

# Family awarded stored hoard

United Press International  
**HARTFORD, Conn.** — Pasquale Stellato never trusted banks after the Great Depression. He squirreled his bills away in baseball-sized balls wrapped in tin foil that he hid in the basement of his home — perhaps as much as \$260,000.

Just before he died in 1974, at the age of 84, the frugal old man told his family of the hoard. But nobody could ever find it.

That is until a developer's bulldozer rammed into the foundation — and out tumbled the baseball-sized rolls of money, most wrapped in tin foil and secured with rubber bands.

And that's where the controversy arose.

C. Thomas Vitagliano, president of West Haven Gardens development company, who was sitting nearby, rushed to the area and "got down on his hands and knees and stuffed all the rolls and the remaining loose bills in his shirt," according to court papers.

The family sued for their money and a lower court ruled Vitagliano had to return \$60,000 to them "as the true owner."

But Vitagliano challenged that ruling as "speculative and conjectural," telling the Connecticut Supreme Court there was no evidence determining how much money he had found.

Monday, the justices ruled Vitagliano was not entitled to the disputed amount of money, which they set at \$60,000.

But they admitted there was ample evidence Vitagliano had found even more than the family was awarded.

Stellato, described as "a frugal man" who raised his own food and bought only bare necessities — then only purchasing dented cans and discounted items — had secreted his money in the basement because of losses suffered in bank closings during the Depression.

The justices said if Stellato had "secreted all of the

income the court found he had realized ... he could have hidden more than \$155,000 there."

Both sides had stipulated each money roll contained 260 bills, so if four to seven rolls were taken, "it is possible that Vitagliano stuffed between \$104,000 and \$172,000," the high court said.

The justices said if only \$100 bills were involved, as several people had testified, "in view of the court's conclusion that he took between seven and 10 rolls, it is possible that he stuffed between \$172,000 and \$260,000 in his shirt."

"The court's conclusion that the defendant took only \$60,000 is certainly reasonable in light of these findings," the Supreme Court concluded.

It said if the lower court had been able to pinpoint the money as only \$100 bills, "it could have assessed damages against the defendant at \$180,000 to \$260,000."

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# TSTA criticizes, OKs education proposals

United Press International  
**AUSTIN** — The president of the Texas State Teachers Association Tuesday endorsed the bulk of the recommendations of the Governor's Advisory Committee on Education, but balked at a proposal to test the competency of prospective teachers before allowing them in the classroom.

The advisory committee recommendations called for competency testing of prospective teachers in general academic skills, knowledge of the subject they plan to teach, and their proficiency in teaching skills.

"The testing of teachers after they have left our teacher education institutions is fiscally irresponsible," TSTA president Dora Scott said in a commentary on advisory committee recommendations.

"Our institutional standards should be such that when that institution certifies a person to be competent to teach, Texas does not have to administer another test at taxpayer expense."

The TSTA statement also expressed reservations about a committee recommendation students not proficient in English or who fail to meet minimal skills for their grade levels be required to attend summer school.

"Many of the children who need the benefits of special programs come from economically disadvantaged homes," the teacher group said.

"These children must work for money during the summer months and could not take advantage of summer instructional programs. Remedial programs must be available during the regular school year as well."

The TSTA president endorsed the advisory committee recommendations teachers be paid at levels equal to earnings in private industry, size of classes be limited and a set of standards be established for teacher certification.

# Validity questioned in Potts' execution stay

United Press International  
**JACKSON, Ga.** — The question of whether Federal Judge William O'Kelley was right in refusing to let Jack Potts change his mind again and appeal his death sentence is now in the hands of the 5th Circuit Court of Appeals.

Potts, who was to have died in Georgia's electric chair Tuesday, won what his attorneys expect will be his last brush with execution Monday when the Supreme Court refused to vacate the stay of execution issued by the New Orleans appeals court Saturday.

An official of the 5th Circuit Court said attorneys will argue a habeas corpus petition filed by Potts' attorneys last week and whether O'Kelley was right when he refused to issue the condemned killer a stay.

Last fall, Potts fired his attorneys and refused to challenge his sentence for the 1975 kidnapping-murder of 24-year-old Michael Priest. He was scheduled to die June 5. However, just 13 hours before he was to be electrocuted, O'Kelley issued a stay when Potts said he wanted to fight his sentence.

Two days later, Potts changed his mind again and O'Kelley agreed after intensive questioning to let the convict stop his appeals a second time. But he warned Potts he could not resume the appeals again.

Potts decided to fight his conviction again last Wednesday, but O'Kelley told Potts he had forfeited his final route of appeal.

Attorney Joe Nursey said he believed the Supreme Court decision ended any prospect Potts will ever go to the electric chair. He said he thought defense attorneys had in their appeal "one of the strongest cases we've ever seen."

Potts would have been the first to be executed in Georgia in 16 years and only the fourth in the United States since the Supreme Court permitted the resumption of the death sentence in 1977.

# Rain helps fire crews in Arizona, Colorado

United Press International  
Firefighting crews in Arizona and Colorado received help from natural allies — cooler temperatures and light rain — to bring several forest fires under control Tuesday but more than 13,000 acres of public land in Arizona burned on.

The largest blaze covered 10,060 acres in White River National Forest in north central Colorado and was controlled and mop-up operations had started. The fire, which was started last Wednesday by an unattended camp fire, was the largest in the state's history.

More than 8,000 feet of fire hoses were pumping water from streams into hot spots as firefighters began mop-up operations, even before the fire officially was declared under control. Helicopters were ferrying firefighters to remaining hot spots within the forest and work also was underway to assess restoration of the damaged areas.

Hot, dry conditions had made the forests fuel for fires but late Monday and early Tuesday, weather conditions were favorable for firefighters in both Arizona and Colorado.

"We had some light precipitation last night and it helped a lot," said Eric Martin of the Forest Service in Colorado. "It settled the dust and cooled things off. The humidity remains high which will allow things to burn cooler."

Forest Service spokesman Jerry Chonka said Colorado officials felt they were gaining the upper hand on their fires, which charred more than 11,000 acres of timberland, but were concerned about the July 4th holiday.

"We've got to keep our guard up," he said. "We have had a little cooler weather and some rain, but the situation still is critical. According to the weather forecasts, today is the last chance of any major rain. Then it will be dry through the weekend."

With the help of rainfall, Bureau of Land Management fire crews controlled the 1,000-acre blaze near Aravaipa Canyon west of Safford, Ariz., and progress was reported against the 1,300-acre fire near Lake Pleasant.

Lightning, which started many of the forest and brush fires that have plagued Arizona since the weekend, caused another fire southeast of Kingman but it was extinguished by rain.

More than 200 men hacked out fire lines to contain a 4,000-acre fire in the Tonto National Forest but were hampered by steep terrain and called for slurry bombers. Smaller fires across the state also still burned.

A 5,500-acre fire that was being mopped up and seven other small fires were reported in the Tonto National Forest.

Lighting also was a problem in Colorado, igniting more fires.

"There was some thundershower activity yesterday afternoon and last night," Forest Service spokesman Ed Nesselroed said. "There was a lot of moisture and it really helped. However, lightning strikes started two other small fires in an area called Sheep Mountain, 25 miles northwest of Fort Collins."