prejudiced regardless of how explicit the court may be in instructing the jury that they must only consider Roberts' statement against her and not against her codefendant. Moreover, it could be that if Roberts' statement were to be expunged, O'Kesson could not be convicted."

Adolph Matties of Hudson is counsel to defendant Roberts and Solomon Bender of Albany represents O'Kesson.

to the emergency room at the hospital; the child had marks on his left temple from a fall; he (baby) fell out of his crib

she looked in window of their apartment and saw Larry bending over couch; when she entered saw Larry breathing in

not being diapered regularly and did not observe any marks on the back of the head. She

identified (the child) as having gone to a store, the child was all right. We will show this child had been in the exclusive custody of O'Kesson. There is no person who saw this act done."

## Miner Be Spect

STOCKPORT County District Miner will be Saturday night dinner/dance of Fire Company will be "Problem tion."

Toastmaster for sion will be Colum. Coroner Donald Th Celentano and his provide music for Plans for the affair completed at last regular meeting of Stockport Fire House with President Louis Bou presiding.

The 36 in attendance heard a letter read from Stockport Supervisor Donald Bennet complimenting firemen on their efforts in extinguishing a fire last month at the Gifford Proper residence.

Saturday night's affair starts at 8 at Stockport Fire House No. 1. Dave McQueen of Stockport is the caterer.







Fight Leading to Shot Recounted

5-3-68

# Ancram Slaying Hearing

By PIERRIE L. DOLAN

ANCRAM — Following testimony of claimed fear in an Ancram home on the night of April 20, which resulted in 16-year-old Gary Phillips shooting his father to death, Ancram Justice of the Peace Roy Boice Jr. last night reserved decision on whether the defendant should be held for Grand Jury action on a first degree manslaughter charge.

The soft spoken mother of the youth, widowed by a .22 ri-

fle he used to kill her husband clung so tenaciously to a story that he was protecting her from the man's alleged attack that District Attorney Roger Miner asked the court to declare her a "hostile" witness for the prosecution.

A hearing demanded by counsel for the Pine Plains Central School junior class member, was held at the Ancram firehouse.

Miner, assisted by Assistant District Attorney Charles Inman, represented the People.

Robert Trotta of Millerton is counsel for the defendant. Associated with him is William J. Ciolko, who is Public Defender in Dutchess County but who appeared last night in a role as a private counsel. Mr. Trotta is Ciolko's assistant in the Public Defender's office but they have been engaged by the Phillips' family to represent the youth.

Except for a brief appearance standing before the court the boy sat quietly with other members of the family. His

left hand resting on his chin during the approximately two and a half hours of testimony.

Defense counsel waiving of the information of the sworn depositions, Trotta advised the court that he understood the nature of the charge.

### First Witness

The first witness was Trooper Charles A. Kennedy, stationed at Hawthorne. He said he was on duty at Pains when he received

On cross examination, Kennedy was asked if Gary was hysterical and the reply was no. The trooper told of a chair being knocked over in the death room and of seeing hair and blood on the floor.

The reference to hair may have been important in connection with the later testimony of Mrs. Phillips. Trooper Kennedy said he saw a rifle at one end of a sofa. He testified that his

Mrs. Phillips stated that "he (father) swung at Harold Jr." and the latter ran out of the room.

She said the father picked up a dining room chair and "threw it at Gary." She said the boy put up a hand and knocked the chair away from him.

The witness said the father put a foot on a couch "like he was going to jump" and Gary and Teddy (son) moved. She

mother had called for Gary.

Trooper Harrison stated Gary told him he went to the cellar to get the rifle, heard his mother scream and that he (Gary) told his father two or three times to leave her alone, and the father did. Further, that the father had picked up the portable heater and threw it across the room at Gary. The trooper repeated testimony previously given of the mother asking the trooper to

Philmont re-

The boy is charged with causing the death of his father during a family dispute in which the father allegedly was beating Mrs. Phillips.

Att. Robert Trotta, of Millerton, who is representing the youth, yesterday told the Register Star that after talking to the boy and others in the home where the trouble occurred that "It (the shooting) was accidental." The defense of the case will be accidental death.

Concerning the boy's reputation in the community which is shocked over the case, it was pointed out that after young Phillips was brought before Ancram Justice of the Peace Roy Boice, Jr. for arraignment,

was inca  
The defen  
es yesterday at the  
Central School.

A reporter, calling Robert Francis, said he heard the boy, a member of the junior class, had a good reputation in school and the reply was "yes." The school official answered in the negative when asked if Phillips engaged in school athletics.

### Hearing May 2

A hearing to determine whether there is sufficient evidence to hold the defendant for action of the grand jury which convenes in Hudson in connection with the May term of Supreme Court, was scheduled for to-



she went to Gohl's store leaving O'Kesson and the child in the apartment. She had

## In Roberts

HUDSON — District Attorney Roger Miner said today that he intends to move a first degree manslaughter indictment against Priscilla Roberts of Catskill, formerly of Hudson, in the April 6, 1967 death of her 11-month-old son, Alvin J. Dallas Jr.

A jury on April 27 acquitted Lawrence O'Kesson a former Hudsonian, now residing in Catskill, of a similar charge.

The trial of Priscilla Roberts

cannot be held this month as County Judge William Christiana is presiding as a special justice of the State Supreme Court at Kingston on assignment of the administrator of the courts in the Third Judicial District.

Dist. Atty. Miner said that when County Court is reconvened at Hudson in June that he will move before Judge Christiana that a date be fixed for the woman's trial.

Hudson.

The jury, made up of O'Kesson deliberated from 2:10 p.m. to 4:55 p.m.

O'Kesson and Priscilla Roberts were residing on 1200 View Ave., Hudson, on April 6, 1967. She testified at his trial that the man came home about 6 p.m. on the day in question. Sometime thereafter, she

Please turn to page A-2

# Air Pollution Law Upheld By Court

HUDSON—State Supreme Court Justice Harold Koreman of Albany today upheld the validity of Columbia County's anti-pollution local law.

The arguments before Judge Koreman took place at a special term of Supreme Court held at Kingston on April 5, with District Attorney Roger Miner arguing for the People and Attorney Michael LeSawyer of Hudson appearing for Robert Conner of Ghent.

Mr. Conner was charged with burning a junked car in the West Ghent Auto Salvage, Mr. LeSawyer argued before Justice

1957. Dist. Atty. Miner argued in behalf of the law passed by the Columbia County Board of Supervisors:

Justice Koreman said in his decision:

"A judgment in the nature of prohibition is sought directed against any Justice of the Peace in Columbia County prohibiting each of them from performing or taking any acts or proceedings concerning a certain information charging the defendant with a violation of Section 4A of Local Law No. 1 of Columbia County."

by Section 1297 of that law which provides that while Article (12-A) shall not be construed as repealing any laws which are not by this Article expressly repealed, "it shall be held and construed to be as ancillary to and supplementing the laws now in force, excepting as they may be in direct conflict with this article."

"The movant argued that the Public Health Law of 1931 is in conflict with this article."

Town of Ghent, Columbia County, where the defendant is alleged to have committed a violation charged under the control laws."

"This is not an interpretation of Section 1297 of the Public Health Law of 1931."

mean that the defendant is in violation of the law."

5-8-67



# Ancram Shooting Case Before Hudson Grand

HUDSON—Witnesses who testified in Ancram May 2, at the hearing into a first degree manslaughter charge against 16-year-old Gary Phillips of Ancram yesterday were seen entering the grand jury room at the court house in Hudson.

Proceedings before a grand jury are secretive by law.

The grand jury is inquiring into the death of the youth's 44-year-old father at their Ancram home. It is alleged the boy shot his father while protecting his mother.

The defendant was not required to present any testimony at the hearing but it appeared the boy's counsel was emphasizing three possible defenses; accidental shooting, self defense, and protecting his mother from alleged attack by his father.

Testimony at the hearing was

that the victim, who had come home after reportedly drinking, dragged his wife through a hallway by her hair.

There was testimony the father had thrown a portable heater at the defendant, striking him in on a shoulder. It was also stated that the victim, just before the shooting, threw a chair in the direction of Gary and a younger brother.

It seemed a defense theory, on cross examination, that Gary moved his brother away and was warding off the thrown chair when the gun was fired.

The mother told District Attorney Roger Miner on direct examination that she hoped her son would be exonerated of the charge.

The grand jury is expected to report in open court next Monday on a number of cases it has reviewed, among them

the Ancram case. While the case is obviously a report in the highly unlikely week.

There is no doubt it will be an open case on the grand jury's boy's case. However, the grand jury has a true bill in a case voted on, it ordinarily presentment to the by name those persons whom no indictment

If an indictment is found, it can be open court or through indictment.

Young Phillips had liberty on \$3,000 bail made no attempt to the shooting and away of State Police

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Mrs.  
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Young Rep  
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forward to n  
June." signed

Mrs. Betty R  
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After the busin  
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ed by Mrs. Blanche Dre  
and Mrs. Lorraine Davis  
ing as live models Mrs. Lou  
Wolff and Mrs. Marianna Van  
Duesen. Mrs. Carolyn Whaet  
ly and her hospitality commit  
tee served refreshments through  
out the demonstration.

The next meeting of the club  
will be held on Thursday even  
ing June 13 at 8 p.m. at the  
Red Ranch Restaurant on rte  
32, Catskill, New York, with  
Mr. Roger Miner and Mr.  
Hamilton Fish as special

determine whether  
not the boy should be indict  
or cleared.

At least 12 members of a  
grand jury must be in accord  
if a true bill, or indictment,  
can be returned. Under the  
law, a minimum of 18 and a  
maximum of 23 grand jurors  
must hear a case.

## Wants Son Cleared

It was undisputed at the  
hearing that the youth was  
defending his mother from an  
assault by his father shortly  
before the shooting. Evidence  
was that the father drafted

the 2  
tacking his  
ed up a rifle  
"to leave her alone"

Mrs. Phillips told  
when her husband call  
about 8:30 on the night  
tion she knew he  
drinking because "of the way  
he looked, the way he stagg  
ed, and the way he talked."

There was testimony that  
after the man had alleged  
dragged his wife by the hair  
through a hallway that short  
ly thereafter there was addi  
tional violence in the living  
room of the home. It was tes  
tified that the father "swung"



# Sealed Indictment Seen In Ancram Shooting Case

By Pierre L. Dolan

HUDSON — It would appear that a sealed indictment was returned late yesterday afternoon against 16-year-old Gary Phillips in the April 20 fatal shooting of his father at their home in Ancram. Proceedings of a grand jury are confidential.

The grand jury, in a presentment to State Supreme Court Justice Roscoe Ellsworth of Kingston, said it had investigated 13 alleged criminal matters and returned 18 indictments of which 16 were sealed.

The two open indictments were against Bruce William Vittone and John Robert Shuffelt, the first indictment alleging second degree grand larceny and the second third degree grand larceny.

The grand jury also reported it had dismissed the case of Larry Frazier, details of which are carried elsewhere in this edition.

The fact that a true bill of some kind was found in the Ancram shooting case arises through the process of elimination. Witnesses who had testified at the boy's preliminary hearing before Justice of the Peace Roy Boice Jr., held at Ancram, were seen entering the grand jury room last week. This together with the fact that the grand jury in its report yesterday listed only Frazier's case as being dismissed, indicates that a charge of some nature has been lodged against young Phillips.

Charged with manslaughter in the shooting, the boy has been at liberty on \$3,000 bail, which was provided by a Dutchess County official.

It was testified at the Ancram hearing that the boy was protecting his mother from an

assault by his father and that the father had thrown chairs and an electric heater at Gary just before the fatal shot was fired.

The boy's mother testified at the hearing she wanted her son exonerated.

After the report has been handed up, Judge Ellsworth transferred all indictments to County Court on motion of Dist. Atty. Roger Miner.

Judge Ellsworth expressed appreciation and called it "an efficient grand jury."

In addition to the indictments, the grand jury commended Sheriff Dewey A. Lawrence for

the administration of the city jail.

Justice Ellsworth did not charge the grand jury, but, under the statute, declared it "in recess". The body remains "in recess" until the opening of the next session of Supreme Court, which is Nov. 4, 1968. The grand jurors may be called back into session upon a court order obtained by Dist. Atty. Miner. Judge Ellsworth told the grand jurors they do not even have to "come back (to court) on Nov 4 unless duly notified."

Dist. Atty. Miner thanked the grand jurors for their services.



# Slayer Seeks Parole in Case

Connor on motion of the then District Attorney Thomas P. Kennedy.

Bailey pleaded guilty on June 16, 1948, to first degree manslaughter. He was given two sentences, the maximum being 30 years. He was sentenced to a 20-year maximum on the manslaughter count and an additional 10-year maximum on a charge of being armed with a dangerous weapon. The court directed the terms were to run consecutively, totalling 30-year maximum, the minimum terms imposed being 15 years.

Although the minimum terms ran out approximately five years ago, it is not known if Bailey made application for parole. If he had, it obviously was denied.

Bailey has petitioned County Judge William F. Christiana for a hearing on the gun sentence. He set forth in his own, printed application for petition for a writ of coram nobis (writ of error) "That nowhere, in any record, is the petitioner (Bailey) charged with the use of possession of a dangerous weapon and, under the law, he cannot plead guilty and be sentenced for a crime that does not exist."

The prisoner also said in his application "that he (Bailey) is a poor person within the sections of the Civil Practice Act and that he desires the assignment of counsel to argue his petition and protect his rights."

Judge Christiana has assigned Public Defender Adolph Matties to represent the man. After the Public Defender has reviewed the case, he will move before the court that the hearing be granted and a date fixed. District Attorney Roger Miner will oppose the application.

trooper he had made up his mind about 4 p.m. on the day of the homicide to kill his wife.

A few minutes before the woman was scheduled to leave the Greenport manufactory, Bailey pushed his way into another car which was parked near the plant. Pointing the .38 at the head of a Livingston man who was seated in the car, Bailey threatened: "I'm going to kill you because you have been running around with my wife."

As his wife approached the car, Bailey pushed her toward the vehicle and asserted: "I'm going to kill the both of you."

She was half way into the car when she started to struggle with Bailey for possession of the gun. He fired three times, all shots entering her body. Bailey pointed the gun at the other man and directed him to drive to what then was known as Hudson City Hospital. She was dead on arrival. Bailey was taken into custody at the hospital by Hudson police.

Indicted on a murder charge, the late Supreme Court Justice William Murray of Troy transferred the case to Columbia County Judge William E. J.

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Hudson taxicab to  
the lake where he  
was a revolver.  
e into the place and  
apon.

deposition set forth  
defendant told the

## Phillips to Argue Oral Statement Ancram Death Unconstitutional

Gary Phillips 16, of  
pleaded innocent yes-  
before County Judge  
F. Christiana to an in-  
growing out of the  
death of his father.  
Robert Trotta, of Millerton,  
counsel for the youth indicated  
will make motions for a so-  
called Huntley hearing, and also  
for an inspection of the minutes

of the May grand jury which  
returned an indictment against  
Phillips for manslaughter in the  
second degree.

A Huntley hearing would  
inquire into a confession or  
statement made by the defend-  
ant to State Police after his  
arrest.

No written statement is in-  
volved since none was in-

roduced at the preliminary  
hearing held before Ancram  
Justice of the Peace Roy Boice  
Jr. However, oral statements  
allegedly given by young  
Phillips to State Police were  
testified to at the hearing.

Atty. Trotta will likely argue  
that the boy was not  
represented by counsel when he

was questioned  
such testimony  
the constitution  
defendant.

In any event  
planned will  
to which date  
granted an a  
Dist. At  
represented  
the proceed





— Hudson Lodge  
 Flag Day ceremonies  
 rooms with several  
 friends attending. On  
 night, were Wilson Shea,  
 Edward Sipperly, Da-

niel O'Neil, Jr., Walter Hawver, guest speaker;  
 Exalted Ruler Roger Miner, Patrick Gagliardy,  
 Rabbi Baruch Schetman, John Grandinetti,  
 John Clapp and James Phillips. (Register-Star  
 Photo by Rowles)

## Day Observed By Elks

6th annual  
 of Hudson  
 were held  
 with several  
 and friends  
 press was  
 Hawver,  
 editor of  
 and radio  
 spoke of the  
 of freedom,  
 as we know

"When we read that a  
 forefather was emotionally  
 moved by the sight of the Flag,  
 it was not the sight of a colorful  
 piece of cloth that struck him,  
 but the people it symbolized,"  
 he said. "Thus, we come here  
 today in honor of our right to  
 give and receive from all men  
 who stand under its past  
 glories, its glories made all in  
 the name of its people."  
 Hawver concluded, "It is our  
 individual responsibility to

continually struggle in the  
 endless endeavor to bring  
 harmony at home, and to all  
 nations."  
 The invocation was given by  
 Rabbi Baruch Schectman, and  
 introductions were made by  
 Exalted Ruler Roger Miner. A  
 \$500 scholarship was awarded  
 to Robert Parlman of 518  
 Prospect Street, a senior at St.  
 Mary's Academy and enrolled  
 at St. John Fisher College in  
 Rochester.  
 The assembly participated in  
 a Pledge of Allegiance and the  
 singing of God Bless America.  
 Following the ceremonies  
 refreshments were served and  
 Marty Kittell and his orchestra  
 provided music for dancing.



OFFICERS who presided at the final meeting of the Rip Van  
 Winkle Young Women's Republican Club, Kiskatom, at its  
 final meeting until fall were Jackie Carmichael, president;  
 Marie Bua, treasurer; Angela Hughes, vice president; and Mo-  
 nica Corso, secretary. In the rear, George Carl, town chairman;  
 Hamilton Fish, Jr., candidate for Member of Congress; and



# Arrested In County Narcotics Charges

LEBANON — Two dangerous residents, both of the Showboat here, were arrested on felony charges of selling and narcotic drugs. The drugs allegedly consisted of marijuana, amphetamines and barbiturates.

7-1-68  
RS

The men, 24 year old Ernest Joseph Belair, and Raymond Henry Bushie, 30, were picked up on warrant charges executed by Columbia County District Attorney Roger Miner, who had instituted the investigation. The arrests were made by investigator T. J. O'Donnell of the narcotics unit operating from the BCI at Loudonville, and assisted by BCI investigators A. R. Leggieri and R. T. Brenzel of Claverack.

Belair and Bushie were arraigned before New Lebanon Town Justice Roger Wemple where they waived hearing for the grand jury. They were remanded to the Columbia County Jail in lieu of \$3,500 bail and \$2,500 bail respectively on charges of selling dangerous and narcotic drugs in the third degree.

## Divorce Granted

HUDSON—Andrew Raymond Cooper, Sr., of 525 Prospect St., Hudson, and Mrs. Mildred Delres Cooper have been granted a divorce.

The papers were signed June 10 at Kingston, Supreme Court Justice Roscoe Elsworth. In addition the divorce was signed by the county clerk June 11.

The divorce is an interlocutory decree according to Roger Miner, attorney for Mr. Cooper, and will be official in three months.

# Phillips May Be Prosecuted As A Youthful Offender

HUDSON—An investigation has been ordered to determine if Gary Phillips, 16, of Ancram should be prosecuted as a youthful offender.

The probe was ordered Monday by Judge William F. Christiana in County Court at Hudson.

The boy appeared with his attorney, Robert Trotta of Millerton. Trotta moved for an investigation to learn if Judge Christiana will consent to have

Phillips, who is under indictment for second degree manslaughter, tried under the youthful offender section of the statute. There was no objection from District Attorney Roger Miner and Judge Christiana directed the investigation be conducted.

Judge Christiana adjourned the case to July 29 pending the investigation and further ruled that any motions which may be

contemplated with the respect to the indictment must be made by the adjourned date.

The defendant who was in bail.

The boy is charged with the shooting death of his father in their Ancramdale home. There was testimony at a preliminary hearing held before Justice Roy Boice Jr. of Ancram that the father had been drinking before he arrived home on the day

of the tragedy. It was testified that the man assaulted his wife and dragged her by the hair through the hallway. Various witnesses called by the prosecution said there were large bunches of the woman's hair on the floor.

It was also testified that the father threw a chair at his mother. Also, an



# Women With City

HUDSON—A 49-year-old woman wielding a carving knife yesterday allegedly killed her common law husband at their So. Front Street residence.

Charged with murder is Mrs. Addie Louisa West.

The deceased has been identified as Jeff Davis Wilkerson, 58, a migrant worker who settled in Hudson.

Mrs. West was confined to Columbia County Jail following her arraignment last evening before City court Judge Harold Lieberman. She showed little emotion as she stood before the judge, assured him that she fully understood her rights and added, "I want the Grand Jury, your honor."

Mrs. West appeared in court with bandaged forehead having previously been treated at Columbia Memorial Hospital for a head injury and later released in the custody of police officers.

In reading the formal charge, Judge Lieberman said it was based on the sworn deposition of witnesses and the formal information drawn up by investigating officers.

Police said the initial call of a was received at 4:05 p.m. When Patrolmen Joel Hollenbeck, Larry Walker and Louis Contearrived at the scene the victim, apparently dead, was lying face down on the sidewalk in front of 27 S. Front Street, where he had lived with Mrs. West.

He was pronounced dead at the scene by Dr. Edward Ginouves Columbia County Corner Donald Tkacy and Police Commissioner David Hendler were then notified. The Greenport Rescue Squad removed the body to the hospital morgue where Dr. Joseph Bellamy performed the autopsy.

According to police, the couple had been in the Catskill area earlier in the afternoon where an altercation had occurred during which Mrs. West had suffered a sever blow to the head allegedly delivered by the deceased. When they returned to the S. Front Street address both alighted from the car. Mrs. West went directly into the house, while Wilkerson sat down on the small porch formed by the two concrete steps and landing at the front door.

The accused is alleged to have picked up a carving knife, returned to the porch and, standing behind the

# May Grand Jury Recalled For West

7-68

HUDSON—It was indicated today that the May grand jury will be called back into session to take up a murder charge against Mrs. Addie Louisa West, 49-year-old Hudson resident.

The homicide charge was placed after city police investigated the July 4, knifing death of Jeff Davis Wilkerson, 59, on S. Front, St., Hudson.

Ordinarily the next grand jury to be convened in Columbia County is not impaneled until the November term of State Supreme Court at Hudson.

Dist. Atty. Roger Miner indicated he might obtain a court order to bring the May grand jury back into session for the purpose of reviewing the murder charge.

If that course is to be taken Miner would have to have an order from Justice Roscoe Ellsworth of Kingston, who presided at the May term of court. Under the law, Judge Ellsworth did not discharge the May grand jury when it completed its work but merely recessed it. The retiring grand jury may be summoned back

into session by the district attorney with the court order any time until the new jury is organized in November at which time the May jury goes out of existence.

At her arraignment City Judge Harold Lieberman the night of the woman assured t



# tion To Be Decided

7-11-68

ON-Whether the \$103,139 made for land taking construction of the a County Airport will be for confirmation by County will be known a week or 10 days. whether any of the owners involved will the amount of money d them will be known same time.

A study of the pleadings and a portion of the testimony discloses that the \$103,139.50 awards were made by Comdemnation Commissioners Joseph Lenczycki, chairman, Atty. Charles Alonge and Bernard H. Weaver while the total damages claimed in the five properties in dispute was placed by the property owners at \$448,000.

Atty. Roger Miner of Huson, of counsel to his father, Count Attorney Abram Miner, in all the harings held by the commission, will appear before County Judge William F. Christiana.

The lawyer will either move the findings of the commission be confirmed or rejected. In view of the fact that the awards came to \$103,139 while the claimsfor damages were nearly a half-million dollars, it is speculated the cunty will be in favor of court approval.

If any of the property owners favor rejection, it will be known at the proceeding before Judge Christiana. If the decision of the County Court is not agreeable to any of the parties involved, any of them could take an appeal to the Appellate Division, THIRD Department, T Albany.

Mary R.W. Keller, formerly Dunning, awarded \$3,678, had claimed \$36,950.

Harry Karpiak, David Karpiak, Clarence P. Karmazym, and Basil Karpiak awarded \$240,000.

Esther S. Dalangauskas, awarded damages of \$9,630, produced a claim of \$71,200.

Joseph Kitchie and Anthony Kitchie, awarded \$16,401.50, claimed \$50,000 damages through testimony.

Elsie C. Ostrander, Ida A. Ostrander and Dorothy B. Ostrander, who testimony claimed had damages of \$50,000 were awarded \$30,239.

Some of the defendants in the actions were not claiming that the damages were restricted to the actual property taking but that the noise from the planes

coming into and leaving the airport affected the value of the residue of the properties.

Atty. Miner represented the county in all phases of the condemnation proceedings in which a large number of hearings were held. Atty. Harold V.A. Drumm of Chatham represented the three Ostranders and the two Kitchies. The Syracuse firm of Smith, Sovik, Terry, Hendricks, McAuliff & Schwarzer represented the golf course owners, and also represented Esther S. Dalangauskas.



# Airport Awards Court Pi

SON-It was anticipated that at least some of the owners of property taken construction of the Columbia County Airport in town of Ghent will make protest against the award of damages awarded condemnation commission. In a report county Judge William F. tiana, revealed it had e awards totalling 139 for which damages of 300 had been demanded. property owners in ion not only made claim

for property taken but damages to the residue of the property as a result of the noise caused by planes landing and taking off at the airport. The information that a court action is anticipated came from a well informed source. Expected to oppose what is termed an order of confirmation before Judge Harry Karpiaak and others, who constructed a golf course in Ghent. In this condemnation proceeding, Harry Karpiaak, David Karpiaak,

Clarence P. Karmazym and Basil Karpiaak, were awarded damages of \$43,191 by Commissioners Joseph Lenczycki, chairman, Charles G. Alonge and Bernard H. Weaver. The owners had made claim for \$240,000. They are represented by the Syracuse law firm of Smith, Sovik, Terry, Hendricks, Mc-Auliff & Schwarzer. Atty. Mc-Auliff told this newspaper today that he is still studying the report of the condemnation commission. He said he preferred not com-

ment further at this time but did not dismiss the report that his clients would oppose Judge Christiana signing an order of confirmation. Atty. Roger Miner, Hudson, who represented the county at the numerous hearings at which testimony was taken is expected to move that Judge Christiana approve the findings of the commission. Mr. Miner has not said he will so move but it is expected in view of the fact the commission granted \$103,139 as against claims of nearly half a million dollars.

Whatever decision Judge Christiana may make any of the parties involved in the condemnation cases can appeal to the Appellate Division, Third Department. It is expected that the motions before Judge Christiana on whether or not to confirm, will be made next week. Other cases which are included in the report of Commissioners Lenczycki, Alonge and Weaver, are Mary R. W. Jeller formerly Dunning, awarded \$3,678; had claimed \$36,950.

## Case Adjourned

7-68 AS

HUDSON-A manslaughter indictment against 16-year-old Gary Lee Phillips of Ancramdale yesterday was adjourned in County Court at Hudson to Sept. 9.

Dist. Atty. Roger Miner consented to the adjournment as Andrew Trotta, of Millerton counsel for the youth, is on vacation.

Young Phillips, who attends Pine Plains Central School, was continued on \$3,000 bail by County Judge William F. Christiana. Bail was provided the night the boy was arrested, posted by a Dutchess county official.

The youth is charged with shooting his father to death in their home. It is claimed the father came home in an intoxicated condition and started to beat his wife.

It was testified that the man dragged her by the hair from one room to another and it was further testified by State Police, and others, that large clusters of her hair were in several areas of the house.

It was also testified that when the boy went to his mother's assistance that his father turned on him. He pegged articles of furniture at Gary ad a younger brother. It was testified that the father ripped the cord of an electric heater from a plug and fired the heater at Gary, the heater hitting the boy there was also testimony of a chain being thrown at the boy, and of Gary leveling a loaded .22 Calibre rifle at his attacker.

It was indicated through the nature of questions asked by Atty. Trotta, the defense will be that the weapon was either fired in self defense or was accidentally discharged.

### Full Restitution

Virginia Price of Hudon, about 35, was placed on probation when it developed she had made full restitution for checks she allegedly issued. It was reported that amount of restitution was approximately \$400.





**SLAYING SUSPECT** - Richard Ogle 3rd, center, is flanked by Troopers W. J. Morris, left, and R. J. Adams of the New Lebanon State Police outpost as he is led into the Stockport court of Justice of the Peace Sherman Grener yesterday. Ogle, wanted by Pitts-

field police in connection with the stabbing death of his father, was arrested in Columbia County Sunday afternoon by the two troopers and is being held in the county jail on a fugitive from justice charge. (Photo by Gibson)

## Accused Slayer Held For Extradition To Pittsfield

HUDSON—Richard Ogle, 3rd, 25, arrested in Columbia County at 1:20 Sunday afternoon on a fugitive from justice charge in connection with the slaying of his father in Pittsfield, remained mute when he faced Justice of the Peace Sherman Grener late yesterday afternoon in the Town of Stockport.

Ogle maintained silence during the proceedings.

Based on a murder warrant issued in Pittsfield and an examination of the defendant's person, District Attorney Roger Miner moved that the court hold the prisoner.

While Ogle was mute on a warrant for his arrest and reportedly had not asked for a lawyer, the People made certain that his constitutional rights were respected and contacted Assistant Public Defender Russell Baller Jr. of Valatie to represent him before the court.

Justice Grener denied a motion by Atty. Baller for dismissal of an information charging the defendant with being a fugitive.

The defendant was charged only with being a fugitive and the sole question Grener had to rule upon under the comparatively new law relating to

fugitives, was whether the man before him was Ogle.

With the defendant remaining silent Grener ruled he was the suspect in view of information provided by Dist. Atty. Miner of motor vehicle records found on the man. This information was supplied the prosecutor by the State Police who had searched him.

Justice Grener ordered the suspect be remanded to the Columbia County jail.

Ogle can be held in jail for 30 days pending extradition proceedings instituted by the office of Governor Volpe of Massachusetts, the application for extradition going to Governor Nelson Rockefeller.

While Justice Grener ordered the suspect to be remanded to jail for a period not to exceed 30 days, this period can be extended to 60 days if extradition proceedings are not

completed within 30 days.

Ogle can apply to County Judge William F. Christiana or any Supreme Court justice that bail be fixed.

The prisoner persisted in his silence at the jail. He ate a meal served him at the jail and was asleep at an early hour.

### Spotted Car

Troopers R. J. Adams and W. J. Morris, stationed at New Lebanon were on patrol early Sunday afternoon in separate cars.

They had stopped their machines for a brief decision on a police matter when the car operated by Ogle came along the highway.

The troopers immediately linked the car with a police message broadcast earlier and took after the car with Oregon

Please Turn to Page A-2



7-19-68  
AS

### ... Accused

plates.

Ogle made no attempt to outrun the pursuers and when Adams approached the wanted car, the trooper forced the suspect's vehicle to the side of the road.

Ogle offered no resistance when Adams approached him with gun drawn and he obeyed when the trooper ordered him to place his hands on the car while Adams frisked him.

The prisoner was taken to the New Lebanon station and thence to the State Police station at Claverack.

In Justice Grener's courtroom, along with Dist. Atty. Miner, Asst. Public Defender Baller and the prisoner, were State Police Capt. Nader, State Police Investigator Rudy Leggieri, and Trooper Adams. Ogle was handcuffed.

The warrant charges Ogle with the stabbing-murder of his father, Richard Ogle Jr., and

the stabbing of the suspect's brother, James Ogle, 22.

Police said the stabbings occurred at 3:30 a.m. Saturday morning at the family home, 180 Williams Street Pittsfield.

The father had been stabbed three times in the chest and once in the scalp. The suspect's brother had a stab wound in the abdomen.

The brother was operated on at St. Luke's Hospital and was reported in good condition.

Pittsfield police said the stabbings were apparently done with a kitchen knife.

Roadblocks were set up in all areas leading out of Pittsfield and descriptions of the hunted man and the car he was driving were flashed over police teletypes.

When arrested in Columbia County, Ogle was still driving the red Chevrolet he was allegedly in when he left the scene of the crimes.

Pittsfield Police Capt. Raymond Coakley said police were called to the Ogle home by the widow of the slain man.

Area law enforcement agencies were advised that warrants had been issued charging Richard Ogle 3rd with murder, intent to murder, and assault and battery with a dangerous weapon.

Pittsfield police said they have in their possession the kitchen knife allegedly used in the crimes.

The slain father was employed as an engineer at General Electric in Pittsfield.

Police said they believed the suspect had not been living at home. They said they understood he is a former Marine.

### Before Council Votes

# County Bar Assn. To Study Curfew

7-30-68

HUDSON--The proposed curfew ordinance for Hudson will be reviewed by the Columbia County Bar Association before being presented to the Common Council for a vote.

That was the decision after a lengthy discussion Monday night at city hall of municipal, police and legal authorities. Common Council President Elmer Sheffer today described the meeting as an "excellent" one and said after the first draft of the proposed ordinance is completed it will go to the county's legal association for

review.

Sheffer explained the move is considered necessary as any curfew ordinance carries wide legal ramifications in the areas of time, ages affected and methods of enforcement.

Attending last night's roundtable were Mayor Samuel T. Wheeler, Columbia County Probation Officer Frank Appleton, Columbia County District Attorney Roger Miner, Hudson Police Commissioner David Hendler, Hudson Police Chief William F. Egan, Sheffer and members of the Youth Committee of the Common Council.

The curfew proposal, in its initial form presented to the Common Council by Mayor Wheeler, calls for youngsters, up to and including 17 years of age, to be off city streets by midnight and enforcement measures place responsibility on parents and-or guardians as well as the youthful violators.

of Germantown, yesterday... a break from County Judge William F. Christiana because the man has nine dependents, three of them handicapped.

The Germantown man pleaded guilty to driving while intoxicated. It was the second time it has happened and the statute provides that a second conviction of this nature is a felony.

leniency for... the court of dependents and... was very faithful out that obligation.

Rosenberg stated... tunately, Munson had... involved in an accident... had been injured, and... damage to property... while the man was driving at the time in question.

Dist. Atty. Roger Miner was not demanding that the defendant go to prison; in fact, made no protest against leniency.

After listening to the attorneys, Judge Christiana said he was not going to incarcerate the defendant. He said he respected the man's faithful carrying out of his obligation to the large number of dependents, some of them handicapped. The court said he was not going to direct that the Germantown man must completely abstain from imbibing in legal beverages but warned him that excess had gotten him into trouble and cautioned he had better watch himself.

Judge Christiana said if he imprisoned the man, his dependents would be the real victims and might be forced on relief.

The court placed the Germantown man on probation and further directed that his driving license was revoked for two years.



# ...es to Confer in Hudson

and from the Convention Tuesday at

seven-county district will in early nominate three the State

al District is the Counties of Greene, Albany, Ulster, Schoharie

County has not had Supreme Court the 1930's and leaders of the ve reportedly given

assurance to Chairman Albert S. Callan Jr., of Chatham, that a Columbia County Republican will be one of the nominees at next month's convention.

At the meeting to be held at Hudson next week, a full discussion is scheduled on what action the Columbia delegates will take on the three nominations to be made.

Among names prominently heard are County Judge William F. Christiana, Surrogate Judge R. Waldron Herzberg, both of Columbia, County Judge George Cobb, of Greene County, County Judge John Casey of Rensselaer. The names of a number of other lawyers from Albany and Ulster have also been mentioned.

The Hudson meeting will be held at the So. 4th St. law office of Judge George C. Inman, who is chairman of the Columbia County delegation to the Judicial Convention.

Delegates to the GOP Convention are Judge Inman, John J. Curran of Kinderhook, Harold V. A. Drumm of Chatham and Ralph O. Hoffmaan of Chatham.

Alternate delegates are Thomas P. Kennedy, Greenport; Roger Miner, Hudson; Warren Zittell, Hillsdale; and Robert F. Meyers of Hudson.

County Chairman Callan has been invited to attend Tuesday's meeting with the delegates and alternates.

In view of the fact that a large number of names will be

under discussion necessary to hold meetings before final are made by the County delegation.

There have been reports that Albany Chairman Joseph Frangeli insist that the bi-party arrangement which has been in existence for many years, be discarded. During those years, opposing party leaders have contended the Supreme Court judgeships should be removed from the realm of politics and that nominees should be endorsed.

The Democratic delegates and alternate delegates have not scheduled a meeting and it may be that delegates and party leaders are waiting to see what the Republicans are going to do.

Among many names heard as possible Democratic nominees are those of former County Judge William E. J. O'Connor and City Judge Harold Lieberman.

The Democrats and Republicans have different by-laws on the question of delegates, the Democrats including the entire Assembly District.

Delegates to the Democratic Judicial Convention which will also be held at Albany early in Sept., are Judge Connor, Judge Lieberman, Jean Toigo, Chatham, Seymour Meadow, William Byrne Jr., and John Begley of Greene County; Charles G. Alonge, Nassau; and John J. Biscone of Ravena.

Democratic alternate delegates are: Joseph McDonald, Hudson; Alan Hegeman, Austerlitz; Thomas F. Turley, Niverville; John C. Welch and James A. Warren, Greene County; Sylvester Currier and William F. Rice of Rensselaer County.

## ...nce, Attorneys 8-1-68 Meet On Extradition

HUDSON—Representatives of the prosecutor's office, Massachusetts State Police and Pittsfield police yesterday were in Hudson for a conference with Columbia County District Attorney Roger Miner in connection with the case of Richard Ogle, Pittsfield, sought by Massachusetts to answer murder and attempted murder charges.

Conferring with Mr. Miner were William Flynn, assistant district attorney of Berkshire County, Leo M. Brown, Massachusetts State Police assigned to the district attorney's office, Capt. Raymond Cakley of the Pittsfield department, and New York State Police investigator Rudy Leggieri.

of the Claverack barracks. However, Dist. Atty. Miner, under New York State law, cannot start extradition

proceedings against Ogle until an order has been received from Governor Nelson Rockefeller. The order from the Governor must be personally signed by the state's chief executive.

It is likely the extradition proceeding will take place before County Judge William F. Christiana. Fundamentally, Judge Christiana will be called upon to rule on the legality of the man's arrest and detention.

If Judge Christiana rules he was taken into custody at New Lebanon in accordance with the provisions of state law, warrants would be speedily expedited for the prisoner's return to Massachusetts, where he is charged with the stabbing-death of his father and attempted murder of the defendant's brother.

Ogle was identified before Justice of the Peace Sherman Greener of Stockport as the man sought to answer the charges and inner remand the man into the custody of Sheriff Dewey A. Lawrence.

Asst. Public Defender Russell Baller Jr. of Niverville represented the prisoner at the arraignment.

Ogle could save a lot of work and red tape by waiving extradition. But he is saying nothing but "no."



8-15-68

Commonwealth  
has taken no  
as yet to remove  
Ogle, 25, from the  
County jail to Pitts-  
to answer a charge that  
murdered his father and  
tempted to kill a younger  
ner.

The office of Asst. Dist. Atty.  
William R. Flynn of Berkshire  
County, today told the Register-  
Star that Flynn is in the process  
of moving toward steps seeking  
to extradite the prisoner.

Flynn will ask Massachusetts  
Governor John Volpe to urge  
New York State Governor  
Nelson Rockefeller that court  
action be undertaken to order  
Ogle's removal to  
Massachusetts.

Both Rockefeller and Volpe,  
who were vigorous workers at  
the Republican National Con-  
vention, are on vacation.

If Rockefeller orders that  
extradition proceedings be  
started (and if can be assumed  
he will), the order will likely  
go to Columbia County Judge  
William F. Christiana. The  
order to the court must be  
personally signed by  
Rockefeller.

The office of Asst. Dist. Atty.  
Flynn was asked when the  
matter is likely to be reviewed  
by Gov. Volpe. The answer was

it will depend upon the number  
of other important matters  
confronting the governor. It  
was explained the extradition  
request will have to "take its  
turn" before Volpe.  
Ogle, whose legal interests  
have been protected by Asst.  
Public Defender Russell Baller,  
Jr., of Valatie, likely will be  
represented at the anticipated  
extradition hearing by Public  
Defender Andrew Campilo of  
Pittsfield

The situation at present is  
that Ogle can be held at the  
jail in Hudson until August 29  
under commitment of Justice of  
the Peace Sherman Grener of  
Stockport. The defendant was  
arraigned before Justice Grener  
on a charge of being a fugitive  
from justice.

The court ruled that Ogle was  
the man named in the murder  
warrant issued by the Pittsfield  
police and ordered the defend-  
ant to be taken to the  
Columbia County jail and held  
for a period not to exceed 30  
days. However, if the ex-  
tradition proceeding has not  
been expedited within the 30-day  
period, Justice Grener has the  
legal power to order the  
defendant held for an additional  
60 days.

It is likely that at the ex-  
tradition proceeding before  
Judge Christiana, that Dist.  
Atty. Roger Miner will  
represent the prosecution.

# Wife Charged With Slaying Of Husband T.J.

8-26-68

A Columbia County woman  
has been charged with murder  
in the fatal shooting of her hus-  
band at their Copake Lake home  
Saturday night.

State Police at Claverack said  
Kenneth Coons, 57, was shot in  
the arm and chest with a .22-cal-  
iber revolver during an argu-  
ment with his wife, Leonore  
Elma, 26.

Mrs. Coons was committed to  
Columbia County Jail, Hudson,  
pending preliminary hearing  
Sept. 6.

In another area shooting, a  
Gloversville man was injured  
about 2 a.m. Sunday in Pitts-  
field.

William Readdean, 45, of 8  
Chestnut Street, Gloversville,  
was shot in one little finger, ac-  
cording to Pittsfield Police, who  
arrested Kenneth E. Persip of  
183 Lacona Street, that city, on  
a charge of assault and bat-  
tery.

Police said the shooting cli-  
maxed a disturbance at 194 Ono-  
ta Street, where a group of  
"four or five" persons had gath-  
ered. They said Readdean was  
taken to Pittsfield General Hos-  
pital by another member of the  
group.

Persip will be arraigned this  
morning in Central Berkshire  
District Court.

# LeSawyer To Represent Mrs. Coons - To Ask Bail

8-27-68



Leonore Coons

Jail since Saturday night on a  
charge of murdering her  
husband, Kenneth Coons, 57, at  
their Copake Lake cottage.

Mr. LeSawyer said that he  
likely will make application for  
bail at an early date.

If the application for bail is  
made, it is expected to be made  
before County Judge William F.  
Christiana or Surrogate Judge  
R. Waldron Herzberg.

Coroner Donald Tkacy ruled  
that Mr. Coons' death was  
caused by gunshot wound to the  
chest.

It is alleged the shooting  
occurred during a family  
argument.

It was learned last night that  
the 26-year-old defendant's  
father was injured during the  
alleged argument. It is claimed  
that during the trouble that  
Walter Stalker, 55, of Hillsdale,  
was hit with a solid pipe,  
allegedly wielded by the son-in-  
law, according to the defen-

dant's attorney. Mr. Stalker  
was treated for an injury to  
his left shoulder and  
discharged.

Private funeral services will  
be held Wednesday for Mr.  
Coons, a war veteran. Services  
will be held at the Peck and  
Peck Funeral Home. Interment  
will be in the West Copake  
Cemetery.

The quarrel and the shooting  
occurred outside the Copake  
Lake cottage and the victim  
managed to stagger back in-  
doors before he collapsed, ac-  
cording to BCI.

Mrs. Coons called police but  
her husband was dead when  
they arrived. The gun, owned  
by the accused, was found at  
the scene. Mrs. Coons resided  
in Hillsdale and had gone to  
Copake Lake to pick up a 5-  
year-old daughter who was at  
the cottage when the shooting  
occurred, police said.

HUDSON-Atty. Michael  
LeSawyer of Hudson has been  
retained to represent Leonore  
Emma Coons of Copake Lake,  
held at the Columbia County



# Copake Lake Drowning Crash Under Investigation By County

8-26-68

HUDSON—Details surrounding August 17 drowning in Copake Lake of John Unson, 55, Claverack, formerly of Hudson, are being investigated by Dist. Atty. Roger Miner, coroner Donald Tkacy and Sheriff Dewey A. Lawrence. Questioned today by a Register-Star reporter, Dist. Atty. Miner said, "We're looking into it. There is still some investigating to do". It was learned that Judge

William E. J. Connor of Hudson is representing Clifford J. Wallsheim, 16, a summer resident at Copake Lake. A power boat operated by the youth and a row boat from which Mr. Unson was fishing, were in collision near what is known as Mosquito Island. The body was recovered early Friday morning. A post mortem, ordered by Coroner Tkacy, was made by Dr. Joseph Bellamy, pathologist

at Columbia Memorial Hospital. Coroner Tkacy said the cause of death was drowning as a result of the lake collision. Unson was fishing with a son-in-law, Leon Cotte, of Claverack. They fished together several times a week. Also in the fishing party, but in another boat, were Stephen Molnar Jr. of Greenport and Jerry Counts of Hudson. Cotte leaped from their boat when the collision occurred. He had a glimpse of Mr. Unson apparently trying to leave the boat. That was the last he saw of him. Mr. Cotte was hauled from the water by Molnar and Cotte.

pounded by authorities. Riding in that passenger at the time accident was Robert Wallsheim was seen at court house Friday with former Dist. Atty. Connor, a law partner. Funeral services for Unson were held Saturday afternoon at 2:30 at the & Anderson Funeral Home. Rev. James Kilpatrick of the Stockport Methodist Church, officiated. Bearers were Earl Stephen Molnar Jr., Jerry Counts, Christopher Groll, Scirico and Anthony Cho

The power boat was im-

who... practice... together at the lake several times a week, were accompanied last night by Stephen Molnar, Jr., of Greenport and Jerry Counts of Hudson. The latter two were trailing Mr. Unson and Mr. Cotte in a separate rented boat. Out of the darkness, officials said that campers stated they heard a crash and yelling. Authorities said the row boats were displaying flashing red blinkers. When the sudden collision was about to occur, Cotte heard a noise and apparently realized a crash was imminent. The son-in-law yelled "Jump" as he saw the speed board bearing down on them. In the flash before he went over the side, Cotte glanced at Mr. Unson and it appeared to him the older man was crouched in a seat and seemed to be endeavoring to leave the boat. When Cotte came to the surface almost immediately, the power boat was still in the air and then plopped onto the water. Molnar and Counts quickly reached Cotte and hauled him in to their boat. The three immediately started a search for Mr. Unson, who was regarded as an excellent swimmer, but saw no trace of him. The victim had worked

David Davis and Walter Herrington, scuba divers associated with the Copake Rescue Squad and State Police divers from Hawthorne went into the water repeatedly seeking the body. Hundreds of area residents and picnickers flocked to the scene Sunday and Constable William Jensen and other officers had a busy time directing vehicular traffic away from the center of shore operations. Chief Chidester was lavish in praise of Murray, Cousins, for loaning all boats and other equipment in the long search. Chidester, who went on duty at 12 noon on Saturday, was still on duty at 10 o'clock last night. Divers decided at approximately 4 p.m. yesterday to cease their operations. It was said the water was so muddy that little could be accomplished. Chidester and many grapplers worked from 11 Saturday night until about 4 am Sunday and laid off for about two hours before resuming their efforts. Practically all efforts were halted about midnight Sunday night and resumed early today. Sheriff Lawrence and Chief Chidester contacted District Attorney Roger Miner and advised him of developments in their investigation. The victim had worked

st... Co., of... John Unson, is... at the Hudson post... Mr. Unson resided... son-in-law and daughter... Claverack. There were reports shoe which had been... Mr. Unson washed... yesterday afternoon... pieces of a broken... in near the cottage... Mr. and Mrs. R. Bu... of Hudson.

... who... practice... together at the lake several times a week, were accompanied last night by Stephen Molnar, Jr., of Greenport and Jerry Counts of Hudson. The latter two were trailing Mr. Unson and Mr. Cotte in a separate rented boat. Out of the darkness, officials said that campers stated they heard a crash and yelling. Authorities said the row boats were displaying flashing red blinkers. When the sudden collision was about to occur, Cotte heard a noise and apparently realized a crash was imminent. The son-in-law yelled "Jump" as he saw the speed board bearing down on them. In the flash before he went over the side, Cotte glanced at Mr. Unson and it appeared to him the older man was crouched in a seat and seemed to be endeavoring to leave the boat. When Cotte came to the surface almost immediately, the power boat was still in the air and then plopped onto the water. Molnar and Counts quickly reached Cotte and hauled him in to their boat. The three immediately started a search for Mr. Unson, who was regarded as an excellent swimmer, but saw no trace of him. The victim had worked





**SHOOTING SCENE** - This is the Copake Lake cottage where Kenneth Coons, 57, was shot and killed Saturday night. His 26-year-old estranged wife, Leonore, is charged with murder and is confined to Columbia County Jail

without bail. The cottage is located on Pheasant Road, about 500 yards off Lake Shore Drive at the popular Columbia County resort area. (Register-Star Photo by Gibson)

# Man Killed In Family Quarrel

**COPAKE**— A family argument erupted into violence Saturday night resulting in the death of 57-year old Kenneth Coons of Copake Lake and the arrest of his wife on a charge of murder.

Held without bail in Columbia County Jail is Leonore Emma Coons, 26, who resides in Hillsdale. She was arraigned before Claverack Justice Erwin Schneider early Sunday morning on the murder charge and a preliminary hearing was set for Sept. 6.

According to authorities, an argument took place in the yard of the Copake Lake cottage on Pheasant Road, during which Mrs. Coons wielding a .22 cal. pistol allegedly shot her husband twice, striking him in the chest and the arm.

He was pronounced dead at the scene by Dr. R. L. Bowerhan and Columbia County

Coroner Donald Tkacy ordered the body be taken to Peck and Peck Funeral Home, Copake, where Dr. Joseph Bellamy performed the autopsy.

Columbia County District Attorney Roger Miner was at the scene and conferred with Coroner Tkacy and BCI Lt. K. D. O'Dell, in charge at the scene.

Also working on the investigation was Senior Investigator Fred Potts and Investigator Robert Brenzel of the BCI at Claverack, Zone Commander Lt. W. F. Keefe, Zone Sgt. D. J. Aquilio, Sgt. P. McHugh and Trooper B. J. Conway of the Claverack outpost and Sheriff Deputy Investigator Paul Proper.

The victim had resided at Copake Lake for the past 26 years. A native of Crayville, he was a son of the late Burton

J. Coons and Louella Mossman. He was presently employed at the Catamount Ski Area but had worked as a private contractor.

He was a World War II veteran and a member of the Copake Fire Company.

He is survived by four children, Kenda and Lynn of Copake Lake and Victoria and Kenneth of Martindale; and a sister, May Zittell of West Copake.

Private funeral services will be held Wednesday, August 28, at the Peck and Peck Funeral Home with Rev. Frederick Musson of the West Copake Reformed Church officiating. Interment will be in West Copake Cemetery.

Friends may call at the funeral home between 7 and 9 tomorrow evening.



# Ogle Recommited Here, Still Fights Extradition

8-27-68

STOTTVILLE—Richard H. Ogle, 26, wanted in Pittsfield, Mass. on a warrant which charges him with murder, was brought to Stottville last night to again face Justice Sherman Grener for re-commitment to the Columbia County jail.

It was a legal technicality in connection with impending extradition proceedings.

The prisoner was before Judge Grener on July 28 charged with being a fugitive from justice. Ogle remained mute. After identification of the suspect had been established by District Attorney Roger Miner, Justice Grener committed the man to the county jail at Hudson for a period not to exceed 30 days.

Formal extradition proceedings have not been undertaken by Massachusetts.

Ogle was before the court last night handcuffed to Deputy Sheriff Armando Martin. He had been taken to Stottville from the jail by Deputy Dow B. Hover and Martin. Sheriff Dewey A. Lawrence was in the courtroom.

Dist. Atty. Miner represented the People last night and Public Defender Adolph Matties appeared for Ogle.

Miner moved that the man be re-committed. This was a legal requirement as the previous 30-day maximum term was expiring.

Justice Grener ordered that the defendant be returned to the county jail for a term not to

exceed 60 days. Extradition proceedings must be in force by that time or counsel will demand the man's release.

A warrant charges Ogle with killing of his father and attempting to kill a younger brother.

The man has refused to waive extradition.

Massachusetts authorities told this newspaper several days ago that extradition proceedings were being developed there and a request will be made by Governor Volpe of Governor Rockefeller that Ogle be returned to the jurisdiction of Massachusetts.

When the New York Governor receives the request, it is likely he will refer the proceeding to Columbia County Judge William F. Christiana. If Ogle still refuses to waive at that point, testimony will be presented and Judge Christiana will rule



Richard Ogle

whether New York will surrender the alleged fugitive.

Ogle is in the jurisdiction of Columbia County as he was taken into custody by State Police at New Lebanon during the man's alleged flight.





# STAR

12534 Wednesday, August 28, 1968

10 Cen.

## omicide Charged Unson Drowning

KE--Clifford J. 16, of Syosett, a resident at Copake has been charged with negligence homicide. Connection with the August drowning of John Unson, 55, Clack, in Copake Lake. Unson was arrested on a claim obtained by Columbia District Attorney Roger who together with Dewey A. Lawrence and Donald Tkacy conducted the investigation. Defendant appeared today at Copake Justice Clifford Campbell of Craryville, with Counsel, Judge William E. and former District Attorney John G. Connor. District Attorney Miner addressed the people. Ap-

pearing with him was Sheriff Lawrence and Deputy Sheriff Ted Chidester. A plea of not guilty was entered and Judge Connor requested that a hearing date be set. Judge Campbell fixed the hearing, for Thursday, Sept. 26 at 2 p.m.

Young Wallsheim voluntarily appeared today accompanied by his father. Judge Campbell fixed bail at \$3,000. The bail was posted by the youth's father. Coroner Tkacey gave the cause of Mr. Unson's death as drowning as a result of a

collision involving boats at the lake. Mr. Unson was fishing with a son-in-law, Leon Cotte of Claverack. They were in a row boat and a collision occurred between a power boat allegedly operated by the defendant, and the row boat.

## Mrs. Coons' Bail Set At \$5,000 By Judge Herzberg

HUDSON--Surrogate Judge R. Waldron Herzberg, presiding as Acting County Judge, today fixed bail at \$5,000 for Leonore Emma Coons 26, of Copake Lake, charged with murdering her husband, Kenneth Coons, 57. The motion that bail be set was made before Judge Herzberg by Atty. Carmi Rapport of Hudson. County Judge

William F. Christiana is on vacation and returns this weekend. District Attorney Roger Miner urged the court to set the bail figure at \$25,000. Atty. Rapport protested this was an excessive amount. The court, following the arguments, announced the \$5,000 figure.

The woman was arrested shortly after the shooting death occurred last Saturday night. She called police and told them her husband was dead. It was reported that efforts were being made today to post the bail for the woman's release from the Columbia County jail. A hearing will be held September 6, before Justice of the Peace Erwin Schneider of the Town of Claverack. The gun, allegedly used by the defendant and reportedly owned by her, was found at the scene of the shooting. Investigators said the shooting took place outside a Copake Lake Cottage during an alleged family argument. Mrs. Coons resided in Hillsdale, and had gone to Copake Lake to pick up a 5-year-old daughter who was at the cottage.



# Coons Out On Bail

9/2/68

HUDSON—Mrs. Leonore Coons, 26, of Copake Lake, held on a charge of murder, gained her release on \$5,000 bail at 6:50 last night.

Awaiting her when she walked out of the Columbia County jail after a surety bond was posted were the defendant's mother and sister.

Bail was set yesterday morning by Surrogate Judge R. Waldron Herzberg, sitting as acting County Judge as Judge William F. Christiana was away on a short vacation. Judge Christiana returns here late today or tomorrow.

Atty. Carmi Rapport of Hudson made the application for bail before Judge Herzberg and District Attorney Roger Miner appeared for the People.

Sheriff Dewey A. Lawrence said a jail matron advised him the woman was quiet during the time she was incarcerated and had no special requests. The defendant was arrested last Saturday and charged with shooting her husband, Kenneth Coons, 57, at a Copake Lake cottage. She called police and reported her husband was dead. It is alleged the shooting occurred during an argument.

A plea of innocent was entered before Justice Erwin Schneider, Town of Claverack, and a hearing will be held by him on Sept. 6.

Phillips is under indictment for alleged second degree manslaughter in the shooting death of his father at their home in the Town of Ancram.

The youth appeared yesterday before Judge Christiana in County Court with the defendant's counsel, Robert Trotta of Millerton.

Atty. Trotta made a motion for the right to inspect the minutes of the grand jury which indicted the youth. In motions of this nature, the court reads the minutes before granting or denying the motion. Atty. Trotta also moved that in the event the court finds there was insufficient evidence as a matter of law to sustain a manslaughter indictment that

he should be dismissed. District Attorney Roger Miner made no objection to that portion of the motion dealing with reviewing the grand jury minutes and urged that a trial date be fixed.

In reserving decision on Mr. Trotta's motion, Judge Christiana stated that if he finds the indictment is a valid one that trial of the indictment will open on October 14.

The court continued the defendant on bail.

Questioning of witnesses at a preliminary hearing held before Justice of the Peace Roy Boice, Jr., of Ancram indicates that the defense is that the shooting was accidental or was in self defense.

There was evidence that the father assaulted the defendant's mother, dragged her from one room to another by the hair, threatened other members of

lighted, electric light, boy, hitting him in a shot. After the shooting, the youth made no attempt to flee and awaited arrival of State Police who had been advised by telephone of the tragedy.

Atty. John G. Connor, representing Frederick Delavalle of Hudson on a burglary charge, moved for a further bill of particulars. There was no objection and the motion was granted. The case was adjourned to October 7, the opening day of County Court next month.

Dist. Atty. Miner moved that Albert Mercuri, Hudson, charged with sexual abuse of a child, be given a psychiatric examination. Public Defender Adolph Matties, who represents the defendant, was engaged in a matter in another court. Defense counsel will be advised of Mr. Miner's motion and will appear before Judge Christiana to consent to the examination or to move against granting the request of the prosecutor.

Robert Mabry, Hudson, charged with endangering welfare of a child, was not in court when his case was called.

He was represented by Asst. Public Defender Russell Baller, Jr., of Valatie. It was concluded the defendant was probably confused about the date he was to appear. Dist. Atty. Miner told the court he was not moving that bail be revoked until the defendant was reached and told to appear to answer the charge. The case was adjourned to October 7.

# Of May Grand Jury

HUDSON—Obviously because of a heavy volume of work awaiting determination, State Supreme Court Justice Roscoe Ellsworth of Kingston today signed an order calling the Columbia County May grand jury back into session on September 16 at 10 o'clock.

The grand jury, sitting in conjunction with the May term of Surpeme Court, completed its work on the 27th of that month.

When the inquiring body handed up its report to the Kingston jurist, he recessed them, subject to call of the prosecutor and court order. It meant that the grand jury technically remained together until the opening day of the following Supreme Court term in the county, which term will be convened on November 4.

The law demands that a defendant is entitled to have his case reviewed as speedily as possible.

Since the grand jury was declared in recess, a number of cases have been referred by the courts to the grand jury for review. Three of these are

alleged homicide cases.

Mrs. Addie Louisa West, 49, of Hudson, is charged with the stabbing death of Jeff Davis Wilkerson, 58, her alleged common-law husband, at their So. Front St. residence. Following her arrest, she appeared before City Judge Harold Lieberman with a head injury, said to have been sustained when Wilkerson hit her.

It can be assumed Dist. Atty. Miner moved that Judge Ellsworth move the grand jury back into session because of the number of cases pending.

Also Awaiting grand jury action is Mrs. Leonore Coons, 26, of Copake Lake, charged with killing her husband, Kenneth Coons, 57, at a Copake Lake cottage. She is charged with murder in the shooting.

Also to be taken up by the grand jury called back on Sept. 16 is the drowning of John Unson, 55, of Claverack.

Charged with criminal negligence homicide is Clifford J. Wallsheim, 16, of Svosett, a

summer resident at Copake Lake.

The Claverack man was fishing at the lake when his row boat was in collision with a power boat allegedly operated by the defendant.

All defendants have pleaded innocent. Mrs. West is incarcerated in the Columbia County jail and the other two are at liberty on bail.



...ties ... throughout the official capacity. ... the board of ... for a \$750 transfer ... transfer, from the con- fund to other ex- ses. ... was approved by the d he district attorney, in a er, outlined the reasons for ue request.

"Since January of this year, it has been the policy of this office to appear in all Town Justice Courts and Police Justice Courts in the county whenever a defendant appears with counsel or whenever a request has been made for

... justice ... by a me. ... the county police organization," Miner said. "These appearances have been made in connection with all grades of offenses and whenever requested."

"This," he added, "has necessitated a great deal of travel throughout the county by the District Attorney and the Assistant District Attorney, and for that reason the travel account has become depleted at this time."

"In addition to the foregoing," he explained, "it has been necessary for this office to pay for the minutes of preliminary hearings as required by law."

The hearings have multiplied

... system ... awareness ... defendants of their man ... rights in criminal proceedings.

"It is most difficult," Miner said, "to project an accurate figure for this expense inasmuch as it depends upon the volume of felony arrests."

"An additional unforeseen expense to this office," the district attorney noted, "has been expert testimony required of medical doctors and others who advise and court appearance is essential on behalf of the prosecution." He added that this, too, is difficult to project accurately because figures are dependant on the necessities of particular cases.

# Conte Foreman Of Grand Jury Recalled By Large Work Load

9-13-48

HUDSON—Ferdinand J. Conte of 40 James Street, Hudson is foreman and Mrs. Clara J. Koweek is assistant foreman of the Columbia County grand jury which has been called back into session on Monday by State Supreme Court Justice Roscoe Elsworth of Kingston.

The request that the inquiring body by summoned was made by District Attorney Roger Miner because of several important cases that have been referred to the Grand JURY.

Other members of the grand

jury who were called to serve at the May term but remained in recess subject to order of the court, are:

Harry Jay Burely, Box 92, Chatham; Marie Calandrino, Craryville, RD; Cecil J. Coons, 556 Union Street, Hudson; Laura H. Curcio, 32 Maple Avenue, Hudson; Edward T. Donahue, Sjore Road, Chatham.

Also, Harry F. Euiler, Jr., 51 Green Street, Hudson; Edna S. Ferris, 75 Joslen Boulevard, Hudson; Donald C. Fitzpatrick, Spencertown; Earl I. Groat, Stuyvesant Falls; Ira E. Hinkel,

Kinderhook RD1; Samuel Jackowitz, 162 Green Street, Hudson; Jane R. Lemon, 5 Oakwood Boulevard, Hudson; Sarah E. Miller, Ancram RD; Harold W. Moore Jr., 506 State Street; Aura Mosall, Box 81, Valatie; Thomas J. Russell, 533 State Street, Hudson; Marta Solomon, 28 Fairview Avenue, Hudson; Thomas H. Smith Sr., Box 141, Valatie; Mary K. Stanton, Box 34A, Star Route Hudson; Martha J. Wheeler, Elizaville, Rd1.

Cases will be presented to the grand jury by Dist. Atty. Miner and Asst. Dist. Atty. Charles



## Judge To Re-convene Grand Jury

HUDSON—State Supreme Court Justice Roscoe Elsworth of Kingston returned to Hudson Monday to re-convene the May grand jury which he had ordered called back into session.

The Kingston jurist brought the inquiring body back into session on application of District Attorney Roger Miner because of the large number of cases awaiting review.

The next grand jury is not convened until the November term of Supreme Court opens and Justice Elsworth pointed out yesterday that all defendants are legally entitled to have their cases considered at the earliest possible time.

It was indicated that the grand jury may hand up its report to Judge Elsworth on September 26. Witnesses seen entering the grand jury room yesterday afternoon led to a belief the grand jurors had taken up a murder charge against Mrs. Addie Louisa West of Hudson, charged with murder.

It is alleged the 49-year-old woman killed her common-law husband, Jeff Davis Wilkerson, 58, with a craving knife.

Prior to her arraignment before City Judge Harold Lieberman, the woman was treated at Columbia Memorial Hospital for a head injury, reportedly inflicted by Henderson. She appeared in court with a bandaged forehead.

The alleged murder occurred at 27 South Front Street where they resided. It was said that before the alleged homicide that the two had been to a picnic or party in Catskill and that Henderson struck the woman a sever blow. She allegedly used the carving knife on him directly after they returned home.

Among the cases to be heard by the grand jury is a murder

charge against Leonore Coons of Hillsdale, charged with shooting her husband at Copake Lake. She was bound over for action of the grand jury after a hearing Friday night before Claverack Justice of the Peace Erwin Schneider. Grand jury proceedings are privileged and there are no announcements when a particular case will be taken up.

## Theater Manager Is Fined \$50 9-67

GREENPORT—Raphael Kline, manager of the Sunset Drive-In Theater, appeared before Justice of the Peace Richard Genzmer Tuesday evening and was fined \$50 on a charge of disseminating indecent material to a minor.

District Attorney Roger Miner reduced the charge from a misdemeanor to a violation in Kline's case and dismissed the charge against Donald Conklin, a ticket seller at the theater.

The pair was originally arrested by a B.C.I. investigator when a 15-year old girl was allowed to view the film, "The Headmistress," a motion picture advertised for persons over 18 years of age.



# Public Defender Assigned To Woman Charged In Knife Murder

10-5-68

HUDSON - Mrs. Addie Louise Hudson, 49, of Hudson, yesterday informed County Judge William Christiana that she was without funds to employ a lawyer to answer a murder indictment.

Judge Christiana, after an interval of dialogue with the defendant who was standing before him in County Court, thereupon indicated he believed her defense was a matter for Public Defender Adolph Matties, and the defender, who was in the courtroom, readily agreed.

The woman, charged with the carving knife murder last July 4 of her common-in-law-husband, Jeff Davis Wilkerson, 58, pleaded innocent to the indictment charging murder.

In view of the fact, Public Defender Matties had just entered the case and had no opportunity to talk with the defendant, the case was adjourned to Oct. 28.

Police said after the arrest that the couple had been to a picnic at Catskill on the holiday. It is claimed the man assaulted the woman. Upon their return

to Hudson, he was reportedly sitting on the porch. She entered their home on So. 3rd St., came out again, and whatever ensued, he was on a sidewalk, fatally stabbed.

Thomas McEachron, indicted on a charge of burglary, had no money for his defense and Public Defender Matties will represent him.

The case of Anthony Gambino, charged with burglary, was referred to Public Defender Matties.

Also given to Public Defender Matties is the case of Terrence Walker, charged with burglary.

## Other Indict

Still another case was assigned to Mr. Matties against Paul Hickey.

In each case Matties will serve as defense attorney. In a bill of particulars against Christiana directed by Roger Miner and Atty. Charles Inman, they. Pleas of innocent were made in each case.

Scott R. McIntyre, charged with possession of drugs, pleaded innocent. He was given a bill of particulars on motion of his attorney.

Judge Harold Lieberson directed Stanley Earle D. Ryan to plead innocent to grand larceny 3rd degree.

Also pleading innocent, advising the court to have their own attorneys, are Roger Floutin, charged with burglary; Richard D. LeRoy J. Shook, charged with burglary.

Walter F. Ryan, charged with grand larceny, pleaded innocent. He is represented by Public Defender Matties.

Rodney LaRose, represented by Atty. Joseph M. LeRoy, pleaded innocent to third degree burglary.

George Diette, charged with burglary, is represented by Atty. LeRoy, pleaded innocent to a charge of burglary.



**ELKS DONATE TO RESCUE SQUAD** - At an emergency meeting of the Hudson Elks Lodge No. 787's social and community welfare committee, an initial donation of \$300 was approved to assist the Greenport Rescue Squad in getting their current fund-raising drive underway. Above, a check is presented to John Rutkey, captain

of the Greenport Rescue Squad. With him, left to right, are G. Wilson Shea, financial secretary; Roger Miner, exalted ruler; and H. E. Van Tassel, secretary. Miner urges all Elks to contribute generously to this "valuable community service." (Register-Star Photo by Jerry Porroca)



# Man Withdraws Plea; Cases Adjourned Here

HUDSON—Paul Hicks, of Livingston, suddenly withdrew a plea in County Court yesterday and told Judge William F. Christiana, presiding, that he was innocent and wanted a trial.

The court adjourned the man's assault indictment to Dec. 2 and the defendant will be represented by the Public Defender's office.

Hicks is charged with an assault on Cornelia Jacobs, 51, also of Livingston.

The defendant's case was moved yesterday for disposition by Dist. Atty. Roger Miner.

The man pleaded guilty and was talking with the court when he said: "I didn't do anything to her." When he indicated he wanted to plead innocent, Judge Christiana, in setting the case down for disposition on Dec. 2, told Hicks: "I don't want anyone who says he is innocent pleading guilty. You are entitled to a trial if you say you are innocent and I will adjourn your case to Dec. 2."

The cases of several defendants were adjourned for a determination whether they will be represented by Public Defender Adolph Matties. They

10-68  
are: Priscilla Roberts, under indictment for second degree manslaughter.

Robert James Stickles, charged with third degree burglary.

Jack Billy Sams, indicted for second degree burglary.

Stanley Earl DeGroff Jr., charged with third degree burglary.

Robert Mabry, charged with endangering welfare of a child.

Richard Darrel, charged with second degree burglary.

Edward Frederick Goux, indicted for sodomy.

The case of Roger Floutin, charged with third degree burglary, was adjourned to Dec. 2. The defendant is represented by Atty. Philip G. Rosenbert.

Walter Ryan, represented by Asst. Public Defender Russell Baller, Jr., pleaded guilty to petty larceny and was placed on probation.

Judge Christiana today was continuing to hear testimony in the case of Gary Lee Phillips, 66, of Ancramdale, on a charge of being a youthful offender.

# In Coons From \$5,000

HUDSON—Dist. Atty. Roger Miner yesterday demanded that \$5,000 bail placed on Lenore Emma Coons of Hillsdale, be increased.

An indictment charges her with murder in the shooting death of her husband.

A sealed indictment was returned last week by the extended May grand jury, which had been called back into session by Supreme Court Justice Roscoe Elsworth of Kingston.

Mrs. Coons, who is represented by Atty. Carmi Rapport, yesterday pleaded innocent when arraigned before County Judge William F. Christiana.

The day after her arrest, Mrs. Coons was released on \$5,000 bail, the bail being set by Surrogate Judge R. Waldron Herzberg, sitting as acting county judge.

Miner said in county court yesterday the amount of bail is inadequate in view of the

seriousness of the Rapport case, that sufficient, that her family residents of the she would appear on the adjourned date, Oct. 2.

Judge Christiana told the woman on her decision on Miner's demand for an increase.

After the defendant entered, defendant reserved all rights that may be affected by the adjournment of any motions by the adjournment.

Ernest J. Beland and Bushey, each charged with allegedly criminal possession of a dangerous weapon in Lebanon, pleaded guilty. They are represented by Atty. Philip G. Rosenbert.

The court gave the motions Oct. 28 for the motions.

Judge William E. reserved all rights in making of motions by Clifford Wallsh.

## Miner Names Toastmaster For Dinner

HUDSON—Dist. Atty. Roger Miner will be the toastmaster at the county Republican dinner to be held at Kozel's on Nov. 1, starting at 7:30.

Judging by early returns, a large turn-out is anticipated.

All GOP candidates for state and local level will be invited. Reservations may be made by calling Public Defender Adolph Matties, 828-3410, or Philip G. Balcerzewski, 828-3410, at the Republican Party headquarters, 828-5533.



HUDSON—County Judge William F. Christiana has ruled that he will not interfere with a decision by Surrogate Judge R. Waldron Herzberg fixing bail in the case of Leonore Emma Coons of Hillsdale.

Judge Herzberg, sitting as Acting County Judge while Judge Christiana was on vacation, fixed bail in the amount of \$5,000 for the woman, charged with fatally shooting her husband.

At the arraignment, Dist.

Hudson, N.Y., Register-Star  
Thursday, October 17, 1968 A12

## Phillips Youthful Offender

HUDSON—Gary Phillips, 16, of Ancramdale, is being tried before County Judge William F. Christiana, without a jury, as a youthful offender.

He was indicted for alleged second degree manslaughter in the shooting death of his father in their Ancramdale home.

Atty. Robert Trotta of Millerton represents the boy and Dist. Atty. Roger Miner represents the People. Atty. Trotta had moved before the court that the boy be treated under the youthful offender section of the code and there was no objection on the part of the prosecutor.

Testimony may be concluded today or tomorrow and it is possible that the court will serve decision until the testimony has been transcribed.

There was testimony at a preliminary hearing that the father had assaulted the boy's mother and had dragged her by the hair around the house.

It was also testified that the father had attempted to assault Gary's younger brother. Also, that the father had pulled a portable heater, which was working, from a wall and had thrown it at Gary, striking him in a shoulder.

Questioning by counsel indicated the defense was either self defense or accidental shooting.

Atty. Roger Miner contended the bail was insufficient and moved that it be increased. Atty. Carmi Rapport, defense counsel, argued it was sufficient and that the defendant would appear at a trial date.

Judge Christiana said in his decision:

"Defendant has been arraigned on an indictment charging her with murder. Upon her arrest she was taken before a Justice of the Peace, duly arraigned, and waived to the grand jury. Thereafter, she made application to fix the amount of her bail before Hon. R. Waldron Herzberg as Acting County Judge of Columbia County. Following arguments of counsel, the court set bail in the sum of \$5,000. A surety bond in that amount has been posted.

"Upon her arraignment on the indictment in this court, the District Attorney moved to increase the amount of the defendant's bail. The application of the District Attorney is quite understandable in view of the seriousness of the alleged crime.

"Much legal literature has recently been written on the subject of bail. I do not intend to add to it other than to note, hopefully, that reform of the entire controversial bail system will ultimately be forthcoming.

"The primary purpose of bail

is to assure the presence of the accused at the trial.

On that point, it is especially noted that Mrs. Coons has now been free on the bail previously fixed for more than some two months. She has appeared whenever directed to do so. There is no evidence that she has made any attempt to leave the jurisdiction of the court and there is nothing to indicate that she is about to do so. She is a resident here, her child is here, her family has long been located here and it seems quite evident that she is firmly established as a Columbia County resident.

"Absent some showing that there is a possibility of her disappearing, I am disinclined to interfere with the discretion exercised by the Acting County Judge. He heard and weighed the same arguments as are now presented to me and I have very confidence that his decision, based on his background of vast experience, was soundly reached and I find no present reason to disturb it.

"It follows that defendant's bail is continued in the amount of \$5,000. The District Attorney is permitted to renew his motion at any time based upon a sufficient showing that there is a real probability that the defendant will fail to comply with the terms of the bail as now fixed."

prosecution.

If Phillips goes to trial as a youthful offender, it means that Judge Christiana will hear the case without a jury.

Testimony at a preliminary hearing held before Justice Roy Boice Jr. of Ancram was that on the night of the shooting, the father, who had been drinking, assaulted Gary's mother, threatened Gary's younger brother, and had threatened and assaulted the

This testimony came from witnesses called by the prosecution as no witnesses were called by defense counsel.

There was testimony that the father had dragged the woman by the hair from one room to another; also that large clumps of hair were discovered in various parts of the house by investigators after the shooting.

It was also testified that members of the family moved to sections of the house seeking to avoid the threatening adult.

The boy was endeavoring to assist his mother and brother when he was attacked, it was testified.

There was also testimony of Gary being struck with a heater by his father. The defendant, after his mother was assaulted, had picked up a rifle, and had told a younger brother to get out of the father's



# Faces, Old Crowd Observes Veterans' Day At Roger's Park

VERSTREET

3-68

new faces joined last night and were added to the lists as former and misty-eyed gathered at Roger's annual observance Day.

to the formal he widow of Navy onald Rockefeller decorations awarded her the United States, am and the State of

tal aires of "Pack troubles In Your Old "It's A Long Way ary" and "Over ere offered by the um and Bugle Corps orting veterans of all joined in the parade Street to the park.

Mayor Bartholomew ey was master-of- nies and Columbia

County District Attorney Roger Miner was guest speaker. Rev. John Hawkins gave the invocation and Rev. Nelson Lundberg offered the benediction.

In his opening remarks, Delaney, himself a decorated Navy veteran of World War II, said, "We have joined here tonight to honor and to pay tribute to a special American - the Veteran. The ranks of those we honor this day has grown, year to year until now in 1968 - there are fully 26 million who deserve our special thanks and salute on Veterans Day. We salute not only their valor and sacrifice in war, but the civil life achievements as well.

"On Veterans Day this year let us emphasize the role of all responsible citizens, to acknowledge the peace, with honor, for which our servicemen now fight, and offer our prayers that peace for all will soon again inhabit our world," Delaney remarked.

A veteran of the Korean conflict, Miner served in both Korea and Japan where he was assigned to the Judge Advocate General's staff. In his speech he referred to the Communist conspiracy, which by its very teachings, denies the cause of world peace but will continue to fail because of the moral leadership of the United States.

"No one is more aware of this mission than the American veteran," said Miner, "and it can be said that no one desires peace as much as the American veteran, because he has known the penalty of war," Miner said.

He concluded, "...the cause of world peace requires lofty ideals, great individual effort and selfless sacrifice. The American Veteran has shown that he possesses all these qualities and, for that reason, this day, dedicated to the cause of world peace is - Veteran's Day."

Lieut. Comdr. James W. Dunphy, Commanding Officer of the Naval Training Station at

Poughkeepsie presented Mrs. Rockefeller with a Purple Heart, National Service Medal and the Vietnam Service Medal.

The final presentation was made to the widow by State Veteran's Counselor Martin J. Tuczinski who presented her with New York State's highest military honor - the Conspicuous Service Cross.

Veterans of Foreign Wars Commander Leo Hickey and American Legion Commander John Kehrer placed a wreath at the foot of the veteran's plot in Rogers Park while the V.F.W. honor guard fired a salute to the war dead and Lou Pettinichi played "taps".

Among the civilians at the ceremonies was Mrs. Jeannette Thomas of 402 Warren Street.

She is the widow of a World War I veteran. Last night marked the 29th consecutive Veteran's Day observance that she has attended. She said, "I have always felt that it's the least I can do in my husband's memory. I wouldn't miss it."

## Veterans' Ceremony Tonight

HUDSON - Officers and members of Hudson's two veterans posts together with the clergy gathered at the veterans plot in Rogers Park tonight for the annual war memorial ceremony.

Weather permitting, the foreign veterans of Veterans of American Wars Post 1314 and American Legion Post 1314 will parade up Warren Street from 7 p.m. to 8 p.m. starting at 7:30 p.m. The program will be held at Roger's Park at 8 o'clock in the event of rain, the ceremony will be held at 8 in the VFW post rooms.

Former Mayor Bartholomew Delaney will act as Master of Ceremonies at the Roger's Park service. Columbia County District Attorney Roger Miner will be guest speaker.

Rev. Nelson Lundberg of Christ Episcopal Church will give the invocation and Rev. John Hawkins pastor of First Reformed Church will offer the benediction. Rev. Louis Pettinichi will render "taps."

Prominent veterans in attendance will include VFW Commander Leo Hickey, Legion Day Chairman John Kehrer and State program chairman Martin Tuczinski. The VFW Drum and Bugle Corps will accompany the marchers and play "taps."

The VFW Drum and Bugle Corps will accompany the marchers and play "taps."

Commander Hickey has extended an invitation to all external organizations and fraternal groups in Columbia County to join tonight's observance.



# Mrs. West Sentenced To 15 Years For Manslaughter

HUDSON—Mrs. Addie Louisa West, 49, of Hudson, today was sentenced by County Judge William F. Christiana to a term of 15 years in the State Prison for Women at Bedford Hills.

She was sentenced immediately after pleading guilty to first degree manslaughter.

The woman, charged with causing the death of her common-law husband, Jeff Davis Wilkerson, 58, waived the

statutory period of two days before sentencing.

Mrs. West, who was without funds to retain counsel, was represented by Public Defender Adolph Matties of Hudson.

Dist. Atty Roger Miner represented the People.

Indicted for murder in the July 4th slaying of Wilkerson, she was permitted to plead guilty to the manslaughter charge upon recommendation of

the prosecutor.

It is likely that Sheriff Dewey A. Lawrence will shortly assign a matron and deputy sheriff to transport the woman to Bedford Hills.

Mrs. West told the court today that she was fully aware of her rights and wanted to plead guilty to manslaughter.

Wilkerson, a migrant worker, and another man, had picked cherries early in the morning of the holiday and on their way home, bought two bottles of liquor. Thereafter, the two men and the woman went to a picnic at Catskill.

Later, the woman was hit in the head, allegedly by Wilkerson. She asked him to take her to a hospital, but he refused. When they returned to their residence at 27 So. Front St., she again asked him to take her to the hospital and he still refused. While he was sitting on the front porch, she went into the house for a carving knife, and stabbed him in the neck.

After she was treated for head injuries at Columbia Memorial Hospital and questioned by Det. Sgt. Julius Brenner, the woman, her head bandaged, appeared before City Judge Harold Lieberman and waived for action of the grand jury.

She showed no emotion on her appearance before Judge Lieberman or before Judge Christiana today.



**GOP ROYALTY** - Prominent Republicans from all areas of Columbia County gathered at Kozel's Saturday night for the annual GOP fund raising dinner. Several candidates in tomorrow's election pose here with county dignitaries. Left to right, seated are incumbent candidate State Senator Douglas Hudson; David Hendler, coordinator for Hamilton Fish, candidate for Congress;

Supreme Court Judge candidate William F. Christiana; Columbia County Republican Chairman Albert S. Catlin; incumbent candidate Sheriff Dewey A. Lawrence; candidate Coroner Donald Tkacy; and, Columbia County District Attorney Roger Miner who was toastmaster. (Register Star Photo by Jerry Porreca)



# Law Suit Against ICC Tops Court Calendar

HUDSON—A law suit against the Board of Education of the Ichabod Crane Central School is tops on the general calendar for the opening Monday, Nov. 4, of the November term of State Supreme Court at Hudson. The term will be convened at 11 a.m. by Justice Harold E. Koreman of Albany.

Plaintiff in the action against the Ichabod Crane school board is Matthew Rockefeller of Valatie, father of Leslie Rockefeller, a minor. The girl, presently a student at St. Agnes school in Loudonville, was injured at the Columbia County school on Jan. 9, 1964.

She was injured while exercising on a trampoline and suffered a fractured tibia of the right leg. The plaintiff alleges negligence on the part of the school board caused the accident. This is denied by the board.

It marks the second time the case has been tried, a previous trial resulting in a mistrial. John Boll, since deceased, and a frequent critic of the school administration, was being questioned as a possible juror when he made a comment that brought a motion by the defendant board for a mistrial, the motion being granted.

While the case is the first one on the general calendar, it does not necessarily mean it will be the first taken up by Justice Koreman and a jury. The order will be decided by Judge Koreman when he makes up a day calendar during the calling of the cases on the general calendar.

Edward F. O'Connor of Albany is attorney of record for Mr. Rockefeller and his daughter and the Albany firm of Ainsworth, Sullivan, Tracy and Knauf represents the Ichabod Crane board.

Before the trial term is taken up, it is likely that Justice Koreman will organize a grand jury and send that body into session with Dist. Atty. Roger Minder and Asst. Dist. Atty. Charles Luman.

## son Net 14

By LES HENDRIX

men from three agencies led 14 persons in Saturday Philmont early Saturday morning on charges ranging from loitering for the purpose of prostitution, promotion of pornography and illegal sale of alcoholic beverages.

City and State Police and Columbia County sheriff's deputies made the arrests simultaneously at scattered locations, on warrants issued after a two-month investigation conducted by District Attorney Roger Miner and city and State Police.

A total of 20 state troopers, 10 city policemen and four sheriff's deputies were involved in the a.m. arrests and execution of search warrants. The suspects were taken to the Columbia County Court House where they were fingerprinted and photographed in the Board of Supervisors' room.

At 9 a.m., they were arraigned in the County Court room, some before City Judge Harold F. Lieberman and others before County Judge William F. Christiana.

Miner said the investigation into drug sales in Hudson developed leads pertaining to prostitution, gambling and liquor violations.

The arrests were made at several scattered Hudson homes, a Philmont home and another establishment in Hudson, Miner said. He declined to elaborate on the details of the investigation. He said marijuana, amphetamine and heroin were involved and that officers confiscated alleged drugs and pornographic films as evidence.

A quantity of liquor also was seized. Asked if more arrests were pending, Miner said the investigation is continuing. It was understood a warrant has been issued for another suspect.



11-15-65

## Narcotics Program Rescheduled

"It Could Be Your Child" study of juvenile delinquency and narcotics in Greene County and the surrounding areas, which was to be presented by the Grandview P.T.A. last Tuesday and was cancelled due to the severe snow storm has been rescheduled for Tuesday December 10 at 8 p.m. at the Catskill High School.

The program will be the same one previously announced, consisting of a panel discussion on all phases of the narcotics problem. The panel will be made up of four outstanding speakers, all of whom are well known for their work in this field. Roger Miner, district attorney of Columbia County, Investigator G. Grunewald of the New York State Police Narcotics Division, Frank Platt, Greene County Probation Officer, and Richard Stickles, Catskill High School teacher. Mr. Alan Osterhoudt, principal of Grandview will act as moderator.

Mrs. Jackie Carmichael, president of Grandview P.T.A. said "everyone was extremely disappointed that our program had to be cancelled, however we are fortunate that our four speakers could arrange their very busy schedules and give us another date. Tuesday December 10 at 8 p.m. at the Catskill High School is an important night, mark your calendars, plan to bring your family, your friends, most important your teenagers, remember "IT COULD BE YOUR CHILD."

11-9-68 DW

## PTA Presenting Program On Delinquency, Narcotics

The Grandview P.T.A. will present a program entitled "It Could Be Your Child," a study of Juvenile Delinquency and Narcotics, on Tuesday evening, Nov. 12 at 8 p.m. at the Catskill High School Auditorium.

The program is open to the public and teenagers are urged to attend with their parents. The board of education, the town board, and the board of supervisors have been invited to attend.

A panel consisting of Roger Miner, district attorney of Columbia County, Investigator Edward Shannon of the narcotics bureau of the New York State Police, Frank Platt, probation officer of Greene County, and Richard Stickles, Catskill High School teacher will discuss all phases of the narcotics problem. Mr. Alan Osterhoudt, principal of Grandview

School will act as moderator.

Mrs. Jackie Carmichael, president of Grandview P.T.A. stated "the problem of Narcotics is everyone's problem. Addiction threatens individuals and endangers family life in every segment of our society neither geographic location nor economic status offers reliable protection against the tragedy of addiction. It invades the split level home as well as the tenement. In the heart of every parent is the fear that this terrible tragedy could come to one of his own children. The Grandview P.T.A. is extremely fortunate in being able to present four outstanding gentlemen on Nov. 12, to answer your questions on this problem. Try to attend and bring a friend, remember "It Could Be Your Child."



Register-Star, Monday, November 25, 1968



AT DA'S OFFICE - Columbia County District Attorney  
Miner, seated, holds early morning press conference on  
of the raids. With him, left to right are, Hudson Police

Chief William F. Egan, State Police BCI Capt. Richard Boland  
and Hudson Police Commissioner David Hendler. (Register  
Star Photo by Jerry Porreca)



# A Warns Parents: Look For Drug Use

GHENT—Columbia County District Attorney Roger Miner said he has reason to believe there may be young people in the county, urged parents to watch for signs of drug use in their children.

Miner was speaking before about 50 members of the Philmont Chapter last night at the town hall.

Miner said the raids, which led to the arrest of several persons, were aimed at deterring the use of

Miner also answered questions from the Rotarians. One query was why Bernice's Restaurant is allowed to stay open, to which Miner answered: "because some of the most respectable people in the county go there, she seems to feel that this gives her a license to stay open."

In addition to what had been accomplished in the raids, punishment of the guilty is deterring the innocent, the

"I have been given to believe drug usage is not a severe problem in Columbia County," he said, adding it is difficult to pinpoint one age group which may be using drugs.

"Our investigation," he added, "only concerned sellers; it was not concerned with the buyers and the users. Although this investigation didn't reveal any (of the latter), we have reason to believe there may be young users."

"looking out for it," so that they may caution young people. Parents now are trying to find out more about drugs and the dangers of misuse of drugs, the District Attorney said.

He noted that up to the time of the vice raids here, the problem may have "looked like far away!"

Miner said there is not "set" method for determining whether a child or a teenager is using drugs, but he added, "if they are particularly, there is some

seek help with the problem. Miner said it's "not too hard to get somebody."

"Parents should go to health and mental health authorities for assistance," he said. "Or, concerning the criminal aspects, they may contact the District Attorney and the police, or the State Narcotic Control Commission, which is very active in this area."

Concerning the raid and the investigation leading to the raid, Miner said: "I think we have taken a step in the right



the office but I would like to make it clear that I not only am not a candidate for the chairmanship, I am making no campaign of the office and I will not make any such campaign."

Mrs. Knauss is the daughter of Mrs. Myrtle Tinklepaugh of Livingston, who is regarded as one of the most successful chairmen in modern history of the party in Columbia County.

Mrs. Knauss, who is a former chairman of the Young Republicans of New York State, was N. Y. State Chairman of Women for the Nixon-Agnew ticket. A national report just released revealed that the organization Mrs. Knauss headed ran second in the nation for funds raised and sent to Washington for the victorious

ticket. California was first.

Reported presently in front in the battle to succeed Mr. Callan are former Assemblyman Willard C. Drumm of Niverville and John Sharpe, of Germantown, prominent figure for years in party fund-raising affairs.

While there has been no meeting of the Hudson members of the GOP County Committee, it is known that both Sharpe and Drumm have supporters in the city ranks.

Other names heard as having supporters in various sections are Edwin G. Post of Taghkanic, Charles Card of the Town of Claverack and Dist. Atty. Roger Miner of Hudson.

Mr. Post is presently vice chairman of the County Com-

mittee. It is now known he will toss his hat into the ring, but, in any event, it is reported he will not be opposed for vice chairmanship if he desires to remain in that office.

There will be no attempt to summon the County Committee into session until Chairman Callan's resignation is officially received. He told the members of the Executive Committee at a special session last week that he was planning on retiring in mid-January to give the new leader all possible time to plan for the 1969 elections.

Mr. Callan, who has had a most successful administration as county chairman, told the committee he was resigning to devote his entire time to business. He is publisher of the Chatham Courier.

## Youth Charged In Unson Drowning Under New Code

HUDSON—Clifford Wallsheim, 16, of Syossett, Long Island, indicted for alleged criminal negligence in the Copake Lake drowning August 17 of John Unson of Claverack, will have his case treated under the code dealing with alleged youthful offenders. He has pleaded innocent.

Judge William E. J. Connor Hudson, counsel for the youth, made a motion in County Court yesterday that the case be prosecuted in this manner and Judge William F. Christiana will hold a hearing next month. There was no objection by Dist. Atty. Roger Miner.

The youth was a summer resident at the lake. He was operating a power boat which was in collision with a row boat from which the Claverack man was fishing.

Judge Christiana imposed a fine of \$200 on Robert Mabry,

Hudson, on a charge of endangering the welfare of a child. Mabry was represented by Public Defender Adolph Matties.

William D. Coons, RD2, Hudson, was placed on probation after pleading guilty to third degree assault on John Scism. Coons was represented by Public Defender Matties.

Richard Darrell Whepley of Rensselaer, pleaded guilty to petty larceny and will be sentenced January 6. He was represented by Asst. Public Defender Baller.

LeRoy James Shook of Valatie pleaded guilty to petty larceny and will make restitution of \$150 to John Nicholas of Kinderhook. Shook was represented by Atty. Michael LeSawyer of Hudson.

The People were represented in all proceedings yesterday by Dist. Atty. Roger Miner.





NARCOTICS CONTROL PANEL...Members of panel of narcotics control program, sponsored by Grandview PTA, are greeted by President Mrs. Jackie Carmichael. l. to r., Fred Grunewald, State Police narcotics investigator; Alan Osterhoudt, moderator; Mrs. Carmichael; Roger Miner, district attorney for Columbia County; and Richard Stickles, chairman social studies, Catskill High School.

## Narcotics To Be Topic At Grandview PTA

10-15-68

Tuesday evening November 12 will be a big night in the town of Catskill. The Grandview P.T.A. is sponsoring a panel discussion entitled "It Could Be Your Child" dealing with the problems of Narcotics and Juvenile Delinquency. Because of the large turnout expected the program will be held at the Catskill High School, as Grandview School can not accommodate more than 150 people.

The panel will consist of Investigator Edward Shannon of the New York State Police Narcotics Division, Columbia County District Attorney Roger Miner, Greene County Probation Officer Frank Platt, and Catskill High School Richard Stickles. The panel moderator will be Mr. Alan Osterhoudt, Principal of Grandview School. All of these men are well known for their work on the subject to be discussed.

All of the P.T.A.s in this county have been invited to attend this program. It will also be open to the General Public and it is hoped that many parents will bring their teenagers with them.

According to Mrs. Jackie Carmichael, president of the Grandview P.T.A. it will be a wide open discussion and all

questions will be answered. "Several parents have told me that they could not get a straight answer on the narcotics problem in Catskill, if in fact one does exist, well, on November 12 we will try to answer all of their questions honestly. If we don't have an answer for you we will find out where we can get one, so please try to come and bring your neighbors with you. Remember it could be anyone's child. IT COULD BE YOUR CHILD."



## Grandview PTA Hears Talk on Mid- Hudson Libraries

Grandview PTA met April 9, President Shirley Yates opening the meeting with the Pledge of Allegiance. After the report of Secretary Sandra Nussbickel, a slate of officers for the coming school year was presented by Mr. Anne Fonda. These were President, Jackie Carmichael, vice president, Marilyn Schiavo, Secretary, Shirley Wase, Treasurer, Chelsea Melo.

Mrs. Cynthia Roemer reported on PTA-PTO. Alan Osterhout spoke briefly on coming programs slated for the rest of this term, then presented Edward Locke, Asst. Director of the Mid-Hudson Libraries, as guest speaker.

Mr. Loucke explained the many ways in which Mid-Hudson services their libraries, the dispensing of thousands of books, Audio-Visual Aids, Consultant Services, Building or expanding advice, different ways in which to get people not generally acquainted with libraries interested, and numerous other services. It was an especially interesting and enlightening program.

First grade mothers, Mrs. Fonda, Mrs. Nussbickel, Mrs. Rieseberg, and Mrs. Marshiani, Mrs. Perelin, Mrs. Schiavo, Mrs. Gagliardy and Mrs. Millett served refreshments. Mrs. Hallock's first grade won banner count.

## Grandview PTA Hold Meeting

The Grandview PTA combined its first meeting of the present school year with a very successful bake sale. The meeting, which took place on Oct. 8 was called to order by PTA President Jackie Carmichael.

After reports given by Treasurer, Helen Pelham and Secretary, Shirley Wase, a presentation of a Boy Scout Charter was made to Mrs. Carmichael by Stanley Wase, Institutional Representative. Mrs. Carmichael then presented the charter to Floyd Wind, Assistant Scoutmaster of Troop 41.

Following this, the Principal of the Grandview School, Alan Osterhout, spoke on the many changes made in the school curriculum this year. He reminded those present that the school is constantly aware of the personal needs of each child as an individual. Mr. Osterhout said, "When parents take school seriously, so do the children."

Mr. Osterhout next introduced each of the teaching staff who then talked briefly on the way in which they conducted their classes.

In further business conducted Oct. 18 was designated as the date for the first coffee hour.

This meeting will be held in the Art and Music room at 10 a.m. "Back to School" Nights will be held on Oct. 20 and Oct. 21. The purpose of these meetings is to enable interested persons to get together and discuss, informally, anything pertaining to the school. Everyone is invited.

President Carmichael closed the meeting with a special invitation to all to attend the Nov. 12th meeting which will be held at the High School. On that night the theme will be, "It could be anyone's child"-an informational program on narcotics and juvenile delinquency. A panel of four professional men will be present to answer all questions.

## Grandview PTA Holds Panel Debate

Publicity chairman JoAnn Gagliardy, of the Grandview School P.T.A. announced that the School is having a four man panel discussion on the topic "It Could Be Your Child" on Tuesday evening at the Catskill Junior High School.

The panel will be discussing this topic in relationship to the present narcotic situation in the community today. Mrs. Gagliardy said that it would be good if adults would attend so that they could be informed and briefed on methods of detecting the signs and symptoms of usage in their children if they should appear.

Guest speakers for the panel, which will be moderated by the principal of Grandview, Allen Osterhout, will be Roger Miner, district attorney of Hudson, who recently led successful narcotic raids in Columbia County, and Richard Stickles chairman of social studies at the Catskill High School.

Also on this panel will be Ed Shannon of the Bureau of Criminal Investigation, in Albany, and Frank Platt probation officer of Catskill. All of the schools of Greene County, parents and interested adults are cordially invited to attend.

## Seminar On School Completed

CATSKILL - The second seminar on the Catskill Central Schools was completed on May 24. Participants in the seminar included Jackie Carmichael, Nancy Lomax, Peg Vliet, Betty Gustavson, Sandra Nussbickel, Susie Peloke, Jean Antonelli, Bert Templeton, Bess Yager, and Jean Ryan.

The seminar consisted of seven sessions which began with a study of the kindergarten and was followed by discussions of each school level through the senior high school. Most curriculum areas were discussed, as well as special services available to the students in the Catskill Central School District.

The seminar was held each Friday morning from 9:30 to 11:30. Participants in this seminar were recommended by the graduates of the seminar of last semester and included interested citizens from each area of the Central School District.

According to School Superintendent Gordon Anderson, the School District and Board of Education are committed to the genuine involvement of our citizens in the school program. The seminar has proved valuable as a means of communication and as a vehicle for sharing the problems and opportunities of a growing school district.



## Charged With Prostitution Released From Jail On \$500 Bail

Barbara Sanders, Syracuse, arrested in November 23 on a charge of prostitution was released from Columbia County jail Friday afternoon from a \$500 bond. She was released on receipt of a report on the law required

the examination. She was one of 14 arrested in raids conducted by State Police, Hudson police, and the Sheriff's office.

The raid, ordered by Dist. Atty. Roger Miner, was the result of several weeks of undercover work by a State Police investigator, collaborating with Hudson and county law enforcement officers.

The Nov. grand jury, which reported 27 sealed indictments to Supreme Court Justice Harold Koreman of Albany, had completed all present work referred to that body. While there has been no official confirmation, there is basis for belief the grand jury has returned indictments against some of those picked up in the raid.

It is considered unlikely that any arraignments resulting from raid indictments will not take place for several days. County Judge William F. Christiana, who returned to the Columbia County Bench today after presiding as Acting Justice in State Supreme Court at Albany for the month of November, has a large number of matters facing him in County Court here. In addition, Dist. Atty. Miner moved that all indications found by the November grand jury here be transferred to County Court and the motion was granted by Justice Koreman.

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Also on this panel will be Ed Shannon of the Bureau of Criminal Investigation, in Albany, and Frank Platt probation officer of Catskill. All of the schools of Greene County, parents and interested adults are cordially invited to attend.

## Narcotics Program Tonight

All parents of school children as well as the public in general are invited to a panel discussion of the narcotics problem which will be presented tonight at 8 o'clock at the Catskill Junior High School auditorium.

The event, sponsored by the Grandview P.T.A., has been entitled "It Could Be Your Child." Members of the panel will include Roger Miner, district attorney for Columbia County; Frank Platt, probation officer for Greene County; Richard Stickles, social studies chairman at Catskill High School; and Inv. Grunwald, narcotics squad Kingston.



# 15 Plead Innocent To Raids

HUDSON—Sealed indictments returned by the November grand jury as a result of pre-dawn police raids in Hudson on Nov. 23 were opened in Columbia County Court today.

All defendants pleaded innocent at arraignments before County Judge William F. Christiana, with one Roger Gilet pleading guilty to a reduced charge of selling drugs.

Defense attorneys moved that Dist. Atty. Roger Miner provide them with bills of particular and the court granted those motions.

Counsel for the defendants also reserved the right to make

any other motions.

The sealed indictments were found against the following with Dist. Atty. Miner having bench warrants issued for court appearances:

Frederick Wise, 25, 202 Columbia St., charged with alleged sale of heroin.

Marshall Leggiro, 46, 225 Warren St., charged with alleged sale of dangerous drugs, amphetamine capsules.

Bernice Griffen, 44, charged with allegedly promoting prostitution and for alleged illegal sale of alcoholic beverages.

Barbara Sanders, 21,

Syracuse, charged with alleged prostitution.

Fred DeLavallo, 28, 47 Allen St., charged with alleged sale of dangerous drugs, allegedly \$10 worth of marijuana.

After pleading innocent to an indictment charging a felony, Roger Gilet, 21, of 14 Highland Ave., Philmont, suddenly pleaded guilty to a misdemeanor charge and was given a sentence in the Columbia County jail.

The Philmont youth was named in a sealed indictment charging criminally selling a dangerous drug, second degree, which is a felony. Gilet

pleaded innocent when court reconvened after a short recess.

Gilet was permitted, on motion of District Attorney Miner, to plead guilty to a fourth degree charge for selling drugs, misdemeanor. The defendant was represented by public defender Adolph Matties.

Judge William Christiana sentenced Gilet to 90 days in jail on the misdemeanor charge and remanded him into the custody of sheriff Dewey Lawrence.

Samuel J. Grippi, Jr., 19, 8 West Warren St., charged with alleged sale of hypodermic instrument.

## Hendler Requested Raid, Situation Was Worsening

HUDSON—"We were quite concerned over the use of narcotics. The situation had not reached serious proportions, but was on its way," is the way Hudson Police Commissioner David Hendler explained the behind-the-scene thinking of officials that triggered the recent crackdown on alleged illegal sale of drugs.

Hendler told his fellow city department heads last night at Mayor Samuel T. Sheeler's cabinet session in City Hall that the raids were made his request and that they were directly aimed at narcotics.

Hendler, Hudson attorney and former Columbia County District Attorney, said he had conferred with present DA Roger Miner, Mayor Wheeler, Police Chief William F. Egan, and the Office of Superintendent of State Police.

The Commissioner was highly complimentary of the work of all police agencies involved, especially the Hudson police. He said he wanted to clarify it is necessary to have so many troopers, deputies, etc. join local police on such raids.

Hendler said it was nothing to do with the competency of the Hudson police, explaining that every police agency believes in safety in numbers.

He added that if the occasion

arises for a Hudson policeman to help out or be called upon to assist another community he won't go alone. "When you ask them to use one of their men as an undercover man they're going to send enough men along to protect him—that's the way it's done."

Hendler concluded by saying that the raids were directed at narcotics, but noted that the community a good safe place in which to live."

Counsel for Leggiro and Torchia is Adolph Matties.

Representing Hills is Thomas P. Kennedy.

Arrested in the raid of charges of loitering for purposes of gambling and subsequently fined in City Court by Judge Harold Lieberman were William Munn Jr., 36, Red Hook; John Dugan, 28, Valatie; Alvin E. James, 23, 26 Chapel Street; Hans Gobel, 30, Kinderhook; Willi McLain, 27, 21 Warren Street.

Asst. Dist. Atty. Charles Tomlin represented the prosecution in the City Court cases.

The arrests culminated several weeks of undercover work by a State Police investigator, collaborating with Dist. Atty. Miner and city and county police. Participating were 34 lawmen, including city and state police and sheriff's deputies.



# County Court Cases Decided

HUDSON—Francis Dyer of Albany, whose car damaged a house trailer several weeks ago in Greenport, pleaded guilty yesterday in County Court at Hudson to a charge of disorderly conduct.

As part of the conditional discharge given him by Judge William F. Christiana, Dyer is to make full restitution for damage he caused to the property of Louis Krutz.

Dist. Atty. Roger Miner represented the prosecution and Asst. Public Defender Russell Baller, Jr., appeared for the defendant. The prosecutor, in view of the question of getting restitution for the property owner, consented to a charge of criminal mischief, third degree, being reduced to disorderly conduct.

The house trailer was occupied at the time Dyer's car ran into the structure.

Shortly before a charge

against Edward Goux of Chatham was to be heard by Judge Christiana and a jury, the defendant pleaded guilty to third degree sodomy.

Judge Christiana ordered that bail be revoked and Goux remanded to the county jail for sentencing next Monday.

Francis Cahill, Jr. of Hudson, pleaded innocent to an indictment charging robbery first, and rape first degree, allegedly committed on a Union St. resident.

Public Defender Adolph Matties, who is representing Cahill as the defendant has no money to pay for an attorney, moved that the man be given a psychiatric examination. The examination was ordered by the court and the case adjourned to Jan. 6. Cahill was arrested Sept. 29.

Richard R. Rohrer, 20, of Valatie, RD, pleaded innocent to an indictment alleging

criminally negligence homicide. Dist. Atty. Miner represented the People and Thomas F. Turley of Niverville is attorney for the defendant.

Mr. Turley was appearing in an Albany court yesterday but told his client to appear in the Hudson court pursuant to a bench warrant issued by the district attorney and served by Claverack State Police.

Rohrer was released in \$5,000 bail and an adjournment taken until Jan. 6.

It is alleged that the defendant was the operator of a car on July 6 which was involved in a one-car accident on Route 9 in the Town of Stuyvesant in which Miss Rose May Link, 18, of Valatie, a passenger, was instantly killed.

The car allegedly skidded on a curve, snapped a utility pole, and continued for approximately 150 feet.

Mary Jane Warrin, 18, of

Niverville, and Rohrer were taken to Columbia Memorial Hospital after the accident. Russell Curtis, 23 of Valatie, another passenger, was uninjured. All four had been thrown from the car when the machine hit the pole.

Roger Flouten of Hudson pleaded guilty to petty larceny and was given 60 days in the county jail. The defendant was represented by Atty. Phillip G. Rosenberg of Hudson.

Joseph Chenail of Williamstown, Mass. and David Johansen of Brainard, pleaded innocent to burglary and larceny charges. Public Defender Matties represents Chenail.

After questioning Johansen concerning finances, the court told the defendant he is to pay for his defense. The cases were adjourned to Jan. 6.

George Dietter, 22, of Ancram, pleaded guilty to petty larceny. He was placed on

probation and ordered to court to make re. cigarettes and articles taken at the Rod & Gun Club. Represented by Atty. Lebowitz.





**NARCOTICS CONTROL PANEL...**Members of panel of narcotics control program, sponsored by Grandview P.T.A. are greeted by President Mrs. Jackie Carmichael. l. to r., Fred Grunewald, State Police narcotics investigator; Alan Osterhoudt, moderator; Mrs. Carmichael; Roger Miner, district attorney for Columbia County; and Richard Stickles, chairman social studies, Catskill High School. (Salvato photo)

...ent at Catskill School. The titled "It Could be Child" sponsored by the Grandview P.T.A. dealt with the problems of narcotics and juvenile delinquency and featured a panel of three distinguished men, Columbia County district attorney Roger Miner, State Police narcotics investigator Fred Grunewald, and Richard Stickles social studies chairman at Catskill High School. Mr. Alan Osterhoudt, principal of Grandview School acted as moderator for the program.

District attorney, Miner told of the recent narcotics raids which he recently led in Columbia County. The raids showed evidence of narcotic traffic in Hudson, which is only 6 miles from Catskill, of all types of narcotics ranging from marijuana to heroin. He said these raids brought to light the problem which all parents should be made aware of the Columbia County is trying to do something about the situation.

Investigator Grunewald spoke of the signs parents should watch for and how they should help their child, should such

so and ... would ... pear.

Mr. Stickles spoke on the role of the schools in dealing with this most serious problem. He told how some parents prefer to chastise the teacher upon hearing something bad about their children rather than correcting them.

The most interesting part of the program came later when questions from the audience were answered. Questions of a general nature at first, what is being done, by whom, what can we do, and then the question that rocked the audience, does this problem definitely exist in the Catskill public schools? The answer from the panel was YES, it is a definite known problem in our schools - YES narcotics are being used by our children.

Questions were then asked, why has this not been made public before now, why have the parents been kept in the dark, and when can we start to do something about it.

Mrs. Jackie Carmichael, president of the Grandview P.T.A. let it be known that she intended to go before the town board and the county board of supervisors and ask that a local citizens drug council be formed

leader Perry ... sored a bill which enables and encourages, towns, cities, counties, and villages to form their own narcotics guidance councils. The bill was signed into law on June 22 by Governor Nelson A. Rockefeller. It was the concensus of opinion that the town of Catskill should take advantage of this law and immediately create such a council that the appointments to such a council should be non political, consisting of people truly interested in dealing with this problem.

All members of the County board of supervisors, the town board, the village board and the school board, were invited and urged to attend this meeting. Attending were three of the newly elected legislators from the town of Catskill, Arthur Webster, William Beck, Frank Kozloski.

Any person seriously concerned with the narcotics problem in Catskill and willing to do something about it is urged to contact any member of the Grandview P.T.A. executive board or Mrs. Jackie Carmichael at 943-5067 or 678-4497.



HUDSON—Four foreign exchange students had the opportunity Sunday to wish their families back home a "Merry Christmas" as guests of the Hudson Elks Club.

"This is the time of year when the kids get homesick and they were all thrilled to talk with their families by telephone," Youth Activities chairman Joseph DeCintio said. "They were all so appreciative that we hope to do this every year."

The Elks Club made reservations for the phone calls several days in advance and alerted the families of the students so they would be at home.

"The telephone company was very cooperative and the calls went through with no problems," DeCintio added.

The students were also served a dinner at the Elks Club with their host families. Mrs. DeCintio prepared the dinner, served by Danna DeCintio, Jane Green and Larry Bauer.

Those who attended and made the telephone calls were Marie-Louise Nilsson of Sweden, guest of Mr. and Mrs. Howard Olsen of North Chatham; Alfredo Caldas of Colombia, guest of Mr. and Mrs. Benjamin Bartolotta of Germantown; Jorge Montenegro of Guatamala, guest of Mr. and Mrs. John Nowak, and Fernando Reyes, guest of Mr. and Mrs. Brian Trainor of New Lebanon.

Elks Club members who played host to the students were Roger Miner, exalted ruler; John Grandinett, leading knight; Pat Gagliardy, lecturing knight; Wilson Shea, esquire; Martin Mahokin, secretary; and Joe DeCintio.

# Hudson Man Pleads Guilty To Drug Charge In County Court Session

12-17-68

HUDSON—Anthony Gambino, 20, of Hudson, yesterday afternoon pleaded guilty in County Court at Hudson to possession of a dangerous drug, first degree, and to third degree burglary.

Judge William F. Christiana, presiding, said he would sentence the defendant on Jan. 6.

The drug charge did not arise out of the recent police raid in the City of Hudson.

The Hudson man was arrested on a burglary charge after the Stottville Rod & Gun Club had been broken into. Subsequent investigation brought the drug charge.

Dist. Atty. Roger Miner represented the People and Assy. Public Defender Russell Baller, Jr. represented the defendant.

Betty Conklin, 26, of Albany, pleaded guilty to petty larceny and was sentenced to serve six months in the Columbia County Jail.

She was arrested Sept. 14 and has been held at the county jail.

A county man told police he had been enticed to go

with the women and two men in an automobile to Mt. Merino where the victim was relieved of a small amount of money.

The two men have not been apprehended. The Albany woman was also charged with prostitution. It was established that she, too, was taken by the two unknowns and received none of the money. The prostitution charge was dismissed on motion of the district attorney. Public Defender Adolph Matties represented the defendant.

Priscilla Roberts of Catskill, formerly of Hudson, pleaded guilty to endangering the life and health of a child and was placed on probation. She was represented by Asst. Public Defender Baller.

Fined on a drug charge was Scott Robert McIntyre 22, of Fayetteville, N. Y. He was arrested on the State Thruway in Columbia County several weeks ago.

The defendant pleaded guilty yesterday to a charge of loitering for the purpose of using dangerous drugs.

He was fined \$250 by Judge Christiana. Atty. Harold Lieberman of Hudson represented the defendant.



# Chatham Man Sentenced To Prison For Sodomy 12-68

HUDSON—Edward Frederick Goux, 47, of Chatham, today was sentenced by County Judge William F. Christiana to Clinton Prison at Dannemora for an act of sodomy committed on a Chatham Center boy.

The sentence is for a maximum of four years.

Directly after the sentencing, Sheriff Dewey A. Lawrence assigned Deputies Dow B. Hover and John Laccetti to transport the Chatham man

to the upstate prison.

Goux pleaded guilty to sodomy in the third degree. Disposition of the indictment against the Chathamite was moved by Dist. Atty. Roger Miner and Public Defender Adolph Matties represented Goux.

The crime in question occurred July 14 in the Town of Chatham.

In sentencing Goux, Judge Christiana said:

"Mr. Goux, Your repreh-

sible act, committed on a 12-year-old child; would be totally inexcusable in a normal individual. However, I, am satisfied that you are afflicted with an abnormality which needs immediate treatment. It is regrettable that your psychiatric report is such that this court cannot commit you at this point to a more suitable institution than Clinton Prison. However, you will be given a complete physical and mental examination there and transferred to a more appropriate place of confinement in due course.

"Your employer has assured me that when you have become rehabilitated and are ready for discharge, he will see to it that you get your job back.

"It is the judgment and sentence of this court that you be sentenced to an indefinite term in Clinton Prison, Dannemora, said term not to exceed four years. This means you may be released, in the discretion of the Department of Correction after one year, providing of course that you have reached a satisfactory social adjustment so that you are no longer a public danger.

"You are remanded to the custody of the Sheriff in accordance with the judgement hereby pronounced. Bail is exonerated."

## Murderer To Get Hearing In Court 1-20-69

HUDSON—Columbia County Judge William F. Christiana has directed Sheriff Dewey A. Lawrence to return Rennel Austin Bailey of Hudson to Columbia County from Clinton Prison for a hearing the convict has demanded.

Bailey has been in prison at Dannemora since Jan. 16, 1948 for the shooting of his wife outside a factory in Greenport.

Bailey, from his cell at the upstate prison, applied to Judge Christiana for a writ of error coram nobis.

The judge has consented to hear arguments on Bailey's application on the convict's claim that his constitutional rights were violated.

Sheriff Lawrence can obtain temporary custody of the prisoner when he serves Judge Christiana's order to Warden Daniel McMann of the Prison.

The county judge ordered that the warden deliver to the sheriff, "The said Rennel Austin Bailey, in civilian clothes, for the purpose of his transmittal before this court (Judge Christiana) for a hearing on said application for a writ of error coram nobis."

Judge Christiana further directed that Bailey appear in his court on Feb. 10 and that he be kept at the Columbia County jail until the termination of the proceedings, after which

Sheriff Lawrence is to return the man to the warden of Clinton Prison.

Dist. Atty. Roger Miner represents the people and Public Defender Adolph Matties and Asst. Public Defender Russell Baller Jr. represents Bailey.

One of the investigators in the shooting, then State Trooper Sgt. Fred Knight, died a few weeks ago while serving as sheriff of Greene County.

Bailey told Knight he had broken into a cottage at Lake Tahganic and had taken a revolver he had seen there.

Bailey hid in a car outside the plant. When his wife came out with the 11 p.m. shift and began to get into the car of another man, with whom Bailey alleged she had been going he opened fire at her, according to the records. The second man jumped out of the car and escaped injury. Remorseful, Bailey drove his wife to Columbia Memorial Hospital, but she was dead on arrival.

Bailey was taken into custody at the hospital by then Hudson police Patrolman Louis Dolan, who was recently appointed by Mayor Samuel T. Wheeler as acting commissioner of the city Youth Department.

Bailey was indicted for first degree murder, but pleaded guilty to first degree manslaughter.

## 3 Cases Recessed In Court

HUDSON—Because the court is hearing a youthful offender case that may take several days, three cases scheduled yesterday were recessed to Feb. 10 by Judge William F. Christiana.

By law, the public is excluded from a youthful offender hearing.

Cases adjourned to Feb. 10 were:

Francis R. Cahill Jr., Hudson, charged with rape and burglary; represented by Public Defender Adolph Matties.

Samuel Grippi Jr., Hudson, charged with criminally selling a hypodermic instrument; represented by Atty. Thomas Keegan of Albany.

Richard R. Rohrer, charged with criminal negligence homicide; represented by Thomas F. Turley of Niverville.

Dist. Atty. Roger Miner represented the prosecution in all cases.

The trial of Mrs. Coons, charged with shooting her husband with a .22 caliber gun at Copake Lake last summer is scheduled to get underway Feb. 4.

She has pleaded innocent to the indictment.

Dist. Atty. Roger Miner, with Asst. D. S. Charles Inman, will prosecute the indictment and Atty. Carmi Rapport of Hudson is counsel for Mrs. Coons.



# Leggiero Not Charged With Sale Of Drugs

1-3-69

HUDSON—A study of a bill of particulars granted Marshall Leggiero of Hudson, under indictment as a result of a State Police raid in the Hudson area on Nov. 23, 1968, discloses that the defendant is not charged with the "sale" of a drug.

The indictment alleges criminally selling drugs in the third degree.

Upon the occasion when Leggiero pleaded innocent to a charge based on an affidavit made by a State Police undercover agent, Atty. Adolph Matties of Hudson, representing Leggiero, moved that the defendant be granted a bill of particulars. The motion was granted by County Judge William F. Christiana. There was no objection by Dist. Atty. Roger Miner.

Pursuant to the order, Dist.

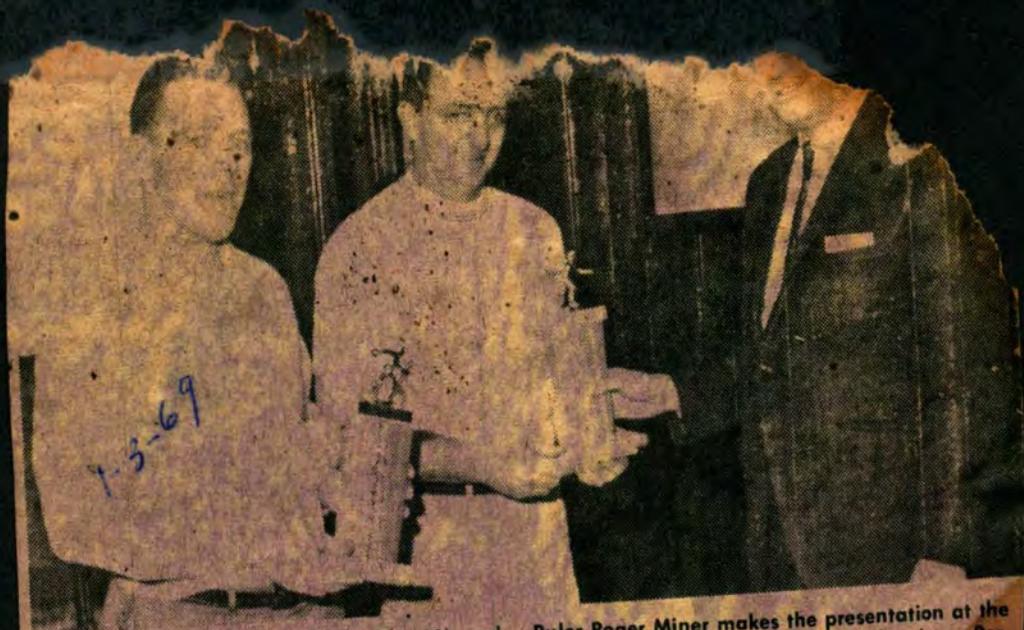
Atty. Miner has filed the following bill of particular with County Clerk Harold D. Leggett:

"That one Marshall Leggiero on the 15th day of November, 1969, at the Paramount Grill, located at 225 Warren Street, in the City of Hudson, County of Columbia, at about 6 p.m. did give and dispose of to I. D. Lamanna, an investigator of the New York state police, a dangerous drug, to wit: two capsules identified as Dexedrine, containing dextroamphetamine sulfate, a stimulant drug."

The Hudson defendant's case had been adjourned to Jan. 6. Since the bill does not charge him with "sale," the alleged illegal involvement, if any, must await court argument or a possible trial.

A bill of particulars given Fred Wise of Hudson on motion of his attorney, John B. Justice of Albany, alleges two sales of narcotic drugs on the same night and on two occasions to Investigator Lamanna. Wise has pleaded innocent on both counts.

The bill of particulars, also filed with the county clerk, alleges that Wise on Nov. 10, 1969, at about 9:30 p.m. at Columbia Street in Hudson, sold Lamanna a narcotic drug, to wit: heroin, for \$10. It is charged in the second count, and also denied by Wise, that on the same night about one hour later and on Columbia Street, that the Hudson defendant sold Lamanna a narcotic drug, to wit: Marijuana (cannabis sativa) for \$5.



ELKS DOUBLES CHAMPS - Don Stickles (1) and Ed Jackowski receive their trophies for finishing in first place in the annual Elks Doubles Championship Bowling Tournament last night. Exalted

Ruler Roger Miner makes the presentation at the Elks Lanes. (Register-Star Photo by Jerry Pogreca)



HUDSON—Michele Pierro, a senior at Hudson High School, and James David Smith, a senior at Ockawamick Central School, have won the Elks Youth Leadership Contest, sponsored by Elks Lodge 787.

Second place was won by Nancy Lynn Rhodes of Ockawamick and Craig Hamblet of Hudson High School.

Michele and David will receive portable typewriters from the local Elks Lodge and the opportunity to compete in the state contest for a prize of \$600. The national winners will receive a \$2,000 savings bond awards.

As second place winners in Columbia County Nancy and Craig will be awarded clock desk sets.

The awards will be presented on Feb. 3, by Exalted Ruler Roger Miner.

Elks lodges select the out-

standing boy and girl with their jurisdiction based on leadership, citizenship appreciation, perseverance, resourcefulness and sense of honor, neatness and arrangement of a brochure, and compliance with the instructions set forth.

The brochures prepared by contestants contain information concerning their activities, awards they have won, and their achievements and objectives in promoting the welfare of the youth of the community.

A letter from a parent describing the applicant's family background is included, as is a letter of endorsement from a person, not related to the applicant, giving an opinion of the character, industry, purposefulness, disposition and general worthiness of the candidate. News clippings and

son of Mrs. James Smith Jr., of Summit; Nancy, the daughter of Mr. and Mrs. Howard Rhodes of Philmont; and Craig, the son of Mr. and Mrs. Frank J. Hamblet of 7 Livingston Pkwy.

Others participating in the contest were Regina Karp of Hudson, Linda Koziel of Hudson, Lois Beth Levine of Hudson; Michelle Marie Caggionelli of Hudson, Janet Koslowski of Germantown, and Mary Lou Lasher of Germantown. Joseph Nero entered too late to be judged. Parker pen and pencil sets will be awarded to these contestants.

Joseph McCrudden, David McCulloch and Joseph DeCintio were judges for the contest.

## Woman Charged With Murder <sup>2-3-69</sup> Calls For Hearing

## Question Warrant Used In City Raid

HUDSON— With trial and grand jurors reporting today to County Judge William F. Christiana, counsel for Leonore Coons, 26, of Hillsdale, RD., charged with murder, has served notice on Dist. Atty. Roger Miner for what is commonly referred to as a "Huntley hearing".

The hearing, an automatic process upon demand, will be an inquiry by the defense to

determine if any statement she may have made in the case, was made voluntarily.

The woman is charged with shooting her husband, Kenneth Coons, 57, on Aug. 24, 1968, the wound allegedly causing his death.

Judge Christiana will conduct the hearing on Feb. 14. Pending developments, it is indicated that the Hillsdale woman's trial will begin on Feb. 17, or shortly thereafter.

The indictment alleges that Mrs. Coons shot her husband with a .22 caliber revolver during an alleged argument at Coapke Lake.

The defendant, who has been at liberty on bail, is represented by Atty. Carmi Rapport of Hudson. He will represent her at the Feb. 14 hearing and Dist. Atty. Roger Miner and Asst. Dist. Atty. Charles Inman will represent the People

HUDSON—Legal attacks on two phases of the State Police raid in Hudson in November of 1968 have been raised by John G. Connor of Hudson, attorney for Frederick De Lavalley, this city charged with the criminal sale of drugs and will be heard during the term of County Court which was convened today by Judge William F. Christiana.

The questions concern:

1-Validity of a search warrant and

2-The right to examine the drugs allegedly sold by DeLavalley.

Dist. Atty. Roger Miner has been served notice that Atty. Connor will argue a show cause order assailing the legality of a search warrant used by State Police Investigator L. D. Lamanna in obtaining the alleged evidence which resulted in an indictment being returned against DeLavalley.

Lamanna was an undercover agent who operated in the area for several weeks prior to the raid. State and local police collaborated on the raid.

Defense counsel's motion entitled "to disinspect" contains an Atty. Connor.

He sets forth that move the court (Christiana) for an requiring the District At office to "allow and per defendant and his attor examine, investigate, spect such quantities o as alleged in the Peopl of particulars dated D 1968, or now withi possession of the state city police, or Distri torney's office, pertaini charges from. Indictme 1990 ( against DeLavalley to make any indep examination necess; determine the contents o drugs now in the possess.

Connor also urges an be granted to obtain a c any and all reports per to the findings by the Police or experts employ the District Attorney's pertaining to the contents drugs now held.



2-7-67

# Wife Murderer Seeks Freedom

HUDSON—Rennel A. Bailey, 53, of Hudson, who claims he has already served enough time for manslaughter, was returned last night from Clinton State Prison at Dannemora for a hearing.

Assigned by Sheriff Dewey A. Lawrence to bring the convict to Hudson for a proceeding before County Judge William F. Christiana were Deputy Sheriffs Ted Chidester and Gary Terwilliger.

An order for the prisoner's return was obtained by Public Defender Adilph Matties.

A court record of over 20 years ago is the basis of Bailey's fight for release from prison.

It was in late 1948 that the man shot his wife to death in Greenport. He broke into a cottage at Lake Taghkanic and stole a revolver. He went to a manufactory in Greenport and waited for her to come out with a shift that completed work at 11 p.m. The defendant had

accused her of running away and when she was gotten out of another man's car, he shot her.

The second man jumped out of the car and ran.

Bailey drove his wife to Hudson Hospital but she died on arrival.

He pleaded guilty to manslaughter and his sentence consisted of two parts under the law which prevailed at that time. He was given 10 years on the manslaughter charge and an additional 10 years for the possession of a dangerous weapon.

Bailey contends he was arraigned on the charge which he was given a 10-year sentence, but this is not by the People.

However, it is reported no record was made in the office of the county clerk of the 5-10-year conviction. There are no stenographic minutes available and the stenographer who served the trial has been dead

years.

If Bailey obtains the writ of habeas corpus he seeks (writ of habeas corpus) he will have completed the year maximum under the phase of the sentence and be eligible for release. The man has already completed the minimum under both phases (15 years) but never has been admitted to parole.

A heavy calendar is scheduled in County Court for February and it is not known exactly when the convict's case will be heard.

However, Judge Christiana ordered to Sheriff Dewey A. Lawrence, delivered to the prison warden, directed that Bailey be produced in court on Feb. 10, "or as soon thereafter" as the case may be reached. The order required the sheriff to hold the man at the Columbia County jail until the case has been disposed of at Hudson, after which he is to be returned to prison.

Public Defender Matties assigned by the Attorney General's Division to represent Bailey before Judge Christiana. The prisoner petitioned the court for counsel as a "pauper person" without funds to pay counsel. Dist. Atty. Roger Miner and Asst. Dist. Atty. Charles Inman will handle the prosecution.

Yesterday

Miner moved that the trial of Frederick DeLavelle, Hudson, on indictments charging third degree burglary and attempted grand larceny, be fixed for Feb. 17 in County Court at Hudson before Judge William F. Christiana and a jury.

There was no objection on the part of John G. Connor, counsel for the defendant, and the court ordered that the trial is to be started on that date.

DeLavelle has pleaded innocent to the crimes which were allegedly committed at the Universal Atlas Cement Co.

Feb. 10 was set as the date on which Atty. Connor will make motions with respect to an indictment which charges DeLavelle with the alleged criminal sale of drugs, a charge to which he has pleaded innocent.

Atty. Connor is raising the question of the validity of a search warrant used by a State Police undercover man in obtaining the alleged evidence against the defendant, and defense counsel is also seeking an order from the court which would require the District Attorney's office to permit the defendant and his counsel the opportunity to examine and inspect the alleged drugs pertaining to the indictment returned against the Hudson defendant.

2-7-67

# Goodell Cancels GOP Speech Here

HUDSON—A guest speaker is now being sought for the annual Young Republicans' Lincoln's Day dinner, to be held at Kozel's, West Ghent, on Feb. 11.

U.S. Sen. Charles E. Goodell, who was to have been the guest, is now in Biafra. It was learned today that he will not be returning to this country until Feb. 17.

Legislative representatives in Washington and Albany will be attending.

The annual award for the outstanding young Republican for 1968 in Columbia County will be made by President Russell Baller Jr. of Valatie.

Nearly 100 reservations have already been made and it is anticipated that double that number will attend. Reservations may be made with Marion Dodge, 409 Warren St.

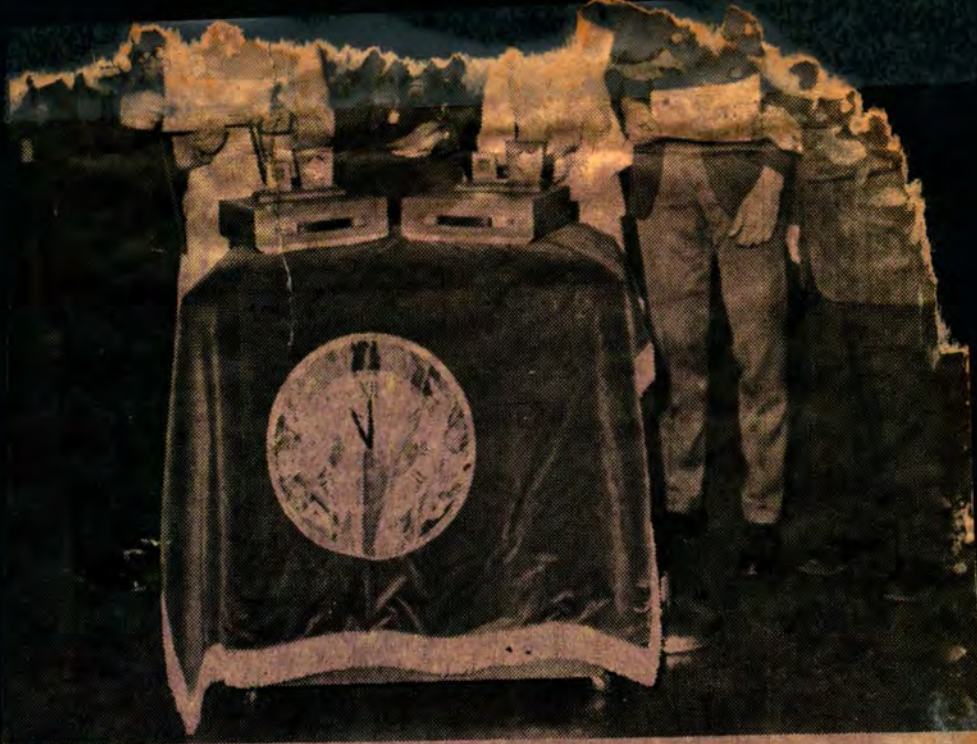
Dist. Atty. Roger Miner will serve as toastmaster. Norman Tanner is general chairman.

Congressman Hamilton Fish Jr. has advised the committee that he will come to Hudson

for the event and reservations have also been made by State Senator Douglas Hudson and Assemblyman Clarence D. Lane. Reservations have been made by all Columbia County political office holders.

Dancing will be enjoyed, with music provided by Archie Lehrecht and orchestra.





ELK LEADERSHIP AWARDS--Roger Miner, (left) exalted ruler of Elks Lodge 787, presents awards to Michele Pierro and James David Smith, winners of the Elks Youth Leadership Contest sponsored by the local lodge. Runners-up were Nancy Lynn Rhodes and Craig Hamblet.

The winners were given portable typewriters and the runners-up, clock desk sets. Shown from left are Miner, Michele Pierro, James David Smith, Nancy Lynn Rhodes, Craig Hamblet and Joseph DeCintio, Elks Youth chairman. (Register-Star Photo by Jerry Porreca)

..... *President*  
 ..... *Vice President*  
 ..... *Secretary*  
 ..... *Treasurer*

**OF BOARD OF GOVERNORS**

..... *Governor*  
 ..... *Co-Governor*

**EXECUTIVE COMMITTEE**

..... *Chairman*  
 ..... *Reservations*  
 ..... *Decorations*

Roger J. Miner, *Toastmaster*

INVOCATION ..... *Rev. R.*

PRESIDENT'S WELCOME ..... *Russell H.*

INTRODUCTIONS ..... *Roger J.*

INTRODUCTION OF PREVIOUS RECIPIENTS OF ABRAHAM LINCOLN AWARD ..... *Normand T.*

THE ABRAHAM LINCOLN AWARD PRESENTATION BY ..... *Russell H. Baller*

PRINCIPAL ADDRESS ..... *Hon. Charles Goode U. S. Senator*

BENEDICTION ..... *Rev. Robert Vanderl.*

DANCING ..... *Musie by Archie Lebrecht Orches*

2-11-69



# STAR



34

The Register-Star, Hudson, N.Y., Monday, February 10, 1969

Cents

## For Karic Deat

Nero was hatless. He wore a hooded jacket and sneakers. During the preliminary legal preparations he sat at a table, usually reserved for counsel, with Investigator Leggieri.

### Police Information

The information on which Nero was arraigned by District Attorney Roger Miner, who had worked almost constantly on the case since it broke, was included in a deposition by Investigator Potts, senior investigator attached to Troop K, at Hawthorne.

The deposition recounted that the girl's death was caused by "repeated blows about the head and body with a claw hammer and a small knife..." It added that the immediate cause of death was wounds to the head "by a tool or instrument capable of being used as a bludgeon."

The girl's body was found Saturday morning about 10 o'clock on county route 31 (Blue Hill Rd.), 100 yards from the home of Livingston Town Supervisor Donald P. Kline, by Harold Ellis. Ellis, who lives on Route 31, said he spotted the body of the brown-haired, blue-eyed girl as he drove along the highway. The body was just off the roadway. He notified state police.

After several hours of investigation, identification of the body was made through a high school ring bearing the initials "J.M.K."

Dist. Atty. Miner would not comment on the case except to say shortly after 9 p.m. Sunday that the defendant was in custody and was charged with homicide.

Nero, who was questioned for several hours of his activities on the night of the alleged murder, was arrested at 6 p.m. at the State Police sub-station at Claverack.

Based on an autopsy ordered by Coroner Donald Tkacy of Hudson, Dr. Joseph Bellamy, pathologist at Columbia Memorial Hospital, reported that the girl's death was caused by a fractured skull. There was no evidence of a sexual attack.

While there was no official version, it appeared that the actual death blows occurred at, or near, where the body was found. There was no reply from any official when a reporter asked whether death had been instantaneous.

Miss Karic appeared to have suffered multiple blows. It was observed that none of her fingernails was broken and it is reported that the autopsy showed no injuries to either hand or any other

Please turn to page A-2





# Hudson Denied Bail Murder Case

By NAN HENDRIX  
Times-Union Hudson Bureau

HUDSON — Michael Joseph Nero entered a mandatory plea of innocent to a murder charge Monday and was held for grand-jury action in the death of Hudson High School senior Jolane Marie Karic.

Arraignment began at 11 p.m. Sunday, shortly after Nero's arrest by State Police, but was adjourned to Monday in Columbia County Court to permit the 18-year-old boy to obtain counsel and have his family present.

Nero was charged with beating his classmate to death with a claw hammer and a small knife. The information against him said the girl died of a fractured skull caused by puncture wounds from the bludgeoning.

According to the information, the girl died about 11:30 p.m. Friday after she reportedly left a party for a friend.

Bail was denied by Columbia County Judge William F. Christiana because of the brutality of the crime, he said.

### No Bail

District Attorney Roger Miner recommended no bail, particularly since the County Grand Jury is presently in session and will handle the case immediately.

"This is a brutal, tragic and extremely unfortunate situation," Judge Christiana said,

"and I am accepting the prosecutor's recommendation to be held without bail.

Nero will be represented by Public Defender A. J. ... who said the family sought to retain his private attorney. He said ... ly, however, does not have a lawyer, so he will be represented in the case as public defender.

Matties entered a plea of innocent to the charge for Nero and was granted further legal rights, including a preliminary hearing.

### Stops Tears

Nero rubbed his eyes to stop tears during the court appearance, while his mother sat quietly in a seat behind his parents, Mr. and Mrs. A. ... Nero of Joslyn Boulevard appeared quiet and shaken in court. They were permitted to see their son immediately afterwards in a special room set aside for the purpose.

Nero was a classmate of Jolane Karic's in the class of 1966 at Hudson High School. She is the 17-year-old sister of a state policeman, Peter Karic.

Funeral services will be held at 9 a.m. at the Redmond and Keller Funeral Home at 430 East Allen Street, Hudson, and at 9:30 a.m. at St. Mary's Church. Hudson High School classmates will be bearers. Burial will be in Cedar Park Cemetery.

is led into Columbia County Court to plead innocent to the slaying of his classmate, and was held for the grand jury.



# Training School Assa

HUDSON—Judge William F. housemother, or supervi  
Alicia Wilson  
leg to have suited  
housemother, or supervi, at  
the New York State Training  
School for Girls, will have  
hearings on Wednesday, before  
County Judge William F.  
Christiana.

The cases of Patricia Purell  
and Alicia Wilson, charged with  
being wayward minors, were  
adjourned to that date when  
they were before the court on  
a warrant issued by Judge  
Christiana. The housemother  
petitioned for the warrant.

Dist. Atty. Roger Miner  
represents the People and  
Public Defender Adolph Matties  
is representing the girls, who  
have pleaded innocent.

The girls are accused of at-  
tempting to choke the  
housemother with a silk scarf  
and with beating her on the  
head with their hands.

## Drug Charge

HUDSON—Frederick De  
Lavalle, 28, of Hudson, pleaded  
guilty today before County  
Judge William F. Christiana to  
criminally selling drugs in the  
third degree.

He will be sentenced on Feb.  
26.

The Hudson man also pleaded  
guilty to attempted grand  
larceny at the Universal Atlas  
Cement Corp. in Greenport  
several months ago.

Dist. Atty. Roger Miner  
moved disposition of the  
charges today and De Lavalle  
was represented by former Dist.  
Atty. John G. Connor.

The drug indictment was  
reported by the grand jury Nov.  
26, 1968.

## Rocky Aide To Speak At Dinner For Young GOP

WEST GHENT—A. Bruce Manley of Fredonia, one of  
Gov. Rockefeller's top advance people in his last cam-  
paign, will speak at tonight's Lincoln's Day dinner at  
Kozel's, West Ghent, 6:30 o'clock. The eighth annual  
dinner is sponsored by the Columbia County Young  
Republicans Club.

Sen. Charles Goodell, who has to have spoken, is in  
Biafra.

Manley, a member of the State Tax Commission, was  
a state assemblyman from 1956 to 1967 and was appointed  
first majority whip in 1964. In 1967, he was a delegate  
to the Constitutional Convention.

He was educated in Fredonia and at St. Lawrence  
University, State University College, Fredonia, and Albany  
Law School. During World War II he served overseas  
with the 106th Infantry Division.

With 188 reservations in this morning, Mrs. Marion  
Dodge, reservations chairman, said some 200 are expected  
to attend. Kozel's parking lot has been cleared and no  
snow problems are anticipated.

The Lincoln's Day award will be presented by Russell  
Baller, club president. District Attorney Roger Miner  
will be toastmaster.

Normand Tanner is dinner chairman and decorations  
have been planned by Nina Barnard and Michelle



# Rush Nero Case To Grand Jury

Hudson Superintendent of Schools John Barrett, High School Principal Vincent Edmund and Assistant Principal Edmund Koenig and members of the Alpha Phi sorority and Court Members of the funeral home at the funeral home.

HUDSON—Only a few hours after funeral services today for slain 17-year-old Jolane Marie Karic, Dist. Atty. Roger Miner was presenting evidence in that case before a grand jury at the Columbia County court house.

Earlier, the prosecutor, who has been with the investigation almost constantly since the girl's body was discovered Saturday morning beside a highway in Livingston, would not comment when asked if the case was being taken up today by the inquiring body.

However, early this afternoon investigators and others who played roles in the probe that led to the arrest of Michael J. Nero, 18, of Greenport, were seen at the court house. Some were standing in corridors and others were observed entering the prosecutor's office.

The attractive girl and Nero were senior classmates at Hudson High School.

The work of a grand jury is secret, and what takes place behind its closed doors may not be revealed or discussed.

No definite date has been set as to when the present grand jury will submit its findings to Judge William F. Christiana. While it could be said that the girl's case is being speedily presented to the grand jury, there is no ground for belief that a partial, or special report, will be made of what action was taken in the charge against Nero. Possible findings are an indictment for murder, an indictment for manslaughter or possibly assault, or the voting of no indictment.

The February grand jury has a number of other cases to investigate and it is likely it will complete all work called to its attention before making a presentment to Judge Christiana. However, it is possible to make a partial report.

The youthful defendant, who is represented by Public Defender Adolph Matties, waived for grand jury action when his arraignment was continued yesterday afternoon before Judge Christiana.

The youth obviously appeared to be fighting and crying. Two or three times daubed at his eyes.

Before any formal motion for bail could be made, Dist. Atty. Miner objected to fixing bail until the grand jury reported. The question was argued.

The defendant, who was in the custody of Sheriff D. A. Lawrence, and Deputy Armando Martin and Joe Laccetti during the

Please turn to



## Man By Court

2-17-69

Two key witnesses in a vital 1948 court case they were responsible for are not available, and a man, serving a term for manslaughter, is back in prison today with 10 years tacked off his maximum sentence.

Returned Saturday to Clinton Prison at Dannemora was A. Rennel Bailey, convicted of the death of his wife in late 1947.

Bailey appeared Friday afternoon before County Judge William F. Christiana. Public

Defender Adolph Matties representing him, Dist. Atty. Roger Miner represented the people. Public Defender Matties was with the prisoner on assignment of the Appellate Division.

The defender had Bailey brought here on an order obtained from Judge Christiana for a hearing on a sentence imposed in 1948.

Bailey had pleaded guilty in 1948 to manslaughter in the shooting of his wife outside a Greenport manufactory.

He was given a maximum sentence of 30 years in prison. He was sentenced to 10 to 20 on the manslaughter count and an additional five to 10 years on a weapon charge. Under the criminal code then in effect, additional time could be meted out if a dangerous weapon was used in the commission of a crime. Bailey had shot his wife.

Dist. Atty. Miner, in the proceeding Friday, conceded there was no record in the

Please turn to page A-2

## Accused Of Assault

2-20-69

# Training School Girls Sentenced

HUDSON—Accused of assaulting a housemother during a "mutiny" at the State Training School for Girls at Hudson, two inmates yesterday afternoon were sent to the Westfield State Farm for Women.

Adjudged wayward minors by County Judge William F. Christiana and removed to the institution at Bedford Hills were Alicia Wilson, 16, and Patricia Purell, 17.

It was alleged that a housemother was choked, hit on the head with a hard object, and hair pulled from her head.

The girls were taken to the state farm by Jail Matron Carol Fredericks and Deputies Ted Chidester and Gary Terwilliger. The length of their stays is indeterminate and they will be released at the discretion of the State Department of Correction.

Dist. Atty. Roger Miner appeared for the People and Public Defender Adolph Matties represented the defendants.

Brought before the court on a charge of violation of probation preferred by Director of Probation Frank Appleton, was Richard Van Zandt, Jr., of Coxsackie, formerly of Stuyvesant. The case was adjourned to Feb. 24. Judge Christiana assigned Public Defender Matties to represent Van Zandt.



2-20-67

# Judge Assigned Coons

HUDSON - State Supreme Court Justice Russell Hunt, administrative judge of the Third Judicial District, today assigned Judge Philip Coffey of Albany to preside at the murder trial of Mrs. Leonore Coons, 26, of Hillsdale.

The Jury trial is scheduled to begin April 1 in County Court at Hudson.

Coffey, who is Family Court Judge of Albany County, was assigned after Columbia County Judge William F. Christiana notified the courts' ad-

ministrators that he had disqualified himself from presiding at the trial.

Mrs. Coons is charged with fatally shooting her husband, Kenneth, 57, last Aug. 24 at Copake Lake.

Judge Christiana disqualified himself Friday afternoon motion of Atty. Carmi Rapport, counsel for the defendant. The motion was based on the fact that Judge Christiana, at a time when he was engaged in private practice, had represented Coons in legal matters. This was several years ago when he was

a member of the firm of Coffin, Inman & Christiana and was permitted by statute to engage in private practice. Under present law, a judge of a court of record is a full-time judicial officer.

Dist. Atty. Roger Miner will prosecute the murder indictment and Mr. Rapport will be counsel for the defendant.

# Nero in Karic Murder Ca.

HUDSON-E. Stewart Jones, of Troy, noted attorney of the criminal and civil courts of the district, has been retained to represent Michael J. Nero, 18, of Greenport, on a charge of murder.

The youth is being held without bail in the Columbia County jail awaiting a grand jury report on its investigation into the bludgeon death Feb. 7 of Jolane Marie Karic, 17, of

Greenport. Nero and the girl were Hudson High school seniors.

Reached today shortly before entering State Supreme Court at Albany where he is trial counsel in a civil case, Atty. Jones confirmed that he had been retained last night by the youth's family.

The lawyer, a leading trail figure for 33 years in the Third Judicial District, has not con-

ferred as yet with the defendant. The Albany trial may not be concluded for a few days and it may be Thursday or Friday before Mr. Jones will be in Hudson to talk to Nero.

The grand jury's report will be given tomorrow or Thursday to County Judge William F. Christiana. The exact date will depend upon whether there are later cases requiring the attention of the grand jurors.

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# Attorney Won't Discuss Psychiatric Exam For Nero

HUDSON-E. Stewart Jones of Troy, counsel for Michael J. Nero, 18, Greenport, charged with murder, today would not discuss whether he would move for a psychiatric examination of the defendant.

Atty. Jones told a Register-Star reporter that he would be in Hudson tomorrow and would confer with the defendant, held at the county jail without bail in the bludgeon death of Jolane Marie Karic, 17, of Greenport, whose body was found Feb. 8 in Livingston.

Associated with his father in young Nero's defense is Atty. E. Stewart Jones Jr.

It is likely that the defendant will be arraigned early next week before County Judge William F. Christiana.

The indictment handed up yesterday afternoon said:

The Grand Jury of the County of Columbia by this indictment accuse Michael Joseph Nero of the following crime: Murder, contrary to Penal Law, Section 125.25 Sub-Division 1. Roger Miner, district attorney of Columbia County.

In its presentment, the inquiring body said it had investigated 18 separate criminal matters and reported 18 indictments, 10 of which were sealed. It further said:

"The Grand Jury visited the Columbia County jail and wishes to commend Sheriff Deway A. Lawrence and his staff for the cleanliness of the jail and the orderly manner in which it is run."

In addition to the murder indictment, other open indictments reported were George Hosier, Jr., Fingar Rd., Greenport, second degree

assault; David Brightly of Elizaville, burglary, third degree larceny and petty larceny; Harry Doyle, RD Red Hook, third degree burglary, third degree grand larceny and petty larceny.

The grand jury report was signed by Paul Berman, foreman; Grace Mullins, assistant foreman, Shirley A. Fingar, clerk, Francis Kennedy, Henry K. Schools, Mildred Wilson, Helen R. Weeks, Elmer Allen, dith P. Mesick, John M. Webster, Winfield Sagen-dorph, Joseph Hany, Albert Bednar, John H. Smith, Fred A. Mermann, Earl M. Baker, Gordon Kelly, John Murphy, Harold A. Skol, Edwin R. Strehler, Herbert Barringer and Walter M. Turner.

Atty. Jones said he had not served any notices of motion on the district attorney.

counsel to represent the youth. If the grand jury does not find a true bill the defendant will be released. If an indictment is returned, arraignment likely will be at an early date that can meet the schedules of Dist. Atty. Roger Miner and Defense Counsel Jones. Miss Karic's body was found Feb. 7, on County Route 31 (Blue Hill Road) near the home of Donald Kline, supervisor of the Town of Livingston.



# Grand Jury Indicts Nero For Murder

2-26-69

By Pierrie L. Dolan

was handed up to County Judge William F. Christiana.

Word that the grand jury was ready to report was conveyed to the court by Dist. Atty. Roger Miner.

Nero, accused of the bludgeon death of his Hudson High School senior classmate, is confined, without bail, to Columbia County jail.

The youth's counsel, E. Stewart Jones of Troy, was not in the courtroom either. He is engaged in a civil trial in Albany Supreme Court. Neither Nero nor his lawyer was required by statute to be in court today.

However, the defendant, and counsel, must appear in court at the formal arraignment on

the indictment before Judge Christiana. This is expected promptly after defense counsel has completed the Albany trial, and when Dist. Atty. Miner's schedule permits.

### Term In June

The next regular term of County Court will be convened

June 5. However, that the trial will then.

If precedent may be anticipated, counsel, or Dist. Atty. Miner, will move Christiana at the time he is arraigned, thereafter, what Please

HUDSON—Michael J. Nero, 18, Greenport, was indicted today on a murder charge by the February grand jury that investigated the Feb. 7 death of 17-year-old Jolane Marie Karic of Greenport.

Nero was not in the courtroom when the open indictment

Defense counsel has not indicated when, and if, he will make application before Judge Christiana that bail be fixed.

When Nero was arraigned Feb. 10 and his formal plea of innocent to a murder information had been made, Dist. Atty. Miner objected to bail being fixed until the grand jury report had been submitted. The question of bail was not argued then.

Miss Karic had attended a birthday party in Hudson on the evening of her death. Her body was discovered in the Town of Livingston about 9 o'clock the following morning.

## Men Guilty Of Reduced Charges In Hillsdale Case

3-18-69

HUDSON—Shortly before noon today, Edmund Aldrich of Philmont and Hugh Kromer of Martindale interrupted their trail in County Court at Hudson and pleaded guilty to reduced charges.

Aldrich pleaded guilty to manacing and Kromer pleaded guilty to harrassment of Richard Jamieson of Hillsdale.

Judge William Christiana, presiding, told the defendants he would sentence them on March 27. The trial began yesterday.

The defendants conferred with their attorney, Thomas F. Turley, after the prosecution closed with the testimony of Dr. Kendall Stearns and Mrs. Richard Jamieson.

Dist. Atty. Roger Miner advised the court he consented to the pleas to the reduced charges. The defendants had

been charged with 2nd degree assault.

Selected on the jury were George A. Kattenhorn, Hillsdale; Gustave Dolfax, Hudson RD 1; Edward J. Strombeck, 539 Washington St., Hudson; Harvey W. Moshimer, Canaan; John B. Warner Jr., Niverville; Carol H. Cross, Chatham RD 1; John B. Brady, Hudson RD 3;

Harold W. Clark, 243 Robinson St., Hudson; Anthony M. Ravish, Joselen Blvd.; Martin F. Slattery, Columbiaville; Walter G. McCulop, 356 Columbia St., Hudson; Winsor A. Wolcutt, Germantown

The complainant alleged the shooting occurred on Yonder View Rd., Copake, on the morning of Oct. 26, 1968. The defendants contend the scene was in Hillsdale.

The defendants were in a car with their wives when trouble flared. Jamieson allegedly complained that the car nearly

hit him as he was going toward his parked car.

During the discussion or argument that followed, Jamieson contends he went to his car, got out a shotgun and shot it into the air as a warning to the defendants. The defendants claim that while Jamieson was being disarmed the shotgun went off and the Hillsdale man was hit.

Jamieson claims that he was followed in a car after he shot into the air and was running in a field on Yonder View Road when he was wounded.

It appears undisputed that the weapon in question was Jameison's shotgun.

The Hillsdale man, whose wound was not serious, was taken to Columbia Memorial Hospital.

Witnesses who have testified are Jamieson, State Police Senior Investigator Fred Potts and Investigator Robert Brenzel.





**THE GAVEL CHANGES HANDS** - Mrs. Helen Hendrickson, outgoing president, presents the gavel to her successor, Mrs. Doris Lasher, during Saturday night's 10th anniversary banquet of the Ladies Auxiliary to Clermont Fire Company. At left is District Attorney Roger Miner, guest speaker, and Supervisor Sherman Potts, master of ceremonies. (Gibson Photo)

# Mental Exam For Nero Ruled By Cou

HUDSON—Dist. Atty. Roger Miner today moved that Michael J. Nero, 18, of Greenport, under indictment for the alleged murder of Jolane Marie Karic, 17, of Greenport, be given a mental examination.

There was no objection on the part of Atty. E. Stewart Jones, of Troy, who represents Nero, and

When the formal order has been drawn by Dist. Atty. Miner and submitted to the court, Judge Christiana may appoint the psychiatrists who will give the mental examination, or he may order the examination conducted by psychiatrists at a specific institution. The

Counsel Jones entered a plea of innocent but suggested that he desired a plea be entered by the defendant himself.

When Judge Christiana asked the defendant how he pleaded, the youth, who appeared calm

charge. The court indicated it was ready to hear the motion had but Atty. Jones, a veteran of the criminal and civil courts, said he desired to submit the motion in written form.



# Grand Jury Indicts Nero For Murder

By Pierrie L. Dolan

HUDSON—Michael J. Nero, 18, Greenport, was indicted today on a murder charge by the February grand jury that investigated the Feb. 7 death of 17-year-old Jolane Marie Karic of Greenport.

Nero was not in the courtroom when the open indictment

Defense counsel has not indicated when, and if, he will make application before Judge Christiana that bail be fixed. When Nero was arraigned Feb. 10 and his formal plea of innocent to a murder information had been made, Dist. Atty. Miner objected to bail being fixed until the grand jury report had been submitted. The question of bail was not argued then.

Miss Karic had attended a birthday party in Hudson on the evening of her death. Her body was discovered in the Town of Livingston about 9 o'clock the following morning.

was handed up to County Judge William F. Christiana.

Word that the grand jury was ready to report was conveyed to the court by Dist. Atty. Roger Miner.

Nero, accused of the bludgeon death of his Hudson High School senior classmate, is confined, without bail, to Columbia County jail.

The youth's counsel, E. Stewart Jones of Troy, was not in the courtroom either. He is engaged in a civil trial in Albany Supreme Court. Neither Nero nor his lawyer was required by statute to be in court today.

However, the defendant, and counsel, must appear in court at the formal arraignment on

the indictment before Judge Christiana. This is expected promptly after defense counsel has completed the Albany trial, and when Dist. Atty. Miner's schedule permits.

## Term In June

The next regular term of County Court will be convened

June 5. However, that the trial will then.

If precedent may be anticipated, or Dist. Atty. Miner, or both, will move Christiana at the time is arraigned, thereafter, the

Please

## Men Guilty Of Reduced Charges In Hillsdale Case

HUDSON—Shortly before noon today, Edmund Aldrich of Philmont and Hugh Kromer of Martindale interrupted their trail in County Court at Hudson and pleaded guilty to reduced charges.

Aldrich pleaded guilty to manacing and Kromer pleaded guilty to harrasment of Richard Jamieson of Hillsdale.

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## Clermont Fire Aux. Installs

CERMONT. Mrs. Doris Lasher was installed as president of the Ladies Auxiliary to Clermont Fire Company during a 10th anniversary banquet Saturday night at Clermont Fire Station 2.

Other new officers: Mrs. Ann Barringer, vice president; Mrs. Doris Mastro, secretary; Mrs. Anna Jacobson, treasurer; Mrs. Zita Francescotti, historian and Mrs. Ethel DeSalvo, chaplain.

Mrs. Polly Freer was installing officer with Mrs. Olive Moore as marshal.

Perfect attendance pins were given to Mrs. Barringer, Mrs. Lasher and Mrs. Helen Hendrickson, one year; Mrs. Eleanor Slator, two years; Mrs. Fay Werner, three years; Mrs. Minnie Heissenbuttle, four years; and Mrs. Helen Rivenburgh, nine years.

Fifty attended the roast turkey dinner, catered by the ladies of Christ Lutheran Church. Supervisor Sherman Potts was toastmaster and District Attorney Roger Miner, guest speaker, on "Drug Problems with Children."

Mr. and Mrs. James Potts, Mrs. and Mrs. Charles Golden and Mr. and Mrs. Howard Gibson were guests.

Mrs. Hendrickson, retiring president, presented the outgoing officers with gifts and they also were given corsages from the auxiliary.

The evening concluded with dancing to the music of Bud Celentano's orchestra.

\*Mrs. Lasher was general chairman.

## Elks To Host Past Grand Ruler

HUDSON—Hudson Lodge of Elks 787 will hold a homecoming reception and dinner for Daniel J. O'Neil, Jr., Past District Deputy Grand Exalted Ruler of the Lodge, Saturday, March 22. Cocktails will be served from 6:30 to 7:30 and dinner at 8 p.m.

A number of members of the 10 Northeast District Lodges in Troy, Saratoga Springs, Cohoes, Greenwich, Catskill, Mechanicville, Hoosick Falls, Glens Falls, Rensselaer and Hudson are expected to attend.

Exalted Ruler Roger J. Miner will preside at the meeting to follow the dinner.

Invocation and benediction will be given by the Rt. Rev. Msg. Thomas J. Lenahan, pastor of St. Mary's Church, Hudson.

Mayor Samuel T. Wheeler of Hudson will offer the greetings and remarks will be by the Hon. John F. Sweeney of Troy Lodge 141, past state president; Robert M. Ender, Sr., Albany Lodge 49, past district deputy, past exalted ruler, member of the grand lodge activities committee; and Thomas J. Strang, state vice president, past exalted ruler of the Northeast District N.Y. State Elks Association.

The Hon. John J. O'Brien of Whitehall Lodge 1491, will be guest speaker. He is past state president of the N. Y. State Elks Association and past member of the grand lodge committee on Judiciary.

A presentation to O'Neil will be made by William C. Yerrick, Sr., past state vice president, past exalted ruler N. Y. State, Northeast District.

Michael J. Degnan, past district deputy and past exalted ruler is honorary chairman and Newton R. Watts, past exalted ruler, is general chairman for the affair.

## Elks Elect Grandin Lodge Ruler

HUDSON—John Grandinetti was elected Exalted Ruler of Hudson Elks' Lodge 787 last night.

Members also voted to establish an Elks Ladies Auxiliary, first in the history of the Hudson Lodge.

Grandinetti will take over leadership from outgoing ruler Roger Miner at an installation of officers dinner April 12 at 8 p.m. at the Lodge.

Other officers elected last night were Patrick Gagliardy, esteemed leading knight; James R. Phillips, esteemed loyal knight; Wilson G. Shea, esteemed lecturing knight; Winfield Sagendorph, treasurer; Martin Mahokin, secretary; and Moses Sweetgall, trustee three years.

The resolution to form a ladies branch of the Elks reportedly received overwhelming approval. The issue had been a subject of controversy at the club for some time.

A spokesman said the male members felt an auxiliary would be a great asset to the Lodge. David McCulloch Jr., Harold Van Tassel and Morris Millman were appointed to a committee to initiate steps in organization of the auxiliary.



# DeLavelle May Be Called Grippi Defense Witness

The court house at Hudson was buzzed today with an expected report that DeLavelle Jr., of Hudson, would be summoned as a witness at the Trial of Samuel Grippi Jr., 19 Hudson

prosecution but there was conjecture today he would be summoned by the defense.

## Need Court Order

It will take a court order for Sheriff Dewey A. Lawrence to produce DeLavelle in the courtroom. The order would have to be obtained from a court of record, which means County Judge William F. Christiana or a justice of the State Supreme Court.

## Nero Scheduled

William F. Christiana was sentenced last week to 18 months in jail on a charge of attempted larceny at the Atlas Cement Co., Hudson, to be called by the

Christiana on a murder charge is Michael J. Nero, 18 of Greenport.

The court will convene at 10 a.m. but since there are a number of matters on Monday's calendar, it is not known the exact time when Sheriff Lawrence will usher Nero into the courtroom.

The Greenport youth is accused of slaying a high school classmate, Jolane Marie Karic, 17, of Greenport, at Livingston, Feb. 7.

Dist. Atty. Roger Miner and Asst. Dist. Atty. Charles Inman will represent the prosecution. Atty. E. Stewart Jones of Troy will represent the defendant.

# Grippi Gets Reduced Charge

HUDSON - Samuel Grippi Jr., 19, of Hudson charged with criminal sale of a hypodermic needle after a State Police raid, was permitted today to plead guilty to disorderly conduct. He was placed on probation in County Court.

The developments came as Grippi was scheduled to go on trial.

Grippi, a diabetic, is under doctors orders to use medical treatment for his condition.

Grippi and his father have signed written releases in \$600,000 claims against the State of New York for alleged false arrest. Notices of the claims, \$500,000 in behalf of the youth, and \$100,000 by his father, were filed in the Court of Claims at Albany.

Atty. Atty. Thomas Keegan of Hudson, who represented the father, Grippi in County Court today represented Grippi in the \$600,000 claims and the office of Atty. General Louis Lefkowitz represented the state.

The releases wipe out the claims against the state.

Dist. Atty. Miner told Judge William F. Christiana he had no objection to the reduction in charge to disorderly conduct. He said Grippi had no criminal record, does not traffic in drugs in any form and had cooperated with the prosecutor.

The Judge, in putting the youth on probation, said he was pleased to learn that the defendant was continuing his

education, adding: "This is a turning point in your life. It is the last time you will be treated with leniency."

The disposition of the County Court and Court of Claims cases means that the name of the "mystery woman" in the investigation, will not come to light publicly. She is not a permanent resident of Hudson but lived here during the investigation. The case in the Court of Claims contended she figured in an alleged "entrapment" which resulted in the arrest of young Grippi.

Robert Hill, of Hudson, arrested on a drug charge, today was placed on probation for three years. Atty. Thomas Kennedy told the court that there had been a great difference in the defendant since the raid and Dist. Atty. Miner said the defendant had cooperated with his office. Atty. Kennedy advised the court that the defendant, a high school dropout, had resumed school. He further said the youth was endeavoring to enter a vocational school when he received his high school diploma.

The judge told the defendant that his school progress and adherence to the probation rules might cause a reduction in the probation period.

Dist. Atty. Miner and Asst. Dist. Atty. Charles Inman represented the people.



# Mystery Woman Factor in \$600,000 False Arrest Suit

HUDSON—A mystery woman, who played a role in a Nov. 23 State Police raid in Hudson and some area towns, is a prominent factor in \$600,000 claims charging false arrest made by city residents against the State of New York.

Samuel Grippi Jr., 19 of West Warren St., and his father are trying to find out through their counsel, Atty. Thomas Keegan of Albany, who the woman is.

The lawyer has endeavored to learn her identity in a court motion and has been unable to force Dist. Atty. Roger Miner to disclose her identity.

The youth, under indictment

for alleged sale of a hypodermic needle, (which charge he has denied), is suing the state in the Court of Claims for \$500,000. His father seeks \$100,000.

Young Grippi is scheduled to go on trial in County Court here Monday.

He has been at liberty on \$350 bail.

It is claimed that a woman worked with a State Police undercover man in the investigation that led to 15 arrests of Hudson, Philmont Valatie and Red Hook residents.

Court records listed the name of the State Police undercover man as Investigator Lamanna.

He was seen entering the grand jury room to testify, and it is likely he will be a witness at the youth's trial.

Any appearance by the mystery woman remains speculative.

It has been reported that the young Grippi suffers from diabetes and requires the use of a hypodermic under orders of the family physician.

Dist. Atty. Miner declined to discuss the matter.

The Columbia County prosecutor does not have to serve as counsel in the civil action against the state. In the \$60,000 claims, the state is represented by Deputy State Attorney General Mordcai Bressler. He was in New York City today and could not be reached concerning the state's answer to the claims. Atty. Keegan will appear for the Hudson residents in the case in Court of Claims, which action is not expected to be over for several weeks.

# 3-26-69 Inquests By Mrs. Coons About Death Of Husband Attacked

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the hearing and then start the trial on the same day will not be known until he orders court convened next Tuesday at 10 a.m.

State Supreme Court Justice Russell G. Hunt Albany, court administrator of the Third Judicial District, which includes Columbia County. Justice Hunt

assigned Judge Coffey to the case after Columbia County Judge William F. Christiana disqualified himself.

Rapport asked Judge Christiana to disqualify himself.

Judge Christiana did so explaining that he had represented Coons in civil matters when the judge was engaged in private

law practice as a member of the Hudson firm of Coffin, Inman & Christiana.

Mrs. Coons has been at liberty on bail.

Coroner Donald Tkacy of Hudson ruled that Mr. Coons' death was caused by gunshot wound.

Miner will represent the prosecution.

Mr. O'Neil is married to the former Carolyn Shug and resides in Hudson, where they operate the O'Neil Florists.

The Honorable Roger Miner, exalted ruler, presided. The invocation was given by the Right Rev. Msgr. Thomas J. Lenahan of St. Mary's Church.

The guest speaker was the Honorable John J. O'Brien of Whitehall Lodge 1491, who is a past state president of the state Elks' Association.



# Hosier Gets 1-4 Years For Firing Shot In Greenport

HUDSON - George N Hosier Jr., of Greenport, Thursday afternoon was sentenced by County Judge William F Christiana to one to four years at Clinton Prison, Dannemora, on a guilty plea to second degree assault.

An indictment returned by the March grand jury accused Hosier of firing a shot at Edwin Nault of Albany in Greenport.

Sentencing Hosier, the court said: "If the shot you fired had not been deflected, the victim in this instance would have been instantly killed. It is your good fortune that he was not. Your intent was a vicious one. Such dangerous conduct cannot be excused. Moreover, I am of the opinion that you have a problem which may need some intense psychiatric care.

"Until such condition is properly evaluated and treated, you ought not to be at large.

Your own safety, as well as that of the general public, dictates some confinement."

Edmund P. Aldrich of

Philmont and Hugh C. Kromer of Craryville, who pleaded guilty March 20 to charges involving Richard Jamieson of Hillsdale, were sentenced.

Aldrich was accused of menacing and Kromer of harrassment. The court noted there had been settlements in civil actions against the defendants. Aldrich was placed on probation and Kromer was given a conditional discharge. Judge Christian said:

"It is quite true that there are some extenuating circumstances in your case. However, you went beyond what was necessary to protect yourself. When you do so, you take the law into your own hands and you become an aggressor.

"Fortunately for you, the victim of your aggression was not seriously injured although he might have been. It is my understanding that you have made an agreeable civil settlement with the complaining witness."

Paul W. Christensen of Akron, Ohio, was fined \$500 on charges of obscenity and possession of a dangerous weapon. A truck driver, he was arrested in New Lebanon.

Harry J. Allen, Hudson, pleaded innocent to burglary, third degree, and petty larceny.

An adjournment was taken to June 2 and bail fixed at \$1,000.

Lester Jones, Hudson, the father of eight children, charged with possession of a weapon, was placed on probation.

The case of Marshall Leggie, Hudson, charged with

criminally selling a dangerous drug, was adjourned to June 2 on motion of Atty. Adolph Matties.

Adjourned to June 2 was a charge against James Kadeo of Troy of violating probation. Bail was fixed at \$1,000.

In sentencing Bernice Griffin, Hudson, to six months in county jail for selling intoxicating beverages without a license and placing her on probation for one year on a charge of promoting gambling, Judge Christiana said:

"Your offenses, while not grave, are continuous. This is the third appearance you have made in this court as a convicted defendant in as many years. We have tried to impress upon you on two prior occasions that you cannot persistently violate the law. You have previously been treated with considerable leniency because of the rather minor character of your violations. It is obvious, however, that this has not deterred you.

"Normally, this court prefers leniency to severity but in your case, leniency has not worked.

It is not a pleasant task to send anyone to jail, but your constant repetitions afford me little choice."

Dist. Atty. Roger Miner represented the prosecution in all cases. Public Defender Adolph Matties represented Allen, Jones and Hosier, Atty. Thomas Turley represented Aldrich, Kromer and Christensen, and Atty. John Justice represented Bernice Griffin.



# County Magistrates Install New Officers

HUDSON—The Columbia County Magistrates Association, at its installation of officers Saturday night at Kozel's, presented past President Harold Lieberman of Hudson with a plaque for his services.

Albert N. Danzig of Hudson installed the following officers: John Ptaszek of Stuyvesant, president; Robert Dier of Livingston, vice-president; Richard Genzmer of Greenport, secretary; and Everett Shadic of Hillsdale, treasurer.

Morris J. Zweig, past president of the New York State Magistrates Association, was guest speaker. About 150 persons attended.

Zweig, an instructor at Albany Law School, spoke on the importance of keeping justice courts active.

A letter of congratulations from Commissioner Vincent L. Tofeny was read.

Columbia County District Attorney Roger Miner spoke of drug use by teenagers in Columbia County.

The new officers will meet tomorrow at 8 p.m. in the Mt. Washington House, Hillsdale.

The association's next dinner meeting is scheduled April 28 at Kozel's.

HUDSON—Self-defense may be the claim at the murder trial of Mrs. Leonore S. Coons, 26, of Hillsdale, which got underway in County Court here this morning with Judge Philip G. Coffey Jr. of Albany presiding.

The self defense angel came while Carmi Rapport, counsel for Mrs. Coons, was questioning Edwin H. Hartman of Chatham a prospective juror.

Hartman told Atty. Rapport he did not believe taking a life in self defense was justifiable.

Hartman was excused for cause.

Dist. Atty. Roger Miner told the jurors, who were being examined individually in the

jury box, that the defendant was charged with fatally shooting of her husband, 57, on Aug. 24, 1968, at a Copake Lake cottage.

A panel of 75 jurors was drawn to report today and the list of possible jurors dwindled to 30 after legal excuses were presented to Judge Coffey.

The court advised counsel: Jury Commissioner James Oram and Court Clerk Harold D. Leggett that the names of additional jurors would be drawn later today.

Prosecution and defense each is entitled to 20 peremptory challenges. Challenges for cause are unlimited. Each side

is given an additional three

peremptory challenges and alternate jurors taken.

In addition to Coffey's concerns concerning possible acquaintanceships with counsel, the defendant and her family, the deceased, or state police members, defense counsel stressed questions of reasonable doubt and that an indictment was merely an accusation and was not to be regarded as evidence of guilt.

The first juror drawn, Harold S. Bates, of Mt. Merino, was excused on a peremptory challenge by Dist Atty. Miner.

Judge Coffey will recess Court at noon tomorrow, Good Friday.

The trial will resume Monday morning.



# Murder Trial Jury Selected

HUDSON—The 12th juror was selected at 11:23 a.m. today for the trial of Leonore Emma Coons, 26-year-old mother of a five-year-old daughter, charged with murdering her husband, Kenneth Coons, 57, last Aug. 24, at Copake Lake. The alleged weapon was a revolver.

Judge Philip G. Coffey, Jr., recessed court at 11:40 o'clock until Monday at 10 a.m., after two alternate jurors were chosen.

The court said opening statements to the jury would be made Monday.

The jurist consists of:

1-Theresa R. Cherewsky, 251 Lincoln Blvd., Hudson, a telephone operator.

2-Mary Paquette, housewife, 26 Ten Broeck Lane, Hudson.

3-Louis F. Dolan, 4 Paddock Place, Hudson, a state tax examiner.

4-Ralph H. Shamblen, engineer, New Lebanon.

5-Evelyn M. McDowell, Star Route, Hudson.

6-Frederick R. Willis Sr., East Chatham RD 1, a transformer assembler.

7-Peter G. Colarusso Jr., Hudson, road builder.

8-James Buckley, 454 Union St., Hudson, mechanic.

9-Charles E. Hoffman, 355 Warren St., Hudson, mechanic.

10-Dorothy M. Hermance, 523 State St., Hudson, home.

11-Paul R. Tilson, Old Chatham, executive.

612 Columbia St., Hudson, a serviceman.

In examining some of the jurors today, Dist. Atty Roger Miner said the "defense has made it clear" there will be a claim of self defense. No objection was taken to the prosecutor's theory.

Mrs. Coons appeared calm during the questioning. Defense Counsel Carmi Rapport consulted with her before accepting or rejecting every juror examined.

With the panel of veniremen depleted at 4:30 p.m., Thursday, the court order Jury Commissioner James Oram of Clermont to draw an additional panel of 40.

## Mrs. Coons' Trial Open

HUDSON -- District Attorney Roger A. Miner will open the prosecution's case today in the murder trial of Mrs. Lenore Coons of Copake.

Jury selection for the trial was completed Thursday and Friday in County Court here before the court recessed for the Easter holiday. Several additional panels of jurors had to be drawn before the panel of twelve plus two alternates could be completed.

Mrs. Coons the pistol slayer of Kenneth, 57, defense attorney had hinted a possible key

Judge Phillip will preside, William F. Christ identified himself. He said he had no legal business for before his death.



## Cottage

...n she allegedly murdered  
...in last Aug. 24 and that they  
had argued about their infant  
daughter, who was with the

father at his Copake Lake  
cottage.

In his brief opening at the  
trial, Atty. Carmi Rapport of  
Hudson, counsel for Mrs. Coons,  
asked the jurors to keep their  
minds open until all testimony  
had been completed.

Judge Philip G. Coffey Jr. of  
Albany conferred in chambers  
with opposing counsel and  
opened the trial at 10:24 a.m.

Mrs. Coons, 27, has stead-  
fastly insisted she is innocent  
of the shooting death of her 57-  
year old husband.

Dist. Atty. Miner accused the  
defendant of intent to cause her  
husband's death with a .22  
revolver. The shooting oc-  
curred about 7:30 p.m., the  
prosecutor said.

Miner said that Mrs. Coons  
and her parents drove to the  
cottage, and that Mrs. Coons  
wanted to take her baby.

The district attorney claimed  
that an argument ensued when  
Mr. Coons refused to permit his  
wife and her parents to take  
the child. He said the pisto-  
l was fully loaded and had been  
fully loaded "when it was  
brought to the scene."

Miner declared the woman  
allegedly fired two rounds and  
that Coons died "almost in-  
stantly."

Rapport said the story Mrs.  
Coons will tell "needs no am-  
plification by me now." He  
stressed the law's reasonable  
doubt.

He said the burden of proof  
was on the prosecution and  
reminded the jurors of court  
instructions with respect to  
reasonable doubt and self-  
defense.

Dr. Roger Bowerhan of  
Copake was in the courtroom  
and will be the first witness  
for the prosecution. He was  
called on the night of the  
shooting and pronounced Mr.  
Coons dead.

Dist. Atty. Miner told jurors  
he anticipated the case would  
require about a week

## Exalted Ruler To Be Installed

HUDSON—John A. Grandinetti  
will be installed as exalted ruler  
of Hudson Lodge of Elks 787  
at a formal and unprecedented  
ceremony in the lodgeroom  
Saturday at 8 p.m.

The installation of officers  
will take place in the presence  
of non-Elks as well as lodge  
members. In previous years,  
the ritual has been conducted  
privately.

Following the ceremony, the  
club house committee will be  
host at a buffet luncheon-dance,  
with Tony Cello's orchestra  
furnishing music.

Daniel J. O'Neil, northeast  
district deputy and past exalted  
ruler of Hudson Lodge, will be  
the installing officer, assisted  
by other past exalted rulers of  
Hudson Lodge.

Grandinetti will succeed  
District Attorney Roger J.  
Miner, as the representative of  
the local lodge, which numbers  
more than 700 members.

The lodge will honor the "Elk  
of the Year," chosen for his  
services to the Hudson Lodge.

Edwin D. Folz and his staff  
will serve the buffet.

**OR MURDER** - Mrs. Leonora Coons, 27, Hillsdale, en-  
Court chambers, where she is being tried in the shoot-  
of her husband, Kenneth, 57. (Register-Star Photo  
Correca)



band: First testimony was from her two step-children. Vicki Coons, 12, and Kenneth Coons, 8, testified concerning events in the Coons household last Aug. 24 when their father Kenneth, 57, was found dead of a gunshot wound through the heart.

Mrs. Coons, 27, of Copake, is charged with the slaying. Testimony was also given Monday by Dr. Robert Bowerhan, who pronounced Coons dead at the scene; Dr. Joseph Bellamy, who performed the autopsy; and a representative of surrogate's court. Also testifying

...ner said presentation of the prosecution's case will probably take until Wednesday morning. After he finishes, Defense Attorney Carmi Rapport will begin presenting the defense for Mrs. Coons.



JURY RECESS--The jury hearing the murder trial of Mrs. Leonora Coons, 27, of Hillsdale, as it recessed for lunch yesterday, the opening day of the trial. Mrs. Coons is charged with the murder

of her 57-year-old husband, Kenneth, at Star Photo by Jerry Porreca)

# Boy Testifies He Saw Stepmother Shoot Father -- Admission Claimed

HUDSON--A County Court jury heard Kenneth Coons Jr., 8, testify he saw his stepmother, Mrs. Leonore Coons, 27, of Hillsdale, shoot his father. The boy testified yesterday at the murder trial of Mrs. Coons, at which two State troopers related that they heard her make oral admissions to having shot her husband Kenneth, 57, last Aug. 24 at Copake Lake. Another child of Coons, Vicky, 12, said she was in the lakeside

cottage and heard a shot, but did not witness the shooting. Her younger brother said he saw the defendant's mother hand a gun to Mrs. Coons and saw her shoot his father. Under cross examination by Atty. Carmi Rapport defense counsel, the boy said he had discussed events in the case with others before his appearance at the trial. Dr. Joseph Bellamy, pathologist at Columbia

Memorial Hospital, said one bullet hit Coons in the left elbow and another in the chest. Dr. Bellamy recovered both bullets, which were admitted into evidence with no objection. The witness estimated Coons had been shot from a distance of about five feet and that death was not "necessarily instantaneous." On cross examination, Bellamy said the distance between the victim and the gun

could have been... Mrs. Coons... with her coat... to another... Atty. Roger Rapport has... the wall of... point out... where bullet... Coon's body... When Atty... holding in front... bar or pipe, mo... Pleas...



## ... Boy Testifies

in length, Miner objected, saying there was no testimony in evidence covering this particular phase.

The pipe had been offered in evidence by the district attorney.

Defense counsel reserved the right to re-call Dr. Bellamy.

Trooper William R. Blackie of Pine Plains, who was on desk duty at Claverack the night of Aug. 24 told of directing officers to Copake Lake after being advised there had been a shooting.

While Trooper Brian J. Conway of Troy, stationed at Claverack, who patrolled Aug. 24 in Copake, Hillsdale, Ancram, Gallatin was on the witness stand, Atty. Rapport stepped up the Bench, apparently with a request to Judge Coffey. The judge and opposing attorneys went into chambers for several minutes to converse. The jury remained in the box.

When testimony was resumed, Trooper Conway told of going to the Coons' residence.

The trooper said Coons was face down on a floor in the cottage and "apparently dead."

The trooper saw a revolver

on a table and that he talked with the defendant. When defense counsel asked if his client had been informed of her rights, there was another conference. The trooper testified Mrs. Coons told him that she had shot her husband.

On cross examination, Conway said Mrs. Coons "seemed to be dazed." He testified her father was "very drunk" and that her mother "had been drinking."

### I Shot Him"

Trooper Conway quoted the defendant as saying, "I shot him, I shot him."

Investigator Robert T. Brenzel, 21 Parkwood Blvd., a trooper for 12 years, said he was enroute from his home to the station at Claverack, when he was instructed to go to the Coons residence.

He saw the man on the floor and found no heart beat. He said Mrs. Coons and her parents were present. Brenzel said he asked, "Who did this?" and that the defendant replied, "I did it."

At this point, Rapport was told the woman was not advised of her constitutional rights.

This brought another reference. Brenzel proceeded he handcuffed Mrs. Coons placed her under arrest, told her she did not have to answer any questions or give any information as it could be used against her. He continued he asked her if she wanted to talk about it (the shooting) and that she replied she did not.

He said Mrs. Coons pointed to where the gun was. The witness testified he heard the defendant say to Dr. Bowerling, "I don't know why I did it," and asked "Where did the second shot hit him?"

The witness said the defendant had a valid pistol permit.

He described Mrs. Coons' father as "very intoxicated," adding it was his opinion that the defendant "had been drinking".

Mrs. Irene Ham of the Columbia County Surrogate Court, identified a gun license had been issued to the defendant.

Mrs. M. Grace Day and Arthur Finch of Hudson and Kenneth Smith who resides in the Town of Claverack, are court officers in charge of the jury.

Emma Coons, 41,

at her murder trial that she shot her husband to death as he approached her with a heavy pipe in his hands.

"I shot him," she cried out in County Court. Then she broke down and wept.

Earlier, she had described a stormy life with her 57-year-old husband, Kenneth, who was fatally wounded at his Copake

she related.

Under direct examination by defense attorney Carmi Rapport, she described events of Aug. 24:

She arose about 10 a.m., went to her parents' home for lunch and consumed three or four cans of beer and took medication for a stomach cold, then went home.

She was scheduled to pick up her five-year old daughter,

Game Farm, Inc.

Mrs. Coons' parents arrived at her home about 6:30 p.m.

They had been drinking, she said, and they drove to Coons' cottage.

She testified she took her pistol from her car and put it under the driver's seat of her mother's car.

Coons was on the cottage steps reading a newspaper. Her

daughter

"No, you're not anywhere." The child ran to her mother's arms, but Coons yelled, "Put her down," and told Lynn to go back into the house.

An argument ensued, during which Mrs. Coons said her husband pushed or punched her in the chest, knocking her down



## ... Coons Trial

The last witness for the state was Sgt. Robert W. Horn, a ballistics expert, who identified the bullet that allegedly killed Coons as having been fired from the .22 caliber revolver in evidence.

### Defendant Testifies

The defendant, the first witness called by the defense, was "calm during direct examination. She said a child, Lynn, born to her and Coons, is five years old. The child was in the courtroom today for the first time.

Mrs. Coons was born in Westchester County but moved to Hillsdale when she was four.

She was graduated from Roeliff Jansen High School in 1959 and took a job at the Chase-Manhattan Bank in New York City. She returned to Hillsdale weekends.

She testified she met Coons in October, 1961, when she was 19 and he was 51. He was operating a garage in Craryville and she met him when he advised her about the condition of her car. They met again three weeks later at the garage.

She next saw him at her parents' home in Hillsdale when she compensated him for a down payment he had made on another car for her. She said they started going out socially in the fall of 1961 and were married March 25, 1962, in Hudson, Mass.

He said there were various separations and arguments and reconciliations.

She testified there were "good periods" in their marriage. At one time, she worked for the New York State Tax Bureau.

There came a time, she said, when she left her husband because "of fights."

She said that when they last separated that her husband said: "Get out, get out, but don't think you're taking the

baby." The defendant saw the baby daily at a baby-sitter's who lived near a trailer in which the defendant was residing.

She said that on one occasion her husband struck her three times and another time he hit her seven or eight times with a clenched fist. On July 21, 1968, she related, when she took her daughter swimming and was about 10 minutes late returning, her husband "grabbed me and struck me with fist and open hand. I screamed and told him if he didn't stop I would have him arrested."

Mrs. Coons testified her husband had purchased the revolver for her at Steiner's store in Hudson. She identified her pistol permit.

On July 25, 1968, she continued, when she went to her husband's place to get clothing for Lynn for a trip to New York he threw the clothes and a bill at her. She said she told him she had paid the bill but he "beat her on an arm." She testified he "kept hitting and punching me and said 'go ahead and have me arrested'". She called police, she said, and went to a judge for a warrant but the judge wasn't in. She said she subsequently swore out a complaint before Justice Shadic for his arrest. At this point, a short recess was taken.

State Police Investigator Fred R. Potts Jr., of Philmont, testified that Mrs. Coons made an oral admission at the Claverack sub-station that she had killed her husband during an argument.

He said he questioned her about 9 p.m. on the day of the shooting, and had advised her of her constitutional rights, including the right to an attorney. He also testified that her parents were "both abusive and downright nasty."

Potts said the defendant said she and her parents had gone

to the Coons' cottage at Copake Lake about 7 p.m. to get their baby daughter, Lynn Coons, and that he (Coons) refused to let her have the child. An argument ensued. She told the investigator her husband knocked her to the ground.

Investigator Potts testified Mrs. Coons told him that she went to the car, got a gun and shot Coons.

Potts said the defendant told him Coons would not give her the child because "they" had been drinking.

On cross examination, Potts said he had been with the State Police for 23 years, and that he had known Coons casually for 15 or 20 years.

The officer said Mrs. Coons had talked freely after he told her of her rights. He added he had told her she would feel better if she got it "out of her system."

Atty. Rapport queried:

"Did you ask her if her mother gave her the pistol?"

Potts answered: "Yes, sir, several times. She told her story several times." He added the defendant told him she didn't want her parents involved.

Mr. and Mrs. Philip Weiss of New York, vacationing at the lake, told of hearing two shots.

Their cottage adjoined that of Coons.

John J. Minelli, who was vacationing at the lake, testified the defendant's father and Coons were arguing and fighting and that Coons had a "pipe" in his hand. He testified that Coons had knocked his wife down with his hand and had said "scat". The witness said that Mrs. Coons' mother threw a gun to Leonora and the defendant shot Mr. Coons twice.



# To Jury Friday

4-10-69

By PIERRIE DOLAN

HUDSON—The murder trial of Mrs. Leonore Coons, 27, of Hillsdale, will reach the jury tomorrow in County Court.

Testimony and rebuttal was concluded at 10:39 a.m. today.

Judge Philip G. Coffey of Albany directed that summations by Carmi Rapport, counsel for Mrs. Coons and Dist. Atty. Roger Miner begin at 1 p.m., today.

Judge Coffey said he would deliver his charge tomorrow, then give the case to the jury.

There was conflicting testimony today regarding the character of Kenneth Coons, 57 years old when his wife fatally shot him last Aug. 24 at his Copake Lake cottage.

Chester Craig of Craryville, who bought a garage from

Coons, said he was quite tempered.

Town Justice Everett Shadic of Hillsdale, who is school bus driver for the Rollin Jansen School, said that on July 10, 1968 he heard Coons say that if the wife "does not leave me alone, and the child, I'll kill her."

## Defense Rests

The defense rested at this point and opposing attorneys went into chambers with Judge Coffey, presumably to make motions.

Called by Dist. Atty. Miner for rebuttal testimony, Vernon R. Melius of Copake said he had known Coons for 40 or 42 years and never heard anyone say Coons was violent.

Please turn to page A-2

## Mrs. Coons Says She Shot Husband

HUDSON — Mrs. Lenore Coons took the stand in her own defense Wednesday in her trial for the slaying of her husband.

After outlining a long history of marital difficulties, Mrs. Coons, 27, described the night of her husband's death and admitted on the witness stand she shot him with a pistol.

Kenneth Coons, 57, died in his Copake home last August of a bullet wound in the heart from a .22 calibre pistol.

The defense of Mrs. Coons, under direction of her attorney, Carmi Rapport, will continue today in county court and the case is expected to go to the jury Friday after summations and the charge of the jury by Judge Philip Coffey.

Jack A. Miner, Acree, who formerly resided in the Hillsdale-Copake area, and was a saw mill partner at one time with Coons, said he had never heard of Coons committing any physical acts toward anyone but that he did exhibit a temper toward inanimate things.

## "Bad Temper"

Mrs. Coons, who testified yesterday on direct examination to "rages" by her husband, was supported in this contention by two defense witnesses, Samuel Flaum of Hollowville and David Minton of Lime Rock, Conn.

Flaum, a Craryville grocer, said he knew Coons about 23 years and that he had a reputation for "a bad temper."

Minton said he worked as manager at Catamount when Coons was employed there as a mechanic. He said the mechanic had a reputation "for being violent."

## "Very Violent"

Near the close of long questioning, Mrs. Coons said her husband "was very violent and would go into rages; that he had a quick temper." She testified earlier that her husband threw her to the ground and punched or shoved her.

The 27-year-old defendant testified that her husband had threatened her on prior occasions during course of arguments and once had told her, "I'll beat your brains in."

Under cross-examination she said she began to have differences with her 57-year-old husband a few months after their marriage. She said he was not a "drinking man." He was self-employed most of the time.

Other matters to which she testified were:

She did not tell Coons that she was buying the trailer on the property of her parents; she had lived with Coons as man and wife after a legal separation had been agreed to; their five-year-old daughter

lived with the father. Her mother would call and make arrangements to see her; that her husband refused to give her custody of the child because he claimed she used alcohol.

kept put in to and residence.

On cross-examination she testified she was shooting of beer to was shot.

She said "similar to" if her husband didn't want daughter w parents had

She said Coons' Copake day of the shooting leaving for transferred the car to her mother.

Mrs. Coons testified drinking, they the cottage to her husband, w

on the telephone have the child. She did not expect her parents refused permission the accuracy of a witness for the police.

her father had said going to get it. Coons had grabbed his arm.

Closing testimony Coons under cross-examination was that Coons pushed the ground, her husband struggled ground; while she on the ground, her husband toward her and handed gun.

"Ken" stood up. She continued, she pulled her sitting position, and then followed.





**DELIBERATE**—The jury for the murder of Leonore Coons is seen leaving court at 1:45 a.m. today after being charged by Judge Philip G. Coffey Jr. of Albany.

Following lunch, the jury was scheduled to begin deliberation. (Register-Star Photo by Jerry Porreca)

## Arguments Given, Coons Murder Case Goes To Jury

ON-A County Court this afternoon decided the fate of Leonore Coons, 27, of Hillsdale with murdering her 47-year-old husband, Kenneth, at Lake last Aug. 24.

The charge to the jury was started shortly after 10 a.m. today by Judge Philip G. Coffey Jr. of Albany. He instructed the jury on the law and reminded them they are the sole triers of fact.

The jury, after receiving the

case at 11:45 a.m., left immediately for lunch at the St. Charles Hotel. It was expected to begin deliberations between 1 and 1:30 p.m.

Judge Coffey has permitted the jurors to go to their homes overnight but from the moment they received case today, they will be held together until they are discharged by Judge Coffey.

The largest attendance of the trial was noted yesterday afternoon, when Dist. Atty. Roger Miner and Carmi Rapport, counsel for Mrs. Coons, summed up their cases.

Miner contended in his closing argument that the slaying was a deliberate act of murder and that it had been planned. He based this, he said, on the fact the defendant made a practice of having a loaded gun with her when she went to her husband's cottage.



## Jury Finds Mrs. Coons Guilty

DM  
4-14-69

A Hudson jury, composed of four women and five men, returned a verdict of guilty, Friday, in the case of Mrs. Leonore Coons, who was on trial for the slaying of her husband, Kenneth Coons, last August 24, in their Copake Lake home.

The 27 year old Mrs. Coons was remanded to the custody of the Columbia County Sheriff, to await sentencing on April 15. She could receive a maximum of life imprisonment on the conviction.

Mrs. Coons when called to the stand, said that she shot her 57 year old husband in self defense, when he attacked her with a length of pipe after they had argued over an infant daughter.

She said that she had gone to the residence of her estranged husband to pick up their daughter for an outing on the next day, and that he had refused to let her have the child.

An argument broke out and led to his death with a bullet from a 22 caliber that ledged itself in the heart.

The jury took just slightly less than five hours of deliberation before reaching their verdict.

## ... Coons

dividually by Court Clerk Harold D. Leggett, and each juror repeated the verdict guilty of murder.

### Commends Jury

Addressing the jury, Judge Coffey said:

"I'd like to commend you on your patience, diligence and courage throughout this trial. Under these circumstances, you performed a very unpleasant and disagreeable duty as I mentioned before in my charge.

"I agree completely with your verdict. I think it's fully justified by the evidence and testimony as presented to you.

You have no reason to regret or apologize for it."

### Revoke Bail

Judge Coffey revoked Mrs. Coons' \$5,000 bail and remanded her into the custody of Sheriff Dewey A. Lawrence for the sentencing on Wednesday.

When the sheriff stepped forward to take Mrs. Coons to jail, Atty. Rapport asked if he could have 10 minutes to converse with her. The sheriff nodded and stood aside while the lawyer and Mrs. Coons talked.

It was reported that the defendant, who had remained calm throughout the trial and while the jury was reporting, wept, when she was placed in a cell but quickly recovered her composure.

## Hudson Woman In Husband's Sla

4-13-69

HUDSON — Mrs. Leonore Coons was found guilty by a jury Friday of the murder of her husband Kenneth Coons last Aug. 24 at their Copake Lake home.

Mrs. Coons, 27, of Hillsdale was remanded to the custody of Columbia County Sheriff Dewey A. Lawrence to await sentencing April 16. She could receive a maximum of life imprisonment on the conviction.

Mrs. Coons testified on the witness stand that she shot her husband, 57, in self defense when he attacked her with a

length of pipe after over their infant

She said she and were estranged as she had gone to her parents to daughter for an day. He refused to the child and an gan which led to h a .22 caliber bullet heart.

The jury of four five men took slight five hours of deliber reaching their ver before 4 p.m. Frida

State of the Hudson ... over a ... years"

No. 200 Elks ... day night. John A. ... his staff of installed by Daniel J. O'Neil

The presentation to Ciampa a certificate, signed by Grand Exalted Ruler Edward McCabe was presented by Roger J. Miner, immediate past exalted ruler, who referred to the recipient's voluntary services to the Hudson Lodge "not only for

Ciampa, popularly known as "Mimi," has been a lodge member since June 21, 1942. Dr. Walter E. Davies was exalted ruler at the time. Miner also cited Mr. Ciampa for his general interest in Elkdom and Americanism.

## Nero Statement Argued In Court

4-11-69

HUDSON — Arguments scheduled today in an attempt to obtain a copy of any statement allegedly made to State Police by Michael J. Nero of Greenport charged with murder, were adjourned. Dist. Atty. Roger Miner is engaged in the Coons' murder trial here and defense counsel E. Stewart Jones of Troy is engaged in trial at Utica.

County Judge William F. Christiana adjourned, the arguments until May 8. Nero was in court in the custody of Deputy Sheriffs Armande Martin and Frank Harder.

The arguments were on two show cause orders obtained by Atty. Jones.

Miner was presented with a gift and a life membership in Hudson Lodge, an honor extended to the retiring exalted ruler.

A scroll, containing the signatures of all Elks who attended the recent homecoming of District Deputy O'Neil, was presented to him during the ceremony.

Exalted Ruler Grandinetti said the outstanding success of the public installation may encourage the Hudson Lodge to consider making more of its activities available to guests of the members.

Tony Cello and his orchestra played for the dancing and Eddie Folz and his staff served a buffet.





EN ROUTE TO PRISON—Leonore Coons is shown en route to county jail today in custody of Deputy Sheriff Armando Martin after she was given a 15-years-to-life sentence in prison for the murder of her husband. (Register-Star Photo by Jerry Porreca)

## Mrs. Coons Gets 15 Years - Life

HUDSON—Leonore Emma Coons, 27, of Hillsdale, today was sentenced by Judge Philip G. Coffey in County Court to 15 years to life for the murder last August of her husband, Kenneth, 57.

Atty. Carmi Rapport said an appeal would be taken.

The court directed that Mrs. Coons serve the sentence at the Westfield State Farm for Women.

Judge Coffey ordered Sheriff Dewey A. Lawrence to transfer the attractive mother of a five-year-old daughter from the county jail to Westfield "without delay."

The sheriff made immediate arrangements for the transfer of Mrs. Coons by automobile in the custody of a jail matron and Deputy Sheriffs Ted Chidester and James Blass.

With a number of relatives and friends present, Mrs. Coons

was brought into the courtroom at 10:23 a.m., by Deputy Armando Martin. She was not in handcuffs.

Dist. Atty. Roger Miner, who conducted the prosecution that resulted last Friday in the conviction, moved imposition of sentence.

The defendant appeared calm but it was evident that she was trying not to weep. Judge Coffey directed that a presentencing statement be taken by Court Clerk Harold D. Leggett.

Mrs. Coons said she was 27 years old, her parents are living and she has the one child. Asked if she imbibed in alcohol, she replied "Occasionally; not to excess."

The young woman, a high school graduate who has held responsible positions, emphatically said "never" when

Please turn to page A

pronounced against you?"

Mrs. Coons replied: "What's that mean?"

The court waves her toward counsel table, indicating that Rapport, would speak for her.

Defense counsel moved for a new trial, arguing that the verdict of murder was against the provisions of the law against the weight of evidence.

He urged the court to exert "utmost leniency in a case that literally cries out for compassion." He said Mrs. Coons' life was wrought with family trouble and that she was the victim of extreme emotion. Counsel said that events that periodically developed caused a profound shock on the defendant, her marriage and her child.

The court denied the motion to set aside the verdict and to order a new trial.

Judge Coffey reiterated he agreed with the verdict of the jury. He described the defendant's home life as "unusual and disturbing." The court said he wondered what there was that caused a 21-year-old girl to marry a 57 year-old man. In sending her to prison, Judge Coffey stated the law prescribed the term.

When the judge left the bench, Mrs. Coons sat quietly in the courtroom with her counsel. Sheriff Dewey A. Lawrence stepped forward and suggested their talk be held in the conference room.

Several relatives pressed forward, hoping to converse with her, but deputies immediately took counsel and client out and closed the door.

It is possible for Mrs. Coons to gain her release on bail while the appeal is being taken. However, she would have to obtain a certificate of reasonable doubt from a court of record before making application for bail. She had been at liberty on \$5,000 bail from the day after her husband was shot to her conviction. It is probable, in view of the conviction, that Dist. Atty. Miner would demand larger bail if she was permitted to apply for bail.

## Mrs. Coons Sentenced to 15 Years - Life for Slaying

HUDSON — Mrs. Leonore Coons, 27, of Hillsdale was sentenced Wednesday to 15 years to life imprisonment for the August slaying of her husband Kenneth Coons.

Mrs. Coons was convicted Friday of murder by a Columbia County Court jury. She testified during the trial that she shot in self-defense when her husband attacked her with a length of pipe during an argument over her child.

Court officials said Mrs. Coons will serve her term in the State Prison for Women at Bedford Hills where she was transported after sentencing. She must serve 15 years before she can apply for parole.

Relatives will care for her daughter, Lynn, 5, and her two step children, Vicky, 8, and Kenneth, 12, while she is imprisoned, county officials said.





**PUMPER 1 OFFICERS**—Seen at their annual meeting with guest speaker, District Attorney Roger Miner, are officers of Greenport Pumper Co. Seated, left, Joseph Cordato, secretary; Paul Miner; Glenn Dickerson, vice president;

Stanley Johnson, treasurer; and standing, Burton Teter, captain; John Cornell, lieutenant; Guy Kreig, Greenport Fire Department chief; Irving Ostrum and Stanley Kilmer, lieutenants. (Gibson Photo)

## Mrs. Coons To Appeal Conviction

HUDSON—Mrs. Leonore Emma Coons, 27 of Hillsdale, today served notice of an appeal from her conviction of murder and a sentence of 15 years to life.

She was sentenced to the Westfield State Farm for Women at Bedford Hills, on April 16, by Judge Philip Coffey, Jr., of Albany.

Mrs. Coons, convicted of shooting her husband Kenneth, 57, at Copake Lake last August, during a dispute about custody of their child, was required to serve notice of appeal within 30 days.

The appeal will be to the Appellate Division, 3rd Department.

Notice of the appeal was filed today with County Clerk Harold D. Leggett by Attorney Carmi Rapport of Hudson.

The appeal will be made on both law and the facts, the notice indicated.

District Attorney Roger Miner will oppose the appeal.

**A7**

Hudson, N.Y., Register-Star Monday, May 5, 1969

## Man Charged With Violation Of Probation

HUDSON—Richard Whepley of Rensselaer, will face County Judge William F. Christiana here June 3 on a charge of violation of probation.

Judge Christiana, who presided as an acting Supreme Court justice in Albany County during April, directed that Whepley be remanded into the custody of Sheriff Dewey A. Lawrence.

The defendant, who pleaded guilty Jan. 1, 1969, to petty larceny at the residence of John Nicholas in Kinderhook was placed on probation. Dist. Atty. Roger Miner represents the prosecution and Public Defender Adolph Matties represents Whepley.

## Hear DA Miner

HUDSON—Roger Miner, District Attorney from Columbia County, will address the Ladies Auxiliary of Fire Company No. 2, Elizaville Fire House, tonight at 8:15.

Miner will speak on "Narcotics." The public is invited.

## TO DISCUSS NARCOTICS

LIVINGSTON—District Attorney Roger Miner will discuss the narcotics problem in Columbia County at a meeting Sunday at 7:30 p.m. for men at the Linlithgo Reformed Church Livingston.

**GOP**

Charles In-  
district attorney,  
resident of the  
County Young  
Friday night

officers are:  
vice president:  
artz, secretary:  
ello Jr., treasurer:  
r, assistant public  
Columbia County,  
Barbara Zalewski.

directors were:  
r, district attorney:  
n III and Mary Ann  
mer state president  
g GOP.

Martino, special  
to the chairman of the  
State Committee  
the relationship of  
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ittee.



SON—Testimony by State Police of alleged admissions by Mrs. Leonore Coons, 27, of Hlsdale, will be a highlight of her appeal from a murder conviction.

This is established in the notice of appeal filed yesterday by her attorney, Carmi Rappoport of Hudson.

The notice says the defendant, serving 15 years to life for the murder of her husband, Kenneth, intends, among other things, to urge the Appellate Division, Third Department to review the order of acting County Court Judge Philip Coffey denying defendant's motions to suppress any and all oral admissions.

The admissions referred to allegedly were made by her at the Claverack State Police sub-

station. The defense did not have counsel present at the time but State Police testified at the trial that she was fully informed of all her rights.

Before the trial, defense counsel demanded a so-called Huntley hearing. The press and public are barred by statute from such a hearing.

Defense counsel was inquiring into the 'voluntariness' of any statement the defendant made. The motion made during the trial concerning what she allegedly told police was made in court chambers and not in the presence of the jury.

The notice indicated that part of the appeal will be exceptions defense counsel made during the trial to various rulings by Judge Coffey.

Also to be argued on the appeal were decisions by Columbia County Judge William F. Christiana denying the defendant's motion to inspect the grand jury minutes and to dismiss the indictment, refusing to compel Dist. Atty. Roger Miner to serve a supplemental bill of particulars, and denial

of the defendant's motion to have counsel of 'certain witnesses.'

The appeal is not expected to be argued before the Appellate Division at Albany until next Fall.

## Nero Case Adjourned Today

HUDSON—Motions scheduled this afternoon in County Court on behalf of Michael Nero, 18, under indictment for murder of a Hudson high school classmate were adjourned to May 16.

The Greenport youth is accused of the Feb. 7 death of Jolane Marie Karic, 17.

The adjournment was taken as Judge William F. Christiana is engaged in legal matters upstate.

### Copy Of Statement

Defense Council E. Stewart Jones and District Attorney Roger Miner will argue on two show-cause orders obtained by defense counsel. If one of the defendant's attorney will demand that he be provided with a copy of any statement Nero may have made to State Police at the substation in Claverack, where he was questioned before being arrested.

Attorney Jones also urges that Judge Christiana direct Miner provide counsel with a bill of particulars. The indictment merely sets forth that the defendant is charged with murder. Jones will argue that Nero is entitled to more details of the allegations made by the prosecution in the Grand Jury investigation.

No application for bail has been made.

## Larceny Case May Go To Grand Jury

HUDSON—It is anticipated that the case of Russell R. Lockenwitz 19, of Philmont, charged with third degree larceny, will be presented to the May grand jury. District Attorney Roger Miner said today.

The grand jury is scheduled to report on May 27.

Lockenwitz is being held at county jail in lieu of \$150 bail. He was arrested April 15 along with Richard P. Almstead, 19, Philmont, and two 15-year-old minors, for the alleged theft of an auto from the Flying A service station in Philmont.

Almstead also charged with third degree grand larceny, is scheduled to appear in Philmont court on May 28.

The two minors were charged with juvenile delinquency and released in custody of their parents.



## DA Refuses

proceedings until May 28. He will have decisions on or before that date on legal questions raised today.

Indicating that other motions may be made (presumably making it impossible for the defense to go to trial in June), Atty. O'Connor said a Huntley hearing "requires a considerable amount of paper work."

Not in June, it is almost a certainty that it would not be held until October.

Judge Christiana said Nero had been held in the county jail since early February and was entitled to a speedy trial.

No application has been made for bail.

Nero, who was not handcuffed, was brought before Judge Christiana today by Deputies Frank Harder and Ted Chidester.

## DA Miner So Speak In Ancram

ANCRAM—Roger Miner, district attorney for Columbia County, will speak at Memorial Day exercises in Ancram.

Miner will speak at Wallace Blass Memorial Field at 11 a.m., following a parade.

The parade will form at 9:30 a.m., one-half mile east of the village on the Ancram-Ancramdale highway, and will begin at 10 a.m. It will proceed to the inter-sections of Routes 82 and 7, continue on the Ancram-Copake highway for approximately half a mile reverse itself and march to Memorial Field.

More than 30 invitations have been sent to organizations in the Roe Jan area and six have indicated they will participate.

The parade is sponsored by the Ancram Volunteer Fire Company.

## Many Area GOP To Go To Dinner

HUDSON—a large number of Columbia County residents have made reservations for the star-studded fund-raising dinner of the Republican State Committee Thursday, June 5, at the Waldorf Astoria Hotel in New York City.

Reservations have been made by Alexander Aldrich, Chatham Center; Edward H. Best, Hudson; R. Burdell Bixby, Hudson; Richard Dunham, Chatham; Charles Dana Gibson, Hillsdale; Alfred H. Hallenbeck, Hudson; David Hendler, Hudson; Mary Ann Knauss, Livingston; Assemblymen Clarence Lane, Windham; Daniel J. Langan, Kinderhook; Roger Miner, Hudson; Dr. Henry J. Noerling, Valatie; Louis A. Pierro, Hudson; John G. Sharpe, Germantown; Myrtie Tinklepaugh, Livingston; Charles Wilber, Ghent; Mr. and Mrs. Warren Zittel, Copake.

Making reservations with the Columbia County contingent to the \$150-a-plate dinner are Peter Ansell and Leonard F. Requa, Castleton.

Bob Hope will be master of ceremonies.

Governor Rockefeller will be a principal speaker and will give a luncheon Thursday for the state Republican executive committee.

HUDSON—Venemetti drawn today by Jury Commissioner James R. Oram of Clermont will see service at the trial of Michael Nero of Greenport if the murder indictment against him is tried at the June term of County Court.

Judge William F. Christiana has told Dist. Atty. Roger Miner and defense counsel that he wants the case tried at the June term if possible. The court said the defendant had been in jail since Feb. 7 and that he was entitled to a speedy trial. It may be that motions made in behalf of the

youth, including of Jolaine Greenport, will delay the fall term.

The panel of jurors directed to report to Christiana June 2.

Sixteen jurors, deferred the February term, also have been directed to appear June 2. They are:

- June D. Blake, East Chatham;
- Fred A. Cordes, Hillsdale;
- Josephine C. Dinardi, Hudson;
- Steven Ellsworth, Hudson;
- Christopher P. Fitting, Hudson;
- Shirley M. Gauthier, Hudson;
- Ralph E. Grossjeans, North Chatham;
- William

## City Man Gets 5 Yrs. Probation

HUDSON—Frederick Wise, Hudson, today pleaded guilty in County Court at Hudson to a charge of criminally selling a dangerous drug, a felony.

Judge William F. Christiana imposed probation for five years. The term is automatic on a felony conviction.

District Attorney Roger Miner represented the prosecution and attorney John Justice of Albany represented Wise.

Harry Doyle of Red Hook pleaded guilty to a charge of petty larceny and will be sentenced June 23. Miner appeared for the people and assistant public defender Russell Baller Jr. of Valatie represented the defendant.



# Statement Copy Denied Defense In Nero Case

HUDSON-County Judge William F. Christiana today refused to order Dist. Atty. Roger Miner to give defense counsel a copy of an alleged statement made Feb. 9 by Michael J. Nero, Greenport, in a State Police investigation into the death of Jolane Karic, 17, of Greenport.

In a decision filed with County Clerk Harold Leggett, Judge Christiana also declined to direct the prosecutor to divulge the exact time and place where the defendant, who is charged with the murder of his high school classmate at Livingston, was arrested, and by whom.

The demands were made in

two show cause orders argued in County Court May 8.

In a 10-page memorandum, Judge Christiana cited 35 federal and state court decisions and precedents in his findings.

Nero was represented by Thomas J. O'Connor Sr., of Troy, associated with E. Stewart Jones of Troy. Miner argued in opposition.

After indicating that certain specifications had been disposed of by agreement between counsel, Judge Christiana said regarding the defense counsel's demand for information:

D.A. "Resists" Me

The district attorney has

resisted furnishing this information pointing out that the Code of Criminal Procedure requires a bill of particulars to give the defendant and the court reasonable information as to the nature and character of the crime charged. The district attorney argues that the information demanded does not fall within that category."

The court continued: "It has been held that not every element of the crime need be furnished. It is enough if the defendant is sufficiently informed of the facts and circumstances to an extent which

Please turn to page A-2

## Man To Be Tried in Cattle Theft

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Dist. Atty. Roger Miner will prosecute at the trial and Assistant Public Defender Russell Baller Jr. of Valatie will represent Brightly.

Richard Whepley of Rensselaer, charged with violation of probation by Frank Appleton, director of probation, pleaded guilty. Judge Christiana sent him to the Columbia County jail for six months.

Others arraigned yesterday, all of whom pleaded innocent and had their cases adjourned to July 7, were:

Russell R. Lockenwitz, Philmont, under indictment for alleged burglary and grand larceny.

Edward P. Almstead, Hudson, charged with third degree grand larceny.

Louis Waddell Leis, Albany, charged with criminally possessing stolen property, operating a motor vehicle without insurance, operating an unregistered motor vehicle, unauthorized use of another's license, and unlicensed operator.

John Stephen Moore, charged with criminal possession of a dangerous drug.

Thomas Bleau, Chatham, third degree burglary and possession of burglar's tools.

Rudy Thomas Harrison, Philmont, charged with third degree burglary and third degree grand larceny.

John K. Godman, Hudson RD, third degree burglary.

Paul T. Loudon, Ghent, charged with third degree burglary and obscenity.



## The Man Pleads Amended Charge

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amended charge of third degree assault.  
Judge William F. Christiana signed an order directing Sheriff Dewey A. Lawrence to produce the man here after hospital authorities certified the defendant is sane. Hosehke was brought before the court yesterday.  
The defendant was represented by Public Defender Adolph Matties and Dist. Atty. Roger Miner represented the prosecution.  
Referring to the years the man has been incarcerated, Judge Christiana gave him a suspended term of one year in the county jail and placed him on probation for that period.  
The defendant plans to take up residence with his mother, who lives in Suffolk County.

The program is: Master of Ceremonies, Bernard Parsons; Bugle Call, "Assembly," George Jenkins; "Star Spangled Banner," Roeliff Jansen Band; Pledge of Allegiance led by John T. Gologowski; invocation, Rev. David Vogel; President Lincoln's "Gettysburgh Address," Miss Linda Svingala; "You're A Grand Old Flag," Band; address, Roger J. Miner; prayer, Rev. Frederick Musson; "In Flanders Field," Miss Beverly Parsons; "America The Beautiful," Band; Award of American Legion Trophy for Best Float; Salute, Rifle Squad of American Legion and VFW; Bugle Call, "Taps," Greg Gologowski and George Jenkins; benediction, Rev. David Vogel.  
Leonard Osborn will direct the Roeliff Jansen Central School Band.  
The Ancram Fire Company committee on arrangements consists of Bernard Parsons, James McKenny, Jim Millius and Charles Spaulding.

## Nero Trial Date May Be Set

7-69

HUDSON - Judge William F. Christiana next Monday may set a date for the County Court Murder trial of Michael J. Nero, 18 of Greenport.  
Nero is scheduled to go before Judge Christiana Monday. He is represented by E. Stewart Jones and Thomas O'Connor, both of Troy.  
He is accused of slaying Jolane Karic, 17, of Greenport, a high school classmate whose body was found Feb. 5 beside a highway in the Town of Livingston.  
It is possible that defense attorneys will endeavor Monday to ascertain whether Dist.

Atty. Miner intends to use at the trial any statement that Nero may have made to State Police, or anyone, while the girl's death was being investigated.  
If they are advised that an attempt will be made into using any alleged statement, defense counsel are expected to demand a Huntley hearing.  
A hearing of this nature is an inquiry into whether any statement attributed to a defendant was voluntarily given.  
It is not believed that Nero has been given a psychiatric examination, which order was granted by Judge Christiana on defense motion. A mental

examination was given the defendant on motion of  
  
The examination possible Huntley hearing require considerable time is a certainty that the trial not start for a few weeks possible Judge Christiana set a September trial date

## Nero on Trial For Murder In October

7/18/69

HUDSON - Trial has been set for Oct. 7 for Michael Joseph Nero, 18, of Greenport, charged with the Feb. 7 slaying of a high school classmate.  
The body of Miss Jolane Marie Karic, 17, the sister of a state trooper, was found in a ditch near Livingston. She had been stabbed and bludgeoned to death with a hammer.  
Judge William F. Christiana set trial Monday for 10 a.m. Oct. 7. He will preside. District Attorney Roger A. Miner will prosecute and Nero will be defended by E. Stewart Jones of Troy.

## Columbia Murder Trial Set

HUDSON - The murder trial of Michael Joseph Nero, 18 of Greenport is set to begin Oct. 7 in Columbia County Court before Judge William F. Christiana. Nero is charged with the Feb. 7 slaying of Jolane Marie Karic, 17 of Greenport, a high school classmate.  
Columbia County District Attorney Roger A. Minoer is prosecuting and Nero will be defended by E. Stewart Jones of Troy.  
Jolane Karic's body was found in a ditch after she had been stabbed and bludgeoned to death with a hammer. She was the sister of a state trooper.

## Battle The Trial To O

HUDSON - The trial of Brightly of Livingston is set to open today in court before County Court Judge William F. Christiana. The jury was adjourned at the request of Public Defender Adolph Matties. District Atty. Roger A. Miner represented the prosecution. Brightly is under indictment for grand larceny, burglary and petty larceny. The alleged theft of a car was committed in Livingston and Gallatin.



## Limit Case to Supreme Court

been released, on his own recognizance, was held in \$100 bail when arrested on the bench warrant. The \$100 bail was posted and the case adjourned to next Tuesday. The bench warrant was issued when Horowitz did not appear before Justice Boice Wednesday.

The defendant is represented by Atty. Michael LeSawyer. Dist. Atty. Roger appeared for

the prosecution.

LeSawyer said any action relative to a possible Supreme Court test would be determined after he had studied the information and the relating ordinance.

It is reported that the pond is privately owned and that Camp Pontiac owns about one-third of it. The camp has been in operation for many years.

## Miner To Head 52nd Tennis Matches

er Miner, well known attorney, has been named as chairman of the annual Columbia Championships. Bill Armstrong, Club president, is on the committee to assist him: Willis, Miss Allyn Rev. Raymond Heron, Greg Nancy Ketz, and

Bruce Huddleston.

The first committee meeting has been set for Thursday at the high school courts at 7:15.

This year's tournament will begin about the first of August, with competition in five events; men's singles, women's singles, men's doubles, women's doubles and mixed doubles.

Players wishing to enter should give their names to any member of the tournament committee, or to Richard Heron at the tennis courts. They may also attend the committee meeting on Thursday.

All play will adhere to the rules of the U. S. Lawn Tennis Association. Competitors must be residents of Columbia County, or members in good standing of the Hudson Tennis Club.

All matches except the finals may be scheduled on any courts in the county, at the convenience of the participants. Final matches will be scheduled by the committee at the Hudson High School courts.

## Marijuana Charge Disputed

HUDSON—A novel question of law arising on what occurred in a State Police car after a youth had signaled police for a "hitch" cropped up in a hearing demand yesterday by Public Defender Aldolph Matties of Hudson.

John S. Moore, 19, of Saranac Lake, is under indictment for alleged criminal possession of a dangerous drug in the 4th degree.

Matties seeks to have the alleged evidence, marijuana, suppressed on the ground it was unlawfully seized.

It is not questioned that Moore sought a ride in a State Police car driven by Trooper Frank Pesce March 4 on the

Taghkanic Parkway in the town of Chatham.

Moore was called to the witness chair by Atty. Matties. The defendant, and Pesce, who was called by Dist. Atty. Roger Miner, disagree on how the alleged evidence turned up.

The defendant claimed the policeman asked for identification, that he was producing it, and that the trooper reached into his clothing, Moore's, and took the alleged evidence.

Matties contends that the claimed evidence should be suppressed on the ground it was an illegal search and seizure. If the alleged seizure is suppressed, the charge would

collapse.

Pesce had a different version. He disclaims a search and seizure, in contending that when Moore was producing identification the alleged marijuana, a small amount, fell out of the defendant's pocket.

Matties contended that all Moore could be charged with was hitch-hiking, but Dist. Atty. Miner denied there was an illegal search.

Judge Christiana gave the public defender time to submit a memorandum on the legal question Matties raised, to be submitted prior to Sept. 8, when the court will hold its next formal session.

7/24/69

## Pond Speeding Case

ANCRAM—Melvin Horowitz, one of the operators of Camp Pontiac here, last night requested a one week adjournment for trial of a charge that he violated a town ordinance restricting speed of

boats on Rhoda Pond to five miles an hour.

Atty. Michael LeSawyer of Hudson moved for the postponement over objection by Dist. Atty. Roger Miner.

Justice Roy Boice Jr. ad-

journing the trial to July 29 to enable counsel to make motions and prepare for trial.

The defendant is not entitled to a jury trial and the case will be heard by Justice Boice.

One of LeSawyer's motions will urge dismissal of the charge, which he terms "unjustified and based on malice and spite."

Counsel said Camp Pontiac has been in operation for many years, has more than 400 campers and employes 100 persons, including a physician and three registered nurses.

Horowitz pleaded innocent and was released in \$100 bail.



# Man In Pond Speeding Case Suing For \$250,000

ANCRAM—Melvin Horowitz, one of the owners of Camp Pontiac here, fined \$50 last night for exceeding a lake speed limit will start a \$250,000 law suit against Columbia County and the Town of Ancram for alleged false arrest, his attorney said.

Atty. Michael LeSawyer of Hudson, counsel for the defendant also said an appeal could be taken to the County Court at Hudson from last night's verdict by Justice Roy Boice Jr. of Ancram.

The civil action, which will be undertaken by LeSawyer for Horowitz will be filed in State Supreme Court in Columbia County.

Horowitz was charged with violating a town ordinance that sets a maximum speed limit of five miles an hour on Rhoda Pond. A counselor at a nearby

counselor at a nearby camp testified last night that the speed required to pull a water skier is 18 miles an hour.

Deputy Sheriff Ted Chidester said he had observed the defendant driving around the pond in a boat pulling a water skier.

Town Clerk Kenneth Ham testified to the ordinance having been adopted by the town board.

When the Court was convened, LeSawyer said he had served notice of a motion he intended to make next week to suppress what he claimed as unlawful evidence. Dist. Atty. Robert Miner objected to a and Justice Boice denied an adjournment.

At the close of the prosecution testimony, LeSawyer rested his case without calling a witness. He argued Justice Boice had

no jurisdiction as the defendant was not formally arraigned on the charge. Miner contended that the court had automatically entered a plea of innocent for Horowitz. The court denies the motion for dismissal.

LeSawyer said the notice of appeal, and the interpleader would be filed shortly.

The Register

July, August 13, 1969

## Lake Speeding Trial Delayed

ANCRAM—A trial stemming from two boating charges was adjourned last night until Aug. 26.

Barry Ginsburg, 19, an employee of Camp Pontiac, has been charged with violating a speed limit on lower Rhoda Pond here, and failure to carry prescribed equipment on a public vessel. He is free on \$200 bail.

Town Justice Roy Boice Jr., said the adjournment was granted at the request of District Attorney Roger Miner,

who had another commitment.

Melvin Horowitz, one of the camp operators, was fined \$50 July 29 for allegedly violating the five miles an hour speed limit.

Horowitz has filed notice of appeal to the County Court and claims of \$250,000 for alleged false arrest have been filed against the Town of Ancram and the County of Columbia.

Law suits against the county and town will hinge on the appeal before County Judge William F. Christiana.



ROGER MINER. ...

### ... Miner

offered, starting Sept. 16 and ending Dec. 9.

All sessions will be held at the court house, starting at 7:30 p.m. The first hour will consist of lecture, followed by a half hour period for discussion and questions.

The agenda, released today by Miner lists:

Sept. 16, lecturer Miner, on "jurisdiction and arrest; warnings; stop and frisk."

Oct. 7 Asst. Dist. Atty. Charles Inman, on "drafting the information."

Oct. 21 Judge Harold Lieberman, "Search and Seizure."

Nov. 5, County Judge William F. Christiana, "trial procedure, evidence, confessions."

Nov. 18 Public Defender Adolph Matties "Common Crimes; narcotic offenses."

Dec. 9, Asst. Public Defender Russell Baller Jr. "Vehicle and Traffic Law and Procedure."

## Miner Sets Lectures On Laws

HUDSON—Because of changes in the law questions raised on appeals concerning evidence, counsel, confessions and other important factors, Dist. Atty. Roger Miner has arranged one of the most comprehensive programs ever projected in Columbia County to delve into many of the intricate issues today confronting law enforcement officers.

The project is entitled "Law For the Police Officer."

A series of lectures will be

Please turn to page A-2



## THE BINGO MAN

There's someone missing at the cashier's table  
Where's that guy who was so quick and able?  
Seems like Lodge Number 787  
Got this guy right out of heaven!

We see his shining face no longer,  
Even tho the crowd gets stronger and stronger,  
Though he gave out lots of money,  
His beautiful smile stayed bright and sunny!

He never liked to give away the whole pot,  
Made 'em take nickels and dimes, like it or not.  
Because he was always so hale and hearty,  
He allowed Bingo to go ahead of the Republican  
Party!

His figures were as straight as the Cliffs of  
Dover,  
Sometimes under, sometimes over,  
Somewhere out there is our man of wit,  
While someone else in his place doth sit,  
Someone else fills the money sack . . .  
Come back, ROGER MINER, come back!!!

## LAW FOR THE POLICE OFFICER

SPONSORED BY  
COLUMBIA COUNTY DISTRICT ATTORNEY'S OFFICE

All sessions to be held at the County Court House, Hudson, N.Y.

First hour will be lecture starting at 7:30 P.M. followed by a half hour period for discussion and answering questions. Panel to be composed of District Attorney, Assistant District Attorney and Lecturer.

September 16th:

LECTURER: ROGER J. MINER, DISTRICT ATTORNEY  
Jurisdiction and arrest; warnings; stop and frisk.

This session will cover jurisdiction of the courts, arraignment procedures; arrests with and without warrants; use of reasonable force; Miranda rule and reasonable suspicion for detention.

October 7th:

LECTURER: CHARLES E. INMAN, ASSISTANT DISTRICT ATTORNEY  
Drafting the Information.

This session will cover the necessary of  
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# Hearing On Alleged Nero Confession Thursday

HUDSON—A hearing into a confession allegedly made by Michael Nero, 19, who is under indictment on a murder charge, will begin tomorrow morning before County Judge William F. Christiana.

The law requires that the so-called Huntley hearing be closed to the press and public.

The decision by Judge Christiana as to whether any alleged confession was voluntary likely will not be made public until it is offered at the formal trial which opens Oct. 7 in County Court.

The hearing into the alleged confession was demanded by E. Stewart Jones and Thomas

O'Connor, both of Troy, who are defending Nero.

Nero is accused of the Feb. 5 death of Jolane Karic, 17, of Greenport, a Hudson High School classmate.

Her body was found beside a highway in the Town of Livingston.

Dist. Atty. Roger Miner will

appear for the prosecution tomorrow and Jones or O'Connor, possibly both, will represent the defendant. Nero must be in court at every proceeding.

The law automatically entitles Nero to the hearing. His attorneys, among other things, will make exhaustive inquiry

into the questioning of Nero at the State Police Station in Claverack.

Since it is not believed Nero was represented by counsel during his questioning, it is assumed emphasis will be placed on this point.

Counsel, in view of the prohibition, would not dis-

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## Nero Hearing Adjourned

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The Nero Hearing was demanded by E. Stewart Jones and Thomas O'Connor, both of Troy, when Dist. Atty. Roger Miner declared he intended to use an alleged confession at the trial which opens Oct. 7. Counsel had demanded that the prosecutor divulge whether he intended to use any alleged confession.

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It is assumed weight in the Huntley hearing will be placed on the voluntariness of the alleged statement, where it was obtained, whether the defendant was represented by counsel and was afforded all his constitutional rights.

## ... Hearing

a Dr. Friedman, an Albany psychiatrist, examined Nero at the county jail. He has been engaged by the defense and spent approximately two hours with young Nero. The defendant previously has been examined by psychiatrists for the prosecution.

No jury is required for tomorrow's hearing.

A panel of trial jurors will report to Judge Christiana Oct.

## Sexual Abuse Case Deferred

GREENPORT — The case of Donald E. Johnson, 65, of Lebanon Springs, charged by Claverack State Police BCI with first degree sexual abuse of a four-year-old girl Aug. 23, was deferred last evening pending a hearing Sept. 18.

The hearing was requested by Johnson, who was represented by Public Defender Adolph Matties, before Judge Richard Genzmer of Greenport. A psychiatric examination was ordered by District Attorney Roger Miner.

Johnson remains in Columbia County Jail in lieu of \$2,500 bail.



## Constables Attend Law Classes

turnout by 55 law officers, constables last night at the Court House in the first of six seminars dealing with law.

This was the first of six seminars to be presented on behalf of the Columbia County district attorney's office.

During his 90-minute talk, followed by a question and answer period, Miner touched on source of the law, code of criminal procedures, penal law, law of duress, arrest with and

without a warrant, citizen's arrest, resisting arrest, misdemeanor arrest, felony arrest, close pursuit, frisk, territorial jurisdiction of arrest, and arraignment.

With each topic, Miner presented an incident or situation where his audience could decide on the appropriate action to be taken.

Police agencies in attendance were: sheriff's deputies, State Police, Hudson Police, Chatham Police, Valatie Police and Philmont Police.

Miner was assisted by City Judge Harold Lieberman and Charles E. Inman, assistant district attorney.

The next meeting is scheduled for Oct. 7, Inman lecturing on "Drafting for Information."



**ATTENTIVE AUDIENCE LISTENS**-These law officers, constables and justices took part Tuesday night in a class on law sponsored by the district attorney's office. (Register Star Photo by Jerry Porreca)



**LECTURER**-District Attorney Roger Miner addresses law officers on aspects of law last night at the Court House in the first of six seminars dealing with law.



9/19/69

HUDSON - Michael Nero, 19, of Greenport, under indictment for murder, reportedly took the stand yesterday afternoon at the Huntley hearing demanded by defense counsel. He has pleaded innocent.

The nature of Nero's testimony was not revealed as the hearing is, by law, closed to the press and public.

However, it is a matter of record that counsel is inquiring into the voluntariness of an alleged confession made to State Police by the defendant.

It was likely that Atty. Thomas O'Connor, of Troy, who conducted the questioning yesterday for the defense, delved into all phases of police investigation in the Feb. 5 death of Jolane Karic, 17, of Greenport, and possible relation to the defendant's constitutional

rights. Testimony was not completed Thursday and County Judge William F. Christiana recessed the hearing until this afternoon. Completion is expected today.

Judge Christiana will not rule on the validity of the alleged confession until the trial of Nero, which will begin Oct. 7.

A panel of prospective jurors reports that day to Judge Christiana. Questioning of veniremen will be started as soon as the court has completed preliminary questioning to determine the availability of the panel for service during the October term.

Dist. Atty. Roger Miner will prosecute the indictment and Atty. O'Connor and E. Stewart Jones, also of Troy, will defend the Greenport youth.

Michael Nero, Greenport, charged with murder, County Court this morning where Huntley conducted to determine whether alleged confession of defendant will be admitted in evidence at trial Oct. 7. The decision will be made by Judge Christiana at the trial. Nero is charged with the death of Jolane Karic.

# Hearing Continued Today

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Troy who is associated with E. Stewart Jones for the defendant, was questioning witnesses on young Nero's behalf.

Atty. O'Connor is delving into circumstance under which the defendant made an alleged confession. He is inquiring into phases of the defendant's questioning at the Claverack State Police station and whether the alleged confession was a voluntary one and whether Nero's constitutional rights were violated.

The defendant is charged with the slaying last Feb. 5 of Jolane Karic, 17, of Greenport, whose body was discovered along a highway in Livingston.

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# Grand Jury To Study Lane Case

HUDSON—Donald Gordon Lane Sr., 28, of Dumbar Rd., Hudson RD, last night waived for grand jury action on his appearance before Justice Francis Keeler of Greenport on a charge of assaulting his 11-month old son, Donald Gordon Lane.

Lane, represented by Public Defender Adolph Matties, pleaded innocent and was returned to the county jail in lieu of \$2,000 bail. Dist Atty. Roger Miner represented the prosecution.

The child who was treated at Columbia Memorial Hospital, was temporarily placed in custody of the Columbia County Commissioner of Social Services and is in a foster home.

The father is charged with striking the youngster on the head.

In denying the charge, the defendant requested a hearing but decided to move the case to the grand jury. The next regular grand jury here will be organized for the November term of State Supreme Court.

# Austerlitz GOP To Hold Open Meeting

AUSTERLITZ—Austerlitz Republicans are invited to an open meeting tonight at 8 p.m. at the town hall.

The town's GOP candidates will be present. The gathering will be addressed by Columbia County Chairman John Sharpe. District Attorney Roger Miner is also scheduled to appear.

Those attending are asked to voice their opinions and suggestions on the forthcoming elections.



# Nero Trial Slated To Open Tomorrow; Quiz Jurors

HUDSON—The trial of Michael Nero, 19, charged with murder in the Feb. death of Jolane M. Karick, 17, a high school classmate, will begin at 2 p.m. tomorrow in the County Court.

This was determined after a panel of prospective jurors had been examined today by Judge William F. Christiana, who will preside.

Later today the court is scheduled to hear a motion by defense counsel for suppression of alleged evidence. Arguments

that evidence relating to articles taken from Nero's home be suppressed will be made by Thomas O'Connor of Troy. Opposing arguments will be made by Dist Atty. Roger Miner.

Atty. O'Connor contends the unidentified articles were illegally seized in violation of the 4th amendment.

O'Connor, who is public defender in Rensselaer County, was in Troy court earlier today representing a Mechanicville

youth in a slaying case.

In order to get the Nero Trial underway, Judge Christiana directed that O'Connor appear in Hudson at 2:30 this afternoon for arguments of suppression. The court evidently concluded that this afternoon and tomorrow morning will be sufficient period for the arguments and ordered the panel of prospective jurors to return here at 2 p.m., Tuesday.

After a preliminary remarks by Miner and O'Connor, the task of selecting 12 jurors and also alternate jurors will be launched.

The following offered excuses today why they would be unable to serve at this time and were deferred by the court to the January term:

George C. Speer, Hudson; Daniel F. Egan, Hudson; Gerald L. Foutch, Kinderhook; Gerald E. Fenoff, Hudson; Irene M. Boucher, Stuyvesant; Mabel M. Austin, Columbiaville; Pearl D. Fraleigh, Germantown; Leo F. Bell, Philmont; John F. Rose, Germantown; Frederick C. Black, Niverville; James M. White, Hudson; David Humphries, Ancram; Ernest Eichmann, Hillsdale; Glenn E.

Please turn to page A-2

## Illegal Seizure Home May Be

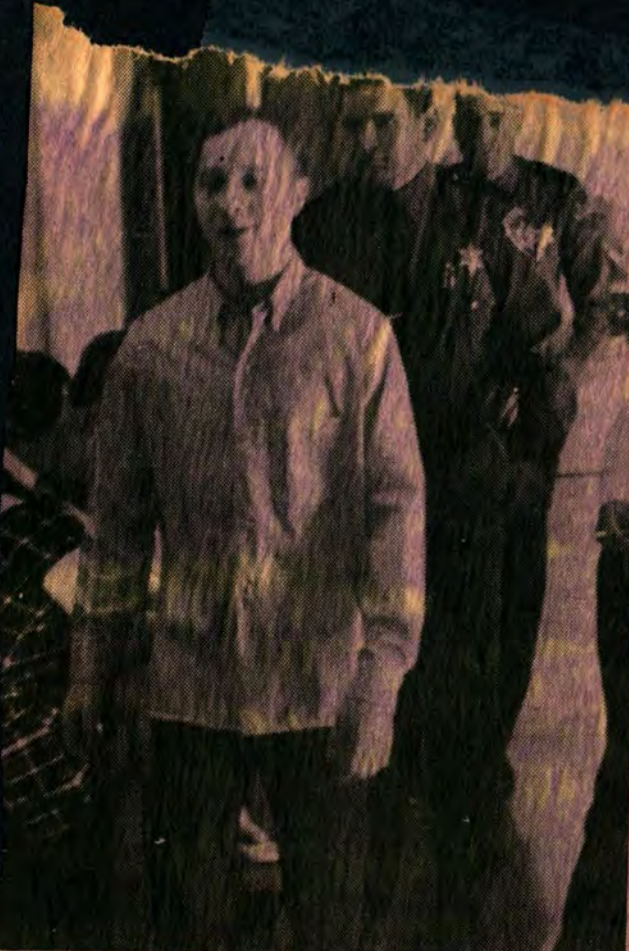
HUDSON—Arguments over alleged illegal seizure of articles from the home of Michael Nero, 19, Greenport, may delay the youth's murder trial one day, it was speculated today.

The trial of the high school student will begin Oct. 7 before County Judge William F. Christiana and a jury. He is

charged with the Feb. 5 death of Jolane Karic of Greenport, a classmate.

Notice has been received that a motion to suppress purported illegal evidence will be made before Judge Christiana Oct. 6. The notice was served today on Dist. Atty. Roger Miner, who will oppose the motion.





# Opens Nero Murder Trial

HUDSON--Each side will be given 20 peremptory challenges they were advised by Judge William F. Christiana as he prepared to open the murder trial this afternoon of Michael J. Nero, 19, of Greenport.

Challenges for cause, as rival attorneys buckled to the task of selecting 12 jurors and

alternate jurors, are unlimited. Dist. atty. Roger Minnerich is conducting the prosecution of the youthful defendant represented by E. Stewart Jones and Thomas O'Connell, both of Troy.

Nero, who has pleaded innocent, was arrested after a State Police investigation on Feb. 7, into the death of Jolane Karic, a 17-year-old classmate at Hudson High School.

The body of the girl, sister of a state trooper, was found beside a highway in Livingston.

It is anticipated the trial will last about a week. Both prosecution and defense have had psychiatric examinations made of the defendant.

Possible verdicts by the jury are acquittal, or conviction for murder, manslaughter first degree, manslaughter, second degree. Also possible is a jury unable to agree.

## Chatham Budget Down \$7,871

CHATHAM--Total appropriations for the town of Chatham 1970 budget will be down approximately \$7,871, according to the preliminary figures presented last night to the town board by Supervisor Maurice Arrighi.

The tax rate per thousand dollars of assessed valuation is expected to drop \$2.42 outside the village of Chatham.

this year is laid to a five per cent reduction in state aid across the board plus an additional \$500 put in the budget to aid the youth program.

A public hearing on the budget is scheduled Nov. 6.

In other business the board accepted with regret the resignation of Donald Wilder as town building inspector, but

**NERO TRIAL BEGINS** -- The trial of Michael Nero, 19, of Greenport, charged with murder in the death of Jolane M. Karic, 17, in February, began today at 2 p.m. Nero is shown (above) being escorted into court yesterday to a hearing on a motion by defense counsel for suppression of certain alleged evidence. Deputies David Roberts and James Blass escort Nero past spectators gathered outside the courtroom. (Register-Star Photo by Thomas Zindell)



TWO JURORS CHOSEN

## For Murder Trial

10/8/69

HUDSON — Two Columbia County residents, a man and a woman, were chosen Tuesday as the first panel members for the Nero murder trial jury.

During the first afternoon ses-

sion of jury selection, Harriet B. Hendrickson and Lloyd R. Kellerhouse were seated as members of the jury.

A total of 12 jurors plus alternates must be selected before Michael Joseph Nero, 18, of Greenport, can be tried for murder in the Feb. 7 slaying of Jolane Marie Karic, 17, of Hudson.

Miss Karis, the sister of a state trooper, and Nero were classmates at Hudson High School. Her body, beaten with a hammer and stabbed, was found in a ditch near Livingston.

District Attorney Roger A. Miner is presented the prosecution's case while Nero is being represented by Thomas O'Connor of Troy. Judge William F. Christiana is presiding at the county court trial.

## Nero Changes Plea To Guilty

10/9/69

Michael Joseph Nero, 18, the accused slayer of Jolane Marie Karic 17, of Hudson, who was beaten to death with a hammer and stabbed to death, after leaving a birthday party of one of her friends on February 6, changed his plea from "Not Guilty" to "Guilty" during Jury selection on Wednesday.

Seven Jury seats had been filled for the Greenport youth's trial when Defense Attorney E. Stewart Jones of Troy informed the court that Nero wished to change his plea.

County Court Judge William F. Christiana questioned Nero before accepting his plea, asking him if he was aware of the consequences of his admission and that no promises were being made concerning his sentencing.

Nero informed the judge that he was aware by answering yes to both questions. The judge then set the date for sentencing at Tuesday Oct. 14th.

Under the penal code, Nero can receive a sentence of from 15 years to life imprisonment.



# rial Motion<sup>10/8/69</sup> Denied

BY PIERRE L. DOLAN

HUDSON—Selection of a jury in the murder trial of Michael J. Nero, 19, of Greenport, continued today in County Court where an early motion for a mistrial was quickly denied yesterday.

Geraldine Lancto, a housewife of Red Hook RD 1, was being questioned by defense counsel Stewart Jones of Troy, when she said:

"I don't see how anyone reading the paper wouldn't feel that there was some guilt here."

Jones immediately moved for a mistrial. He declared:

"In view of the expression of one juror to the whole panel (of jurors) and to this court of such a nature, I ask for withdrawal of a juror and a mistrial upon the ground that the defendant has been totally prejudiced by such a remark in front of the whole panel."

County Judge William F. Christiana, presiding, denied the motion, but he excused the juror and admonished the panel of jurors they were to disregard any statement or version given by the prospective juror.

Only two jurors were accepted yesterday in an afternoon of constant questioning

individually (instead of filling the jury box with 12) and Dist. Atty. Roger Miner and Atty. Jones declared they were ready for trial.

The first name drawn by Court Clerk Harold D. Leggett of Ghent was Arthur J. Alger of Kinderhook RD, employed as a "tester." He was excused by consent when he said he "was employed with a Nero," not identified.

Ethel Agins, housewife, 12 Joslen Place, Hudson, said she knows Dist. Atty. Miner. Defense counsel objected, during Miner's questioning, to the word "victim" in reference to Miss Karic. The objection was sustained.

Mrs. Agins said she had read about the case in the Hudson Register-Star but had formed no opinion as to the guilt or innocence of the defendant. She knew of no reason why she

Please turn to page A-2

## Jurors Selected

### JURORS SELECTED

1-Harriet B. Hendrickson, housewife, Craryville RD 1.

2-Lloyd R. Kellerhouse, retired chauffeur, Elizaville.

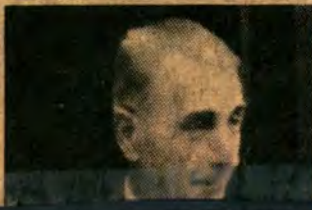
3-Thelma L. Carman, housewife, Box 157, Kinderhook.

4-George W. Dunbar, retired, Hudson, RD 1.

5-Harold W. Ray, Ghent R.D.

6-Elbert H. Thomas, Radiographic Technician, Lebanon Springs.

7-Ernest Rilke, mechanic, 37 Locust St, Chatham.





# s Nero Case Released

tiana for a search of the Home. indicated yesterday in The ster-Star, anohter important r in the prosecution was the defendant was found be legally sane by niatrists for both the People the defense. Briefly, this ns they did not find the ndant in such a mental e as to be incapable of sting his attorneys in aring a possible defense at

a trial. The affidavit by Potts sets forth his application for a search of the youth's home to locate a dark colored jacket, tan or brown pants, loafer shoes, a tool or instrument capable of being used as a bludgeon, and a tool or instrument capable of causing puncture wounds. Potts investigation revealed that the girl had attended a party at Janie's Snack Shoppe, 438 Warren St., Hudson.

Potts shed light on some of his leads to the arrest of Nero. His affidavit in the application for a search warrant said: "It appears from the attached affidavit of Thomas Keeler (Hudson RD) that Jolane Marie Karic left the party at Janie's Snack Shoppe at about 10:30 p.m., at which time she immediately entered a maroon station wagon which he believed to have been operated by Michael Nero. My subsequent

investigation included an interview with Andrea Marie DeCrosta (Hudson RD), whose affidavit is attached hereto." The affidavit continued: "At about 11 p.m., Andrea Marie DeCrosta observed the station wagon operated by Michael Nero with Jolane Marie Karic as a passenger stopped at the intersection of Union St., and Worth Ave., in Hudson. Jolane Marie Karic appeared to be upset and

crying. Andrea Marie DeCrosta proceeded past the intersection and continued out Route 9 followed by the station wagon driven by Michael Nero. According to DeCrosta, the station wagon upon arriving at the Buckley's Corner intersection, turned off onto the road leading to the gravel bank, County Route 31. "According to my (Potts) investigation, this is the last time the said Jolane Marie Karic was seen alive."

"Earlier in Feb. 7, 1960 seen wearing jacket, tan loafer shoes affidavit of J. (Hudson). Potts r invest interviews age fric including investiga

# Register



# ST

Vol. 16 No. 49

Hudson, Columbia County, N.Y. 12534

Thursday, October 9, 1969



Save this  
Case - Very  
famous local  
Case -

Leonore Coons  
later wrote to RDM  
to thank him for  
helping her to turn  
her life around -

25 yrs in Jail ?



Time for argument:  
30 Minutes.

To be argued by:  
Thomas J. O'Connor, Sr.  
Troy, N.Y.

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NEW YORK SUPREME COURT  
APPELLATE DIVISION - THIRD DEPARTMENT

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THE PEOPLE OF THE STATE OF NEW YORK,

Respondent,

against

LEONORE EMMA COONS,

Defendant-Appellant.

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DEFENDANT-APPELLANT'S BRIEF.

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RAPPORT & RAPPORT  
Attorneys for Defendant-Appellant  
Office & Post Office Address  
434 Union Street  
Hudson, New York 12534

THOMAS J. O'CONNOR, SR.  
of Counsel and on the  
Brief.



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Point I      The findings of the pre-trial Hearing Judge that the alleged oral inculpatory state- ments by the Defendant-Appellant to Trooper Conway and to Investigator Brenzel at the home of the deceased; were voluntary be- yond a reasonable doubt, and therefore admissible, presents constitutional error, mandating a new trial. . . . .	12
Point II     If the statement in the Hearing Court's opinion that "I do not believe quotations or spontaneous statements made to an individual in response to casual questions not directed to any particular individual are within the purview of the decisions" (Supp. H. Opinion - 6) is intended to re- flect a relevant finding of fact as to the admissibility of Defendant-Appellant's inculpatory oral admissions to Conway and Brenzel, then the Defendant-Appellant res- pectfully controverts it as reversible constitutional error, mandating a new trial...	18
Point III    The in-custodial interrogation of the De- fendant-Appellant by Investigator Potts after her arrest, and in his office at the New York State Police Claverack Sub- station was conducted by him in violation	



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of her Fifth and Sixth Amendment privileges, and provides additional constitutional error, mandating a new trial. . . . .	23
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The Court below in its charge to the jury, failed to adequately discharge its duty to clearly summarize admissible evidence most favorable to the Defendant-Appellant. Thus, irrevocable, reversible error, mandating a new trial is presented by the inadequate, unclear, incomplete portions of the Trial Court's charge as to the Defendant-Appellant's statutory right to shoot Coons in defense of her person under the circumstances existing in his yard on August 24, 1968. . . . .	27
Point V.	
In the event that this Court arrives at a determination that a reversal and a new trial is not warranted by the arguments hereinbefore presented on behalf of the Defendant-Appellant, then, and in that event only, it is respectfully urged under the authority of Section 543, Subd. 2 of the Code of Criminal Procedure, that the judgment of the Court below convicting her of Murder in violation of Section 125.25 of the Penal Law should be modified by this Court so as to become a judgment of conviction of Manslaughter in the First Degree, and as such corrected by appropriate re-sentencing.. . . .	31



QUESTIONS PRESENTED

- I. Were the oral inculpatory admissions alleged to have been elicited from the defendant-appellant at the Coons home on Pheasant Road, Copake, Columbia County, N.Y., first, by Trooper Conway, and secondly, by B.C.I. Investigator Brenzel, obtained by them on August 24, 1968, in contravention of the constitutional imperatives established by the United States Supreme Court in *MIRANDA v. ARIZONA*, 384 U. S. 436.
  
- II. Was the oral inculpatory statement subsequently alleged to have been elicited from the defendant-appellant after her arrest at the New York State Police Sub-station in Claverack, Columbia County, N.Y., by B.C.I. Investigator Potts on August 24, 1968, obtained in violation of her Fifth and Sixth Amendment privileges.
  
- III. Were portions of the Trial Court's summary of the evidence as to the statutory right of the defendant-appellant to defend herself, in the manner she did so, so unclear as to present reversible error.
  
- IV. Should the judgment of conviction in the Court below be modified under the provisions of Section 543, Subd. 2 of the Code of Criminal Procedure, so as to become a judgment of conviction of Manslaughter in the First Degree.



## NEW YORK SUPREME COURT

APPELLATE DIVISION

THIRD DEPARTMENT

---

 THE PEOPLE OF THE STATE OF NEW YORK,

Respondent,

against

LEONORE EMMA COONS,

Defendant -Appellant.

---

 DEFENDANT-APPELLANT'S BRIEF.
 

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FACTUAL RESUMEA. PRELIMINARY FACTUAL RESUME

LEONORE EMMA COONS, the defendant-appellant, married KEN COONS on March 25, 1962, after a six months courtship. She was then nineteen years of age and he was then fifty-one years old. (R. 156-204). One child, LYNN COONS, was born on April 28, 1963, as the sole issue of their marriage. (R. 157). Coons had previously sired two children out of wedlock, who were prosecution witnesses at the trial (R. 176, 204; Vicki Coons, R. 8 through 12; Ken Coons, Jr., R. 25 through 44). He had also previously married two women, who were childless by him. (R. 175, 176).

- 
1. "Supp.H." will be availed of throughout this brief when reference is made to testimony at the pre-trial suppression hearing. The letter "R" is similarly intended to reflect trial testimony.



Their marriage was a tempestuous union from its inception. The thirty-two year variance in their ages most certainly was a factor contributing to their troubled marital relationship. So was the demonstrable assaultive propensities of Coons, (R. 165, 166, 168, 172, 173, 265, 266, 274, 275), who on one occasion,<sup>2.</sup> when he was being arraigned before Justice of the Peace Evert Shadic of Hillsdale, Columbia County, N.Y., on an information sworn to by the defendant-appellant and charging him with Assault, threatened to kill her, in the presence of the Court and N. Y. State Trooper Rossman (R. 277). So was his temper (R. 194, 200, 201, 202, 257), which a former employer unhesitatingly characterized at the trial as being "a very violent temper". (R. 261).

Coons and the defendant-appellant finally separated permanently in May 1968 (R. 162) after continuous arguments all through the Spring of that year (R. 159). This permanent estrangement had been preceded by two legal separations and other temporary separations and subsequent reconciliations commencing in the month of April, 1963. (R. 158-159). Actually, in May, 1968, Coons ordered the defendant-appellant to "get out, but don't think you're taking the baby," (R. 161), and she then went to live in a trailer on her parent's property in Hillsdale,

---

2. July 28, 1968 - about one month before the shooting.



Columbia County, N.Y. (R. 160). However, she managed to see her five year old daughter, Lynn, daily at the home of a baby-sitter. (R. 162).

B. FACTUAL RESUME OF EVENTS ON AUGUST 24, 1968 PRIOR TO THE DEFENDANT'S ARREST.

The defendant-appellant had planned to pick up her daughter Lynn at the Coons' residence, which was on Pheasant Lane in the Town of Copake, Columbia County, N.Y., on Saturday August 17, 1968, so that she could take her to the Catskill Game Farm on the next day, which would have been Sunday, August 18, 1968. A boating-accident death in her brother's family prevented this contemplated outing (R. 179), and Mrs. Coons was given to understand that she could take Lynn to the Game Farm on Sunday, August 25, 1968 after getting permission to pick her up on Saturday, August 24, 1968, at 7:00 o'clock in the evening (R. 180). She accordingly left, with her parents in their automobile from her place of residence at about 7:10 o'clock, P.M. on that day, and proceeded to the home of her estranged husband. Her father, Peter Stalker, was intoxicated and her mother had been drinking, so she insisted upon driving their car. (R. 180, 181). Upon arriving at the driveway leading to the Coons' cottage at about 7:30 o'clock, P.M., she parked the car about 70 feet from its concrete front stoop steps, where she observed Coons was sitting with Lynn and Lynn's half-brother, Ken Coons, Jr.,



reading a newspaper. (Supp. H. 14). She and her father alighted from the automobile and started walking towards the cottage. Her mother remained in the car. (R. 184, 185). A violent oral argument commenced (R. 94, 95), when Coons refused to let Lynn go with her mother. When Lynn was picked up by the defendant-appellant, Coons wrenched her from the defendant's arms and ordered the child into the house. (R. 186).

Although there are some discrepancies between the trial testimony of the infant-prosecution witnesses, Vicki Coons and Ken Coons, Jr., and the defendant-appellant's trial testimony as to the sequence of happenings after the defendant-appellant and her father left the automobile and approached Coons, there is uniquely relevant prosecutorial corroboration of the fact that Coons knocked her to the ground minutes before the shooting. (Ken Coons, Jr., R. 32; John Joe Minella, R. 138). She testified without contradiction that this unprovoked assault caused the wind to be knocked out of her, and that she fell on her back, head and arm, and injured her elbow. (R. 187, 243, 251). She remained prone, on the ground, as her father and Coons then started fighting and rolling on the ground. (R. 187, 243). As they struggled for about two minutes (R. 245), the defendant-appellant's mother ran from the automobile hysterical (R. 186), and handed her a pistol. (R. 39). At this moment Coons started



to walk towards her, looking straight at her, with a long, hooked iron pipe, (which the State Police subsequently took into their possession - R. 87, 88), held in his hands in a swinging manner, which when demonstrated at the trial by Mrs. Coons was characterized by the trial court as "demonstrating that the object is being held in the nature of a baseball bat with the right hand being held higher than the left hand." (R. 189). As she remained in a sitting position on the ground, she screamed, "Ken, please don't." Coons took another step towards her with the long, hooked iron pipe in a swinging position in his hands, and the defendant, still on the ground in a sitting position, injured as a result of being knocked down by Coons (R. 187), and mindful of previous beatings (R. 165, 166, 168, 172, 173, 265, 266, 274, 275), fired two shots at him (R. 190) at a time when he had narrowed the distance between them to about five feet (Dr. Bellamy, R-44). Coons took one more step towards her, turned and ran into the house through the kitchen, collapsed on the kitchen floor and died. (R. 191). The defendant-appellant called the telephone operator and after telling her to send an ambulance also requested her to notify the State Police. (R. 192). There was prosecutorial testimony from Dr. Joseph Bellamy, a pathologist, that the path of the bullet which entered the center of Mr. Coons' chest indicated that he was "bending forward" (R. 49),



as he walked toward the sitting defendant-appellant, about five feet distant from her immobilized sitting position, swinging the long, hooked iron pipe like a baseball bat. Within a month preceding this happening, Coons had threatened to beat the defendant-appellant's brains in. (R. 201). A week before he had threatened her in the following words: "I will mar your face. I'll beat you and mar your face until nobody will look at you again." (R. 202).

C. RESUME OF EVENTS IMMEDIATELY PRIOR TO  
AND IMMEDIATELY SUBSEQUENT TO THE ARREST  
OF THE DEFENDANT ON AUGUST 24, 1968.

On August 24, 1968, State Trooper William R. Blackie, then functioning as desk officer at the Claverack, Columbia County, New York State Police Substation, received telephonic information that one Kenneth Coons had been shot at his residence on Pheasant Road in the Town of Copake (Supp. H. 3-4; R. 56, 106). Within a matter of minutes he dispatched Trooper Brian Conway and BCI Investigator R. T. Brenzel to the Coons home. (R. 57). It must be presumed that they, at this very moment, were informed by Blackie that there had been a fatality at the Coons residence. Conway, in uniform, (Supp. H. 12) and therefore presumably armed, was the first of the two law enforcement officers to arrive at about 7:40 P.M. (Supp. H. 10) in a New York State official police car. (Supp. H. 12). He was first met in the yard by the defendant-appellant's father, Peter Stalker, and then entered the kitchen



where he observed Kenneth Coons lying face down on the floor, apparently dead. (Supp. H. 16; R. 65). A standard 22 cal. nine shot revolver, the chamber of which contained seven live rounds and two spent rounds was resting on the kitchen table. (R. 65, 66). The defendant-appellant and her mother, Winnie Stalker, were also present in the kitchen. (R. 65). Without advising either of their rights (Supp. H. 12) and as he knelt beside the body of Coons, Trooper Conway asked this question: "What happened to him"?, or "Who shot him?" (Supp. H. 10). The defendant-appellant immediately gave him oral inculpatory answers. (Supp. H. 11-12; R. 70).

Investigator Benzel arrived at the Coons residence about two minutes (7:42 o'clock P.M.) after the arrival of Conway, and met Conway outside of the house and in the driveway (R 74). At the pre-trial Huntley Hearing, Conway testified under oath that Brenzel was not present when the defendant-appellant made the oral inculpatory admission to him, within two minutes after his 7:40 P.M. arrival and in answer to his "What happened to him?" interrogatory and/or his "Who shot him?" interrogatory, (Supp. H. 11, 13), and did give further sworn testimony that she did not make any additional, inculpatory statements in his presence (Supp. H. 14) during the several hours they remained at the Coons home, and before she was arrested. (Supp. H. 13, 16). It further appears that she remained in Brenzel's presence continuously during that several



hour house detention period. (Supp. H. 15). However, Brenzel gave ~~irreconcilable~~ sworn Suppression Hearing testimony (Supp. H. 22) and sworn trial testimony that at a time when he was kneeling down over the body of Coons attempting to get a heart beat, he asked, without prefacing his question with the Miranda warnings, "Who did this?" and the defendant-appellant replied, "I did" (R 75, 76, 77, 78). Brenzel further testified that he then placed her under arrest, handcuffed her and advised her of her constitutional rights for the first time after he arrested her, (Supp. H. 15; R. 76, 77), whereupon the defendant-appellant immediately, and significantly, told him that she didn't want to talk about the matter. (R. 78). Everyone remained at the Coons home for two hours before the defendant-appellant was arrested, (Supp. H. 14) and she remained in Brenzel's presence at all of this time. (Supp. H. 14).

At approximately 9:00 P.M. two uniformed troopers transported Mrs. Coons, then handcuffed and under arrest, (Supp. H. 35) to the Claverack, N.Y. State Police Substation. She was immediately taken to the private office of New York State Police BCI Investigator Potts, for further interrogation. She and Potts remained alone in his office from 9:10 P.M. (R. 109) for almost two hours (Supp. H. 44; R. 116), although District Attorney Minor was present during part of the conversation. (Supp. H. 48). Her



mother and father were also at the substation, but were not permitted to see her, presumably because her mother had reminded her many times, not to make a statement" while everyone was at the Coons' home. (Supp. H. 29). Potts testified that he advised the defendant of her constitutional rights at the inception of this period of custodial interrogation and after Brenzel had arrested her, and attempted to spell out a knowing and intelligent waiver of these rights, by the defendant-appellant, then being detained by him, incommunicado, as an immobilized and arrested accused, by testifying that "she did not want an attorney at that time, but at a later time," (Supp. H. 37; R. 117), and that "she would not now sign any statement" and "that she would like to have the services of an attorney" (Supp. H. 37-42; R. 117), whereupon, he further testified, the interrogation ceased. (R. 118). However, in the intervening hours, he had succeeded in extracting oral, inculpatory statements from the defendant-appellant, despite his uncontradicted testimony that the last fifteen minutes of his in-custodial interrogation was conducted with knowledge on his part that an attorney named Michael LeSawyer was present in the State Police Substation (Supp. Hearing Opinion 8 - 9; R. 120) and that when he finished the "interview" at about 11:00 P.M. he saw Attorney LeSawyer talking with the defendant-appellant's mother down the hall and in the interior of the State Police Substation. After the "interview" was completed, and only then, was Attorney LeSawyer permitted



to talk with the defendant-appellant in Investigator Pott's office for about thirty minutes (Supp. H. 44, 45).



POINT I.

THE FINDINGS OF THE PRE-TRIAL HEARING JUDGE THAT THE ALLEGED ORAL INCULPATORY STATEMENTS BY THE DEFENDANT-APPELLANT TO TROOPER CONWAY AND TO INVESTIGATOR BRENZEL AT THE HOME OF THE DECEASED, WERE VOLUNTARY BEYOND A REASONABLE DOUBT, AND THEREFORE ADMISSIBLE, PRESENTS CONSTITUTIONAL ERROR, MANDATING A NEW TRIAL.

It is undisputed that at approximately 7:30 P.M. on August 24, 1968, the State Police personnel at the Claverack, Columbia County, N.Y. Substation were notified that there had been a shooting fatality at the Ken Coons cottage on Pheasant Road, Copake, N.Y. Prosecution witness Sylvia Kent Weiss testified that after she heard Lynn Coons say: "Daddy is lying on the floor covered with blood" (R. 105) she telephoned the Substation to report this fact, and that she received this answer from the Trooper-Dispatcher: "Yes, we know. Someone will be right out." (R. 105). It is certainly within the realm of reasonable certitude that this was the factual situation imparted to Trooper Conway and Investigator Brenzel, by Dispatcher Blackie when he ordered each of them to proceed separately to the scene of the fatality. This would seem to be abundantly clear and demonstrable from Brenzel's testimony that before entering the Coons place he was met in the driveway by Conway and "he advised me there had been a shooting." (Supp.H. 22).



Although the record is silent as to this fact, it is common knowledge that all members of the New York State Police Department are instructed as a matter of departmental investigative procedure to treat every death as a homicide until the contrary has been established. Yet the Hearing Judge, found as a fact, that Trooper Conway's "What happened to him" and/or "Who shot him" interrogatory, poised shortly after Dispatcher Blackie ordered him to investigate a shooting at the Coons home, (Supp. H. 11), and voiced by him immediately after he entered the premises, and immediately after his probing as to Coons pulse reaction with negative results, while kneeling by his prostrate, lifeless body, (Supp. H. 11), in full view of a standard 22 cal. revolver then resting on the kitchen table (Supp. H. 23) was constitutionally permissible, despite the conceded failure of Trooper Conway to advise any of the three immobilized possible homicidal suspects then present in the kitchen of their constitutional rights.

The phrase "three possible homicidal" suspects is used advisedly, since it must be assumed that Trooper Conway and Investigator Brenzel as Claverack State Police Substation personnel must have known from the standard New York State arrest sheet and other Claverack Substation records of the beating which impelled the defendant-appellant to cause the arrest of Ken Coons by Trooper Rossman, also of the Claverack Substation, on an



assault warrant of arrest issued by Justice of the Peace Shadic less than a month before the shooting. (R. 275, 276). They most certainly knew that Pete and Winnie Stalker, the other individuals present in the kitchen with Mrs. Coons and her dead husband, when they began to interrogate were not present in the role of morbidly curious wayfarers and on-lookers, as distinguished from the parents of a 27 year old daughter whom the deceased had assaulted on three separate occasions within the preceding three months. (R. 165,166, 168, 172, 173).

A similar factual finding of admissibility as to Mrs. Coons inculpatory oral answer to Investigator Brenzel's "Who did this" question as he was kneeling along the body of the deceased (Supp. H. 22) and before he placed her under arrest and "made her fully aware of her rights", (Supp. H. 23), is also constitutionally repugnant. It is, therefore, respectfully urged that each of these pre-trial factual bench findings of admissibility present errors of constitutional dimensions, mandating a new trial.

MIRANDA v. ARIZONA, 384 U. S. 436.  
PEOPLE v. RODNEY P., 21 N.Y. 2d 1.  
OROZCO v. TEXAS, 394 U. S. 436.  
PEOPLE v. PAULIN, 33 A. D. 2d 105;  
aff'd. 25 N.Y. 2d 445.

It is further respectfully urged by the defendant-appellant that the MIRANDA-RODNEY-ORZCO-PAULIN doctrine mandates



that an estranged partner of bitter marital separation, standing in the very presence of her deceased husband, then known by law enforcement officers to have been the victim of fatal pistol shots, and who was from that moment in the continuing presence of two armed State Policemen, one in full uniform, should have been advised of her constitutional rights prior to Conway's "What happened?" interrogatory and/or to his "Who shot him?" question, and not immediately after them.

"Where a law enforcement officer confronts a suspect whom he reasonably believes to be the person he intends to arrest, a custodial situation requiring appropriate warnings exists from that moment on, even though the subject is formally placed under arrest subsequent to the initial confrontation."

UNITED STATES v. PHIFER, 5 Cr. L. 2391,  
U. S. Ct. Mil. App. 8/15/69.

"The opinion of the Chief Justice in the Miranda case requires that the warnings must be given prior to any interrogation, and that there be an express waiver."

PEOPLE v. KESSLER, 53 Misc. 2d 268, 270.

The decision of the New York State Court of Appeals in PEOPLE v. RODNEY P., 21 N.Y. 2d. 1 does not justify the admissibility finding of the Hearing Court that in the kitchen of the Coons home on August 24, 1968, at the time Conway and Benzel questioned Mrs. Coons and extracted inculpatory admissions from



her "some form of detention or control by the police officers" did not prevail (Supp. H. Opinion 6), nor "had the defendant been subjected to the control of the authorities" (Supp. H. Opinion 7). In holding that "an examination of the circumstances and the atmosphere in which the interrogation takes place is essential to a determination of whether a person has been deprived of his freedom in any significant way (21 N.Y. 2d 1 at 6-7), the Court of Appeals ruled in that case that a Miranda-type "in-custodial detention" occurs "if a suspect is physically deprived of his freedom of action in any significant way, or is led to believe, as a reasonable person, that he is so deprived." (21 N.Y. 2d. 1 at 9). The Court further held that this test is the most reasonable rule that could be promulgated in determining what is, and what is not, "in-custodial detention" where a suspect has not been formally arrested and taken into police custody, since "it is not solely dependent either on the self-serving declarations of the police officers or the defendant, nor does it place upon the police the burden of anticipating the frailties or idiosyncrasies of every person whom they question (21 N.Y. 2d. 1 at 9-10)." Mrs. Coons, facing an armed State Policeman, a few feet distant from the body of her dead husband, whom she knew she had shot as he approached her swinging a long, hooked iron pole from a distance of five feet, as she remained grounded



from his unprovoked prior assault, was clearly a person who was physically deprived of her freedom of action in a significant way, and one who believed under the existing circumstances as a reasonable person that she was so deprived within the purview of "Rodney P." before Conway asked his question.



POINT II.

IF THE STATEMENT IN THE HEARING COURT'S OPINION THAT "I DO NOT BELIEVE QUOTATIONS OR SPONTANEOUS STATEMENTS MADE TO AN INDIVIDUAL IN RESPONSE TO CASUAL QUESTIONS NOT DIRECTED TO ANY PARTICULAR INDIVIDUAL ARE WITHIN THE PURVIEW OF THE DECISIONS" (SUPP. H. OPINION -6) IS INTENDED TO REFLECT A RELEVANT FINDING OF FACT AS TO THE ADMISSIBILITY OF DEFENDANT-APPELLANT'S INCULPATORY ORAL ADMISSIONS TO CONWAY AND BRENZEL, THEN THE DEFENDANT-APPELLANT RESPECTFULLY CON-TROVERTS IT AS REVERSIBLE CONSTITUTIONAL ERROR, MANDATING A NEW TRIAL.

The only true volunteered confession is a threshold statement made before interrogation. The authorities collated by Judge Breitel in PEOPLE v. TORRES, 21 N.Y. 2d 49, establishes this beyond contradiction. Thus, in correctly holding that "absent interrogation" (21 N.Y. 2d 49, 55) truly voluntary or spontaneous statements are admissible, he nevertheless cites the following authorities in a scholarly review of the problem, from which the following significant and relevant verbiage has been excised by the defendant-appellant:

- (1) PITTMAN v. UNITED STATES, 9th C.C.A., June 21, 1967 380 Fed. 2d 368: "The record shows that the appellant's statements were spontaneous, and were made by him before any questions were asked and were entirely voluntary on his part" (p. 370).
- (2) BALLAY v. PEOPLE, Sup. Ct., Colorado, August 8, 1966, 416 P. 2d 446: "Following the shooting the defendant was placed in custody and taken to police headquarters where without questioning he told his story to the police" (p. 447).



- (3) UNITED STATES v. DUKE, 368 F. 2d 355: "Defendant was placed in a prowl car after his arrest \*\*\*. On the way to the station house he voluntarily stated: 'You've got me tight. What can I do to help myself'" (p. 358).
- (4) PEOPLE v. KENNEY, 53 Misc. 21, 527: "The statement made by the defendant to Detective Roberts, while he was entering the police station was made voluntarily, spontaneously, and without interrogation. \*\*\* Such statement voluntarily made by the defendant, not in response to police questioning, is admissible" (p. 527).
- (5) UNITED STATES v. CRUZ, 265 F. Supp. 15: "Before he had been given the Miranda warnings the defendant blurted out" (p. 20).

In TORRES it is also abundantly clear that the challenged inculpatory statement was made after a search warrant was exhibited to the defendant by the arresting officer, "but before he had asked any questions of the defendant, let alone informed him of the so-called Miranda rights" (p. 53). Judge Breitel buttresses this significant and distinguishing feature of TORRES insofar as the instant prosecution is concerned when he writes, "that the important point is that the defendant was never questioned; rather, he volunteered the whereabouts of the contraband before the officer had asked any questions (providing that he intended to do so)" (p. 54).

The recent opinions of the Court of Appeals in PEOPLE v. McKIE, 25 N.Y. 2d 19 and PEOPLE v. KAYE, 25 N.Y. 2d 139, lend further justification for the defendant-appellant's position



regarding the error of the Hearing Judge in attributing an element of spontaniety to the defendant- appellant's inculpatory admissions to Conway and Brenzel.

McKie unquestionably involved non-custodial police interrogation on a public street after the defendant had "initiated the verbal duel, not the police" (p. 28) by spontaneously volunteering self-incriminating words. The factual narrative in Judge Scileppi's prevailing opinion explicitly precludes any possible application in that case of the constitutional imperatives encompassed within the ambit of the MIRANDA-RODNEY P.-OROZCO-PAULIN theme:

"In the instant case it was found at the Huntley Hearing - and we agree - that at the time the defendant blurted out the admission 'I did, but you guys can't prove it' -- he was neither in custody nor deprived of his freedom in any significant way. Nor can it be said that as a 'reasonable man' defendant could have believed that he was so deprived (see PEOPLE v. RODNEY P. (Anonymous), 21 N.Y. 2d 1). \*\*\* Significantly, it was the defendant who initiated the verbal duel not the police. He simply should have walked away when he saw them, but instead he approached the car and started the conversation. It was the defendant who commenced the verbal attack upon Patrolman Monroe and it may be fairly said that the admission which resulted from the argument was the product of the defendant's own bravado."

PEOPLE v. McKIE (supra) at page 28.

The favorable admissibility ruling by the Court of Appeals



in the KAYE case was likewise predicated upon "a spontaneous oral confession" (p. 143) which was described as the act of an accused person who "was rational and coherent at the time he volunteered this confession." In striking contrast, prosecutorial proof was offered in this case at the pre-trial suppression hearing that as Mrs. Coons walked up to the house before the shooting she was "intoxicated, I guess" (Prosecution Witness Vicki Coons, R. 15) and that when Conway arrived, and before he questioned her "she seemed disturbed, in sort of shock, but not in a hysterical way --- dazed" (Prosecution Witness Brenzel, R.86).

The record irrevocably negatives the possibility of any evidentiary justification for the paragraph in the Hearing Judge's Opinion respecting "quotations or spontaneous statements to an individual in response to casual questions." (Hearing Court Opinion, p. 6). The interrogations by Conway prior to Miranda admonitions, in the presence of a dead husband in the kitchen of his home and an estranged "disturbed", "dazed" wife (R.71) and her intoxicated father and mother phrased in the words: "Who shot him?" (Supp. H. 11) certainly was a singularly explicit homicidal inquiry by a law enforcement officer to an individual who had been led to believe, as a reasonable person in view of existing circumstances, that she was being deprived of her freedom of action



in a significant way. Pre-Miranda queries by Brenzel in the form of "Who did this?" (R. 75) at a time when he was kneeling over Ken Coons' dead body were also constitutionally improvident and impermissible, under the circumstances then and there existing in the Coons kitchen on August 24, 1968. If there was one legal factor definitely lacking in the kitchen of the Coons home at approximately 7:40 o'clock, P.M. on August 24, 1968, it was casualness.



POINT III.

THE IN-CUSTODIAL INTERROGATION OF THE DEFENDANT-APPELLANT BY INVESTIGATOR POTTS AFTER HER ARREST AND IN HIS OFFICE AT THE NEW YORK STATE POLICE CLAVERACK SUB-STATION WAS CONDUCTED BY HIM IN VIOLATION OF HER FIFTH AND SIXTH AMENDMENT PRIVILEGES, AND PROVIDES ADDITIONAL CONSTITUTIONAL ERROR, MANDATING A NEW TRIAL.

Mrs. Coons was transported from the scene of the shooting to the Claverack State Police Sub-station by Sergeant Aquillo and Sergeant McHugh at approximately 9:00 o'clock P.M. (R. 110) in handcuffs, and under arrest (R. 78). The prosecutorial evidence established that as soon as Investigator Brenzel had advised her of her rights at the Coons home approximately ninety minutes before she was taken to the sub-station, Potts testified that "I also asked her if she desired to talk about the matter and she told me that she did not." (R. 78). Yet, approximately one hour later and commencing at about 9:10 P.M. (R. 109) he questioned her and elicited further inculpatory oral statements after interrogating her "for one hour and three quarters to two hours" (R. 116). Even if Potts was unaware of the fact that the defendant had invoked her Fifth Amendment privilege to Brenzel at the Coons home, that fact in and of itself, constitutionally tainted her oral



inculpatory, in-custodial statement to him. Further attempts at police interrogation by Potts should never have commenced.

PEOPLE v. DUNLEAVY, 26 A.D. 2d 649-650.  
PEOPLE v. PAULIN, 61 Misc. 2d 289, at 297;  
affd. 33 A. D. 2d; affd. 25 N.Y. 2d.  
PEOPLE v. FIORITTO, 441 P. 2d 625.

If the statement in the written opinion of the Hearing Judge in his ruling that "when advised particularly of her right to an attorney or the Public Defender, she stated she did not want an attorney 'at this time'" is intended to bolster his ruling that admissability of the oral inculpatory statements to Investigator Potts had been established by the prosecution beyond a reasonable doubt, then it necessarily comprehends an erroneous co-related finding that the defendant-appellant had knowingly, intelligently and voluntarily waived her Sixth Amendment right to the effective aid of her counsel, who in the words of Prosecution Witness Potts "could have been there fifteen minutes or an hour" (Supp. H. 45).

ESCOBEDO v. ILLINOIS, 373 U. S. 478.

It has been previously asserted in this brief that the prosecution had a heavy burden of establishing beyond a reasonable doubt at the Huntely Hearing that Mrs. Coons waived any of her constitutional rights, including her right to effective aid and assistance of an attorney on August 24, 1968 at the Coons



home and at the Claverack Sub-station.

JOHNSON v. ZERBST (Supra).  
PEOPLE v. WITENSKI, 15 N.Y. 2d 392.

Has this axiomatic burden of proof, which cannot be lightly inferred, been met where the People's witnesses swore that the suspect alleged to have knowingly and intelligently waived her fundamental rights at the Coons home and at the Claverack Sub-station was "intoxicated, I guess" (Prosecution Witness Vickie Coons, R. 15) - "disturbed in a state of shock but not in a hysterical way --- dazed" (Prosecution Witness Conway, R. 71) - one "who had been drinking" (Prosecution Witness Brenzel, R. 86), one "who had a trace of alcohol on her breath", who "was upset" (Prosecution Witness Potts, R. 115), and one when asked "if she would reduce the oral statement to writing" --- "At that time decided and said she would like to have the services of an attorney" (Prosecution Witness Potts, R. 117)? Of course, not.

ESCOBEDO v. ILLINOIS (Supra) Page 490. n. 14.  
GREEN v. UNITED STATES, 355 U. S. 184.  
UNITED STATES v. MARTIN, (Jack) 1766 F. Supp. 262).

If the Hearing Judge had applied the rule expressed with succinct judicial precision by the United States Supreme Court in VON MOLTKE v. GILLIES, 352 U. S. 708 in the Plurality Opinion by Mr. Justice Black reversible error in his pre-trial Huntley Hearing finding of admissibility would not be present in that case.



The verbiage employed by the Court is uniquely appropriate here:

"To discharge this duty properly in light of the strong presumption against waiver of the constitutional right to counsel, a judge must investigate as long and as thoroughly as the circumstances of the case before him demand. The fact that an accused may tell him that he is informed of his right to counsel and desires to waive this right does not automatically end the judge's responsibility. To be valid such waiver must be made with an apprehension of the nature of the charges, the statutory offenses included within them, the range of allowable punishments thereunder, possible defenses to the charges and circumstances in mitigation thereof, and all other facts essential to a broad understanding of the whole matter. A judge can make certain that an accused's professed waiver of counsel is understandingly and wisely made only from a penetrating and comprehensive examination of all the circumstances under which such a plea is tendered."



POINT IV.

THE COURT BELOW IN ITS CHARGE TO THE JURY, FAILED TO ADEQUATELY DISCHARGE ITS DUTY TO CLEARLY SUMMARIZE ADMISSIBLE EVIDENCE MOST FAVORABLE TO THE DEFENDANT-APPELLANT. THUS, IRREVOCABLE, REVERSIBLE ERROR, MANDATING A NEW TRIAL IS PRESENTED BY THE INADEQUATE, UNCLEAR, INCOMPLETE PORTIONS OF THE TRIAL COURT'S CHARGE AS TO THE DEFENDANT-APPELLANT'S STATUTORY RIGHT TO SHOOT COONS IN DEFENSE OF HER PERSON UNDER THE CIRCUMSTANCES EXISTING IN HIS YARD ON AUGUST 24, 1968.

A person who is about to be feloniously attacked by someone with a large iron hooked pipe is under no duty to retreat (PEOPLE v. CLAY, 29 A. D. 891; PEOPLE v. RAINEY, 34 A. D. 2d 557), and particularly when the almost psychotic, vicious propensities of the attacker are known by reason of previous physical assaults, to that person. (R. 165, 166, 172, 173, 201, 202, 265, 266, 274, 275). (U. S. Ex Rel RANDAZZO v. FOLLETTE, 282 F. Supp. 2).

Yet, the Court charged as follows, without mentioning in connection with this portion of its charge, that at the very moment of the shooting Mrs. Coons remained in a sitting position on the ground, to which she had been violently thrust by deceased moments before, (R. 32, 138), as Coons started walking towards her five feet distant, swinging a long iron hooked pipe (R. 87, 88) as one



would swing a baseball bat (R. 189):

"You have person No. 1, who is using deadly physical force by exhibiting a gun or other deadly weapon. No. 2, seeing the gun and believing that No. 1 is going to use the gun, secures a weapon to defend himself. No. 1, the initial person with the gun, cannot go forward and shoot the fellow who picked up something to defend himself, if he knows that he can, with complete safety, retreat or break off the encounter by communicating his encounter to do so, such as dropping the gun.

"So in the present case, based upon the testimony of the Defendant, if you find----I want to review the testimony for a moment.

"If you recall in her testimony, and it is your recollection and not mine which gives you your determination, that she testified that she and her mother and father arrived at the victim's home in the condition recalled by you; there was an immediate argument. There was a tussle over the child, at which time she was knocked to the ground. At this point the deceased and the father engaged in a fight. The mother handed the daughter a loaded gun. She turned and saw the deceased with a pipe in his hand. Up until this point the physical argument had been between her father and the deceased. At this point you must try to recreate in your mind the reasoning of the Defendant and the deceased to resolve certain questions.

"No. 1., Do you conclude that the deceased procured this pipe, if he did, to use against the father of the Defendant, with whom he was fighting alone? Did he get this pipe, if he did, to use to defend himself against the father. In turning with the pipe, if he did, did he, as a fact, for the first time see the Defendant with a gun in her hand? Did he have reason to believe, at this point, that she was the aggressor? Did the Deceased, at this



point, have reason to believe that the primary danger of his life at this point was not the man with whom he had been fighting, but with the Defendant, who had a gun in her hand?

"If, at this point, the deceased had reason to believe that his wife was about to use the gun, he was justified in defending himself with the proper force. If you find that these circumstances did exist by your determination of the facts, then you must determine if the Defendant knew at this time that she could have broken the stand off, or stalemate, with complete safety to herself and avoid shooting by retreating, walking away, or dropping the gun, thereby communicating to her husband, with the pipe in his hand, her intention to break off the encounter. This, again, is something to be determined by you, the jury, as questions of fact. It is your determination of what exactly occurred based on the testimony of all the witnesses.

"You must exercise with reason to recreate the state of mind of all of these people. It is your determination of these facts that will rule in your verdict. As I have said before, the killing of one human by another is most serious matter, and to conclude with such an act justified requires a most strict application of the rules as I have given them to you to the facts as you determine them to be.

"If, after a careful examination of the facts and all of the testimony, you reject the defense of justification, of self defense, as outlined to you, you must then proceed to determine if the facts satisfy the requirements of any of the degrees of homicide beyond a reasonable doubt."

In determining the unintentional, yet prejudicial, impact of the foregoing upon the jury when it commenced to deliberate



upon the guilt or innocence of the defendant-appellant on a charge of Murder, a sentence appearing in a recent unanimous opinion of the Court of Appeals written by Judge Burke appears to be relevant:

"In determining the requirements of the Court's charge to the jury the defendant is entitled to the most favorable view of the record (cf. PEOPLE v. BATTLE, 22 N.Y. 2d 323, 324. See also, PEOPLE v. ASAN, 22 N.Y. 2d 526; PEOPLE v. MALAVE, 21 N.Y. 2d 26; PEOPLE v. MUSSENDEN, 308 N.Y. 558)."

PEOPLE v. STEELE, 26 N.Y. 2d 526, 529.



POINT V.

IN THE EVENT THAT THIS COURT ARRIVES AT A DETERMINATION THAT A REVERSAL AND A NEW TRIAL IS NOT WARRANTED BY THE ARGUMENTS HEREINBEFORE PRESENTED ON BEHALF OF THE DEFENDANT-APPELLANT, THEN, AND IN THAT EVENT ONLY, IT IS RESPECTFULLY URGED UNDER THE AUTHORITY OF SECTION 543, SUBD. 2 OF THE CODE OF CRIMINAL PROCEDURE, THAT THE JUDGMENT OF THE COURT BELOW CONVICTING HER OF MURDER IN VIOLATION OF SECTION 125.25 OF THE PENAL LAW SHOULD BE MODIFIED BY THIS COURT SO AS TO BECOME A JUDGMENT OF CONVICTION OF MANSLAUGHTER IN THE FIRST DEGREE, AND AS SUCH CORRECTED BY APPROPRIATE RE-SENTENCING.

A conviction of the crime of Murder as defined in the Revised Penal Law can never be sustained where it has been established as an affirmative defense that "the defendant acted under the influence of extreme emotional disturbance for which there was reasonable explanation or excuse, the reasonableness of which is to be determined by the viewpoint of a person in the circumstances as the defendant believes them to be," although such an established defense will not prevent a conviction for Manslaughter in the First Degree or any other crime.

SECTION 125.25, SUBD. 1-(d), PENAL LAW.  
CRIMINAL LAW IN NEW YORK UNDER THE REVISED  
PENAL LAW, SEC. 189, PAGE 252.

It is respectfully urged that the statutory reasonable



explanation of excuse, in the form of extreme emotional disturbance, has been established by the evidence in this case.

In the front yard of the Ken Coons, Sr. residence on Pheasant Road, Copake, Columbia County, New York, at about 7:00 o'clock, P.M., on August 24, 1968, the defendant-appellant had been hurled to the ground by a man who was her estranged husband, and whom she knew to be a brutal individual who had within the preceding month said to her "I'll beat your brains in" (R. 201), and within the preceding week "I will mar your face. I'll beat you and mar your face until nobody will look at you again". As she sat there in a half sitting position (R. 202) can she be deemed to have forgotten that the individual who was staring at her five feet away, and taking a step towards her, swinging a long hooked iron pipe (R. 189) was the same wife-beater who in the "Spring of 1968" (R. 163) at a parking lot "started grabbing" her "inside the car and beating" her "on and about the head" (R. 165), "with his fists" -- his "clenched fists", "at least seven or eight times" (R. 165). As she sat there, can it be reasonably argued that she had forgotten that on July 21, 1968, a Sunday when she was a few minutes late in returning their daughter Lynn to Coons, he grabbed her by the hair and "started beating me with his fist and open hand", or that on the Thursday immediately following (July 25, 1968)



(R. 71), Coons again punched her in the face giving her a black eye, or that he had shortly before August 24, 1968, threatened to kill her, in the presence of Justice of the Peace Shadic - (R. 277)?

In view of the foregoing, it is respectfully urged that fundamental concepts of fundamental fairness and due process should impel a modification of the judgment of conviction in the manner requested.

PEOPLE v. GRAHAM, 20 A.D. 2d 949 - 3rd Dept.

Respectfully submitted,

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Time for Argument:  
20 Minutes

To be argued by:  
Roger J. Miner

NEW YORK SUPREME COURT  
APPELLATE DIVISION : THIRD DEPARTMENT

-----x  
THE PEOPLE OF THE STATE OF NEW YORK,

Respondent

-against-

Leonore Emma Coons,

Defendant-appellant  
-----x

RESPONDENT'S BRIEF

ROGER J. MINER, ESQ.  
District Attorney of  
Columbia County  
Court House  
Hudson, New York



STATEMENT OF FACTS

On Saturday, August 24, 1968 at about 7:30 P.M., defendant-appellant killed her husband, Kenneth Coons, at his home at Copake, New York by gunfire. The weapon used was a .22 caliber high standard Sentinel revolver (People's exhibit 9), capable of holding nine rounds. Defendant-appellant fired two rounds into the body of victim, one striking the left elbow and one striking the middle of the chest in the breast bone. The latter was the fatal wound, having punctured the heart, and caused the victim to bleed to death (R. 50).

The victim was married to defendant-appellant in March of 1962 and his only child, a daughter named Lynn, was born in April of 1963. Although there was an age difference of more than thirty years between the defendant-appellant and her husband, it was he who had the greater responsibility for the upbringing of the child. The victim objected seriously to his wife's life style, could not abide her drinking habits, and accused her of keeping company with other men (R. 212-213). He had great affection for Lynn and for his other children, spent a great deal of time with them, and was not a drinking man himself (R. 205-206; R. 241-242). The victim was self-employed as a bulldozer operator, and, at the time of his death, owned some equipment and other assets, as well as his residence on Pheasant Road, Copake Lake (R. 206-207).

Kenneth Coons and his wife had numerous separations and reconciliations commencing soon after their marriage (R. 205). After the purchase of the property at Copake, defendant-appellant



purchased a house trailer which was emplaced near her parents' property in the Town of Hillsdale. She did not tell her husband about the trailer at the time she purchased it, but did live there from time to time during the later separations (R. 209-210). She last lived with the victim at Copake in May of 1968, when she returned again to her trailer to live (R. 212). At that time, she left her daughter with the victim, who insisted upon this arrangement for the benefit of the child. This arrangement seems also to have suited defendant-appellant who, although testifying that she had asked her husband for the custody of the child, never made application to any court for such custody (R. 213-214).

After this final separation, defendant-appellant would visit her daughter at the baby sitter's house or pick her up at the victim's house from time to time (R. 162; R. 212). Commencing in July of 1968, defendant-appellant carried her pistol (People's exhibit 9) encased in a holster, in her car, each time she went to her husband's residence (R. 217-220). She carried her pistol with her only on the occasions of those visits, indicated that she was prepared to use it on her husband, and carried it for no other purpose (R. 218). She was proficient in its use, having acquired the pistol and the pistol permit in 1964 (R. 214-215).

On August 24, 1968, defendant-appellant arose late in the morning (R. 224); shortly thereafter, she went to her parents' house where she consumed three or four cans of beer (R. 178). Her parents were heavy drinkers, and, as far back as she could remember were drunk from Friday to Sunday of each week (R. 181). It appears that defendant-appellant called her husband on the



telephone sometime that day and asked to see the child (R. 13; R. 225), but the victim refused permission, presumably because of the drinking problem (R. 229-230). Defendant-appellant returned to her trailer and her parents drove over to the trailer at about 6:30 P.M. (R. 180). Further drinking ensued at the trailer, and defendant-appellant and her parents apparently had a drunken discussion about going to get the child (R. 182; R. 234). They concluded that they should try to get the child and left the trailer about 7:15 P.M. (R. 183), in spite of the condition of all concerned (R. 231).

Before leaving, defendant-appellant wisely concluded that her parents shouldn't do the driving and assumed the driving chores herself, all three entering the parents' car (R. 181-182). At this point, defendant-appellant left the car, went to her own car and took the pistol and holster therefrom, returned to her parents' car and put the pistol under the driver's seat (R. 183. R. 232). Intent on a confrontation, they then proceeded to the cottage of Kenneth Coons at Copake Lake (R. 183), stopping for further fortification at a bar known as the McDonald House at Craryville, New York (R. 236).

At about 7:30 P.M. the defendant-appellant and her parents arrived at the Coons' residence at Copake, all in varying stages of intoxication (R. 14-16). They found the victim sitting on the front steps, reading the newspaper, with three of his children and one of the neighbor's children in the immediate area (R. 29; R. 136). From the testimony of three of these children (R. 8; R. 25; R. 134), and of three neighbors (R. 92; R. 103; R. 125) the following facts were adduced: Peter Stalker, father of



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defendant-appellant approached the victim, rolled up his sleeves and had words with him (R. 17). Defendant-appellant asked to take her daughter, Lynn, and the victim told the defendant-appellant that she was too intoxicated to have the child (R. 17). A loud argument ensued, with the victim continuing to deny the child to defendant-appellant (R. 95-96). Peter Stalker pulled the victim up from where he was sitting and the victim picked up an iron pipe and swung it at Stalker, who took it away from him and threw it in the bushes (R. 30-31). During the course of the argument over the child, defendant-appellant was pushed to the ground by the victim once; she never was threatened with the pipe; she got up from the ground and sent her mother, Winnie Stalker, to the car to get the gun, which her mother handed to her (R. 31-33). It was then that the defendant-appellant calmly and deliberately pulled off the two rounds of fire, both of which struck the body of the victim (R. 47).

The victim then fell into the house and collapsed on the kitchen floor (R. 19). Peter Stalker addressed the prostrate victim, telling him to get up and fight (R. 20), and defendant-appellant later called the telephone operator and asked for an ambulance and police (R. 192), although at one point she had refused to permit the child, Vickie, to call anyone (R. 20). When Dr. Bowerhan arrived at the scene, the defendant-appellant was neither hysterical or upset (R. 7). Defendant-appellant made several admissions of guilt (R. 6; R. 70; R. 78; R. 115).



POINT I.

THE TRIAL COURT RULED CORRECTLY IN PERMITTING THE INTRODUCTION OF THE SEVERAL INCULPATORY STATEMENTS MADE BY DEFENDANT-APPELLANT.

A. The admission to Dr. Bowerhan.

Dr. Robert Bowerhan of Copake, N. Y. arrived at the scene shortly after the arrival of Trooper Conway, who was the first police officer to arrive there (R. 70). The doctor determined that the victim was dead (R. 4). After the arrest of defendant-appellant by Investigator Brenzel, who advised her of her constitutional rights, the defendant-appellant addressed herself to the doctor (R. 78-81). She said to the doctor: "I don't know why I did it" and "Where did the second shot hit him?" (R. 5; R. 83). These admissions were spontaneous and were made to a person who was not an investigating official. It has been held that a defendant is not entitled to a suppression hearing under the provisions of Section 813 g. of the Code of Criminal Procedure with respect to admissions made to private persons, unless it is contended that such persons were acting as police agents (P. v. Mirenda 23 NY 2d 439). There was no such contention in the case at bar.

B. The admission to Trooper Conway.

Trooper Brian Conway arrived at the scene at about 7:40 P.M., having been sent there by the State Police dispatcher (R. 63-64). The dispatcher, Trooper William R. Blackie, gave him no information, other than that there had been a shooting at the Coons' residence, Copake Lake (R. 57). Upon his arrival



Conway was met by Peter Stalker, father of the defendant-appellant, who was still very intoxicated (R. 64). Conway proceeded into the house, examined the deceased, who was lying on the kitchen floor, and found the defendant-appellant and her mother present; the revolver was lying on the kitchen table (R. 65).

When Trooper Conway arrived, he arrested no one and questioned no one. More particularly, he did not arrest defendant-appellant or address any questions to her (R. 68). Nevertheless, defendant-appellant made this spontaneous statement to Conway: "I killed him, I killed him, I shot him twice" (R. 70). Investigator Brenzel arrived very shortly after Trooper Conway, who remained with the defendant "almost continually thereafter" (R. 71).

It is obvious from the foregoing that the statement made to Trooper Conway was volunteered in its entirety. It has been held that the warnings required by the Miranda rule are aimed solely at an incommunicado police dominated atmosphere or a situation involving custodial interrogation (P. v. Phinney 22 NY 2d 288). In outlining its requirements in this area the United States Supreme Court stated:

"Volunteered statements of any kind are not barred by the Fifth Amendment and their admissibility is not affected by our holding today." (Miranda v. Arizona 384 U.S. 436, 478).

No interpretation of the facts surrounding the statement made to Trooper Conway can support the existence of a police dominated atmosphere or custodial interrogation. It is obvious



that such statement was made voluntarily, spontaneously and without interrogation.

C. Admission to Investigator Brenzel.

Investigator Robert Brenzel was dispatched to the scene by the State Police dispatcher, who informed him that there had been a shooting at the Coons' residence at Copake Lake (R. 74). Upon his arrival there, he was met in the driveway by Trooper Conway, proceeded directly into the Coons' residence and examined the body of Kenneth Coons. While still kneeling over the body of the deceased, Investigator Brenzel said, "Who did this?" (R. 74-75). At that point the defendant-appellant and her parents were present in the kitchen, but Brenzel was then unaware of their identities (R. 75-76). Conway was also present but no one was under detention or arrest and Brenzel's question was addressed to no one in particular. Defendant-appellant volunteered the answer, "I did it." (R. 78).

Immediately after the statement by defendant-appellant, Brenzel placed her under arrest, removed her to the adjoining living room, placed her in handcuffs and gave her the Miranda warnings (R. 78). Defendant-appellant then pointed out the location of the murder weapon, gave her name, age and address but made no further statements to Brenzel at the scene (R. 79-80).

When Investigator Brenzel arrived at the scene, he knew only that he was there to investigate a shooting. His original inquiry was a general one, made in the earliest stages of his investigation, and falls within the purview of the rule enunciated in P. v. Schwartz 30 App. Div. 2d 385, 387:



"The defendant's challenge to the admission of the first statement based on Miranda is without foundation. Campbell's questioning at the building was no more than the pursuit of a general investigation; the defendant was not in custody nor under the threat of apparent compulsion, tactics which Miranda forbids unless accompanied by the required warnings xxx ."

At the time of the admission by defendant-appellant to Brenzel, she had not been led, as a reasonable person, to believe that her freedom was restrained in any significant way. (P. v. Rodney P. 21 NY 2d 1; P. v. Torres 21 NY 2d 49). Indeed, she was not even a suspect prior to that time. Being neither in custody nor physically deprived of her freedom in any significant manner, defendant-appellant was not entitled to the Miranda warnings (P. v. McKie 25 NY 2d 19).

"To require a police officer to prevent a prisoner from volunteering a statement, or to prevent the officer from divulging statements spontaneously made to him would stretch the comprehension of the ordinary citizen to the breaking point." (P. v. Kaye 25 NY 2d 139, 145).

D. Admission to Senior Investigator Potts.

Defendant-appellant was brought to the office of Senior Investigator Potts at the Claverack station of the State Police about 9:00 P.M. Potts identified himself and re-advised her of her constitutional rights (R. 109). Defendant-appellant indicated that she did not want an attorney (R. 110), and gave Potts a synopsis of her version of the events leading to the death of her husband (R. 114-115). She was careful to inform Potts that she did not want her parents implicated in any way (R. 116). At the end of the interview with Potts, defendant-appellant



declined to reduce her oral statements to writing and requested the services of an attorney (R. 117). Shortly before the end of the interview, Potts was made aware that there was an attorney, one LeSawyer, in the building, but did not know why the attorney was there (R. 120). Upon completion of the interview, Potts was informed that LeSawyer had been called by someone on behalf of defendant-appellant, and he immediately made his office available to them (R. 118).

Having afforded defendant-appellant her constitutional rights for the second time, Potts was free to continue the questioning. Defendant-appellant did not indicate a desire to consult with an attorney (P. v. Dunleavy 26 App. Div. 2d 649). Indeed, it was her desire to exculpate her parents and she wanted to make her version of the facts quite clear to Potts. The Senior Investigator was under obligation to terminate his questioning only under the following circumstances:

"If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking there can be no questioning. Likewise, if the individual is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him." (Miranda v. Arizona 384 U.S. 436, 444).

Such circumstances did not exist in the case at bar.

#### POINT II.

THE TRIAL COURT CLEARLY AND FAIRLY CHARGED  
THE DEFENSE OF JUSTIFICATION AND ITS  
APPLICABILITY TO THE CASE AT BAR.

The trial court recognized that defendant-appellant had



raised the defense of justification, and fully and adequately charged the jury on the law applicable thereto (R. 326-333). The Court was under no duty to adopt the defendant-appellant's version of the facts as part of its charge (Defendant-Appellant's Brief p. 27). Nevertheless, the Court placed her version of the facts before the jury and the instructions included all the provisions of Article 35 of the Penal Law which might have been applicable and beneficial to the defendant-appellant.

It is not proper to consider as error of law an instruction to which no objection or exception has been taken on the trial. (P. v. Rossi 11 NY 2d 379, 383). All the requests to charge made by defendant-appellant had already been covered or were granted by the trial court (R. 341-344). It appears from the record of trial that there were no exceptions taken to the charge but there were some requests made by counsel for defendant-appellant. The charge was fair and impartial and clearly indicated judicial indifference to individuals (P. v. Odell 230 NY 481). The court discussed and commented on the facts but did not presume to decide them or give positive expressions of opinion thereon. (P. v. Walker 198 NY 329; P. v. Bardieri 149 NY 256).

It has been held that the defendant is not entitled to select the phraseology of the instructions, as long as the thought desired to be presented has been fairly stated by the court (P. v. Radcliffe 232 NY 249). A refusal to charge in the words of the request, where otherwise fully and fairly covered, is not error (P. v. Katz 209 NY 311).



POINT III.

THE EVIDENCE BEFORE THE JURY FULLY  
JUSTIFIED THE VERDICT OF MURDER.

The Penal Law provides:

"A person is guilty of murder when:

1. With intent to cause the death of another person, he causes the death of such person xxx." (Section 125.25).

After a full trial of the issues the jury concluded that the defendant-appellant was guilty of murder (R. 348). The trial court agreed with the verdict stating that it was, "fully justified by the evidence." (R. 349).

The proof established a long standing dispute between defendant-appellant and her husband over custody of their child, with the husband raising frequent objections to the conduct of defendant-appellant, particularly her drinking. It appears that he used this conduct as the basis for denying custody of the child to defendant-appellant and also for denying visitation rights to her from time to time. The proof further established that for sometime prior to August 24, 1968, defendant-appellant carried the gun in her car whenever she went to her husband's house, she having testified that she was prepared to use it on him and that she carried it for no other purpose. It appeared from the evidence adduced at the trial that defendant-appellant was refused visitation rights on August 24, 1968 during a telephone conversation with her husband. In spite of his admonition not to come on that day, she and her father and mother, in varying stages of intoxication, decided to go to the husband's residence. Before leaving, defendant-appellant carefully



transferred the loaded pistol from her car to her parents' car, in which they proceeded to the home of the deceased. Upon their arrival, the husband refused to release the child, an argument ensued, and defendant-appellant shot her husband to death.

It is the contention of defendant-appellant that the judgment of conviction should be modified by reducing the same to Manslaughter in the First Degree, contrary to Section 125.20 subdivision 2 of the Penal Law (Defendant-Appellant's Brief p. 31). In support of this contention defendant-appellant urges that she acted under extreme emotional disturbance, citing certain alleged threats and assaults which occurred sometime prior to August 24, 1968. The People respectfully urge that there is no evidence in the record demonstrating that defendant-appellant was acting under extreme emotional disturbance at the time she shot and killed her husband. On the contrary, it is indicated that she was in full possession of her faculties and emotions, with her courage fortified by drink, at the time she fired the fatal shot. It is well settled that any correction or modification of a judgment of conviction must be based upon the record and applicable rules of law (P. v. Rytel 284 NY 242). The authority to modify provided by Section 543 subdivision 2 of the Code of Criminal Procedure does not include the authority to extend mercy by finding a lesser degree of crime than is established by the evidence (P. v. Potkowski 298 NY 299).



POINT IV.

THE JUDGMENT SHOULD BE AFFIRMED.

Respectfully submitted,

ROGER J. MINER

District Attorney of  
Columbia County  
Court House  
Hudson, New York



Westwinds  
East Chatham, New York 12060  
November 17, 1969

Mr. Roger Miner, District Attorney  
Columbia County Court House  
Hudson, New York

Dear Mr. Miner:

The newly formed Republican Association of Canaan, New York wishes to develop a young Republican group.

We have learned of your work with the Young Republicans on the County level and would appreciate your coming and speaking to us on Thursday December 11th, at the Canaan Town Hall at 8 P. M.

We will encourage Young Republicans to attend and a social hour will follow the business meeting.

We look forward to your reply.

Very truly yours,

The Canaan Republican Association

*Barbara H. Macfarlane*

(Mrs. William R. Macfarlane)

Secretary- Treasurer



November 28, 1969

Mrs. William R. Macfarlane  
Secretary-Treasurer  
The Canaan Republican Association  
East Chatham, New York 12060

Dear Mrs. Macfarlane:

Thank you for your kind invitation to speak to your group.

I shall be happy to attend at the Canaan Town Hall on Thursday, December 11th, at 8:00 P.M.

Very truly yours,

rjm/jn

Roger J. Miner  
District Attorney

COPY



Westwinds  
East Chatham, New York 12060  
December 17, 1969

Mr. Roger J. Miner, District Attorney  
Columbia County Court House  
Hudson, New York 12534

Dear Mr. Miner:

The Canaan Republican Association wishes to thank you and  
Mr. Charles Inman for attending our meeting on December 11th.

The members enjoyed your discussion as to the duties of your  
office as District Attorney and Mr. Charles Inman's work  
with the young Republicans of the County.

With best wishes for the Season Holidays.

Very truly yours,

The Canaan Republican Association

*Barbara M. MacFarlane*

(Mrs. William R. Macfarlane)



# VALATIE SAVINGS AND LOAN ASSOCIATION

VALATIE, NEW YORK 12184

## DIRECTORS

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PAUL PATCHIN  
EARL C. VAN ALSTYNE  
ARTHUR J. HEINS

November 18, 1972

Roger Miner - District Attorney  
Hudson  
New York 12534

Dear Mr. Miner:

You have been given as a reference by James J. Dolan of Hudson, New York, who is seeking to obtain a mortgage.

Please furnish us with whatever data you may feel disposed to give, confidentially, concerning your experience with Mr. Dolan.

Your prompt response will be most appreciated.

Yours truly  
VALATIE SAVINGS & LOAN ASSOC.

*Linda J. Bemiss*

Linda J. Bemiss  
Ass't Secy.



November 22, 1972

Ms. Linda J. Bemiss  
Assistant Secretary  
Valatie Savings and Loan Association  
Valatie, New York 12184

Dear Ms. Bemiss:

In response to your letter of November 18th, I am happy to give this character reference for James J. Dolan of Hudson, New York with whom I have been acquainted for more than ten years.

Mr. Dolan is an honest forthright individual and it is my opinion that he will fulfill any obligation which he undertakes.

I trust this is the information you require.

Very truly yours,

rjm/jnb

Roger J. Miner  
District Attorney

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# CATSKILL CENTRAL SCHOOLS

CATSKILL, NEW YORK 12414  
518-943-2710

OFFICE OF THE  
PRINCIPAL

GRANDVIEW ELEMENTARY SCHOOL

August 10, 1968

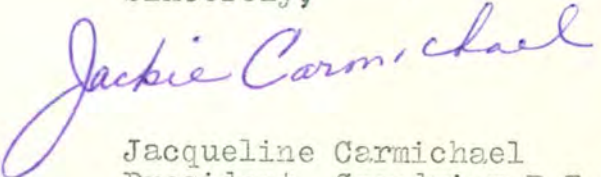
Mr. Roger Miner  
445 Warren Street  
Hudson  
New York

Dear Mr. Miner:

The Grandvie P.T.A. is sponsoring a panel discussion on narcotics and juvenile delinquency on November 12, 1968 at 8 P.M. at the Grandview school, Catskill, New York. Mr. Alan Osterhout, principal, joins with me in inviting you to participate in this program. As district attorney of our neighboring Columbia County, I am sure your presence would help to make our program a success.

Please let us hear from you as soon as possible on this matter. Thank you.

Sincerely,



Jacqueline Carmichael  
President, Grandview P.T.A.  
R.D. #1 Box 116C  
Catskill  
New York



August 20, 1968

Mrs. Jacqueline Carmichael  
President, Grandview P.T.A.  
R. D. 1 Box 116C  
Catskill, New York

Dear Mrs. Carmichael:

Thank you for your invitation to participate in the panel discussion on narcotics and juvenile delinquency at the Grandview School on November 12th.

I shall be happy to participate in this program and look forward to seeing you at that time.

Sincerely yours,

rjm/jnb

Roger J. Miner  
District Attorney



April 21, 1971

Dear Mr. Miner,

On behalf of the  
Chatham P.T.A. I wish  
to thank you for giving  
your time and energy  
to our organization.

Everyone present  
found your presentation  
on drugs most interesting.

Cardially yours,

Christine Van Alstyne  
Program Chairman



# Service Above Self



May it be known that

ROGER J. MINOR

was the Guest Speaker at the

**Rotary Club of  
Northern Columbia County, New York**

and as an Expression of Appreciation for Courtesies extended  
to this Club we hereby present this Certificate,

*[Signature]*

SECRETARY

*[Signature]*

PRESIDENT