

Weather Report

Temperature for 24-hour period ending at 8 a. m. today — Maximum 53, minimum 35.

Monterey Bay Area — Fair through tonight and colder with local frost; increasing cloudiness tomorrow; northwest winds, 7-15 m.p.h.

# SANTA CRUZ SENTINEL-NEWS

Serving Santa Cruz County Since 1856

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SANTA CRUZ, CALIFORNIA, FRIDAY, DECEMBER 2, 1955



5c Sunday and Daily Excepting Saturday

EIGHTEEN PAGES

# DA Is Given Delay In Filing Answer

## Grand Jury Case Draws Big Crowd To Superior Court



## Miano, Jehl And Moore Ordered To Appear December 8

Superior Court Judge James Leo Atteridge today fixed next Thursday, December 8, as the next focal date in the legal proceedings against District Attorney Charles L. Moore, Pinball Distributor Sam Miano and Raymond Jehl.

In a courtroom so crowded that 20 standees were ordered outside, Atteridge granted Moore's request for a delay in filing an answer to the grand jury accusation of "willful and corrupt misconduct."

Jehl and Miano, indicted for conspiracy to set up a bribery and extortion racket, appeared before Atteridge for arraignment.

All three defendants — the charge against Moore is a non-criminal complaint involving only loss of his office upon conviction — were ordered to appear again at 10 a.m. Thursday.

At that time, Moore will file an answer charging the accusation lacks legal sufficiency, he told the court.

Miano and Jehl will enter pleas. Both have indicated they will plead not guilty.

Rumors of a third lawyer entering Moore's defense were confirmed in court this morning — but not in the manner gossip had suggested.

The third lawyer turned out to be Moore himself, who with his two attorneys, Melvin Belli of San Francisco and James Boccardo of San Jose, appeared "in propria persona" — as his counsel.

Speaking for himself, Moore told Atteridge he would like more time to study the transcript, copies of which were released this morning, "in order to determine exactly what form this objection to sufficiency will take."

Atteridge made it clear he did not feel the defense needs extra time. The accusation was returned "more than two weeks ago," Atteridge said, noting that "you (Moore) were one of the lawyers."

"This is not an indictment and the proceedings relative an indictment have no relation to this matter," Atteridge said. His point made the judge then

the government code for guidance.

Belli registered one small objection to the heading of the accusation, saying it was a "misnomer" to label it "the people versus Charles L. Moore."

It should be headed, "the complaint against Charles L. Moore," Belli said, but he didn't press the point.

The defense agreed to file its objections to the charges in writing next Thursday.

Moore stood before the bench, hands behind his back, flanked on his left by Belli and on his right by Boccardo. The latter remained silent throughout the brief proceeding, which took but a few minutes.

Miano was accompanied by his counsel, Santa Cruz Attorney John Nicholson. Jehl was represented by Raymond Callaghan of San Jose.

Jehl and Miano were the first to be called by Atteridge after court opened. Their attorneys stood between the two men.

The indictment against them is based principally on Miano's grand jury testimony that Jehl tried repeatedly to shake him down for protection of his pinball machines and took \$4000 from Miano as a payment for seeing that Miano's machines would be free from interference by the DA's office.

Jehl glanced briefly at Miano once, but that was the nearest the two came to contact. Jehl is charged with four counts of conspiracy — two of them involving Miano and two more of conspir-

## 'Shiny' Object In Ocean Is Sought

Six rescue planes and a Coast Guard cutter combed the sea off the coast between Santa Cruz and Davenport this morning in search of a "shiny" object which reportedly splashed into the water about 8 o'clock.

A Coast Guard plane substantiated the report by radioing to San Francisco rescue coordinating center that it had spotted a large orange cylinder for a time and then lost it. Air Force and navy spokesmen

passed and about 30 minutes later I saw this huge splash, and then a large silvery object. When the waves lifted it it reflected in the sun.

"I watched it for about 10 minutes and then it disappeared.

"At first I thought it might be a target left by the destroyer, but I reported it to the sheriff just in case it might have been a plane."

Lazarotti said the object was about four miles off the coast

Above left: Conferring with reporters before the hearing in superior court are r. District Attorney Charles L. Moore, left, Defense Attorney Melvin Belli, Sentinel-News Reporter John Corrigan, Defense Attorney James Boccardo and at far right, Reporter Ernest Snowberger of the Watsonville Register-Pajaronian. With back to

camera is Assistant Attorney General Clarence Linn; above right: Defense Attorney John Nicholson is seated in the courtroom with his client, Sam Miano, right, local pinball and music machine operator. The arraignment for Miano was continued until Thursday, December 8.



## GOP Assembly Will Meet For Three-Day Parley In City

Republican leaders and members of the board of directors of the California Republican assembly

## Yule Season

## Excerpts From Transcript

The transcript of grand jury testimony that led to the historic accusation against District Attorney Charles L. Moore was released today.

It re-tells the interesting story that prompted grand jurors to accuse Moore of "willful and corrupt" misconduct in office and to indict Sam Miano and Raymond Jehl for conspiracy to rig a bribery and extortion scheme for the protection of pinballs.

It recreates the dramatic grand

Freedom again and he took me in the back room; when we got in the back room there was a little table like a cocktail table, I seen this roll of money with the yellow rubber band.

Q. You had seen that some place before?

A. I had seen it before, I recognized it was mine; so he says, "Here is your money, what are you trying to do with the kid?" I said, "I don't know what you are talking about, what am I trying to do to the kid; I never

Hamilton, AFB and Moffett reported that no aircraft missing.

Lazarotti, retired postal boy who lives in the Cave area reported seeing a splash about four miles off the coast and then saw the object for about 10 minutes before it sank.

Lazarotti's home commands a sweeping view of the bay. He said:

"I was watching a destroyer through my field glasses about 7:30 o'clock this morning. It

opposite the wider ranch.

Rescue units from the Monterey and San Francisco coast guard headquarters and from the 41st Air Rescue squadron at Hamilton Field covered the area this morning. An 83-foot Coast Guard cutter also searched the area.

Captain Harley Williams of the 41st, said that the object could have been a wing tank which had fallen from a jet. He said some of the tanks are orange and colored.

The search was called off at 11:35 o'clock.

## 'Semi-Pros' Get \$752 In Leask Burglary

"Semi-professional" burglars who wiped their fingerprints off cash registers entered Leask's department store during the night and made a rooftop getaway with \$752 in cash.

Entering through a skylight sometime after midnight, the thieves ranged undetected through both floors of Santa Cruz' largest department store and succeeded in forcing open 10 of the establishment's 13 cash registers.

Cash apparently was the burglars' sole concern, Sam Leask III reported this morning after a cursory appraisal of all departments. He added that if anything else was taken it will probably take a more extensive inventory to determine what.

Detective Sgt. Ernest Marengi and Detective Raymond Carpenter said clues indicated there were two burglars. The job was well-planned and the thieves used two of Leask's pillowcases to wipe off fingerprints and aid in cracking the cash registers silently.

Marengi said the intruders circumvented the store's burglar alarm system by entering through a skylight on the roof. The roof is accessible from the roofs of nearby buildings.

Dropping through the skylight to the furniture department on the second floor, the prowlers attacked every cash register they could find.

Their efforts were successful in 10 instances, detectives reported. They gave up on one stout register which resisted their prying and apparently overlooked two others.

The registers held an average of \$75 each and had been locked when the store closed last night.

"It was a well-cased job," said Marengi, describing the actual method of operation as "semi-professional." He estimated the thieving pair are in the "18 to 20" age bracket.

Their first act, as reconstructed by the detectives, was to snatch two pillowcases from a counter. One was used to erase fingerprints from registers and counters and the second was employed in bursting the cash drawers.

Marengi said this technique is applied by holding the cloth over the cash register and then inserting a screwdriver or similar instrument in the crack of the

drawer. The method keeps noise down and also helps eliminate leaving fingerprints, Marengi said.

Small change dropped by the thieves and apparently considered of insufficient value to recover littered the floor near some registers.

Reconsidering the entry, Marengi and Carpenter studied fresh plaster peelings below the skylight in the furniture department. Apparently the intruders lifted the skylight off its base when entering and returned it to its place when they left.

Despite the precautions taken to leave no incriminating fingerprints, the detectives succeeded in lifting several "meager" prints, Marengi said.

He said it was impossible to state at this time whether the burglary was the work of local talent or transients.

Detectives were busy this morning going through their files of known local criminals and "modus operandi" records. They also prepared an all points bulletin for dispatch to regional law enforcement agencies.

Leask said that as far as he knows last night's haul was the first major burglary at the store. He said there have been a few minor break-ins — one of them a few months ago, when nothing was taken — but nothing to compare with the present coup.

Examination of nearby roofs of buildings fronting on Pacific avenue — all adjacent buildings are two stories high — indicated the burglars made their way over the roofs. It seemed probable they reached the ground via a wood ladder and a staircase several roofs removed from Leask's.

One of the pillowcases was recovered in the store and detectives theorized that the second one was used to hold the bills and change scooped from the cash registers.

The robbery was discovered shortly after 8 a. m. when Dick Menefee, reporting for work in the men's clothing department, saw the first of the burst cash registers. He was joined shortly

by another employe, Ken Aikman, and the two notified police and store officials.

Despite the disappearance of the money and the ruined cash registers, Leask's doors opened promptly at 9:45 a. m. to shoppers.

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The board of directors will convene at 9 o'clock with plans for revision of by-laws highlighting the meeting. At noon a luncheon will honor public servants. Power said Congressman John F. Baldwin, of the sixth district, will be the principal speaker.

Tomorrow afternoon, committee sessions are scheduled. Congressman Charles S. Gubser, tenth district, will be among leaders who will address the groups.

At 4:15 p.m. tomorrow remarks by members of the political activities committee headed by Chairman Alfred Newman will be heard. All California Republican assembly sessions are open to the public, Hall said.

Tomorrow evening at 6:30 o'clock, a reception and dinner is scheduled at Deer Park tavern. Featured at the affair will be an address by John Morley, world traveler and syndicated columnist. The quarterly meeting of the board of directors of CRA will be brought to a close Sunday morning with a report of committees, Power said.

Among Republican leaders assisting Hall, are George Milias Jr. of Gilroy and vice president of CRA, William Troyer, Worth Brown, Gifford Troyer, S. Clair Ellis, Carl Conelly, Malio Stagnaro, Dr. Oliver Lee, Harold Richey, Mrs. Ethel Tibbot, Mrs. Rita Clifford, Mrs. Irene Stewart Williams, Mrs. Beulah Cox, Mrs. Worth Brown, Mrs. Charles Hall, Mrs. Lela Swasey, Mrs. Pat Winnett, Mrs. Beverly Watts and Mrs. Lucille Trine.

Tickets to both evening and the luncheon affairs are available in convention headquarters, in the Palomar hotel, according to Hall. All Santa Cruzans and members of Republican groups in Santa Cruz county, are invited to attend. Tickets also will be available at Pasatiempo inn and Deer Park tavern, Hall added.

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## Gets Under Way Tonight

Only 20 shopping days remain until Christmas!

Santa Cruzans will be reminded of this fact when the official Christmas shopping season begins tonight in both the East Side and downtown shopping center of the city.

Santa Claus will visit the East Side section, while the traditional Christmas carols will be sung on Pacific avenue.

Stores throughout the city will be open from 7 to 9 p.m.

St. Nick is expected to arrive around 7:30 o'clock at the corner of Soquel and North Branifforte avenues. He will pass out candy and fruit to youngsters who are on hand to greet him.

Two Christmas trees and street lights on Soquel avenue will also be turned on at the same time.

The courthouse lawn at Pacific avenue and Cooper street will be the site where one choir will sing carols, while a second choir will render the traditional tunes in front of Penney's department store.

A band will also wander up and down Pacific avenue through the courtesy of the musicians union.

## State WRB Okays \$670,000 For River Project

Special to The Sentinel-News

Los Angeles.—The state water resources board this morning formally approved a division of water resources recommendation which involves contribution of \$670,000 for land acquisition, bridge and sewer crossing replacement in the San Lorenzo river flood control project, City Manager Robert Klein reported.

The recommendation will be made to the next regular session of the state legislature. This still imposes an eventual cash contribution by the city of Santa Cruz of \$227,500 to the federal government.

The board's recommendation also goes to the federal bureau of budget in behalf of the corps of engineers' \$50,000 request for design funds.

(Earlier story appears inside.)

## State's S-D Day Traffic Toll Is Tops In US

Los Angeles (AP).—California led the nation in Safe Driving day deaths with a toll of nine.

Authorities blamed rain-slick streets over much of the state for some of the fatalities and for many of the non-fatal accidents.

room atmosphere in which Miano and others told of how Moore's asserted "crusade" against vice looked from behind the scenes . . . of Jehl's dealings with Miano and other pinball operators . . . Miano's own story of paying Jehl \$4000 for protection . . . Moore's "abject" apology for accusing three jurors of vice connections.

And it reveals a startling conflict of opinion on what happened in Moore's office last July 6, when Miano walked in and plunked down \$1500 beside the Bible on Moore's desk.

Moore has stated he flung the money back at Miano. The swarthy pinball operator swore under oath that Moore at first declined the gift but later "took the money and shook hands with me."

Following are excerpts from the fantastic story that unfolded in the grand jury chamber a little over three weeks ago. Assistant Attorney General Clarence Linn is questioning Miano concerning that July day in the district attorney's office . . .

Q. That was July 6, 1955?

A. I guess it was the 5th or 6th of July; I had about a thousand dollars in cash and I borrowed the \$500 from a friend of mine. I said "I'll give it back very early," which he gave it to me, so I had \$1500 cash money, it wasn't a check, because it wasn't bribery, I don't intend to hurt this young man, I did for good because I feel bad about all this myself.

Q. About how broke he (Moore) was?

A. How broke he was; . . . so when I went over there with this \$1500, it was one roll of money, I had a yellow rubber band, it was tied with a yellow rubber band, so I went over there; he saw me right away again, he took me in his office, there was me and him, and I told him, "This is to help you square up some of your obligations, I don't want you to worry," I said, "because this is for good cause," he said, "Oh, no, no, no," but he took the money and shook hands with me and I went away.

Q. Didn't you feel it hit you in the middle of the back as you left the room?

A. No.

Miss Holohan (Josephine Holohan, grand juror): Were you frightened after this hit you in the middle of the back—did you shake?

A. No; nothing hit me in the back; I shook hands with him! I invited him over to my house, if he want to have dinner with us or anything he want; . . . well, it looked like he appreciate everything I did, I never heard from Mr. Moore. The next day in my office the telephone rang so it was Ray Jehl; he said "I want to see you." I said, "Okay I'll be over"; the last time I saw Ray Jehl we left good friends because he told me we fix the machines all one coin, so I went over to

done anything to anybody." "You try to break him;" "I never break anybody in my life, God, what are you talking about?" He said, "I am going to repay you off;" "I told you I never done anything wrong to nobody;" "Take your money, never cross my path again, get out of here." I said, "All right, that is my money;" he said "Sign this over here."

Mr. Blodgett (Carlyle Blodgett, jury foreman): Didn't he say, "Now, you know who is the big boss?"

A. Yes, he said, "Now, you know who is the big boss, who is running the show so you can see the connection."

Later, Miano told of paying Jehl \$4000 for pinball protection and of getting a telephone call from Jehl the next day . . .

A. (By Miano) . . . Monday morning I go over (to Jehl's home) again, "Here are the \$4000, everything is legal, go ahead;" the next day he call me again after he got the 4000, he said "What's the matter with you guys?"; I said "What's wrong now?" "We want the machines, we only bother you at least for a couple of weeks, two or three weeks; after two or three weeks the newspapers let up, you guys put up again like you got it;" I said "If these fellows are going to give you any money they ain't going to open and close every time you want the money;" I said "Give me the money back, forget about it, do what you please;" He said "What's the matter with you, haven't you got any sense? The kid will be in there for four years, you cry for two weeks," put it that way—he convinced me the kid would be there for four years so I said "Okay," so keep the \$4000 . . .

Now Linn is questioning Moore concerning Sam Miano's \$1500 visit to the DA's office . . .

Q. What did Sam say?

A. He said "Well, I would like to help," or words to that effect, and I said "Well, I am sorry but I cannot accept any help."

Q. Did he proceed to help?

A. He offered to; he reached in his pocket, brought out \$1500 and put it on the desk, or at least he brought out a bundle of money with a rubber band around it and put it on the desk.

Q. What did he say about the money.

A. He said he wanted to help, he thought I was a nice boy, he wanted to help.

Q. What did you say to him?

A. I said "I'm sorry Mr. Miano, I cannot accept your money."

Q. Then what happened?

A. We went back and forth like that for about 10 minutes, he saying there was nothing to it, he had the money, he wanted to help, I was a nice boy, I was doing a good job, and so forth and so forth.

Q. Didn't you agree with him at that point?

A. Yes; and he shoved the money toward me; I shoved it back.

granted the delay. He told the defense that the rules governing accusation proceedings are "simple" and advised them to consult

and it went on like that for a while. Finally he started to leave.

Q. Did you wear out the money pushing it back and forth?

A. I didn't examine it to see whether it was thin or not. As he started to go out the door, had just opened the door and started to go out, I took the money up off the desk, tossed it at him, hit him with it, hit him in the shoulder, and it fell on the floor; he held the door open to go out, and he came back and picked up the money; was shaking, physically shaking, and he said "I didn't mean anything, I wasn't offering you anything," and so forth, and so forth, and so forth—I don't think I ever saw a man quite that frightened.

Q. Were you frightened?

A. I was confused frankly. I had never seen anything like that before or anything like it; he puts the money on the desk and he said, "This is just a campaign contribution, I want to help you out." I said, "Mr. Miano, you are going to get the money back, I don't know how but you are going to get the money back," and so he left.

Q. What did you do with the money in the room?

A. I sat there and thought of how I was going to give it back, thought of several alternatives; thought of taking it to the sheriff, decided I didn't want to get him involved in anything; thought of taking it to the superior judge, decided that wouldn't be too good an idea because I didn't consider Miano had actually offered a bribe, he hadn't asked for anything, I didn't consider it bribery, felt sorry for him more than anything else I think; so I thought a long time, I didn't know what to do; I took the money, put it in my pocket, I believe it was this suit that I had on as I remember; put it in the inside pocket, went home, went into my room, and I took the band off the money, counted it, found there was \$1500 in \$20 bills; thereupon while I was home I thought, well, about the only person I knew to give this back without creating a great fuss would be Jehl, whom I trusted at that time, so I put the band back on the money, drove down to see Mr. Jehl and I gave him the money; and he said words to the effect "My God, where did you get that?"; and I told him what happened, and he said "Well, that is terrible;" I said "Can you give it back to the man and get me a receipt?"; and he said "Yes," so I gave him the money and left. The next day he called me and told me that he had the receipt, and on the occasion of my next visit to Watsonville, which was probably a week later, he showed me the receipt which I had written.

to set up megagambling operations. The penalty on each of the four counts is 1-14 years on conviction.

Miano's grand jury testimony and his cooperative attitude indicate he will turn state's evidence at the trial, which Judge Atteridge hopes to schedule for some time in January.

Atteridge has indicated his intention to schedule Moore's accusation trial to follow trial of the indictment.

Spectators began filling the superior courtroom on the second floor of the courthouse long before the court went into session at 10 a.m.

Taking note of the standees lining the back wall and one side of the courtroom, Atteridge called for a show of hands to determine who had business with the court.

Spectators in the first two rows who were not present on legal matters were directed to give up their seats and leave. Their places were taken by newsmen and other standees.

A pair of highly interested spectators from San Francisco were Assistant Attorney General Clarence Linn and Harold Robinson, Attorney General Edmund G. Brown's chief investigator.

Linn and Robinson, hand-picked by Brown to look into the Santa Cruz county hullabaloo at Moore's own request, rounded up the evidence that led to the accusation against the DA and the indictment of Miano and Jehl.

Moore since has turned bitterly on Linn and Robinson, charging them with "mishandling" the probe and accusing Linn of close ties with June Borina, whom Moore ousted from office in last year's election.

Linn has denied the allegation and Brown personally came to the support of his investigators and their findings—that Moore's charges of rampant vice and gambling are without foundation and that Santa Cruz county is "clean."

Robinson and Linn, whose operatives have been almost continuously active in the county for over a month, stayed in town after court proceedings to do some more on-the-spot checking. They said they would visit the Santa Cruz police department later in the day.

The grand jury returned the Miano-Jehl indictment and the Moore accusation—an action unprecedented in this county.

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# Santa Cruz Stores Open Tonight From 7 to 9 O'Clock