

CO-OP MANAGER NOW SAYS HE'S NOT SURE NICHOLS BOUGHT FERTILIZER



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DENVER -- A co-op manager who told FBI agents he thought Terry Nichols purchased two tons of fertilizer from his store said today he told the grand jury in the Oklahoma City bombing case that he could not identify the individual.

Frederick Schlender's testimony came on the third day of a hearing on defense challenges to witnesses in the trials of Timothy McVeigh and Nichols.

He told the FBI shortly after the bombing that he was more than 50 percent certain the fertilizer was purchased by Nichols, who's accused in the bombing. But Schlender, manager of MidKansas Co-op, said today he could not identify the person for the grand jury. Schlender said the fertilizer was purchased on Sept. 30, 1994, and Oct. 18, 1994, by someone named Mike Havens for about \$228. Officials say the bomb that destroyed the federal building in Oklahoma City had a fertilizer base. He said that was the only time he could recall doing business with Havens. On Wednesday, FBI agents testified that Schlender told them he thought Havens could be Nichols. Also on Wednesday, prosecutors produced a photograph of a bearded McVeigh and a new height measurement to back up eyewitness descriptions of him. McVeigh's attorneys have challenged six prosecution witnesses, saying their descriptions were influenced by intense publicity about the case. All six witnesses testified Tuesday that they met McVeigh at various places before the bombing, including at a shop where the Ryder truck used in the bombing was rented. They all placed his height at 5-foot-10 or 5-foot-11. Defense attorneys countered that their client is 6-foot-2. Prosecutors last week obtained a court order to measure McVeigh in jail, and found out he was actually 6-feet, 1/2-inch. Another witness, Glynn Tipton, had testified earlier that a man with a scraggly beard resembling McVeigh had asked him about buying barrels of rocket and racing fuel at a Kansas race track in 1994. The photograph prosecutors introduced Wednesday shows McVeigh with a three- or four-day beard, standing

outside Nichols' home in Marion, Kan. Authorities seized the photograph during a search of Nichols' home. McVeigh and Nichols stayed away from the courtroom Wednesday, believing their presence could influence the eyewitnesses. They are charged with murder and conspiracy in the April 19, 1995, bombing of the Oklahoma City federal building that killed 168 people and injured more than 500. U.S. District Judge Richard Matsch said in a summons sent to 700 prospective jurors that they would likely have to serve for several months but would not be sequestered.