

Court Upholds Satterfield Dismissal

On The Inside

Area merchants this week are having a Pre-Christmas Sale. Santa arrived along the Public Parade last Thursday and the sale, which is now in progress, is expected to bring additional shoppers to town.

The supplement in today's paper has messages about goodies from 24 participating merchants. Because of space limitations they were unable to give a complete list of what they have to offer, so you have a surprise in store when you shop with these merchants.

On the inside of the supplement you will find some good buys advertised. On the inside of the store you will discover that there is no better place to shop than along the Public Parade.

Noted And Passed

Three of the first five defendants to appear before Judge Walter W. Cohoon in Chowan County Superior Court were given active prison sentences.

This prompted a courthouse wag to comment thusly: "If I was on the docket this week I would pay my attorney extra to get the case delayed to the end. Maybe Judge Cohoon would run out of time."

Positive Leadership

Perquimans County voters Saturday overwhelmingly approved a \$2.8-million bond referendum to finance a county-wide water system. It showed that voter support for this cause is increasing.

The fact that Chowan County, where a system is now under construction, actively supports a "mutual assistance" program could have had a positive effect on the vote.

Voters along the Public Parade were the first east of Anson County, in the lower Piedmont, to endorse a county-wide water system. Since then a positive vote has come from Dare and Perquimans counties. Ground work is being done in Pasquotank and Gates counties.

Chowan commissioners only last week went on record as actively seeking "mutual assistance" agreements with adjoining counties. If this should continue then the Northeast could readily produce a network of water systems which will guarantee a supply of decent, safe and sanitary water throughout the area.

The significant fact, however, lies in a statement made by a Farmers Home Administration official here at the Farm-City Week banquet. He predicted that a county-wide water system is the forerunner of a sewage disposal plan. This, in an area where permits for septic tanks are becoming more and more difficult to come by, could result in continued orderly development. In itself, this expands the tax base while the users of the various systems pay off the indebtedness.

In Chowan County the water bond referendum was held in a special election in September, 1974. The single-issue vote drew less than 29 per cent of the registered voters. The vote was about 12 to one for the bonds.

Last week, with the Chowan system well underway, the vote in

Continued On Page 4

A U. S. Court of Appeals has affirmed a lower court judgment that the nonrenewal of Richard L. Satterfield's contract by Edenton-Chowan Board of Education "was not racially motivated but was based solely on (his) performance as a teacher."

In an opinion signed in Richmond, Va., Friday, the Fourth Circuit Court held that the former band director at John A. Holmes High School was given a "meaningful hearing" by the school board. This "is all he was entitled to under due process."

The court went on to say Satterfield had "had his day in court". It noted that he has twice confronted the witnesses against him and has been given the right to cross-examine them. "He has been given the right twice to present his side of the story," the opinion continued.

"Both the board and particular the court which heard fully all the evidence in favor and against the plaintiff, have found that the plaintiff was properly denied renewal of his contract because of his incompetency as a teacher and

his insubordination."

U. S. District Court Judge Frank T. Dupree, Jr., heard the case in Elizabeth City earlier in the year. He ruled that Satterfield had been treated fairly and the nonrenewal of his contract was not racially motivated.

Judge Donald Russell wrote: "It is obvious from his brief review of the evidence why the plaintiff bases his appeal on claims of denial of due process and not on the merits of his nonrenewal."

The appellate judges noted that his primary attack has been on a

claim that he was denied due process because of the lack of a "public" hearing. In this regard, the opinion states: "It is not unusual that such hearings as that involved here are held in private. In fact, the procedure followed here is the normal pattern in nonrenewal cases." Such private hearings is "as much for the protection of the teacher involved as for the school officials", according to the opinion.

The court found that the "real evidence of incompetency and insubordination" was based on

actual observation and the personal knowledge of the superintendent and principal.

In his suit in U. S. District Court, Satterfield had sought reinstatement as a teacher and band director and be reimbursed for back pay, attorney fees and costs.

Satterfield was represented by Louis L. Lesesne, Jr., and Adam Stein, both of Chapel Hill. Defending the school board were W. J. P. Earnhardt, Jr., of Edenton, and Norman W. Shearin, Jr., of Elizabeth City.



THE CHOWAN HERALD



Volume XLI.—No. 50.

Edenton, North Carolina, Thursday, December 11, 1975.

Single Copy 10 Cents.



Dr. Leo Jenkins

Jenkins Speaker

Dr. Leo Jenkins, chancellor of East Carolina University, will be keynote speaker Monday night at the annual meeting of Albemarle Area Development Association.

The meeting will be held in the Agriculture Extension Building on McPherson Street in Elizabeth City. It will begin at 7 o'clock.

Phil Quidley of Manteo, AADA president, said Dr. Jenkins "is a gifted friend of Eastern North Carolina and will present an interesting program. There will be an opportunity for you to mingle and meet with Dr. Jenkins."

The installation of new officers will be held at the meeting.

Quidley noted that in the past Community Development Awards have been made at the annual meeting

Club Cited

Edenton Woman's Club is recipient of a "Certificate of Commendation" from the National Awards Committee of the American Association for State and Local History. The club, which sponsors the biennial Pilgrimage of Colonial Edenton and Countryside, was cited "for (its) contribution to the historic preservation of Edenton."

The committee acted on the award at an earlier meeting in Mackinac Island, Mich.

Last month the award was presented during Culture Week. Receiving the award during a meeting of the N. C. Literary and Historical Association were Mrs. George Alma Byrum, president; Mrs. James Martin and Mrs. Wendell Copeland.

Woman Sentenced

A 43-year-old Negro woman was given a seven-to-nine-year prison sentence in Chowan County Superior Court Wednesday morning in the death of her husband.

Elizabeth Dorothy Fleming was sentenced by Judge Walter W. Cohoon of Elizabeth City after she changed her plea of not guilty to second degree murder to guilty of involuntary manslaughter.

She was charged in the August 23 death of her husband, Willie, who was said to have bled to death from a five-inch gash on his throat.

After the state had rested its case Tuesday afternoon and Judge Cohoon had denied defense motions for a directed verdict of not guilty, the defendant entered her plea to guilty of the lesser offense.

The death was investigated by Sheriff Troy Toppin and his department along with SBI Agent Bill Godley. But the most damaging evidence, according to Judge Cohoon was a statement the defendant made at Chowan Hospital. A statement overheard by Patrolman Sonny Jones of Edenton Police Department.

Patrolman Jones testified that when a nurse approached Mrs. Fleming and asked her if she wanted to view the body of her dead husband she answered negative, saying she had "killed him".

Judge Cohoon commended the officers for the presentation of the

Continued On Page 4

NOTICE

The full page ad on page 11 of the Pre-Christmas Sale supplement in The Chowan Herald today is from Mitchener's Pharmacy. By error the Mitchener's signature was left off the ad. We regret this error.



Grand Jury

The Chowan County Grand Jury has again called attention to the need for more adequate court facilities as well as a new jail here. In a report filed Monday with Superior Court Judge Walter W. Cohoon, it was noted:

"The Grand Jury recommends that the Chowan County commissioners continue their plans for a new courthouse and jail to be completed at the earliest possible date."

Robert W. Moore is chairman of the panel.

The group met only briefly

Historic Edenton Elects Dixon Christmas Music

Richard D. Dixon, Jr., local businessman and community leader, has been elected chairman of Historic Edenton, Inc.

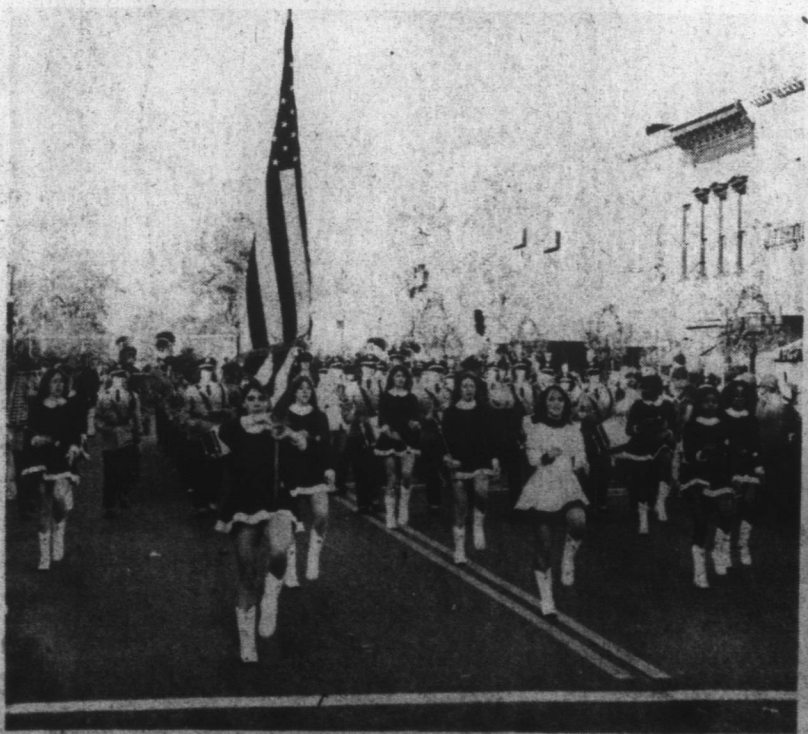
Dixon succeeds James G. Blount in the post.

EMS Meeting

A meeting of Region "R" Emergency Medical Services Council will be held Tuesday, at 7:30 P.M., at the B Unit of the Chowan County Hospital in Edenton. Please notify all EMS providers



DEER HUNT DINNER—Climaxing the annual deer hunt at Sen. J. J. (Monk) Harrington of Lewiston is a feast at his club house. It draws political figures, past, present and future in abundant numbers. Above, Supreme Court Justice William Copeland of Murfreesboro is shown with Thomas Byrum of Edenton, Sen. Harrington, and Thomas Shepard of Edenton. Bottom left shows Jasper Hassell of Edenton, Robert E. Lee of Gatesville, Commissioner of Agriculture James A. Graham, George Alma Byrum of Edenton, and an unidentified person. At right, J. Gilliam Wood of Edenton, and Former Gov. Bob Scott talk with State Sen. Melvin Daniels.



CHRISTMAS PARADE—Edenton's 45-unit Christmas Parade stepped off last Thursday in clear, cool weather as spectators lined Broad Street from Holmes High School to the end of South Broad. The parade was led by the Northeastern High School Band, shown above at the far left. The Holmes High School DECA Club, in center photo, provided their version of the Land of Oz in their second

place winning float. Santa Claus, at right, made his official entrance into Edenton bringing the parade to a conclusion. Pat Flanagan of WCDJ announced the units which were judged by Theresa Turner and Bill Phillips of the Chowan County Extension Service.