

*“Granjero de Cairo
muere en tiroteo”*

*The Grand Island
Daily Independent
miércoles, 24 de octubre
de 1984*

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Omaha Central can keep its gridiron record

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The Grand Island Daily Independent

Vol. 114, No. 296

Grand Island, Nebraska—Wednesday, October 24, 1984

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Cairo farmer dies in shootout

By JIM TITSWORTH Independent Staff Writer
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Kirk

His deputies, pulling a .41-magnum pistol to force them off his land. Five hours before he died, Kirk told The Independent he was confronted by the deputies on his farm...

SWAT team members returned fired, killing Kirk. Von Riesen said Kirk was the only casualty of the shooting...

Hall County District Court records show that a petition of replevin was filed Tuesday, alleging that Kirk owed Norway Bank of Grand Island \$301,891 from three loans made between Nov. 4, 1981, and Feb. 3, 1984.

Reporter talks to Kirk hours before shooting

1984, The Grand Island Daily Independent by JIM TITSWORTH Independent Staff Writer

Art L. Kirk of rural Cairo died in a shootout with a Nebraska State Patrol SWAT Team at 10:30 p.m. Tuesday on the farm where he was born 93 years ago.

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to Sheriff's deputies involved.

G.I. bank files lawsuit against Cairo couple

By JIM FADDIS and BRUCE WEIBLE Independent Staff Writers

Norwest Bank of Grand Island filed a lawsuit in Hall County District Court Tuesday to recover assets and \$100,000 in cash from Arthur and Deloris Kirk...

The bank asked the court to give it possession of approximately 190 head of cattle, 20,000 bushels of grain and farm equipment belonging to Kirk. It also alleges Kirk sold livestock and crops that were pledged to the bank without turning over the proceeds...

The bank also asked for proceeds from 20,000 bushels of Payment-In-Kind corn, which Kirk had sold. As of Oct. 15, the suit states the Kirks had borrowed \$26,500 from the bank and owed it \$24,961 in interest.

The bank said Kirk entered a security agreement on the property Nov. 4, 1983, and a financing statement was returned Aug. 10, 1983. The petition states Kirk had put on collateral all farm equipment, crops and livestock. Claiming the Kirks were in default, the bank asked the court to give it immediate possession of the equipment, crops and livestock of Kirk's and \$100,000.

Kirk had filed two actions in the federal courts in July, naming Norwest Bank and officers Richard Faldorf, Thomas Collins and Richard E. Speltz Jr. as defendants. A spokesperson for the clerk of the U.S. District Court in Lincoln said the actions were filed as part of a larger action, Kirk vs Norwest Bank and others. According to the spokesperson, those actions were dismissed on Oct. 4, except for those pertaining to one sub chapter of the U.S. Code. An amended motion was also granted on Oct. 9, dismissing all actions except those dealing with a different sub chapter.

Among the actions filed by Kirk were a notice of intent to file an action against the bank and a "notice of rescission," contending that the bank had 10 days to release all liens and mortgages "subject of the instant lawsuit." Copies were filed in the Hall County register of deeds office, along with three other documents. They allege the Kirks were owners of the land and property involved, that the Kirks were entitled and were claiming a "homestead exemption" to set aside the real estate and other personal property "as exempt," and a warning posting the Kirk property with a "federal post."

Corn inventory level is lowest in 8 years

WASHINGTON (AP) — The U.S. corn inventory going into this fall's harvest was the lowest in eight years, reflecting the 1983 drought and government acreage cutbacks, a report by the Agriculture Department says.

As of Oct. 1, the beginning of the new corn marketing year, an estimated 72.3 million bushels of old-crop grain were on hand, down 77 percent from the record high of 41.2 billion bushels a year ago. According to USDA records, that was the smallest Oct. 1 corn carryover since 1976, when the inventory was 400 million bushels.

The Oct. 1 inventory was 66 million bushels less than had been projected by USDA on Oct. 12. At that time, the old-crop carryover was expected to be about 788 million bushels. Based on the new report, stocks of corn, the department will issue new projections for the entire 1984-85 marketing year, including a look at what the corn carryover may be next Sept. 30. Those new figures will be issued on Wednesday.

Currently, based on the previous Oct. 1 projection, the corn carryover on Sept. 30, 1985, is expected to be slightly more than 1.1 billion bushels. The forecast, reflecting this fall's larger crop — 7.5 billion bushels against the 1983 harvest of 4.17 billion bushels. The projection was announced on Oct. 12.

When Agriculture Secretary John R. Block announced the government's 1985 feed grain program on Sept. 14, the corn carryover at the end of the 1984-85 season was projected at less than 1.02 billion bushels.

Reporter talks to Kirk hours before shooting

1984, The Grand Island Daily Independent by JIM TITSWORTH Independent Staff Writer

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to Sheriff's deputies involved. Unable to find them, the writer had stopped at three other farms to ask directions to the Kirk farm. At two, no one was home; at the third a worker said he did not know. At the fourth farm, when Kirk was approached and asked where the Art Kirk farm was located, he replied, "You're speaking to him."

Kirk said that after the initial incident he went back to his business, harvesting beans on land south of his farmstead. The gate to his house, which sits about 200 yards off the road, was barred by a barbed wire fence. As Kirk opened his gate he pointed out the deputies parked about three-fourths of a mile away. He was angry as he talked about what had happened, telling how he had walked from his shop to be confronted by three deputies.

As it was, however, the projected carryover was less than the 1.1 billion bushels specified by Congress, although the Oct. 12 projection exceeded the specified trigger for a paid diversion for corn. Block has been under pressure from the House of Representatives and commodity officials to add the paid diversion as a sweetener to the 1985 program. However, budget-conscious people within USDA and elsewhere in the administration have advised against it.

Farmers began signing up in next year's crop programs, including feed grain, on Oct. 15. Enrollment will continue through March 1. The grain inventory report also showed Oct. 1 stocks of old-crop sorghum at 220 million bushels, down 38 percent from 400 million a year earlier. Other grains included: Oats, 474.3 million bushels, down 6 percent from 505.2 million; barley, 54.5 million bushels, up 12 percent from 515.2 million; wheat, 2.72 billion bushels, down 8 percent from 2.95 billion; and soybeans, 174.8 million bushels, down 49 percent from 341.6 million.

Wednesday report

Reagan recalls Grenada invasion

By the Associated Press President Reagan, after facing the worst heckling of his campaign, is defending a 24-year-old letter he wrote criticizing John F. Kennedy, while challenger Walter Mondale conceals the Carter-Mondale administration didn't do enough for the embattled steel industry and asks for another chance.

Reagan ignored the one-year anniversary Tuesday of the terrorist bombing that killed 91 American servicemen in Beirut, but today he was remembering another anniversary, the U.S. rescue-invasion of Grenada. Page 2

Crash kills Salvadoran army leader

SAN SALVADOR, El Salvador (AP) — The Salvadoran army's leading field commander and his three other top officers were among 14 people killed when a helicopter crashed during an offensive against leftist rebels. The guerrillas claimed they shot down the helicopter, but the military said the crash Tuesday "almost certainly" was caused by mechanical failure.

Among those killed was Lt. Col. Domingo Monterrosa, 42, widely considered the army's most effective combat commander. His death marks the worst single blow to the Salvadoran military leadership in the 5-year civil war. Page 7

Inside the Independent table with columns: Ann Leaders, Day's Record, Movies, Bridge, Editorial, Sports, Comics, Legal, Want Ads, Weather, Crossword, Market.

Flooding, snakes cause evacuation

NEW BERLIN, La. (AP) — Storms blanketed southern Louisiana today after the heaviest downpour in 20 years unleashed nearly 12 inches of rain in 24 hours, driving snakes into homes and causing widespread flooding that killed one person and forced the evacuation of thousands, authorities said.

"We're expecting heavy rains" throughout the day, Hugh Crowther, a forecaster at the National Severe Storms Forecast Center in Kansas City, Mo., said early today. "There will be some showers and thunderstorms for the next couple days."

Delcambre's nearly 2,000 residents were urged to leave town entirely, said Vermilion Parish Sheriff Ray LeMaire. About 50 people in New Iberia were moved to a National Guard armory after water and snakes invaded their homes.

"I was just thinking about getting my children out and nothing else," said Norma Carley, 42. "By the time we got out, the water was chest-deep and there were snakes all over the place." The snakes apparently were driven by high water into a public housing project, but there were no reports of anyone being bitten, said Iberia Parish Civil Defense Director Joe Valen-



THERE IT IS! — Arved Rasmussen, 88, of Danneberg rediscovered his sidewalk under a thick cover of leaves Tuesday afternoon. Lawns in Danneberg, which has more than 11' of shoring of leafy trees, were blanketed with the colorful things. More leaves were floating downward in the fall breeze too. (Photo by Rich Post)



The Grand Island Daily Independent, 24 de octubre de 1984
 primero articulo, lado superior izquierdo: "Granjero de Cairo muere en tiroteo"

Vol. 114, No. 296

Grand Island, Nebraska—Wednesday, October 24, 1984

Cairo farmer dies in shootout

By JIM TITSWORTH
 Independent Staff Writer

Arthur L. Kirk, 49, died Tuesday night in a shootout with a Nebraska State Patrol SWAT Team. Hall County Attorney Steven Von Riesen said Kirk was shot as he ran toward a sandbagged position at the windmill on his rural Cairo farm, after he had fired at the officers. He had refused an order to surrender to the SWAT Team, Von Riesen said.

Tuesday about 1:45 p.m. Kirk had refused service of civil papers to recover \$100,000 from the sale of crops and livestock and his 240-acre farm and equipment. He had forced a standoff with three Hall County sher-



Kirk

iff's deputies, pulling a .41-magnum pistol to force them off his land.

Five hours before he died, Kirk told The Independent he was confronted by the deputies on his farm, and one of them had displayed a pistol before he pulled his pistol. County Attorney Steve Von Riesen said that Kirk had pulled his gun first.

Von Riesen said Kirk was killed about 10:30 p.m. as he tried to fight his way to the sandbagged windmill. He died in his farmyard, holding an AR-15 army-type rifle that was converted for automatic firing.

Von Riesen said Kirk's face was camouflaged for night fighting, and he was wearing a gas mask and a steel helmet. He said Kirk was attempting to run from his farmhouse to the sandbagged windmill when a SWAT team member called, "Stop." Von Riesen said Kirk fired in the direction of the voice and at least two

SWAT team members returned fire, killing Kirk.

Von Riesen said Kirk was the only casualty of the shootout.

He said that before the SWAT team was called in, a sheriff's deputy tried unsuccessfully to negotiate with Kirk in an attempt to get him to surrender to arrest. About 4 p.m. an arrest warrant for Kirk was issued for felony resisting arrest with a dangerous weapon.

Von Riesen also said that after the SWAT team moved into position, after darkness, a deputy and State Patrol negotiator had talked with Kirk in another unsuccessful attempt to get him to surrender.

Von Riesen said that Kirk's wife, Deloris, had also talked to Kirk on the telephone from the Grand Island State Patrol Headquarters during the negotiations, but he said he did not know what they talked about.

Hall County District Court records show that a petition of replevin was filed Tuesday, alleging that Kirk owed Norwest Bank of Grand Island \$301,891 from from three loans made between Nov. 4, 1983, and Feb. 3, 1984.

Supporting documents, which required service by the Hall County Sheriff demanded \$100,000 cash proceeds from sale of crops and livestock, as well as his farm and farm equipment.

Von Riesen said that part of the continuing investigation was to determine Kirk's link to the posse militia, if any. Before his death, Kirk had claimed his telephone was tapped, but Von Riesen said he did not know of any wire tap on Kirk's telephone.

He also said he was considering a coroner's inquest, but had not yet made a decision.

*The Grand Island Daily Independent, 24 de octubre de 1984
segundo artículo, lado inferior izquierdo: "Banco de G.I. presenta
demanda contra pareja de Cairo"*

G.I. bank files lawsuit against Cairo couple

By JIM FADDIS and BRUCE WEIBLE
Independent Staff Writers

Norwest Bank of Grand Island filed a lawsuit in Hall County District Court Tuesday to recover assets and \$100,000 in cash from Arthur and Deloris Kirk. Arthur Kirk, of rural Cairo, was killed Tuesday in a shootout with a Nebraska State Patrol SWAT Team.

The suit states Kirk owed the bank \$301,891 in principal and interest.

The bank asked the court to give it possession of approximately 199 head of cattle, 20,000 bushels of grain and farm equipment belonging to Kirk. It also alleges Kirk sold livestock and crops that were pledged to the bank without turning over the proceeds, totaling approximately \$100,000, to the bank.

The bank also asked for proceeds from 20,000 bushels of Payment-In-Kind corn, which Kirk had sold.

As of Oct. 15, the suit states the Kirks had borrowed \$266,900 from the bank and owed it \$34,991 in interest.

The bank said Kirk entered a security agreement on the property Nov. 4, 1983, and a financing statement was renewed Aug. 10, 1983. The petition states Kirk had put up for collateral all farm equipment, crops and livestock.

Claiming the Kirks were in default, the bank asked the court to give it immediate possession of the equipment, crops and livestock of Kirk's and \$100,000.

Kirk had filed two actions in the federal courts in July, naming Norwest Bank and officers Richard Falldorf, Thomas Collins and Richard E. Spelts Jr. as defendants.

A spokesperson for the clerk of the U.S. District Court in Lincoln said the actions were filed as part of a larger action, Kirk vs Norwest Bank and others. According to the spokesperson, those actions were ordered dismissed on Oct. 4, except for those pertaining to one sub chapter of the U.S. Code. An amended motion was also granted on Oct. 9, dismissing all actions except those dealing with a different sub chapter.

Among the actions filed by Kirk were a notice of intent to file an action against the bank and a "notice of recission," contending that the bank had 10 days to release all liens and mortgages "subject of the instant law suit."

Copies were filed in the Hall County register of deeds office, along with three other documents. They alleged the Kirks were owners of the land and property involved, that the Kirks were entitled and were claiming a "homestead exemption" to set aside the real estate and other personal property "as exempt," and a warning posting the Kirk property with a "federal post."

The Grand Island Daily Independent, 24 de octubre de 1984
tercero artículo, lado superior derecho: "Reportero habla
con Kirk horas antes del tiroteo"

Reporter talks to Kirk hours before shooting

1984, *The Grand Island Daily Independent*

By JIM TITTSWORTH
Independent Staff Writer

Art L. Kirk of rural Cairo died in a shootout with a Nebraska State Patrol SWAT Team at 10:30 p.m. Tuesday on the farm where he was born 49 years ago.

County Attorney Steve Von Riesen said Wednesday morning that Kirk was killed when he opened fire on the SWAT team. The SWAT team was called in by the Hall County Sheriff's department after an arrest warrant was issued against Kirk for "felony resisting with a dangerous weapon."

The incident began about 1:45 p.m. Tuesday when three Hall County deputies tried to serve legal papers at Kirk's farm, two miles east and one mile north of Cairo. A stalemate developed with drawn pistols, and deputies subsequently observed Kirk from parked vehicles on the road as he returned to harvesting beans while daylight lasted.

Kirk and this reporter met accidentally about five hours before the shootout.

During the discussion, he said his farming operation had shrunk from 2,000 acres three years ago to the 240-acre farmstead on which he was born. He once had 250 head of cattle. Currently he had 60 brood cows, he said.

"It's not the sheriff's duty to carry out the bankers' dirty duties like that," Kirk said of the standoff.

Kirk acknowledged he was going to fight for what was left of his farming operation and that he had pulled a pistol on the three deputies trying to serve the papers.

The interview with Kirk began about 4:30 p.m. when he drove up to his farmstead in a grain truck loaded with beans. The writer, aware that a confrontation had occurred, drove to the site to attempt to speak to sheriff's deputies involved. Unable to find them, the writer had stopped at three other farms to ask directions to the Kirk farm. At two, no one was home; at the third a worker said he did not know. At the fourth farm, when Kirk was approached and asked where the Art Kirk farm was located, he replied, "You're speaking to him."

Kirk said that after the initial incident he went about his business, harvesting beans on land south of his farmstead. The gate to his house, which sits about 200 yards off the road, was barred by a barbed wire fence.

As Kirk opened his gate he pointed out the deputies parked about three-fourths of a mile away. He was angry as he talked about what had happened, telling how he had walked from his shop to be confronted by three deputies.

As Kirk recalled the incident, he said he first saw a deputy, identifiable from his description as Lt. Roger Williams, with papers in one hand and a small-frame revolver in the other. Kirk said he pulled his own gun — a .41 magnum with an 8½-inch barrel — from his pocket and pointed it at the deputy.

At that point, Kirk said he saw Jim O'Brien, another deputy he identified by name, standing beside a metal grain bin, near Williams. Kirk became agitated and talked in a high-pitched voice as he talked about the incident.

He walked around his grain truck and pointed to a red sign, with the words "Posted, Keep Out." "That's a federal posting. It's punishable by a \$10,000 fine or 10 years in a federal prison," Kirk said.

As Kirk argued that the deputies had no right to come uninvited on his property, he pulled out the gun, which was in the right-hand pocket of his dark-green coveralls, and pointed it in the direction of the deputies parked nearly a mile away. His finger was never on the trigger. He pointed with the gun as a man might point with his finger.

Kirk then invited this reporter onto his property to describe the incident and show where it occurred.

Behind the house, which was on a hill overlooking the country road, was another rise with a Quonset-type hut that he said was his workshop.

Standing on the farmland that he said his father bought from his grandfather, and that he bought from his father, Kirk continued the story.

He said Williams told him to put the revolver away, but Kirk said he had pointed it at Williams. About that time, Kirk said another deputy with a pump shotgun stepped from behind a horse trailer about 20 feet behind the right side of Kirk.

Kirk said Williams told him he had papers to serve and that they were hanging on a fence.

Continued on Page 2

The Grand Island Daily Independent, 24 de octubre de 1984
tercero artículo, lado superior derecho, continúa en página 2:
"Reportero habla con Kirk horas antes del tiroteo"

Reporter talks to man hours before shooting

Continued from Page 1

"Do you see any papers. I don't know where they are? I didn't see any papers," he said he responded.

Kirk said he did not know what the papers concerned, but he acknowledged they could be bank-related. "I've had problems with banks just like every other farmer."

Kirk said the confrontation ended when he turned and ran back toward his work shop. "They could have gunned me down if they wanted to," he said.

At that time the deputies left Kirk's property, he said. But they followed him as he went about his farm work.

Kirk said it was time that farmers fought back — "like they had in 1776." He suggested that vigilante groups to protect farmers might become more popular. But Kirk denied he was a member of the Posse Comitatus. "That's a much maligned term," he replied of the posse.

He said he preferred to use the term vigilante groups. "If they ever get organized — they're not organized — they'll have to be reckoned with."

Kirk, a strongly built man about 5-foot-8-inches tall, appeared to have been growing a winter beard for about two weeks. It was more gray than light-brown. Kirk's voice was calm and almost hard to hear as he talked in his farm yard.

A crowd of cats and a single, black poodle that was smaller than the cats congregated around Kirk. He bent down and pointed south, through some trees, toward his section line.

"My grandfather lived in a house over there. A tornado took it and he moved here," he said, turning to point toward an ancient, leaning shed.

Later Tuesday evening, Kirk tried

to contact this reporter at the newspaper office, leaving the message, "I've got problems."

Kirk was contacted about 8:30 p.m. by telephone by this reporter. His voice again was high-pitched. He said, "I know they're coming for me . . . I am ready to die, but I'm going to take a lot of them with me."

He said that his telephone was tapped and he knew that someone had been listening to his telephone conversations for several weeks. He complained that his telephone conversations that night had been fading.

He said he had read a lot about situations like his and was prepared for an assault. "They'll kill the dog first," Kirk said. He explained that he had taken his registered Black Labrador retriever out of the kennel and had a surprise for anyone who might assault his home.

"I'm ready to die," Kirk said during the telephone call.

Earlier, during the first conversation, Kirk had said, "I'm not afraid of them . . . I'd rather fight them in court, but I'll do it this way . . . I don't belong in a dirty, damn jail."

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Polk County farm group tabs Thelen

OSCEOLA (CNS) — Richard Thelen of Shelby was chosen president of the Polk County Farm Bureau at the bureau's recent annual meeting. Wesley Peterson was elected vice president; Don Schott, secretary-treasurer, and Tom Peterson, junior board member.

Mrs. Frances Sandell will be woman's chairman for the 1984-85 school year.

***The Grand Island Daily Independent*, 24 de octubre de 1984
TRADUCCIÓN DE LA TRANSCRIPCIÓN**

**Primero artículo: "Granjero de Cairo muere en tiroteo"
por Jim Titworth, redactor independiente**

Arthur L. Kirk, de 49 años, murió el martes por la noche en un tiroteo con un equipo de SWAT de la Patrulla Estatal de Nebraska. El abogado del condado de Hall, Steven Von Riesen, dijo que Kirk recibió un disparo mientras corría hacia una posición de sacos de arena en el molino de viento en su granja rural de Cairo, después de haber disparado contra los oficiales. Se había negado a una orden de rendirse al equipo WEAT, dijo Von Riesen.

Martes alrededor de la 1:45 p.m. Kirk se había negado a entregar los documentos civiles para recuperar \$100,000 de la venta de cultivos y ganado y su granja y equipo de 240 acres. Había forzado un enfrentamiento con tres ayudantes del alguacil del condado de Hall, sacando una pistola Magnum .41 para obligarlos a abandonar su terreno.

Cinco horas antes de morir, Kirk le dijo a *The Independent* que fue confrontado por los agentes en su granja, y uno de ellos había mostrado una pistola antes de sacar su pistola. El abogado del condado Steve Von Riesen dijo que Kirk sacó su arma primero.

Von Riesen dijo que Kirk fue asesinado alrededor de las 10:30 p.m. mientras trataba de abrirse camino hasta el molino de viento con sacos de arena. Murió en su corral, agarrando un rifle tipo ejército AR-15 que fue convertido para disparo automático.

Von Riesen dijo que el rostro de Kirk estaba camuflado para las peleas nocturnas y que llevaba una máscara de gas y un casco de acero. Dijo que Kirk estaba tratando de correr desde su casa de campo hasta el molino de viento con sacos de arena cuando un miembro del equipo SWAT llamó: "Alto". Von Riesen dijo que Kirk disparó en la dirección de la voz y al menos dos miembros del equipo SWAT respondieron con tiros, matando a Kirk.

Von Riesen dijo que Kirk fue la única víctima del tiroteo.

Dijo que antes de que llamaran al equipo SWAT, un ayudante del alguacil intentó sin éxito negociar con Kirk en un intento de que se rindiera para arrestarlo. Alrededor de las 4 p.m. se emitió una orden de arresto contra Kirk por un delito grave por resistirse al arresto con un arma peligrosa.

Von Riesen también dijo que después de que el equipo SWAT se trasladó a su posición, después de la oscuridad, un diputado y el negociador de la patrulla estatal había hablado con Kirk en otro intento fallido de lograr que se rindiera.

Von Riesen dijo que la esposa de Kirk, Deloris, también había hablado con Kirk por teléfono desde la sede de la Patrulla Estatal de Grand Island durante las negociaciones, pero dijo que no sabía de qué hablaban.

Los registros del tribunal de distrito del condado de Hall muestran que el martes se llenó una petición de reposición, alegando que Kirk le debía al Norwest Bank of Grand Island \$ 01,891 de tres préstamos hechos entre el 4 de noviembre de 1983 y el 3 de febrero de 1984.

Los documentos de respaldo, que requerían el servicio del alguacil del condado de Hall, exigían ingresos en efectivo de \$100,000 por la venta de cultivos y ganado, así como su granja y equipo agrícola.

Von Riesen dijo que parte de la investigación continua era determinar el vínculo de Kirk con el posse comitatus, si lo hubiera. Antes de su muerte, Kirk había afirmado que su teléfono estaba intervenido, pero Von Riesen dijo que no sabía de ninguna intervención de cables en el teléfono de Kirk. También dijo que estaba considerando la investigación de un forense, pero aún no había tomado una decisión.

**Artículo segundo, lado inferior izquierdo:
 “Banco de G.I. presenta demanda contra pareja de Cairo”
 por Jim Faddis y Bruce Weible
 redactores independientes**

Norwest de of Grand Island presentó una demanda en el Tribunal de Distrito del Condado de Hall el martes para recuperar activos y \$ 00,000 en efectivo de Arthur y Deloris Kirk. Arthur Kirk, de la zona rural de Cairo, murió el martes en un tiroteo con un equipo SWAT de la Patrulla Estatal de Nebraska.

La demanda establece que Kirk le debía al banco \$ 301,891 en capital e intereses.

El banco solicitó al tribunal que le otorgara la posesión de aproximadamente 100 cabezas de ganado, 20.000 fanegas de grano y equipo agrícola pertenecientes a Kirk. También alega que Kirk vendió ganado y cosechas que se comprometieron con el banco sin entregar las ganancias, por un total de aproximadamente \$100,000, al banco.

El banco también solicitó ganancias de 20,000 bushels de maíz de pago en especie, que Kirk había vendido.

Hasta el 15 de octubre, la demanda establece que los Kirk habían pedido prestados \$266,900 al banco y le debían \$34,991 en intereses.

El banco dijo que Kirk firmó un acuerdo de garantía sobre la propiedad el 4 de noviembre de 1983 y que se renovó una declaración de financiamiento el 10 de agosto de 1983. La petición dice que Kirk había puesto como garantía todo el equipo agrícola, cultivos y ganado.

Alegando que los Kirk estaban en mora, el banco pidió al tribunal que le diera posesión inmediata del equipo, las cosechas y el ganado de Kirk y \$100,000.

Kirk había presentado dos acciones en los tribunales federales en julio, nombrando a Norwest Bank y a los oficiales Richard Falldorf, Thomas Collins y Richard E. Spelts Jr. como acusados.

Un portavoz del secretario del Tribunal de Distrito de los Estados Unidos en Lincoln dijo que las acciones se presentaron como parte de una acción mayor, Kirk contra Norwest Bank y otros. Según el portavoz, esas acciones se ordenaron desestimar el 4 de octubre, excepto las relacionadas con un subcapítulo del Código de EE. UU. También se concedió una moción enmendada el 9 de octubre, desestimando todas las acciones excepto las que se refieren a un subcapítulo diferente.

Entre las acciones presentadas por Kirk se encuentran un aviso de intención de entablar una acción contra el banco y un "aviso de rescisión", alegando que el banco tenía 10 días para liberar todos los gravámenes e hipotecas "sujeto de la demanda inmediata".

Se archivaron copias en la oficina de registro de escrituras del condado de Hall, junto con otros tres documentos. Alegaron que los Kirk eran dueños de la tierra y la propiedad involucrada, que los Kirk tenían derecho y estaban reclamando una "exención de vivienda" para dejar a un lado los bienes raíces y otros bienes personales "como exentos", y una advertencia que colocaba la propiedad de Kirk con "correo federal".

**tercero artículo, lado superior derecho: “Reportero habla con Kirk horas antes del tiroteo”
 © 1984, *The Grand Island Daily Independent*
 por Jim Titsworth
 redactor independiente**

Art L. Kirk de la zona rural de Cairo murió en un tiroteo con un equipo SWAT de la Patrulla Estatal de Nebraska a las 10:30 p.m. el martes en la finca donde nació hace 49 años.

El abogado del condado Steve Von Riesen dijo el miércoles por la mañana que Kirk murió cuando abrió fuego contra el equipo SWAT. El departamento del alguacil del condado de Hall llamó al equipo SWAT después de que se emitiera una orden de arresto contra Kirk por "delito grave resistir con un arma peligrosa".

El incidente comenzó alrededor de la 1:45 p.m. el martes, cuando tres agentes del condado de Hall intentaron entregar documentos legales en la granja de Kirk, a dos millas al este y una milla al norte de Cairo. Se produjo un estancamiento con las pistolas desenfundadas, y los oficiales posteriormente observaron a Kirk desde los vehículos estacionados en la carretera mientras regresaba a cosechar frijoles mientras duraba la luz del día.

Kirk y este reportero se conocieron por accidente unas cinco horas antes del tiroteo. Durante la discusión, dijo que su operación agrícola se había reducido de 2,000 acres hace tres años a la granja de 240 acres en la que nació. Una vez tuvo 250 cabezas de ganado. Actualmente tenía 60 vacas de cría, dijo.

"No es el deber del alguacil llevar a cabo las tareas sucias de los banqueros de esa manera", dijo Kirk sobre el enfrentamiento.

Kirk reconoció que iba a luchar por lo que quedaba de su operación agrícola y que había apuntado con una pistola a los tres agentes que intentaban entregar los papeles.

La entrevista con Kirk comenzó alrededor de las 4:30 p.m. cuando condujo hasta su granja en un camión de granos cargado de frijoles. El escritor, consciente de que se había producido un enfrentamiento, condujo hasta el lugar para intentar hablar con los ayudantes del alguacil involucrados. Incapaz de encontrarlos, el escritor se había detenido en otras tres granjas para preguntar cómo llegar a la granja Kirk. A las dos, no había nadie en casa; en el tercero, un trabajador dijo que no sabía. En la cuarta granja, cuando se acercó a Kirk y le preguntó dónde estaba ubicada la granja Art Kirk, respondió: "Estás hablando con él".

Kirk dijo que después del incidente inicial se dedicó a su negocio, cosechando frijoles en la tierra al sur de su finca. La puerta de su casa, que se encuentra a unos 200 metros de la carretera, estaba bloqueada por una cerca de alambre de púas. Cuando Kirk abrió la puerta, señaló que los agentes estaban estacionados a unos tres cuartos de milla de distancia. Estaba enojado mientras hablaba de lo que había sucedido, contando cómo había salido de su tienda para ser confrontado por tres agentes.

Cuando Kirk recordó el incidente, dijo que vio por primera vez a un oficial, identificable por su descripción como el teniente Roger Williams, con papeles en una mano y un revólver pequeño en la otra. Kirk dijo que sacó su propia pistola, una Magnum .41 con un cañón de 8.5, de su bolsillo y apuntó al oficial.

En ese momento, Kirk dijo que vio a Jim O'Brien, otro agente que identificó por su nombre, de pie junto a un contenedor de grano de metal, cerca de Williams. Kirk se puso nervioso y habló con voz aguda mientras hablaba del incidente. Caminó alrededor de su camión de grano y señaló un letrero rojo con las palabras "Publicado, Manténgase fuera".

"Esa es una publicación federal. Se castiga con una multa de \$10,000 o 10 años en una prisión federal", dijo Kirk.

Mientras Kirk argumentó que los agentes no tenían derecho a entrar sin ser invitados a su propiedad, sacó la pistola, que estaba en el bolsillo derecho de su overol verde oscuro, y apuntó en la dirección de los agentes estacionados a casi una milla lejos. Su dedo nunca estuvo en el gatillo. Apuntó con la pistola como lo haría un hombre con el dedo.

Kirk luego invitó a este reportero a su propiedad para describir el incidente y mostrar dónde ocurrió. Detrás de la casa, que estaba en una colina con vistas a la carretera rural, había otra elevación con una choza tipo Quonset que, según él, era su taller.

De pie en la tierra de cultivo que dijo que su padre le compró a su abuelo y que le compró a su padre, Kirk continuó la historia.

Dijo que Williams le dijo que guardara el revólver, pero Kirk dijo que le había apuntado a Williams. En ese momento, Kirk dijo que otro oficial con una escopeta de bomba salió de detrás de un remolque de caballos a unos 20 pies detrás del lado derecho de Kirk.

Kirk dijo que Williams le dijo que tenía papeles para entregar y que estaban colgados de una cerca.

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"¿Ves algún papel? No sé dónde están. No vi ningún papel", dijo que respondió.

Kirk dijo que no sabía de qué se trataban los documentos, pero reconoció que podrían estar relacionados con el banco. "He tenido problemas con los bancos como cualquier otro agricultor".

Kirk dijo que la confrontación terminó cuando se dio la vuelta y corrió hacia su taller.

"Me podrían haber disparado si quisieran", dijo.

En ese momento los diputados abandonaron la propiedad de Kirk, dijo. Pero lo siguieron mientras se dedicaba a su trabajo agrícola.

Kirk dijo que era hora de que los agricultores se defendieran, "como lo hicieron en 1776". Sugirió que los grupos de vigilantes para proteger a los agricultores podrían volverse más populares. Pero Kirk negó que fuera miembro del Posse Comitatus. "Es un término muy difamado", respondió de la pandilla. Dijo que prefería usar el término grupos vigalante. "Si alguna vez se organizan, no lo están, habrá que tener en cuenta".

Kirk, un hombre de complexión fuerte de aproximadamente 5 pies y 8 pulgadas de alto, parecía haber estado creciendo una barba de invierno durante aproximadamente dos semanas. Era más gris que marrón claro. La voz de Kirk era tranquila y casi difícil de escuchar mientras hablaba en el patio de su granja.

Una multitud de gatos y un solo caniche negro que era más pequeño que los gatos se congregaron alrededor de Kirk. Se inclinó y señaló hacia el sur, a través de algunos árboles, hacia su línea de sección.

"Mi abuelo vivía en una casa allá. Un tornado se lo llevó y él se mudó aquí", dijo, volviéndose para señalar un antiguo cobertizo inclinado.

Más tarde el martes por la noche, Kirk trató de comunicarse con este reportero en la oficina del periódico y le dejó el mensaje: "Tengo problemas".

Kirk fue contactado alrededor de las 8:30 p.m. por teléfono por este reportero. Su voz de nuevo fue aguda. Dijo: "Sé que vienen por mí. . . . Estoy listo para morir, pero me voy a llevar muchos de ellos".

Dijo que su teléfono estaba intervenido y sabía que alguien había estado escuchando sus conversaciones telefónicas durante varias semanas. Se quejó de que sus conversaciones telefónicas esa noche se habían desvanecido.

Dijo que había leído mucho sobre situaciones como la suya y estaba preparado para una agresión.

"Primero matarán al perro", dijo Kirk. Explicó que había sacado de la perrera a su perro labrador negro registrado y tenía una sorpresa para cualquiera que pudiera asaltar su casa.

"Estoy listo para morir", dijo Kirk durante la llamada telefónica.

Antes, durante la primera conversación, Kirk había dicho: "No les tengo miedo. . . Prefiero luchar contra ellos en la corte, pero lo haré de esta manera. . . . No pertenezco a una maldita cárcel sucia".

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