

Clerk Refers Lawyer, Retrial Granted

By RON SYMPSON
Herald Staff Writer

A Little Havana jeweler convicted of fencing stolen property will get a new trial because his attorney — who had never before tried a criminal case in the United States — was referred to him by a Dade Circuit Court clerk.

Dade Circuit Judge Gene Williams ordered the new trial for Lazaro Navarro, 36, who was convicted Aug. 12 of buying and selling stolen property and sentenced to five years in prison.

The clerk, Jesus Guerra, denied that he recommended attorney Juan Altomaga for Navarro, but did admit that he had recommended Altomaga's law partner, Juan Enrique Valdes. Guerra said he made the referral when Navarro "came in here crying one day."

"HE CAME in here looking for a lawyer and didn't speak English and that's it," Guerra said, explaining that he is often called on to assist Spanish-speaking visitors to the clerk's office.

He recommended Valdes, Guerra said, because the two men were members of the same political party in Cuba and had both unsuccessfully run for the Cuban Congress in 1958.

Altomaga could not be reached for comment, but Valdes told The Herald that Altomaga was admitted to the Florida bar on Oct. 23, 1975.

Altomaga's only court experience in the United States, sources said, is with nontrial traffic cases.

"It is wrong for the defendant to obtain his counsel through an apparent agent of the court," Williams

wrote in his order, "and particularly when the defense firm to whom the defendant has been referred has never tried a felony jury case."

THE JUDGE also cited an affidavit claiming that the state's key witness, Juan Hernandez, had lied as another reason for granting a new trial. Hernandez, who been sentenced to 60 years in prison for his involvement in a major Dade home burglary ring, said in the affidavit that he "finally made a statement ... because of constant police pressure."

Hernandez claimed that, contrary to his testimony at the trial, he "never sold, delivered or otherwise had any dealings with Lazaro Navarro."

JUDGE WILLIAMS did not accept Hernandez' affi-

davit as fact, however, and said that "the credibility and believability of his testimony are matters for a jury to determine"

Navarro was arrested after an early morning Jan. 14 raid at his Canonoza jewelry store, at 308 SW 12th Ave. With Navarro's permission, police said, they then searched his home, recovering about \$300,000 in goods.

Detectives said that Navarro is alleged to have fenced stolen property from at least five accused burglars, whom police estimate were responsible for about 150 burglaries in the last six months of 1975.

One of the five-accused burglars was acquitted by a Circuit Court jury. The other four, including Hernandez, were found guilty and sentenced to prison.



CHARLES WHITED

Family's Rich In Tradition, Maybe More

An oil portrait of the captain looks down upon the high-ceilinged living room. Rugged. Resourceful. Still, after nearly a century and a half, a figure of swashbuckle and derring-do.

Capt. Francis Benjamin Watlington, seafarer, took a 16-year-old bride named Emeline, brought her to Key West in 1832, then sailed off to China. So Emeline bought a house on Duval Street.

And in 1973, when Capt. Watlington's great-great-grandson Robert Belgau, the retired "singing mailman" of Miami Beach, went down to untangle the estate, Key West's oldest house was still in Emeline's name.

SO OUT of the house on Duval Street, which was restored and given to the state as a museum, came a treasure trove of history: the 28-star Old Glory, bric-a-brac, boxes of yellowed newspaper clippings, the portrait of Capt. Watlington, a state senator, Confederate warrior, blockade-runner.

"I guess I've become a keeper of the keys," said Belgau, 53, now a general contractor. "The problem is, what to do with it?"

Faded clippings, ancient letters in spidery handwriting, scraps of this and that. It all tumbled over the coffee table at 7134 Carlyle Ave., memorabilia harking deep into South Florida's past, interweaving generations. So many names and families.

There are 283 descendants on the Watlington side, give or take a few. And the old captain, who went to his reward in 1887, was but part of the complex fabric.

ONE COULD not ignore the Cold branch, for example. There is Swedish royalty in the bloodline, traced back to King Swerke, circa 1214 A.D., and an even older king of Norway.

And who knows — on the Cold side, Robert Belgau and his many brothers, sisters, nieces, nephews, cousins, etc., might have claim to 160 acres of downtown Miami.

From old letters and clippings, researcher Belgau has pieced together this story:

In the early 19th century, brothers David and Henry Cold were shipwrecked and made their way to Key West. Later they made the first surveys of Florida's coast from Miami to Palm Beach.

They were rewarded, it is said, with 160 acres of bayfront land ranging for two miles northeast of Dinner Key. It is unclear if the grant, if it ever really existed at all, was from the federal government or the state.

IN 1871 the brothers were found by Dr. J. B. Holder, writer and scientist, living in the abandoned Fort Dallas barracks on the Miami River. "The two gentlemen," Dr. Holder wrote, "have a grant of land from the state and are authorized to encourage colonization of the region."

No descendant ever dug into the land grant story, and there the matter rests to this day. But the possibilities are not lost on Robert Belgau.

"Let's see," he mused aloud Tuesday, "that would probably take in the Dupont Plaza, the Four Ambassadors and everything south, maybe even the city hall. Now that would be something."

He thumbed his treasure trove, including an 1887 Key West Democrat editorializing on the recent public hanging of one William Cooper, who'd gone berserk and shot three men in a brawl. Noted the Democrat: "Nothing purifies society more effectually (sic) than a good hanging."

Congressman Claude Pepper has suggested he turn everything over to the state, or perhaps the St. Augustine Museum.

Belgau also might find time to research old land grant records. The thought of all those Miami acres was enough to make a "singing mailman" burst into song.

Robert Belgau sang: "Be my loove, for no one else can end this yearning ..."

From his oil portrait, the old captain stared.



— JOE ELBERT/Miami Herald Staff

Happiness

The retired man with enough food to share with his friends; the urban birds relieved of the morning search for nourishment; symbols

of freedom in Miami Beach, the island dedicated to leisure. While millions struggled in the chase for a million different goals Tuesday morning, this man and his pigeons appeared to have found theirs in a park bench and a bag of popcorn.

Americans Abroad Win A Voice in Washington

By SAM JACOBS
Herald Staff Writer

The estimated three million Americans living abroad now have a new voice in Washington to help them fight for equality with other Americans on matters such as taxation and government-paid medical benefits.

Milton Lehr, president of the one-year old Federation of International American Clubs, said the federation now has an office in Washington for "collective representation" of overseas Americans, although he was careful to avoid the term "lobbying" or even "political action."

Lehr — a businessman and TV producer who splits his time between Miami and Madrid — said that Americans living abroad had the right to vote for the first time in history this year, but they are not equal in some other matters.

THEY include:

- Medical benefits. Americans living abroad are ineligible for Medicare payments, a particular hardship for persons who have retired abroad, Lehr said. In addition, the proposed Kennedy-Corman health care bill, which would set up a national health insurance system, would exclude overseas Americans. Lehr said

he would like both laws amended to include them.

- Taxation. The tax bill which passed Congress this year took away a number of tax breaks for overseas Americans. The bill reduced exemptions persons can take for living overseas, Lehr said, and eliminated the deduction for educating children in private schools. Lehr said these changes have, in many cases, made it financially unfeasible for Americans to live and work abroad.

Lehr said the new federation is the best organization to fight for changes in these laws.

IT IS made up of American Clubs in 30 countries around the world, with a total of 160,000 members. One of the clubs included is in Miami — the American Club of Havana in Exile. (Ironically, the majority of current members are Cubans, although it still includes some Americans who used to live in Cuba, Lehr said.)

Lehr said the only other voice speaking for Americans living are the American Chambers of Commerce in foreign countries. However, he said, the chambers generally speak for corporations. The federation of American Clubs, he said, speaks for individuals.

The federation recently had its second international convention in Madrid. A total of 470 persons from the member clubs attended, Lehr said.

30-Year Dream Threatened

Hope for Home Runs Into Catch 76-11-CC30

By JOEL GREENBERG
Herald Staff Writer

When Franklin P. Beckwith was 25, in 1947, he paid \$500 for a small plot of land in East Gouls. Some day he hoped to build a duplex there that would supplement his income as a schoolteacher.

Now, some 30 years later, Beckwith has finally saved enough money to construct the duplex from his earnings at Dunbar Elementary School.

But Tuesday, Beckwith ran into Catch 76-11-CC-30.

THE METRO Commission decided to rezone land parcel No. 30, which encompasses Beckwith's 100-by-50-foot plot, from duplexes to single family. The action was part of nearly 30 rezoning proposals for the East Gouls area considered by the commission.

Today, the commission will hear the final East Gouls zone change proposals, formulated by the Building and Zoning and Planning Departments as part of a series of neighborhood refinements of the county's master plan.

Though most of the proposals passed smoothly, Tuesday's session was initially a harsh and unexpected blow for the soft-spoken Beckwith.

"When I bought the land I had just married," he recalled. "And it (East Gouls) was all farming area."

"Now that I can finally build on it, they're rezoning it."

The commissioners were sympathetic, however. And even though they approved the rezoning to single family structures they advised Beckwith to apply for a special building permit and indicated his chances for approval

were good.

JUANITA FLOYD, who led a resident delegation urging more single-family zoning for the region, said that group was also in favor of allowing Beckwith's duplex as an exception.

The majority of the rezoning proposals passed paved the way for less density in residential areas and moderate development of commercial areas.

"We're trying to tailor the zoning to fit existing development, as well as to encourage the highest class commercial development in the future," said Metro Planning Director Reg Walters.

The rural, southern portion of East Gouls will continue to remain agricultural in the foreseeable future, Walters said. "But in time, we expect it will give way to logical, orderly development," he said.

'Interama' Park Gets Go-Ahead

By DOROTHY GAITER
Herald Staff Writer

After more than five years of delays and modified plans, North Miami city officials have given Munisport Inc., the go-ahead to build a \$7-million recreation complex on the city's Interama property.

When Munisport officials sign the notice to proceed sometime next week, the 30-year lease agreement they have with the city will be activated, and construction should begin soon after.

The developers expect the first 18-hole championship golf course on the 300-acre site to be completed by the end of 1977. The entire project should take four years to complete.

AN ESTIMATED 1,000 people a day are expected to use the complex's 16 lighted tennis courts, swimming pool, multipurpose clubhouse bike and canoe trails and two 18-hole golf courses which will be built near the 143rd Street access road just off Biscayne Boulevard. The tract is situated east of Biscayne Boulevard, generally between 140th and 155th streets. Florida International University's North Miami campus is just east of the tract.

The complex has been a long time coming since 1970 when the city passed a \$12-million bond issue to keep the 1,700 acres of Interama property in public hands. In return for its investment, the city was given 350 acres by the state for recreation use.

However, since that time, the state outlawed the destruction of mangroves which covered most of the city's property, preventing development of the land. A good portion of the property was underwater top.

After months of meetings and negotiations, the State Cabinet agreed to take the city's unusable property and swap it for state-owned acreage that could be developed.

WITH THAT hurdle jumped, the project ran into snags with local and state environmental agencies because Munisport's dredge-and-fill operation might pose a threat to the water quality of Biscayne Bay.

The Department of Environmental Resources Management is still monitoring the fill operation, according to Charles Johnson, a spokesman for Munisport. The developers are operating the landfill to build the land up so it can be developed and to defray some of the construction costs which have risen in five years from \$3.5 million to \$7 million.

Part of the city's lease agreement with Munisport allows the city to dispose of up to 100,000 cubic yards of fill each year until the project completed at no cost to the city. Last year the fill operation saved the city \$250,000, Johnson said.

Briefly



— ALBERT COYA/Miami Herald Staff

YOUNG RESCUERS: Jackie Kostelak, 12, applies mouth to mouth resuscitation while other North Miami Junior High School students prepare to check pulse and perform heart massage on a dummy used in teaching emergency heart attack techniques. The dummies are mechanically constructed to indicate to the children how well they perform.

'Scottsboro Boy' To Speak Here

Clarence Norris, the last known surviving "Scottsboro Boy," will speak at 8 p.m. Friday at the Antioch Baptist Church, 2799 NW 46th St. Norris, now 64, was one of nine young black men charged in 1931 with raping two white women aboard a freight train near Scottsboro, Ala. All nine were sentenced to death but their sentences were later reduced to life imprisonment. Norris served 15 years in prison although one of the women recanted her story. He fled from Alabama after a parole in 1946 beginning his 30 years as a fugitive. This week he flew back to Alabama — fugitive no more — to receive his pardon which was granted five weeks ago by the state Pardon and Parole Board.

Police to Combat Pot at Concert

Metro policemen will be more visible at a Miami-Dade Community College concert Saturday on the north campus in an effort to stop marijuana smoking, a police spokesman said Tuesday. Nick Adamo, director of student curricular activities, said pot smoking at school concerts has become a problem. "It's a problem. It's against the law and we just can't overlook it," Adamo said.