

Cousin of murdered girl takes stand as trial begins

...by Pam McKinney
...Special to the Beacon

A tall, dark-haired gentleman in a powder blue suit walked assuredly toward the witness stand. He hesitated a moment then entered the box surrounding the witness chair. After taking the oath he began his story complete and careful, yet calm and casual, as if he were discussing the weather in detail.

Albert C. Laubenthal, an Iowa Lakes Community College instructor from Emmetsburg and a second cousin of Debbie Laubenthal, took the stand to testify that at approximately 4:30 a.m. on Oct. 23, Debbie's father, James, called him to assist in finding Debbie.

Laubenthal, accompanied by David Oberg, also of Emmetsburg, visited the Smith farm at about 8:30 on the morning of Oct. 23 in search of Debbie and her date, Raymond Henkens.

Laubenthal said when Nile Smith opened the door of the farmhouse, "He was barefooted, was wearing a pair of bluejeans with no shirt."

When asked if he had seen Debbie or Raymond the night before, Nile Smith

denied seeing either of the two.

Norma Smith later admitted to Laubenthal that she and Nile had dropped Raymond and Debbie off at the St. Charles Hotel in Emmetsburg earlier that morning.

About talking to Norma Smith at that time Laubenthal said, "I observed her hand shaking a little."

Upon returning to Emmetsburg after visiting the Smith farm, Albert C. Laubenthal learned that the bodies of Debra Laubenthal and Raymond Henkens had been found.

Clarence Berkland and his brother, Melvin, the two Depew farmers who found the bodies and called the Emmetsburg Police, then took the witness stand to testify that Clarence found the bodies at approximately 7:20 on the morning of Oct. 23 and Melvin called the Emmetsburg Police Department around 7:30.

Two law enforcement officers, Charles Ervin, Emmetsburg Police Chief, and Terry Johnson, Iowa Bureau of Criminal Investigation agent, identified the bodies of Debbie Laubenthal and Raymond Henkens from photographs taken at the murder scene.

A Fenton fisherman then took the stand to testify that he had seen something on the Depew pavement at approximately 1:45 of the morning of Oct. 23, 1976. The State alleged that what he saw was the blood of the victims.

State Trooper James Loveland from Ruthven took the witness stand to testify that at 12:45 on the morning of Oct. 23 he had issued a headlight repair ticket to the Fenton fisherman.

A 25 year old science teacher from St. Joe Catholic School, clad in belted, denim-type pants and a tucked-in shirt, took the stand to testify that he and a small hunting party on their way to Swan Lake at approximately 5:40 a.m. encountered fresh blood on the highway which they attributed possibly to a killed deer.

The foreman for Desoto Farms, the place where Ray Henkens was employed at the time of his death, testified that Henkens worked Oct. 22, the day before his death.

Court then adjourned for the day, with testimony to resume at 9:30 a.m. Wednesday. The trial is expected to last several more weeks.

The jury

The jury is: Ardell Garnjost, 1109 H Ave. Milford; Melvin Godfrey, RR 1, Lake Park; Grace McCoy, East Okoboji, Spirit Lake; Imogene Gardner, Terril; Milo Watson, RR 2, Milford; Marjorie Schneidawind, 1511 Gary St., Spirit Lake; Henry Esser, 1310 L Ave., Milford; Betty Moore, Spirit Lake; Adene Leupold, Superior; Lowell Green, Triboli, Spirit Lake; Wayne Richards, Francis Sites, Spirit Lake; Donald Siefken, Maywood, Milford.

The four alternates, in order, are: Thomas Ritzer, Arnolds Park; Edward Winter, 210 21st St., Spirit Lake; Phyllis Grein, RR 2, Spirit Lake; Donna Clark, Lake Park.



DEFENDANTS NILE AND NORMA SMITH, both age 23, listen intently to testimony Tuesday during the first day of their trial for the murders of Raymond Henkens, 30, Emmetsburg, and Debbie Laubenthal, 18, Bancroft. They have remained free on \$50,000 bond since being charged with the Oct. 23 shooting deaths.

JUDGE JAMES ANDRAESEN is presiding over the case. Opening arguments from defense attorneys and the prosecution were the first order of business Tuesday morning. Testimony resumed Wednesday morning. COURTROOM SKETCHES by Linda Miller, Spirit Lake.

It can be prevented —

Swimmer's itch

Swimmers should towel-dry as soon as they leave the water as a precautionary measure against swimmer's itch.

This is the advice of both an expert on parasitology and a medical expert. Dr. Martin Ulmer, who has studied the parasite that causes swimmer's itch for 20 years at the Lakeside Laboratory, said this year is an especially bad one for several reasons.

The blood flukes which produce this dermatitis in man, he said, are carried by birds. Research is showing that more birds than had been originally suspected are carriers.

Not only aquatic birds, such as ducks, but also grackles, redwing blackbirds,

and yellowheads have been found to carry the parasites.

It has been known since 1926 that swimmer's itch is a problem in the United States, he said. Not only is the Midwest affected, but also the east and west coasts and the gulf coast. This area is part of a major fly-way for migratory birds, he explained, and therefore particularly susceptible.

Understanding the life cycle of the parasites, called schistosomes, is important to understanding why there are more reports of the problem than in the past.

The adults live in the blood vessels of birds, and leave the birds with fecal material. Eggs hatch in water, and

much of the life cycle is spent inside snails.

Reproduction takes place in a snail, and thousands of larvae are produced. They come into the water and come in contact with a person's skin, penetrate, and cause an allergic response.

Man is a dead-end for the larvae. If they get into a bird, they become male and female worms, and the cycle continues. But in human skin, Olmer said, the symptoms of dermatitis last from ten days to two weeks.

REASONS FOR INCREASE

Olmer started working at the Lakeside Laboratory in 1953, and noticed cases of this dermatitis in the area. Since then, he said, especially in the last ten years, the number of cases has been increasing.

The reason, he said, is that there are fewer marshes. Birds prefer marshes, and when they can use the marshes, the problem is limited to these small areas.

But in recent years, marshes have been drained, and this year some existing marshes have dried up from lack of rain. Birds have been forced to use larger bodies of water, and a great

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THURSDAY, JUNE 16, 1977

OFFICIAL NEWSPAPER FOR SPIRIT LAKE AND DICKINSON COUNTY, IOWA

Westergard resigns —

Council votes park funds, purchases industrial land

Spirit Lake City Council Tuesday night approved the use of \$20,000 in revenue sharing funds for park development at Center Lake Heights, purchased a parcel of land in the industrial park and discussed the July resignation of Public Works Director Ken Westergard.

Park funds were allocated following the request of the park board at the last

council meeting. Although the total cost of the project will be approximately \$40,000, half of that amount was approved for immediate expenditure. The new facilities will include playground equipment, a ball diamond, a shelter house, picnic facilities and parking. Completion for the planned tennis courts will be delayed until the

balance of funds can be acquired.

LAND PURCHASE

The council also gave the green light for the purchase of a tract of land for the future sight of the public works department's headquarters. The land was purchased from Spirit Lake Industries and is a five-acre parcel located in the industrial park just east of the Spirit Drive-in. Spirit Lake Industries rejected the cities' initial offer of \$17,500 and countered with the \$20,000 figure that the council agreed on Tuesday night. The original asking price for the land was \$25,000.

WESTERGARD RESIGNS

The resignation of public works director Ken Westergard was discussed, with the council asking that his engineering services be retained for several current and future city projects. Westergard's resignation will become effective July 1. He said he is planning to devote his full time with his engineering firm in Estherville, Jacobson-Westergard and Associates. He has been employed by Spirit Lake for over five years.

Regarding lake accesses —

Governor to hear from Okoboji Council

A resolution sent to Governor Ray Monday by the city of Okoboji, requesting that the delay signing a bill which would give the Conservation Commission jurisdiction over public accesses to the lakes, was discussed Tuesday night at the Okoboji City Council meeting.

Ben Saunders, chief of police and city clerk, said the bill, which is on the Governor's desk, was passed by the Iowa legislature with little publicity in the last hours before adjournment.

The bill would give the Conservation Commission power to come in and develop as they see fit any public accesses which were not specifically dedicated to a governmental entity (municipality or political subdivision) and were not accepted by the governmental entity.

In Okoboji, lakeshore lot plottings took place before the city was incorporated, and were dedicated "to the public." Therefore they have not been

accepted by the city.

The letter to the Governor requested that he delay signing the bill until a study of the effects on the City of Okoboji could be completed.

Formation of a Park Board

Ray Heetland was appointed to recruit three members of a park board to be formed at the next meeting. The council agreed that a planning board for Speier park is needed to organize events and also to set long-term goals.

Mary Ladoux volunteered to be on the park board and to organize some experimental events this summer, such as tennis tournaments.

An ice skating rink and shelterhouse for the park were discussed, and also the possibility of asking playground equipment companies for help in developing the park.

Ben Saunders reported that Sam Speier wondered if the council would be

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Rain!

At 8 a.m. Wednesday morning the topsoil moisture in Dickinson County soil was 100 percent short. However the clouds were building in the northwest and then the rains came.

By noon, close to two inches had been received and light rain continued.

The general rains were a relief to crops, farmers and all countians. There're reports of corn leaf curling, uneven soybean stands, ineffective herbicides, chemical damage to crops and lowered water levels.



IOWA GOVERNOR ROBERT RAY told Iowa Food Processors meeting at the New Inn in Okoboji last Saturday why he believes some type of 'return for deposit' is needed for all bottles and cans. This wasn't the most popular stand to take at the convention as some grocerymen favor a litter tax rather than a deposit-return program. Gov. Ray was challenged by a representative from the American Can Co. on the grounds that 96 percent of the public would be penalized for the littering actions of four percent. Ray responded that the same logic would be true about stop signs — 96 percent would stop without a stop sign, but it must be placed there for four percent of those who wouldn't. Statistics can be developed to support any point of view, he added. In the above photo Gov. Ray answers a question from Dick Peterson, KILR Radio. Regarding an upcoming special session of the legislature to appropriate funds for salaries of state employees, Ray said he thinks the session will be limited

to that one issue. "The legislature is going to be operating under a resolution passed by the regular session. To open it up for other regular matters will require both houses to pass resolutions and I don't think they want to do that. There are many matters incidentally that I now wish, and wished then that they had taken up during the regular session. They didn't do it and if they start now then everybody has some kind of a bill and I think you'll find irritated legislators just voting against things because they'll think it's unfair to double back when they've got other plans now and won't be back until next January. I would expect them really to really stay with this one issue." BEACON Editor Dick Plum then posed a question to Gov. Ray regarding the widening of Hwy 71 through the Lakes Area. The Governor's response is on this issue's editorial page, along with others who responded to the same question.

Berkley employees reject union, 212-174

Employees of Berkley & Co., Spirit Lake, have rejected representation by the Amalgamated Meat Cutters and Butcherworkmen of North America, Local 152 AFL-CIO.

During an election conducted by the

National Labor Relations Board at the plant on June 9, there were 212 employees who voted 'no,' and 174 who voted 'yes.' There was one contested ballot of the 387 who voted. There were about 415-420 who were eligible to vote.