

## Notes

guilty of that charge. Telge was represented by attorney [redacted]. Judge James Barry presided over the jury trial.

### Mer: Don't Move Psych Unit

ular phrase, "If it ain't broke, don't fix it," is the operat- with respect to moving the secure psychiatric unit out of the New Hampshire State Prison in Concord, according to [redacted] chairman of a House subcommittee appointed to study the of a move.

ublic Works and Highways Chairman Gene Chandler, R- aid because the committee is considering the need to re- in overcrowding, moving the unit was something that be studied.

r such a review, he said, "The best place for it is where it the two issues are linked, moving the unit never was ens- a solution to the overcrowding of the general popula- id.

### Tip for Tip in N.Y. Highway Shooting

RD— Five State Police investigators from New York will ne today as they continue to look for a man believed re- for the death of a New York school administrator last

ek, officials identified Peter D. Anderson as the Man- torney who is representing someone who has informa- the shooting death of Richard Aderson. Aderson, the three children, was killed last Feb. 5 on Interstate 84 in Y., following a minor automobile accident.

ork State Police Investigator Matthew Renneman is ap- Anderson's client or someone who knows who the client forward.

ng victim Aderson managed to survive long enough to use ar phone and tell police the man who shot him was driv- model green Jeep Cherokee with New Hampshire license

ses told police the driver of the Jeep was a middle-aged white man wearing glasses and possibly with a clipped

with information is asked to call New York State Police 98-0952 or New Hampshire State Police at 1-603-271-2663.

— Cissy Taylor

### Men Set Merrimack Tax Rate at \$30.80

IMACK — Selectmen last night set the town's 1998 prop- ate at a maximum of \$30.80 per \$1,000 assessed, a 4.2 per- from this year's rate. That means the owner of a house at \$150,000 would pay \$4,620.

members voted 4-1 for the proposal, with Selectman Caro- cker opposing.

officials aren't yet certain what the town's revenues or the tax assessment will be, but selectmen directed town fi- nistrator Robert Levan to take whatever is necessary plus funds to make sure the property tax does not exceed r \$1,000 assessed.

### Buy Vaccine for Immunizations

— New Hampshire leads the nation in providing free for children with the help of seven health mainte- ons that pay for vaccines for the program.

# Gun Victim's Widow Settles Suit for \$840,000

By PEG WARNER  
Union Leader Correspondent

**DERRY** — The widow and the estate of a local man who died in a bizarre gun accident in 1994 have settled out of court with the weapon's seller in the second of their three lawsuits arising from the incident.

B.J. Branch, the Manchester lawyer representing Margaret Brockway and the estate of her husband, Richard, said he reached an \$840,000 settlement this week with Arizona-based Davidson Distributors. The wrong- ful death suit also sought emotional distress damages for Margaret Brockway, who has since moved to Pelham.

Richard Brockway, 51, died 12 hours after a bullet came through the floor, struck him as he watched television on his couch, and lodged in a beam in the ceiling of his apartment at the Fairways Apartments.

The bullet came from an as- sault-style rifle that accidentally discharged while it was being cleaned in the apartment below.

Police found that the Chinese- made SKS rifle — which Branch said looks like an assault rifle but has no automatic function — could misfire, but only when loaded with the type of ammunition that killed Brockway.

The investigation also showed that misfires left certain mark- ings on the ammunition, and that those markings appeared on the fatal bullet.

The high-caliber, Brazilian- made ammunition is a missile- like bullet 3½ inches long, 1-inch around, with an extremely sharp point, said Branch.

No criminal charges were brought.

Branch said yesterday the case resonates to the nationwide gun- control debate.

"When (President) Clinton banned the manufacture of as- sault weapons in the United

States, what the result was was this country being flooded by poorly made SKS rifles made in China," he said.

The settlement brings the total money recovered so far in the case to \$1.24 million. Margaret Brockway also filed suit against the gun's owner, Matthew Trull, and Bryan Borsa, who was clean- ing the weapon in Trull's apart- ment when it discharged. They settled with Brockway for \$400,- 000 in 1995, though their lawyer said at the time the responsibility lay with the manufacturer, China North Industries Corp.

Brockway has one suit still pending against Magtech Recre- ational Products Inc., the sellers of the ammunition. That is sched- uled to go to trial next year.

This week's settlement also re- solves a suit Davidson filed against China North and several companies involved in importing the weapon, said Branch. All the suits were filed in Hillsborough County Superior Court, mostly in the Nashua branch.

Caught in the legal crossfire was AJ's Gun & Reel Shop of Derry, which Brockway initially named as a defendant along with the other companies. The shop was later dropped the store as a defendant when Brockway learned that it was a family- owned business with no knowl- edge of the problems with the weapon.

Brockway will use some of the proceeds from the settlement to pay the legal fees for the shop, which she considers "an innocent victim," said Branch.

He said Brockway also has do- nated some of the proceeds to or- ganizations that deal with the aftermath of situations similar to hers — the 100 Club, the New Hampshire Law Enforcement Of- ficers Memorial fund and the National Organization for Parents of Murdered Children.

