

# ESTILL COUNTY TRIBUNE



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## Walker trial goes to the jury

by DELORES PATRICK  
Estill County Tribune

The jury was scheduled to begin deliberating on a verdict in the Bob Walker murder trial yesterday.

However, at 9 p.m. Judge James Chenault met in a closed session with the defendant Nick Harrison and the attorneys.

At that time Harrison apparently complained that he was suffering from stomach pains.

Chenault then ordered that Harrison be sent to the Pattie A. Clay Hospital for an examination, and the jury was recessed until the results were known.

A verdict in a trial is not usually given unless the defendant is present, and that was the reason for the delay in the trial.

The trial began Monday, September 22, but it took two days to find a jury of fourteen people since the prosecution was seeking the death penalty.

The fourteen member jury, including two alternates, was made up of ten men and four women.

On Wednesday, the Commonwealth began calling their first witnesses, and called a total of 36 during four days of testimony.

The trial was expected to last two weeks, but was cut short when the defense decided not to call any witnesses. Attorneys Max M. Smith of Frankfort and J. Campbell Cantrill III of Georgetown decided not to call any witnesses after the defendant refused to testify.

One witness, Hubert Chaney, was subpoenaed by both the defense and the prosecution, but was never called to take the stand.

Throughout the trial Smith insinuated there were other people who could have murdered Bob Walker. Police officers investigating the case were often made to feel incompetent by Smith.

Smith also questioned the credibility of some of the witnesses, especially since three admitted they had been convicted of felonies.

He also began pointing out that some of the witnesses' testimony conflicted with the testimony given to the Estill County Grand Jury.

At one point Special Judge James

S. Chenault stated he would not allow the Grand Jury report to be used unless he saw it first.

Chenault made that decision after he was told there was no lawyer present at the Estill County Grand Jury meeting.

"I'm shocked they've run a Grand Jury without a lawyer present. That's the most improper thing I've ever seen," stated Chenault.

Witnesses called by the prosecution tended to be labeled into groups known as the trailer park residents, the pool room crowd, police officers, crime lab experts and Harrison's neighbors. The majority of Harrison's neighbors who testified were relatives of Harrison's wife, Delphine.

Assistant attorney general Barbara M. Whaley, assisted by Commonwealth's attorney Thomas J. Smith III, established a motive for the murder by introducing testimony from the July 7, 1985 shooting of Bob Walker and Harrison during a shootout at Harrison's home.

Witnesses testified that Harrison showed off his scars resulting from that shooting and bragged that he would kill Walker.

Some of the witnesses stated that after the shooting Harrison had told them he had killed Bob Walker.

The trailer park residents described a small white car and the crime lab experts indicated that Harrison's car had come in contact with the police cruiser on the day of the murder.

A photo of Harrison with a handgun in his belt was also submitted as evidence. The prosecution gave the opinion that the handgun was the murder weapon although it was never found.

On Monday, the last day of testimony, many delays were made for Harrison to decide if he would testify against himself.

He also asked for a continuance in the trial because his attorneys had not been getting along and communicating with each other. However, his request was denied.

Throughout the trial Max M. Smith objected frequently for the record, in case the defense decided to appeal the decision.

The events of each day of testimony in the trial are summarized below.

**Wednesday, Sept. 24**  
During the first day of testimony

on Wednesday in the Robert Walker murder trial, opening arguments were presented by prosecutor Barbara M. Whaley, assistant attorney general, and J. Campbell Cantrill III, a lawyer for the defense.

Whaley stated the Commonwealth was going to prove that Harrison was "guilty of intentional murder."

Cantrill argued the defense would show that one or two other people, who could have killed Walker, were at the trailer park at the time of the murder.

Because of the quick arrest and grand jury indictment of Harrison, Cantrill stated, "They were in such a hurry. They wanted to put a lot of square pegs in round holes."

Cantrill added that he was going to show another person was operating Harrison's car during the murder, and the accused was somewhere else.

The first three witnesses called by the prosecution were Officer Sam Tipton, Officer Bill Eckler and former sheriff Montie Parks, who

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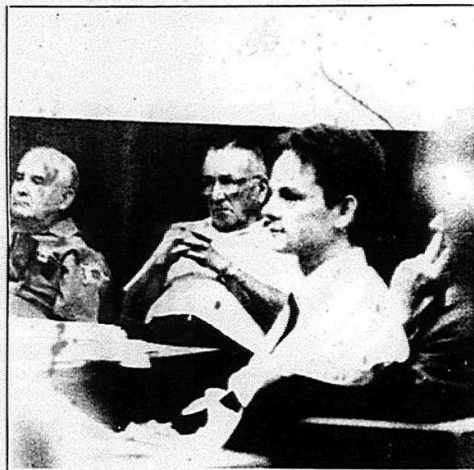


Photo by Delores L. Patrick  
Nick Harrison, the defendant in the Bob Walker murder trial, concentrates as his attorney, J. Campbell Cantrill III, gives his closing statements.

## State takes over county

by CHARLIE PATRICK

A meeting of the Estill County Fiscal Court on Monday morning ended with no action taken on the issue of payroll tax, and the Department of Local Government taking over control of county expenditures.

In what Judge McClanahan had earlier called "the most important meeting ever", there was clearly two different opinions to the issue of a payroll tax.

Judge McClanahan opened the meeting by reading a letter from the Department of Local Government. Following is an edited version of that letter:

Estill County's financial condition as outlined in our financial statement of facts letter of 9/23/86 is indeed serious.

Your problems were brought about by the following:

- (1) Floating carry-over debt of approx. \$70,000 instead of \$51,000 originally estimated from the Fiscal Year 86/87.
- (2) \$48,500 additional Revenue Sharing loss for the Fiscal Year.
- (3) Increased liability insurance premiums.
- (4) Automatic salary increases for elected officials (county clerk and county judge/executive).
- (5) Increased daily operating costs

of the jail.

(6) Increase of general operating expenses.

Under the existing conditions there was not any way you could keep your budget balanced. You must generate additional revenue to keep your county government operating.

Under Sections 171 and 181 of the Kentucky Constitution a fiscal court of any county can levy only two kinds of taxes: (1) ad valorem taxes and (2) license or occupational taxes. Your fiscal court must initiate action to generate additional operating funds or your government must immediately cease all operations with the

exception of your road department which has operating funds and your jail operation which is mandated.

Al Howell, Local Government Advisor Chief was on hand to explain the options to members of the fiscal court, and summed up the letter by saying "If you don't take action today—we will take action to cut out all spending—we have an order to that effect."

Howell reminded the members of the fiscal court that when they had been sworn in to their office, they agreed to obey all of the laws of the state of Kentucky, and that one of the laws is that you can't spend more than you take in. He also explained that his department could not allow the problem to go any longer, because it would be worse next year than it is now.

Howell repeated "Unless you come with some kind of plan to raise revenue, we have to issue this order. I already have this order signed and ready."

Magistrate Mark Honchell questioned Mr. Howell, "I asked this question in Frankfort, but nobody seemed to answer. You're projecting a \$116,000 deficit if we continue on as we are now. We voted in three districts to save us about \$90,000. We lost approx. \$100,000 in revenue sharing and LGA. Why is it costing us a \$100,000 plus to operate this year over last year."

Howell replied that he didn't get a complete audit of last year, "I'm not an auditor, if you know of any additional money coming in, the figures will change."

## Grand jury indicts 3

by DELORES PATRICK  
Estill County Tribune

The Estill County Grand Jury handed down three indictments last Friday.

Indicted were Jimmy Adams, Danny McCoy and Mickey Reed. Adams and McCoy were indicted for the early August burglary of the Broadway Grocery. Reed was indicted for the February 10, 1985 murder of Loretta Lynn Willoughby. Willoughby was fifteen years old when she disappeared in February, 1985.

She was reported missing, but her body was not discovered until three months later in a wooded area off Broadway.

Her badly decomposed body was "discovered" by Reed who reported it to the Irvine Police Department.

Articles of clothing found at the

scene were partially used to identify her body.

Reed had been a suspect in the case for quite sometime, and was reported to have refused to take a lie-detector test. However, early in the summer Reed stated that he had taken and passed the lie-detector test.

The Willoughby murder has been one of the more highly publicized unsolved murders in recent years, apparently because of her youth. She was also the mother of a young son.

Several other murders have been committed in the country during the past five years which remain unsolved. However, most of them seem to have been forgotten.

Reed's bond was set at \$50,000 cash or property. He was arrested by Sheriff Glendie Flynn on Friday shortly after the indictment was handed down.

## Ravenna Council will name replacement for Spaulding

The Ravenna Council meeting scheduled for Thursday night will discuss differences since Isaacs took office

