

Omnibus Court Measure Okayed

By ROBERT E. MILLER
COLUMBUS, Ohio (AP) — State representatives have approved and sent to the Senate bills creating some new courts and raising judges' pay and legalizing the sale of liquor in Ohio on election day.

Actions on those measures highlighted Wednesday's floor sessions in the General Assembly. The House votes today on a Senate-passed bill designating the third Monday in January a state holiday to honor Dr. Martin Luther King, the slain civil rights leader.

Rep. Harry J. Lehman, D-16 Shaker Heights, won unanimous House approval of the omnibus bill that creates new municipal courts in Auglaize and Wayne Counties along in the City of New Philadelphia.

Besides providing for judges in those courts, the measure also adds another jurist in the Lancaster and Kettering Municipal Courts.

The new Wayne County Court replaces the existing one in Wooster, but will have two judges—with one each sitting in Wooster and Orrville. Lenman said.

Rep. William E. Hnig, D-96 New Philadelphia, said the new bench in his city will have jurisdiction over two-thirds of Tuscarawas County, and at the same time will abolish two county courts and ten mayors' courts.

Lehman's bill also abolishes the police court in Ottawa Hills — last one in the state — and places it in the jurisdiction of Toledo Municipal Court, and eliminates the position of chief justice in the Cleveland Municipal Court.

Further, it increases the pay of part time municipal judges throughout the state from a base of \$8,000 to \$11,000 a year. Full time municipal courts would get \$2,000 less than the amount paid common pleas court judges in the same county, or \$31,000, whichever is greater, under the bill which now goes to the Senate.

The House rejected seven new bills and the Senate two, among the latter a proposal by Sen. Robert D. Freeman, D-29 Canton, to require bills introduced in the General Assembly to carry with them an estimate of what they would cost.

In floor action, the Senate added its approval to a House measure permitting local governments to deposit inactive funds in amounts under \$100,000 in savings and loan associations, as well as in banks. The vote was 30-0.

Senators sent to the House a measure easing restrictions on endowed funds by charitable organizations. Sponsoring Sen. Donald J. Pease, D-13 Oberlin, said the bill, which also passed unanimously, will mostly help colleges, universities, hospitals and other regular recipients of endowments.

The Senate insisted on its amendments to a \$20 million welfare supplemental appropriations bill, sending it to a joint, six-member conference committee.

House members agreed to Senate changes in a House measure lowering from \$600 to \$100 a year the fee charged for use of each commercial fishing seine in Lake Erie's inland waterways. It now goes to the governor.

Arson Hinted Bellefontaine Death Cause

BELLEFONTAINE — The April 13 fire which killed a local woman and four of her eight children has been termed "apparently arson" by officials.

The first official statement in which the possibility of arson as the cause of the fire which destroyed the two-story frame home in this city's northwestern section was made Wednesday.

The indication of apparent arson was continued in a joint release from Logan County Prosecutor Douglas MacGillivray and the state fire marshal's office.

Arson investigators from the state agency launched an investigation of the cause of the fire the following morning, at the request of local fire officials.

Mrs. Ada Garland and her children, Billy, 14; Hugh, 12, Agnes, 10; and Judy, 8, died in the blaze. Another daughter, Jerlene, 20, escaped by jumping from a second story window and remains in the burn unit at University Hospital, Columbus.

The husband and father, Hubert, sustained minor burns before running from the house to summon the fire department at a neighbor's house. Two teenage daughters were staying with an older, married brother, when the fire occurred.



GEORGE K. KENIEN
Lions Official

Delphos Police Plan Foot Patrol

DELPHOS — Police will resort to foot patrols in the uptown area on Friday and Saturday evenings in an effort to curb traffic blockings on Main Street.

A group of citizens complained of motorists blocking the street visiting in their cars and causing traffic jams reaching back for nearly a half block.

WAPAKONETA — Approximately 500 area Lions Club members are expected to gather in Wapakoneta Senior High School Sunday for the District 13-E convention of Lions International.

George K. Kemen international director of Lions International, will be the featured speaker, according to Earl Thompson of Cridersville, district governor.

The district convention is being sponsored by the Cridersville Lions Club, assisted by the Wapakoneta Lions Club.

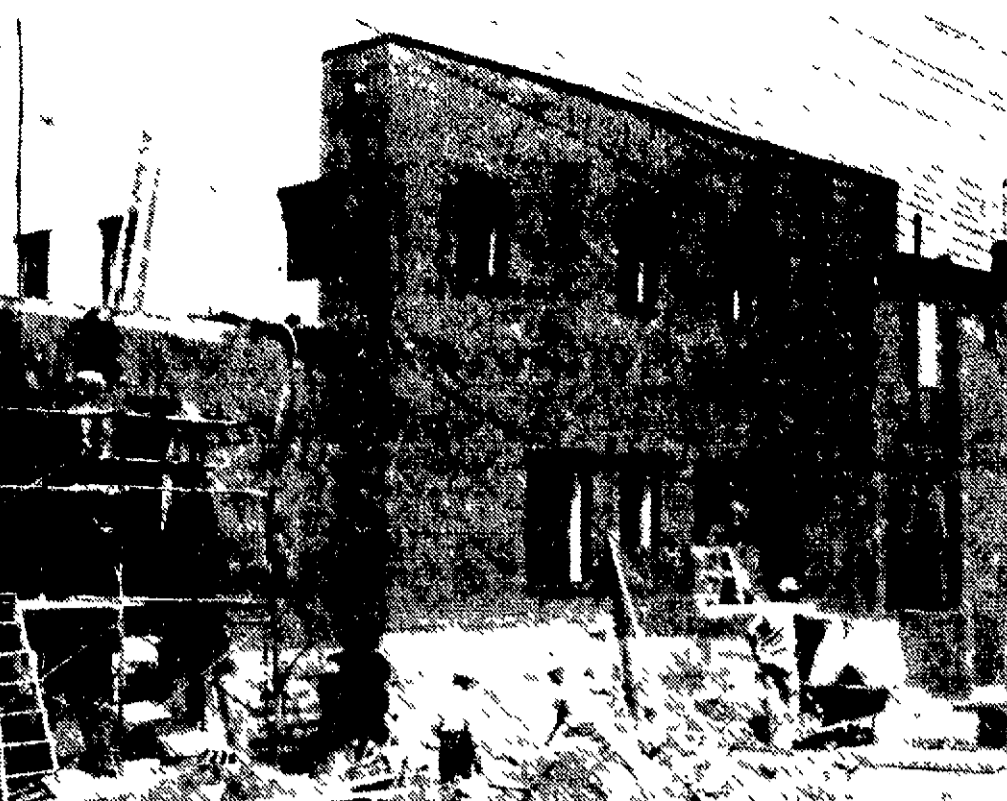
2-Car Crash Injures Three In Auglaize

BUCKLAND — A two-car crash at the intersection of National and Bowsher roads, northeast of here, Wednesday afternoon sent three persons to Lima Memorial Hospital with injuries.

Listed in fair condition today were James L. Stokes, 42, of Ottoville, and Walter E. Ramsey Jr., 25, of Rt. 4, Wapakoneta. Ramsey's wife, Sue L., was treated for minor injuries and later released.

The Auglaize County sheriff's office said the collision occurred at 2:25 p.m. Stokes was driving one of the cars, deputies said, but it had not been determined which of the Ramseys was driving the other.

Investigation was being continued today, deputies said.



CANAL SQUARE WORK — Brick masons are putting finishing touches to the back of a St. Marys store which fronts Spring Street in that city. The project is a part of the Canal Square renovation project handled by the Aug-Mer Development firm. Other buildings are also being remodeled to have both front and rear fronts, the latter fronting the municipal parking lot. The flumed Miami and Erie Canal flows under a part of the parking area which is improved and paved with asphalt. The store back being completed is a variety store.

Directed Verdict Denied

Defense Begins Case In Tope Trial

FORT WAYNE, Ind. — Defense attorney Richard Sullivan took over in the courtroom arena Wednesday afternoon after the state rested its case against Ernest R. Tope, 22, of Decatur, Ind., before lunch.

Tope is accused in the April 12, 1974, slaying of Cheryl Ann Felger, 19, of Van Wert, O.

The case is being heard in Allen Circuit Court where it was venued from Adams County.

Robert J. Mason Jr. of Van Wert, a part-time gas station attendant, told jurors he saw Cheryl Felger at 11 p.m. or 12 midnight the Good Friday night she allegedly was abducted and murdered.

He said he stopped at the Clark Oil station with a friend to help two fellow workers close up when they saw a girl and a guy walking across Main Street. "They asked who it was, I told them it was Cheryl Felger. I never thought another thing about it."

Prosecution testimony earlier indicated Miss Felger was abducted about 8:30 p.m. (Ohio time) and was killed shortly thereafter.

Mason said, "I'm positive" about the sighting. He described her companion as being shorter than Miss Felger and weighing from 200 to 225 pounds.

Sullivan asked Mason to look at the defendant. Mason said the man accompanying the person he said was Cheryl Felger was "a little shorter and not quite as heavy" as Tope.

The defense also called Oma Grod of Van Wert who said her daughter's green 10-speed bicycle was stolen on Good Friday and recovered near where Miss Felger's abduction occurred.

Urt Ronald Treon of the Van Wert Police Department said he had a conversation with Robert Mason the officer said "he told me who he thought was Cheryl Felger. He said he saw a male and a female." On cross examination Treon said he measured the distance from where Tope was standing at the gas station to where Mason said he saw Miss Felger. The distance was 191 feet.

The officer said he recovered Wendy Grod's bicycle and said it was held for a few days at the police station. Treon said that since it was not Cheryl Felger's bike and therefore not impor-

tant to the investigation, it was released to the owner.

Another defense witness, Harold Mohr, who had been manager of Bub's Old South, a bar in Van Wert, said he also saw Cheryl Felger on Good Friday evening. He said about 11:30 or 12 p.m. he saw her in the bar. "I looked up a second and saw her," the bartender said.

Mohr said he fixed up a few more drinks and the next time he saw her she was going out the door.

Under cross-examination, Adams County Prosecutor Dan Burry asked Mohr "Are your observations based on a 'second'?" Mohr said they were.

Before the afternoon session began, the defense entered a motion requesting a directed verdict for the defendant. The motion charged Tim Heckert, accused with Tope in the slaying, and testifying for the state last Friday, had perjured himself in his testimony. It also contended that the state had failed to inform the jury and the defense about it.

The motion, heard without the presence of the jury, was based on the information that Heckert had shown deception in two polygraph tests administered April 14 and April 21 of this year by a Fort Wayne police officer.

Circuit Court Judge Hermann Busse overruled the motion, claiming no court in the country had recognized polygraph tests as admissible in the courtroom.

The judge said that a court and a jury, not some mechanical device, were there to decide the veracity of the witness.

Prosecutor Burry, before resting his case, called Daniel Thornton, a friend of Tope's to the stand. Thornton told jurors that Dick Tope told him of the murder of Miss Felger and that he went to police with the story.

Thornton said that on the Sunday following the murder, Tope came to his place about 8 a.m. He said Tope told him "why don't you take me for a ride in your truck." While sitting in the truck, in the driveway, Thornton said Tope "told me he was in a lot of trouble."

Thornton said Tope told him they had "killed that girl from Van Wert."

Thornton and Tope drove to Thornton's parents' house, near

Geneva in Adams County. He recalled "mom and dad showed me the Journal-Gazette and it had a story about the Felger murder. I showed it to Dick, he read it."

When the two left the Geneva home, Tope told Thornton he might get out of it because they (police) didn't have any clues.

Thornton testified he asked Tope to take him to the murder scene. Thornton remembered Tope didn't want to, but then agreed they drove to a barn on Adams County Road 200-West, between 300 North and 200 North, Thornton said.

Thornton said "there were people standing out in the barnyard. He (Tope) pointed 'right out there is where she was'."

Tope directed Thornton to the bridge where he said he had thrown the knife and to Country Acres trailer court where Tope said was the place they had stopped to wash their hands.

The next day, Thornton said Tope returned to his house and the two spent the day trying to put a radio in Tope's car.

Thornton said that was "so he could listen to the news."

Thornton said they listened almost every hour to newscasts about the murder. On Tuesday Thornton said they drove back past the murder scene because he (Tope) was worried about leaving a pack of cigarettes.

He asked to go look for them, Thornton testified.

Thornton recalled they couldn't find the cigarettes and then they drove past the bridge and stopped. "He wanted to see if we could see the knife," Thornton said. They couldn't find it.

They went to Country Acres to look for the cigarettes and then drove to Tim Heckert's mother's home, he said. Thornton said Tope told Heckert not to worry. He said Tope told Heckert that he (Thornton) knew about it and wouldn't say anything.

Thornton testified that Tope told him that he killed the girl because he was afraid she might identify him. "He said he was the only guy around that big with red hair."

Metzenbaum Eyes 1976 Senate Race

CLEVELAND, Ohio (AP)—Former U.S. Sen. Howard M. Metzenbaum D-Ohio, said the "complete victory" in his income tax dispute with the Internal Revenue Service might be a factor in whether he will again seek the Senate.

The tax claim was a factor during the campaign in which Metzenbaum lost the 1974 May primary race to U.S. Sen. John Glenn.

The IRS settled the tax deficiency dispute out of court April 14.

"This was a complete victory, resulting only in a very modest adjustment on the depreciation rate on the ethane extraction plant in Louisiana in which I had invested," Metzenbaum said.

"This will certainly be a positive factor a figure in my thinking on the 1976 race," Metzenbaum said.

U.S. Sen. Robert Taft Jr., R-Ohio, who is expected to run again for his Senate seat next year, recently suffered a heart attack but has returned to Washington saying he is fully recovered. He also said he gave supporters permission to begin preparing his campaign.

The IRS notified Judge Irene F. Scott at a tax court hearing in Cleveland that Metzenbaum won't receive a refund of about 80 per cent of the \$118,102 he deposited with IRS Dec. 17, 1973. The IRS dropped its allegation that the only reason for the investment in the plant was for a tax shelter.

"One result of the settlement is that I will have to pay about \$22,000 in 1969 taxes under the adjustment in depreciation," Metzenbaum said.

He announced Feb. 8, 1974 that he and his wife paid no income taxes in 1969 because of heavy interest payments and business losses that year.

Metzenbaum said the IRS would never have slapped the deficiency claim on him if he had not been on former President Nixon's "enemies list."

St. John's Class Presents Musical

DELPHOS — The St. John's senior class will present "Bye Bye Birdie" through Sunday at 7:30 p.m. in the school auditorium. Tickets are \$1.50 and will be available at the door.

Cast in leading roles are Bill Scherger, John Noonan, Paula Ulm, Boyce Geddings, Cathy Clark, Clara Luersman, Tom Jettinghoff, Deb Ostendorf and Ron Kill.

"Birdie," also performed at the school in 1963, is director John Gundert's 10th senior class musical production.

Village School Chief To Retire

WAPAKONETA — Vaughn C. Blauvelt, executive head of Cridersville school for 21 years, will retire at the end of the current school term. He disclosed his planned retirement at a recent Parent Teachers Association meeting in Cridersville.

He served as superintendent of Cridersville schools prior to their merger with the Wapakoneta system after which he remained as executive head there in the role of principal.

Blauvelt has been in the education field for 43 years.

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