

This week I want to applaud the voters of Washington, D.C. Voters in this predominantly black city on November 3 overwhelmingly rejected a tuition tax credit proposal that would have allowed taxpayers to take credit against their local income tax for public and private school costs. Some ninety per cent of those voting opposed the measure. If the proposal had been approved by District of Columbia voters — and passed congressional and judicial scrutiny — observers predicted that it would have spurred similar efforts in many cities with troubled school systems, as well as in Congress. Senators Daniel Patrick Moynihan (D-NY), Robert Packwood (R-OR), and William Roth (R-DE) have introduced a tuition tax credit bill (S. 550) that would provide a tax credit to those parents whose children are in elementary, secondary, college or vocational educational institutions. This bill calls for a \$250 refundable credit in 1982, and a \$500 refundable credit in 1983. Similar, although not identical, measures are pending before the House Ways and Means Com-

A View From Capitol Hill: Tuition Tax Credits Would Take Funds Away From Public Schools

By Gus Savage
Member of Congress

mittee. More than twenty other tax credit bills have been introduced, and President Reagan has promised his own version of a tuition tax credit plan. My reasons for being opposed to tuition tax credits are as follows: First, I believe that public monies should be used to support public purposes. The concept of tuition tax credits represents a diversion of public monies for private purposes, because of revenues that would be lost to the U.S. Treasury. Among other broad public purposes, Federal monies should be used to improve the quality of public education. This would be much more difficult to accomplish if the increasingly limited Federal resources are fur-

ther constrained by diversion of funds to private education. Second, passage of tuition tax credits legislation would worsen the already serious Federal budget deficit that our nation faces. To this extent, then, tuition tax credits are not consistent with President Reagan's stated goal of achieving a balanced budget. Third, statistical studies indicate that tuition tax credits would mostly benefit families of students who attend sectarian schools. This being the case, I am concerned that the Supreme Court would most likely find this legislation unconstitutional as violation of the separation of Church-State doctrine.

The tuition tax credit scheme fits neatly into the Reagan philosophy of always benefitting the rich at the expense of the poor. Taking money from a public school in a ghetto neighborhood and transferring it to a private school in an affluent neighborhood is in the same league as cutting the check of a welfare mother while decreasing the taxes of a millionaire.

After the Supreme Court's 1954 ruling against segregated schools, southern states engaged in massive resistance to get around desegregating their schools. Enacting tuition tax credits would revive these efforts by making available more funds, thereby providing a federal subsidy to violate the law.

As a matter of record, cities throughout the country have shown their objections to carrying out the mandate of the High Court. Court-ordered busing is labeled "forced busing" in many areas as school districts drag their feet and look for ways to get around the law.

I see no reason to give in or drop our guard just because the scheme is now taking a different form.

Have you ever felt like you've been ripped off? Maybe your landlord wouldn't give back your security deposit after you moved out. Or a TV repair shop wanted to charge you for work you didn't ask for and wouldn't give back your TV unless you paid. If something like this has happened to you, small claims court may be the answer.

Small claims courts help people settle disagreements over amounts of money or property that are worth \$1000 or less. Every county in North Carolina has a small claims court. Small claims court is part of the regular court system. It is different; however, from higher courts because decisions are made quickly, the cost is low, and you don't have to hire a lawyer. You can hire one if you so desire. Taking a case to small claims court takes about a month from start to finish. The judge in

Plain Talk About The Law Small Claims Court

By North State Legal Services

small claims court is called a magistrate. We mentioned a few situations above where you might use small claims court. Other situations might include:
• A business wants to sue someone who has not paid a bill.

• Someone pays in advance to have a furnace fixed but not all the repairs paid for are done.

When the complaint and summons are filled in correctly, the clerk will give you a file number and write it on both papers. You must pay the clerk a filing fee of about \$14 in cash when you file the complaint. If you win the case, this fee will be added to what the defendant is supposed to pay you. If you and the defendant settle your disagreement before you get to court, you cannot get this money back.

A copy of both the summons and the complaint must be delivered to each person you are suing. You can have these papers sent to the defendant either by mail through the clerk's office or delivery by the sheriff.

The second step in the small claims process is preparing for the trial. You need to focus on two things: One, you must prove how much you are owed; and two, you must prove how the defendant is responsible for what you are owed. Think carefully about the evidence you must gather and witnesses you may want to call. It's also a good idea to practice what you're going to say before you go to court. Keep your story short and to the point. You may also want to visit the small claims courtroom so you know what to expect.

The third step in the small claims process is the trial itself. Make sure to get there about ten minutes early. Bring all papers and other evidence you will use to prove your case. The first thing the magistrate will ask you and any witnesses to do is to swear or affirm that you will tell the truth. If you are the plaintiff, you will tell your side of the story first. Tell your story simply and truthfully and show the magistrate any evidence you have. Do not try to act like a lawyer. Use your own words. The magistrate may ask you some questions and then the defendant or their lawyer may ask you questions. Your witnesses will have a chance to speak and may be asked questions, too.

Tell the magistrate if you do not want to answer a question. Do not argue with the defendant.

After you have presented your case, the defendant will have a chance to speak. The magistrate may ask the defendant or his witnesses some questions. Then you may ask them questions.

The magistrate will decide the case after hearing each side and looking at all the evidence. The magistrate may make a decision then or take up to ten days to consider some legal question. No more evidence can be given after the trial. You can call or go to the office of the Clerk of Superior Court later to find out what the decision is. Be sure to have the case file number with you. The magistrate will write the decision on a paper called a "judgment." This is a permanent record to be kept at the office of the Clerk of Court.

If you are not satisfied with the decision, you may appeal by filing a written notice with the clerk within ten days from the date on the judgment. You will have to pay \$11 to appeal the case.

North State Legal Services offices have copies of a handbook for those persons interested in filing small claims actions. Contact North State Legal Services for more information.

Stress Might Be Fatal To Your Health

America might be the land of opportunity, but the stress of the competition for that opportunity might be killing you. Americans live in a "stress-ridden culture," says Dr. Dorothy D. Harrison, director of the relaxation and biofeedback program at the Howard University Center for Hypertension Control. With changing lifestyles, an increasingly competitive job market, a rise in the number of working mothers and single parents, and economic stagnation, more people today are suffering from stress-related illnesses and might not even know it. Stress is any demand put on the body. Pleasant as well as unpleasant situations can cause stress. Fifty to eighty per cent of all diseases have stress at their roots, and doctors say that increased stress is directly correlated to decreased life expectancy.

Increasing numbers of Americans are suffering from such stress-related diseases as high blood pressure, alcoholism, the gastric ulcers, hay fever, migraine headaches and obesity, says Dr. Harrison. There are also social problems related to stress such as divorce, broken homes, child abuse as well as job-related problems. Dr. Harrison, who is also an associate professor in Howard's department of community health and family practice, points out that American blacks, as a group, experience more stress in their lives and have fewer avenues to escape from it than other ethnic groups. The major relief of stress is relaxation. "The idea of relaxation," Dr. Harrison notes, "runs counter to the American ethic of hard work. But relaxation is a must. If stress is not reduced, the consequences are heart disease, stroke and possibly cancer as well as other life-threatening conditions," Dr. Harrison emphasizes. Most people do not know how to relax, she says. Relaxation is not just sitting, sleeping or the absence of work. "It is the complete letting go of all tensions from the muscles and the release of disturbing thought patterns." When an individual's stress level remains high over a long period of time, that person may lose the ability to relax, she adds. During relaxation training sessions at the Howard hypertension control center, Dr. Harrison uses biofeedback, which is a way of electrically feeding back to individuals the actual degree of tension that they are experiencing. By using auditory signals, the biofeedback process makes them become aware of their tensions and once aware they can modify their stress, she notes.

Another technique Dr. Harrison practices at the center is guarded imagery, a method by which an individual relives another situation that was relaxing. She notes that some of (Continued on Page 16)

Are You A Stress Seeker?

Rate yourself as to how you typically react in each of the situations listed below:
4-always 3-frequently 2-sometimes 1-never

1. Do you have a tendency to put things off until the last moment and then frantically work to get them done?
2. Do you thrive on situations in which there is pressure, competition, tension or risk?
3. Do you find stress or tension has been a driving force behind many of your major accomplishments?
4. Do you feel exhilarated or energized after accomplishing a difficult task or closing an important business deal?
5. Do you enjoy novelty or challenge in your work?
6. Do you have a tendency to see obstacles as challenges rather than headaches?
7. Are you constantly seeking ways to improve yourself or your position in your field?
8. In general, would you classify yourself as a risk taker rather than a risk avoider?
9. Are you willing to give up job security for job challenge?
10. Are you able to "come down" physically or emotionally a few hours after a tension-producing event?
11. Do you seek action-oriented vacations?
12. In your leisure time do you pursue activities in which there is a certain amount of danger or risk? (sky diving, rock climbing)

Total
12 or under: person who seeks security and cannot tolerate stress; 13-32: balanced person; 33-39: borderline stress seeker; 40 or more: a true stress seeker and someone who enjoys stress although it may be detrimental. Persons scoring in the last two categories need attention to control stress.

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