

# Lawmen hunt for two killers

## Three shot, one dead in robbery here

By KAREN E. DAVIS  
IR Staff Writer

The search continued today for two young men suspected of killing a Helena Valley convenience store operator and badly wounding his wife and a customer.

The shootings occurred Sunday evening at the Mini-Basket convenience store north of East Helena on Canyon Ferry Road.

There was a witness to the murder and robbery, who local authorities have refused to identify.

Dead at the scene was co-owner Richard Eugene Emineth, 47. His wife Carol, 44, has been hospitalized in Great Falls in critical condition from a head wound. She was found in the store, slumped under a counter by the cash register.

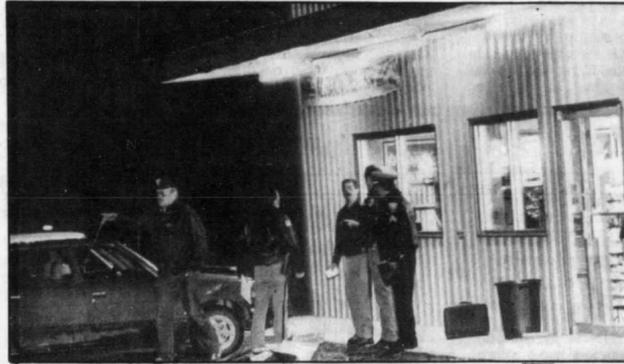
Also hospitalized in Helena in satisfactory condition after Sunday surgery is Tom Ellison, 27, of 2900 Elk View Dr. in East Helena, a customer who was shot in both arms as he was getting out of his car in the parking lot.

According to Lewis and Clark County Sheriff Chuck O'Reilly, Emineth fell or was shoved through a plate glass door in the store, and was shot in the back of the head as he lay in the parking lot about 10 feet from the store.

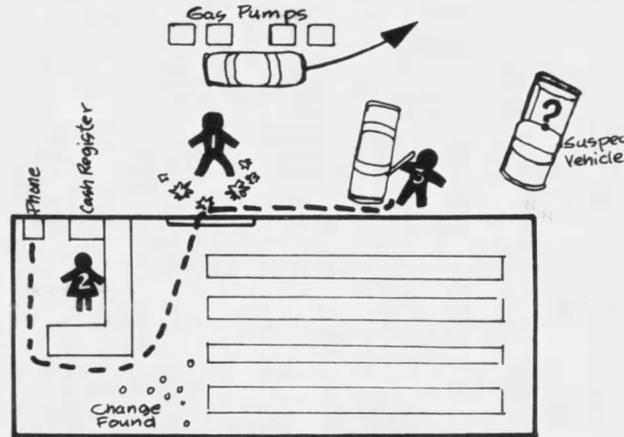
The store is at the intersection of Wylie Drive, in an isolated area about two miles north of Highway 12.

An All-Western States bulletin has been issued for two men in a late model blue Chevy S-10 pickup truck. O'Reilly said one suspect was in his early 20's, 6-foot tall, with dark wavy hair, and wearing jeans and a beige ski jacket with a dark stripe. The other suspect looked younger and shorter, has light brown hair and was wearing jeans and a gray jacket.

Ellison managed to call authorities, despite his wounds, at 6:23 p.m., about



Sheriff's deputies inspect scene at Mini-Basket's front door shortly after crime occurred. (Staff photo by Gene Fischer)



According to sheriff's reports, Richard Emineth (1) was found dead lying face up in the parking lot outside the broken door. Carol Emineth (2) was found unconscious with a head wound behind the counter. Tom Ellison (3) was shot twice

five minutes after the robbery. Three .22-calibre shell casing were recovered at the scene, in a pattern suggesting a semi-automatic pistol had been used, O'Reilly said. He estimated five to eight shots were fired.

Another half-dozen people had gathered at the store in the six minutes it took

while getting out of his car, and called police from the phone on the wall above Carol Emineth. A witness who had apparently pulled up for gas took off when the shooting began.

the sheriff to respond, he said.

Although the cash register was emptied, nothing else was taken from the store and authorities have no estimate on the cash taken.

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## A friendly place gets rubbed out

By JERRY WRIGHT  
IR Staff Writer

"Welcome to Mini-Basket" says the plastic sign above the cash register at the little convenience store on Canyon Ferry Road, "Dick & Carol Emineth."

This morning the counter below was covered with black finger-printing dust and the tile floor behind the counter was marred by a dried pool of blood.

Their new store barely three months old, the Emineths' world was blown apart Sunday night by two thieves armed with a .22 caliber pistol.

Dick Emineth, 47, died in the parking lot of his store lying on his back, having been shot in the head after crashing through the door.

Carol Emineth was found unconscious behind the store's checkout counter, a gunshot wound to her head. She lies in critical condition in a Great Falls hospital.

The cash register to the store was empty. Authorities don't know how much money was exchanged for the Emineth's world.

Another man, Tom Ellison, was hit by two bullets in the parking lot after the thieves left the store. He is in satisfactory condition at St. Peter's Hospital.

Undersheriff Ed Schild said Ellison is lucky to be alive. Whoever pulled the trigger obviously had no conscience about killing other human beings.

The neighborhood is in a predictable state of shock.

"I feel like it's a dream," said Kay Leach. "It just makes me sick."

Leach lives with her family across Canyon Ferry Road from the store. She and her husband were at church when the murder took place. One of her sons caught them by telephone at a friend's house after church and told her to come

'Such a waste,' friend says.

(More on PLACE, back page)

# Boy charged with killings

## Other teen may not be charged

By MICHAEL CRATER  
IR Staff Writer

Jeffrey Franklin Stewart, 16, of 417 Geddis Street, was charged this morning with two counts of deliberate homicide and one of attempted deliberate homicide for the Jan. 19 shootings at the Mini-Basket convenience store.

Sam McCormack, a Lewis and Clark County sheriff's detective, testified that a witness identified Stewart as having shot Richard Emineth in the back outside the store. The witness didn't see who shot Carol Emineth inside the store, McCormack said. Witnesses had said two young men were involved in the robbery.

One witness, who was watching from a fuel-pump island some 50 feet away, picked Stewart's picture out of a Helena High yearbook, McCormack said. The witness later chose Stewart out of a physical lineup of nine similar-looking young men, the detective said.



*Jeffrey Franklin Stewart shown in 1985 Helena High yearbook.*

Even though the eyewitness purportedly didn't see who shot Carol Emineth, Montana law

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# Drama ends; Stewart acquitted

## Actual verdict is anticlimactic after one juror 'spills' the count

By KAREN E. DAVIS  
IR Staff Writer

A Helena jury took more than 18 hours to deliberate Wednesday and Thursday before finally acquitting Helena High junior Jeff Stewart, 16, of the Jan. 19 Mini-Basket slayings.

Amid tight courtroom security, he was found not guilty on all three charges: deliberate homicide for the deaths of store owners Carol and Dick Emineth, and attempted homicide in the wounding of a customer, Tom Ellison.

One juror, who asked to remain anonymous, said that the judge's instructions about reasonable doubt played a key — but not total — part in the jury's verdict.

The 9:05 p.m. verdict Thursday was almost an anti-climax to an incident earlier in the afternoon, though.

The jury had contacted Judge Frank Davis at 3:13 p.m. to say they were hopelessly deadlocked. When Davis brought the jury back into court to be polled on how badly they were deadlocked, one juror inadvertently admitted that the jury stood 10-2 in favor of acquittal.

The importance of that — that Stewart was close to an acquittal or a hung jury, but not a guilty verdict — was not lost on him or his family, who immediately surrounded him, crying and hugging.

Davis instructed the jury to continue deliberations until 5 p.m. The drama built throughout the afternoon, as the jury at 5 p.m. requested a little more time. At 6:15 the bailiff announced that the jury was going to dinner, and would not be back until 8:15.

Off in a corner a group of people huddled on a

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Jeff Stewart listens to jury tell judge at 3:30 p.m. Thursday how far from a verdict it is, upper left, he reacts almost six hours later when actual verdict is read, upper right, and immediately is hugged by his attorney, Ed Sheehy, bottom. (Staff photos by George Lane)

## Coal-tax shuffle killed; session may be expanded

By The Associated Press

The Montana House today killed a bill that would have used \$24 million in coal severance tax trust fund money to help balance the state's budget.

On a 58-36 vote, the measure was rejected after opponents said the money — stockpiled from half of each year's coal tax col-

### UM gets new leader

James Koch, 43, the provost and vice president for academic affairs at Ball State University in Muncie,

zeman, had asked that the House wait until Monday to debate his bill so that the Senate would have time to act on Gov. Ted Schwinden's proposed gasoline and diesel fuel tax increases. That measure would raise about \$22 million.

In other action, Gov. Ted Schwinden told leaders he may ex-

# Victims of **CRIME**



Shane and Lori Emineth stand at the Billings Sunset Memorial Gardens grave of their parents. (Photo by Larry Mayer of the Billings Gazette)

Carol and Dick Emineth were murdered Jan. 19 at their new convenience store north of East Helena. The family had just moved to Helena after living in Billings for more than a decade. Here is an interview the Billings Gazette had with the Emineths' two teen-aged children.

By Mary Pickett  
Billings Gazette

**N**ineteen-year-old Lori Emineth finished up her shift at her parents' Helena convenience store at 4:20 p.m., Jan. 19, and left for her second job at Rax Restaurant.

She and her family had moved to Helena from Billings a few months before to build and operate the store, the Mini-Basket on Canyon Ferry Road.

Less than two hours later, her father, 47-year-old Richard Emineth, was dead and her mother in critical condition,

both shot during an attempt to rob the store.

Lori was notified about the shooting by police at her job at 10 p.m.

She and her 17-year-old brother Shane were rushed to Great Falls by her father's best friend to see their mother, who had been moved to a hospital there.

Carol Emineth, 44, died the next day.

In addition to Lori and Shane and other family members, Carol left two married daughters in Minnesota.

A 16-year-old Helena teenager, Jeffrey Franklin Stewart, was charged Jan. 31 with deliberate homicide in connection with the deaths of the Emineths and attempted delierate homicide in connection with the wounding of a customer at the store.

Stewart was acquitted June 20 by a Helena jury of all three counts.

Nobody can really understand the pain of losing a relative to a violent crime except those who have experienced it themselves. A sense of unreal-

'A lot of times, I'll wake up and ask for Mom'

Lori Emineth

ity about all this still strikes Lori Emineth.

After her parents' funeral, she and her brother moved back to Billings where they grew up and where most of their friends still live.

The family was close, says Lori, and both she and Shane had been living at home at the time of the murder.

Lori remembers how her mother would come in and wake her mornings after Lori had been out with friends the

night before. Her mother, says Lori, wanted to know everything that had happened and would laugh if there had been a funny story to tell.

Now, months later, her parents' deaths sometimes still seem unreal, as if they are only on a long trip and will any day be coming back.

"A lot of times, I'll wake up and ask for Mom," says Lori, her brown eyes welling with tears.

The crime not only took away her parents, it robbed her of the comfort of being with them at the end.

Lori says she's been able to better deal with her mother's death because she was able to see her in the hospital before she died. It's been more difficult to cope with losing her father, with whom she was particularly close, because she didn't see him until the funeral.

Both Shane and Lori are moving forward with their lives and making plans for the future. Lori will attend beauty school in Billings later this year. Shane says he will be moving to Washington state where relatives live and start a pre-cast concrete business, like the one his father ran in Billings.

But the murder of their parents still haunts them.

"They think about it all the time and ponder questions without answers."

"Why did it happen?" Lori asks. "Why did it happen to my parents?"



Lori Emineth at the store this week: 'I couldn't let it sit and not be open.'

## Emineths' daughter will reopen the Mini Basket

By TOM PALMER  
IR Staff Writer

The feather of pink hair lets you know that in her heart she is still a kid.

But Lori Emineth's eyes are full of worry. They are the pained eyes of a young woman who has had to grow up too fast for all the wrong reasons. The eyes of one who knows how harsh the real world is.

On Sept. 1, the 20-year-old will reopen the Mini Basket convenience store east of Helena. The Mini Basket has been closed since Jan. 19, the night her parents were murdered in the store during an armed robbery.

Deliveries to the Canyon Ferry Road store are coming in daily. The shelves are being stocked. And Lori Emineth has found herself in charge, wondering how she'll ever match the friendliness of her mother, Carol, and the neighborly rapport of her father, Richard.

"When a customer came in, my dad

would always come out of the office with a smile on his face, 'How ya doin',' he'd say and walk over and shake his hand," Lori recalled. "Even if the customer was unfriendly my dad could find a way to make him smile. It's kind of hard trying to take their place,"

But Lori is on her own now. Her brother Shane, 17, has gone to the state of Washington to stay with relatives. "He didn't like the idea of me opening it by myself, but I just can't let it sit here and do nothing," she said. "Lots of people are scared for me being here by myself. I'm scared for myself, but not as much as I was at first.

"It's just something I have to do," she continued. "It was my parents' store and I just can't let it sit and not be open. They put a lot of work and time in to this."

Since the murders, Lori has been

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