

The Legacy of the Civil Rights Movement

Civil rights activist Eleanor Holmes Norton, who enforced the act as chair of the Equal Employment Opportunity Commission in President Jimmy Carter's administration, said the "series of largely technical decisions by the court makes it hard to prove discrimination. The court has all but decapitated the basic statute itself."

"The court has made sweeping reversals of settled law. The court's departure from the law shows that the law is never set or fixed on an unerring course. The law was used as the basis to rationalize slavery. Our law invited Jim Crow, 'separate and equal.'"

Nicholas deBelleville Katzenbach, the U.S. Attorney General who fought the first civil rights enforcement battles under President Lyndon B. Johnson, recalled the important role of Congress in the passing of the 1964 Act.

"At that time, there was no way you could get legislation passed without Republican support," Mr. Katzenbach told an audience of roughly 200 people in Brendle Recital Hall in the James Ralph Scales Fine Arts Center Friday. "We know then that we would have to have Republican leadership or we were not going to get the act passed."

Although private industry didn't publicly own up to their feelings, hotel and restaurant corporations which had chains in Northern and Southern states supported integration, Mr. Katzenbach said.

"Integration in public accommodations was largely supported by businesses. They wanted desegregation," he said. "But they didn't want to do it by themselves. They wanted us (the judicial system) to make them do it."

Remembering the 1963 march on Washington led by Dr. Martin

Luther King Jr., Mr. Katzenbach said, "It made us scared, because if there had been any disorder in that march, one incident, I think it would have killed the (civil rights) bill."

Cruz Reynoso, another speaker during WFU's two-day symposium, remembered his childhood days when he was a victim of segregation in the barrios of Southern California.

"I grew up in Southern California, not in the South, but where I grew up, at that time, there were youngsters sent to segregated schools," said the attorney and former justice of the California Supreme Court.

Mr. Reynoso and other Mexican and Afro-American children were sent to "The Mexican School" while children of Anglo-Saxon descent were sent to "The American School." The rationale for doing so,

Mr. Reynoso said, was so Spanish-speaking children could learn English. However, when black children who spoke English were sent to The Mexican School, the adults in Mr. Reynoso's community suspected that education officials were practicing segregation. "That," he said, "created in us very much an atmosphere of them and us."

He was further angered when, after he and his "black buddies" fought together for freedom in the Korean War, they came back to realize "that the ideal of equality we had fought for in another country could not be found back home."

Like most legal analysts and advocates of the act, the speakers at WFU's celebration said amendments to the act and congressional action are the remedies to strengthening the weakened piece of legislation.

Mrs. Norton deemed North

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Carolina one of the leading states in the South and said the Civil Rights Act is well able to withstand the tests of time in the Tar Heel state.

"It's always a special, special thing for me to come to North Carolina," she said. "My mother came from here. She left here at age 15, and so did a lot of her relatives, to go to Washington, D.C. But now people are returning to the South. In her wildest dreams she never thought the roads would lead back to North Carolina."

Afro-Americans who moved north years ago are returning to Memphis, Tenn., where blacks make up 47 percent of the population and where they are a part of the legislative and local government processes. They're even moving to Birmingham, Ala., once one of the most segregated and racist cities in the South. Three years ago blacks in that city became the majority on the

city council when they captured six of the nine seats. Other cities where Afro-Americans are making strong gains are Atlanta, Charleston, S.C.; New Orleans; Houston; Little Rock, Ark., and Richmond, Va.

Since the enactment of the Civil Rights Act, Afro-Americans have ventured into careers that blacks couldn't dream of entering 25 years ago. They are Supreme Court justices, judges, astronauts, attorneys, doctors, mayors and, most recently, governors.

The fight for complete integration continues, but Civil Rights activists believe that freedom will ring throughout every facet of American life.

"We shall live to see the time that from the eastern shore of North Carolina to the mountaintops of Oregon," said Mrs. Holmes, "equality guides the night and rules the day."

Turner asks city to back loan for construction

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explained. "One is if Herman is not able to do the rest of the project, then the city can motivate other development at the site with the advantage of an ABC store already located there."

The other risk city staff was concerned about is the length of time the city would serve as guarantor and how much money would be involved. The cost to build the ABC store would be about \$500,000, and the lending institution would request about 75 percent, or \$350,000, of that to be guaranteed, Mr. Joines said.

If something happened to the project during the construction of the store, the contractor - John S. Clark Construction Co. - is bonded and that would minimize the city's liability, Mr. Turner said. In addition, Mr. Joines added, the parties involved are about to reach an agreement that the city's role as guarantor would be dissolved when the ABC store opens for business, which could be as early as April 1990. It will employ five persons.

"I like the fact that these two gentlemen are on the same side of the table," said Mr. Northington. "You have been on opposite sides of the table."

Other committee members made favorable comments about the project and agreed to permit the city staff and Mr. Turner to prepare a more detailed packet of information

on his proposal for the full board to examine during its Nov. 20 meeting.

"The main thrust behind this first phase effort is to generate construction momentum on-site and generate the necessary capital to promote and market the site on a regional as well as national level," Mr. Turner said in an interview Wednesday morning. "Ultimately we feel like we have got to make it happen in East Winston. We're not finding anchor tenants stumbling all over themselves to locate in East Winston."

The developer said he also plans to launch an intensive marketing strategy for the project which could include taking prospective tenants to the site by helicopter to see the project under construction, and advertising in national, regional and local publications.

"Basically we're talking about an area that has had a history of slow development and a total absence of quality development," Mr. Turner explained. "We're plowing ahead and forging new ground here. Once our project is opened and other proposed projects are up, developers will see the East Winston market as untapped and it will be exposed to a lot more development activity."

"But the first project is difficult and we knew that it would difficult to do. We have other projects in

mind for East Winston but first we want to get this one up."

Site clearing has already begun on the lot, and city workers have begun the long talked about 14th Street extension which Mr. Turner has said will improve accessibility to New Walkertown Market.

In another East Winston development project, the committee approved a resolution establishing the fair market value of 9.2 acres of land at Seventh Street and Graham Avenue at \$32,000 per acre, or \$296,640.

William T. Brandon wants to purchase the land to build a \$3.1 million, two-story facility which would feature the community's first sit-down cafeteria, a meeting center and office and retail space. His proposed Eastway plaza is projected to increase the city's tax base by \$2 million annually and provide about 140 new jobs.

Mr. Brandon had said that the fair market value exceeded that of other East Winston projects and that the price should reflect added funding required of him and co-developer John-William McDonald, a Charlotte entrepreneur, to do site improvements.

Under the direction of the finance committee, the city staff hired Engineering Tectonics to conduct soil tests at the site.

"There were eight drillings on the site, six borings in the area of

the property and two drillings on out parcel," Mr. Joines explained. "The results of the soil test indicate that only one of the drill sites encountered rock."

According to the report, "a limited amount of remedial foundation preparation will be required," and the poor top soil has to be removed, Mr. Joines said.

"The staff has asked the appraiser if this information would affect the value of the property," he said. "The appraiser indicated that this estimated value had already taken into account potential negative subsoil conditions which are normally found in local soil."

Alderman Newell didn't directly question the fair market value of

the land for the Eastway Plaza, but she did question the values of other city-owned properties in East Winston. She questioned the appraisals of McDonald's land, \$27,878 an acre; Mechanics and Farmers Bank, \$39,204 an acre; and the East Winston Shopping Center, \$21,780 an acre.

"To me this is really alarming," Mr. Newell said. "I really don't think the East Winston Shopping Center site and the Mechanics and Farmers site was that much different. Yet you've got a \$17,000 difference per acre. I think that's really significant."

Mr. Northington said the proposals to buy the land came from the developers to the board, and

nobody twisted the other's arm to agree to a deal.

"Why didn't you put in your complaint when this happened," he asked Mrs. Newell.

"Because I didn't know," she replied, asking city staff to prepare information that would help her better understand how the appraisals were made for East Winston property.

Mrs. Newell abstained from voting on the fair market value of property for Mr. Brandon's project, however, the committee approved his project's concept. If approved by the full board, the city would loan the developers \$296,640 to purchase the land.

Hunt's bond set at \$50,000

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In June 1985 Mr. Hunt was convicted of the first-degree murder of Deborah B. Sykes, a copy editor with the now defunct Winston-Salem *Sentinel*. That conviction was overturned in May by the state Supreme Court which said prosecutors in the case improperly used hearsay evidence, particularly that of Mr. Hunt's then 14-year-old girlfriend.

Two years later, Mr. Hunt was convicted of second-degree murder in the stabbing death of Arthur Lee Wilson. That conviction has also been overturned.

District Attorney Warren Sparrow, who announced recently that he will seek re-election to his post in 1990, has already said that he will retry Mr. Hunt in the second-degree murder case. H. Dean Bowman, the Surry County district attorney, is examining evidence from the rape and stabbing death of Ms. Sykes to determine if he will retry the case. Both men represented the state during the hearing and asked the judge to set a bond of more than \$250,000.

"We feel good," said Rev. Mendez about Mr. Hunt finally facing

freedom. "Not just because of Darryl, although we're very happy for him, but we're proud of the fact that, number one, the community has supported us throughout this thing."

"I think everybody knew that Darryl was a victim of political lynchings and that he did not get a fair trial, and that everybody from the judge on down to the DA, as well as the police department, was involved and part of a conspiracy to legally lynch Darryl. The people had no choice but to respond and make sure that justice prevailed."

Reportedly, threats have been made on Mr. Hunt's life since his return to Winston-Salem. On Tuesday morning, Mr. Little's secretary, Susan Mitchell, said she received two telephone calls.

"The caller sounded like he had a white voice and one said, 'Darryl Hunt is a dead nigger,' and another said 'If Darryl Hunt is released, he's a dead nigger,'" Ms. Mitchell said.

Having Judge W. Steven Allen on the bench Monday finally added a touch of judicial sensitivity, heretofore nonexistent, where Mr. Hunt has

been concerned, Rev. Mendez said.

"We feel inspired and we feel energized," he said. "We're willing to struggle to forge on to see justice prevail. And we're not just fighting for Darryl. We're fighting for every citizen in this city and Forsyth County to protect their rights, because if Darryl was allowed to go down the drain on trumped up charges then every citizen is threatened. We're tearing down the walls of Forsyth County as they did in Berlin."

Afro-American James E. Ferguson III of Charlotte and Adam Stein of Chapel Hill were appointed by Judge Allen to represent Mr. Hunt in both cases.

Other supporters attending Mr. Hunt's bond hearing included attorney Larry D. Little, North Ward Alderman-elect Nelson L. Malloy Jr., Khalid Fattah Griggs and the Rev. Carlton A.G. Eversley.

Mr. Hunt, 24, could be retried on the second-degree murder charge as early as January. He is now being held in the Forsyth County jail. If he is released on bond, Mr. Hunt will move in with Mr. Griggs.

UNC campuses doing poorly on graduating black students

CHAPEL HILL (AP) - University of North Carolina campuses are doing a poor job of graduating black students and should improve remedial education courses rather than trying to abolish them, says the chancellor of Fayetteville State University.

"I think some years ago we were more sensitive to the needs of black students than we are now," Lloyd V. Hackley said. "If black students are better, but we continue to see a slide in the number of degrees conferred, obviously something has gone wrong."

In addition to improving remedial courses, Hackley said, campuses

should pay more attention to psychological support programs and academic counseling for black students.

"Students who get that kind of mentoring, tutoring and academic skills development are four times as likely to graduate from college than those who do not," he said.

Hackley made the remarks last Thursday to the UNC Board of Governors' Committee on Educational Planning, Policies, and Programs, whose members are reviewing the cost and extent of remedial education in the 16-campus UNC system. He is chancellor of a predominantly black university.

A disproportionate share of remedial

courses are offered at UNC's five predominantly black schools. While they enroll roughly 15 percent of all UNC undergraduates, the schools account for 44 percent of all remedial instruction.

But instead of abandoning it, he said, campuses must do a better job than in the past with remedial instruction.

"We've got to begin to communicate with the public schools and say this is what we expect them to do and begin to hold them accountable," Hackley said. "Until we do that, we just allow them to throw a rock over their shoulders and say, 'bull's-eye!'"

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