**THE DENVER POST**

**FORT COLLINS, Colo. —** Sept. 9 has been set in District Court here for the start of two insanity retrials of Alfred Medina. The case has been assigned to District Judge Dale E. Shannon.

Medina had been charged with the robbery of an antique shop and pleaded innocent by reason of insanity. In a jury trial, the defendant was found to have been sane at the time of the alleged offense.

Several weeks after the first trial, Medina filed a petition of "present insanity" and received a jury trial in that case. The jury found Medina hadn't become insane before trial and is now sane.

Medina was then tried on the robbery charge and found guilty.

**BOTH APPEALED**

Through his attorney, Deputy State Public Defender Edwin Felter Jr., Medina appealed the two sanity trials to the Colorado Supreme Court on the basis that the trials contained "reversible errors." The Supreme Court agreed with the defendant's contention that a nonexpert witness was allowed to express an opinion as to the defendant's sanity.

According to the Supreme Court's opinion on May 13, before opinion evidence from a nonexpert can be admissible, the witness must show a close and intimate relationship with the person alleged to be insane.

"The record here indicates clearly that the requisite foundation for the nonexpert testimony was not established," the Supreme Court decided.

**TRIAL REVERSED**

The second sanity trial on the issue of whether Medina was insane at the time of trial was also reversed by the high court on the ground that the court permitted the result of the previous sanity trial to be made known to the jury in the second sanity trial.

Concerning the robbery trial, the By RAy FLACK

**DENVER POST Staff Writer**

It was a classic matchup of the old and traditional and the modern trend.

A cease-and-desist order—that's gobble-dyogook for stop whatever you are doing—was issued Saturday against the operator of the Colorado Railroad Museum. It seems that a resident of the area didn't like the puffes of smoke that erupt from the narrow-gauge steam locomotives.

The order was served on Robert W. Richardson, who had already planned to fire up old No. 346—which at 93 is the oldest operable steam locomotive in the Rocky Mountain region.

The order was issued by Dave McCluggage, an employee of the Jefferson County Health Department. He cited a provision of the Air Pollution Control law and said the locomotive smoke "exceeds allowable opacity of 80 per cent."

The museum, at 17155 W. 44th Ave., just east of Golden, is nestled at the bottom of Table Mountain in a very sparsely populated area.

The name of the complainant wasn't revealed.

Ronald C. Hill, an attorney who also is a museum trustee, advised Richardson—after a rather angry and profane attack on modern bureaucracy—to ignore the order.

"Those guys must be crazy," he explained.

At any rate, old No. 346, totally unaware of all the fuss, fired up and roamed the very short tracks at the museum. Several visitors even hitched a ride.

**Pollution or Not, Old 346 Puffs Again**

Robert W. Richardson, executive director and operator of the Colorado Railroad Museum, east of Golden, reads a cease-and-desist order against the operation of steam locomotive No. 346. The order was issued Saturday by the Jefferson County Health Department. An area resident, not identified in the order, was complainant.

The nurse, who asked not to be identified, said she is able to give only 10 per cent of her time to actual patient care because of the extra work, and estimated the hospital could use "a good 50 per cent more nursing service personnel" for the work involved.

James C. Gaskin, the hospital's administrator, said he would "be the first to say we could use additional staff," but added he believed the current staff is "adequate" to give a high quality of patient care.

Furthermore, he said he hadn't been notified of any need for nursing personnel above the current number.

"NO SATISFACTION"

The nurse said complaints about the situation have brought no satisfaction from Gaskin because "he wants to keep things quiet and rolling smoothly to keep Washington off his back."

She said nurses are called upon to do the work of secretaries, intravenous teams (IV) technicians, inhalation and occupational therapists and, on occasion, even of custodial personnel.

The nurse said the situation has gotten "progressively