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Jacobs Cannot Stay In N.Y., Judge Says

WAMPSPVILLE, N.Y. — Fugitive Indian activist Timothy Jacobs cannot stay in New York state to avoid prosecution for the armed takeover of a Robeson County, N.C., newspaper office last year, a judge ruled Tuesday.

Jacobs' lawyers appealed even before the ruling was issued, meaning their client will remain in New York while the legal battle continues.

Madison County Judge William O'Brien III rejected claims that Jacobs' life would be in danger if returned to North Carolina because of his knowledge of alleged corruption.

"You've spent the entire time here with

the same information about drug trafficking and there has been no evidence of any harm to you or any threats to you," O'Brien told Jacobs, who spoke only to ask the judge to extend his bail so he could speak publicly against alcohol and drug abuse.

The judge revoked Jacobs' \$25,000 bail, and the 20-year-old Tuscarora Indian was taken away to jail.

About 150 Jacobs supporters were in the courtroom. Ten of them stood with their backs to O'Brien for more than one hour as the judge explained his reasons for not granting Jacobs asylum.

North Carolina Gov. Jim Martin has asked New York to return Jacobs of Pembroke, N.C., so he can be tried on state

charges for the Feb. 1, 1988, takeover of The Robesonian newspaper in Lumberton, N.C.

Jacobs and Eddie Hatcher, 31, also of Pembroke, used shotguns to hold up to 20 people hostage for 10 hours before surrendering. Hatcher and Jacobs said they were trying to publicize allegations of drug trafficking and corruption among county officials.

The siege ended when Martin agreed to investigate their charges that county officials were involved in drug dealing and murder. A task force found no evidence to support the claims, which Martin later said were based on "rumor and gossip."

A federal jury acquitted Jacobs and

Hatcher, who says he is a Tuscarora Indian, on hostage-taking charges in October, but they were indicted by a Robeson County grand jury in December on 14 counts of second-degree kidnapping.

Jacobs fled North Carolina before he could be arrested and tried to take refuge at the Onondaga Indian Reservation near Syracuse, New York police arrested Jacobs for speeding in December.

Hatcher had fled to the Shoshone-Bannock tribe's Fort Hall Indian Reservation in Idaho. But he left there and was arrested Friday by the FBI after attempting to seek refuge at the Soviet consulate in San Francisco.

Hatcher told The Times he had been

"kind of hopping around" but would not say where he went or how he supported himself. He said he plans to fight extradition.

Lewis Pitts, Jacobs' attorney, said the ruling Tuesday was "absolutely contrary to the evidence," adding that he was confident about the prospects of an appeal.

"We feel good about the record we made. The evidence is strong for our position and the evidence is lacking for the court's position," Pitts said.

Appellate Division Justice Ann Mikoll granted a temporary stay of O'Brien's ruling.

A panel of five appellate justices is scheduled to decide next week whether Jacobs has a basis for an appeal.

Locklear Named Collegiate Scholastic All-American

The United States Achievement Academy announced recently that Donna Renae Locklear has been named a Collegiate Scholastic All-American.

The USAA has established the Scholastic All-American Collegiate Award Program in order to offer deserved recognition to superior students who excel in the academic disciplines. The Scholastic All-American Collegiate Scholars must earn a 3.30 or better grade point average. Only scholars selected by a school official or other qualified sponsor are accepted. These scholars are also eligible for other awards given by the USAA. These are awards few students can ever hope to achieve.

Ms. Locklear, who attends Pembroke State University, was nominated for this

National Award by Dr. Frank Schmallenger, a professor at PSU. Ms. Locklear will appear in the Scholastic All-American Collegiate

Directory, which is published nationally.

"Recognizing and supporting our youth is more important than ever before in American history. Certainly, winners of the Scholastic All-American Collegiate Awards should be congratulated and appreciated for their dedication to excellence and achievement," said Dr. George Stevens, Executive Director of the USAA.

The Academy selects Scholastic All-American Collegiate Scholars upon the exclusive recommendations of professors, instructors, deans, and other qualified sponsors. Once awarded, the

students may be recognized by the USAA for other honors.

Ms. Locklear is the daughter of Mr. and Mrs. Donald Ray Locklear. Her grandparents are the late Graham Chavis and the late Lena Chavis of Lumberton and the late Alex Locklear and Lester Locklear of St. Pauls.

March Planned March 18 In Rowland

A march will take place Saturday, March 18, 1989, at 11 a.m. This march is dedicated to the late Timothy Oxendine who was murdered at the Rowland Motel on October 31, 1988. All concerned citizens should meet at the Southside School in Rowland. The march will proceed past the Rowland Motel and will end in front of the Town Hall. The public is invited and all concerned citizens are urged to attend. For more information call 422-8624.

Judge Postpones Decision On Moving Chavis Trial

Reprinted From March 15, 1989 Fayetteville Times

LUMBERTON — A Superior Court judge delayed a decision Tuesday on whether to move the murder trial of Sandy Jordan Chavis out of Robeson County.

Attorneys for Chavis, who is charged with last year's murder of judicial candidate Julian Pierce, contend that Chavis cannot receive a fair trial in Robeson County because of publicity about the case.

"If there's ever going to be a case in North Carolina where you change venue to ensure a fair trial before you pick a jury, it's going to be this one," said former U.S. Attorney General Ramsey Clark, one of Chavis' attorneys. "Fairness to Robeson County would indicate the case should be moved."

But Senior Deputy N.C. Attorney General James J. Coman, the special prosecutor, said testimony from defense witnesses did not prove that a Robeson County jury would be biased for either side.

"It's just hard for me to accept the fact that people would get up here, and in good faith, testify that

we could not get 12 impartial jurors," Coman said. "The only thing that has been presented here is speculation, albeit well-meaning."

Judge Anthony Brannon of

Durham said he would decide later whether to move the case outside Robeson County or use an out-of-county jury, but he did not say when the decision would come.

Also Tuesday, Brannon refused to reduce Chavis' \$300,000 bail.

Pierce, a lawyer who was running for a Superior Court judgeship against then-District Attorney Joe Freeman Britt, was killed by three shotgun blasts March 26 at his home in the Wakulla community in western Robeson County.

Three days later, officers arrested Chavis, 24, of Route 1, Pembroke, and obtained an arrest warrant for his friend, John Anderson Goins, 23, of Pembroke. Before Goins could be arrested, he committed suicide at his father's house near Pembroke, authorities said.

Officers said the murder resulted from domestic problems

between Pierce's girlfriend, her teen-aged daughter and Goins, who had been dating the girl. Authorities allege that Chavis accompanied Goins to Pierce's house, and Goins shot Pierce.

Clark and defense attorney Wade Byrd of Fayetteville presented 11 witnesses, all of Robeson County, who told Brannon that

many residents already have decided whether they believe Chavis was involved in the slaying.

"My opinion is they could not remove their preconceived perceptions," Lumberton attorney H. Mitchell Baker III testified. "I do not believe he could get a fair trial."

Lumberton attorney William Osborne Lee Jr. testified that media reports of Pierce's death were "by and large the most prejudicial, slanted and one-sided coverage I've ever seen." He said some reports dealt with speculation that the murder was politically motivated.

Because of public opinion about the case, Lee said, "it would be absolutely futile" to try Chavis in Robeson County.

"I just think that the magnitude ... of the coverage was such that anyone who would disavow any knowledge of it must have lived in a monastery and shouldn't be on a jury anyway," Lee said.

Coman asked some witnesses if Robeson residents would accept a verdict returned by an out-of-county jury.

"I don't think it's a question of being acceptable to the people," County Commissioner Wyvis Oxendine said. "It's a question of justice, a fair trial for Sandy Chavis."

Sampson has been down this road

The van sputtered, coughed, groaned and finally died somewhere between Red Deer and Edmonton. Outside the wind chill was a frosty 30 below zero. Inside, Coach Kelvin Sampson and his Montana Tech players were trying to stay warm and wondering if they were going to become a headline in the next day's paper: "No game tonight: small college coach and players found frozen in middle of nowhere."

Sampson stepped out of the van onto the empty Canadian road and saw a light straight ahead, shimmering in the frozen night. He started walking toward the light. His players followed him. They always did.

"The light was like a mirage," Sampson said. "I wasn't sure it was real."

Sampson kept walking. The light kept growing. The light became a house. The owner of the house was a hale fellow, who owned a nearby bar. The bar was closed. The owner opened it. He invited Sampson and the players to spend the night there. The players were hungry. They hadn't eaten since they left Butte, Montana. The owner apologized to Sampson, because the only food left in the bar was potato chips. Lots of potato chips.

Sampson and his players spent the night in the bar somewhere between Red Deer and Edmonton, eating chips and talking hoops. They spent the next morning finding a mechanic to fix the van. Then played College of Alberta that night.

"We kicked their butts," Sampson said with a sly smile on his face.

Don't tell Washington State coach Kelvin Sampson about travel problems. Don't ask him to make excuses. He coached in the NAIA for five seasons. He hasn't just heard all of the horror stories of life on the road. He's experienced them.

Washington State lost to Washington recently, 76-70.

The Cougars had expected a painless one-hour flight from Pullman to Seattle. Instead, because of the wintry weather, they had to bus to Lewiston and fly to Portland. The bus ride from Portland to Seattle took eight hours. Instead of arriving, as planned, in the middle of the afternoon, they rolled in at 2 in the morning.

And they lost to the Huskies. Don't ask Sampson to blame the weather. Don't ask him to make excuses.

"Don't even bring the travel up," Sampson said after the game. "I coached five years in the NAIA. We used to drive all night. We'd get into cities at 3 o'clock in the morning. Besides, this is the fourth time this has happened to us this year. It's no excuse." Adversity has been Sampson's sixth man this

season. He lost two starters, Neil Evans and David Sanders early in the year. His team has been stuck at O'Hare, the victim of 30 winter's full-court press. He has lost eight of 10 Pac-10 games and 12 of 19 games all year. His team is guaranteed to have a losing season. He doesn't have the talent to compete. And yet night in, and night out, under the worst circumstances, he probably does the best coaching job in the Pac-10.

Sampson doesn't coach a game, as much as he plays it. The sport coat is stripped off early in the game. He doesn't pace the sideline. He prowls, like ah, well, a cougar. The coach is on the balls of his feet like

his point guard. He works the bench like Norman Vincent Peale, keeping the faith.

His team fell behind by 10 points 3½ minutes into the game. The Cougars have such little offensive firepower that every 10-point deficit is a basketball Killimanjaro they have to climb. But on this night, like so many nights, WSU and Sampson make up with willpower what they miss in firepower.

They should have lost by 40. Their star, Brian Quinnett, was hamstrung by foul troubles in the first half and Jeff Sanor's defense in the second half. The Cougars should have died early. But Sampson wouldn't allow them to quit.

"It's so hard to come so close. It's frustrating," said Sampson, in his second year at WSU. "But we're just missing a couple of bullets. I just hope people don't characterize us as losers. You're not a loser unless you quit. And I guarantee that this team will never quit."

His team won't win many games this season. It can't. There is nothing fun about losing, but Sampson's team was a pleasure to watch. Ten overachievers, who listen to their coach, who believe in them, who throw their bodies on the floor after loose balls for him.

It was a pleasure to watch them crawl back into the game, from 15 points behind to three behind. It was interesting to contrast Washington's casualness with WSU's caring.

Even Washington coach Andy Russo admitted, "The Cougars' desire is really what kept them in the ball game. In the category of desire, they outplayed us. That's the way they have to play to have a chance to win this game."

That's the way the Cougars play every night. It will be the most interesting to watch what Sampson will do when he has a team with as much talent as, say, the Huskies.

"I was telling my wife today that it's really a shame this team hasn't won more often because they are really fun to coach," Sampson said. "If they had a Top 20 for effort, this team would be up there pretty high. That is the signature of this team."

Washington State's a tough job, no question about that. But it's not like I didn't know that coming in. I know one thing, winning here at Washington State, isn't a matter of if. It's a matter of when."

His players believed him in the deep freeze near Red Deer. We should believe him now in the big chill of Washington.



KELVIN SAMPSON

West Robeson Student Appointed House Page

Eddie Darton, Jr., the son of Mr. and Mrs. Eddie Darton of Maxton, served as House Page from February 6 through February 9, 1989. He was appointed by Representative John "Pete" Hasty.

Darton stayed in the home of Mr. and Mrs. Dyda of Raleigh with another House Page, two Senate Pages, and a Governor's Page.

The duties assigned Darton included running errands for Representatives, answering phone calls and helping the Representatives move into new offices.

Eddie is a Junior at West Robeson High School.

Correction

The report in last week's CAROLINA INDIAN VOICE on the Pembroke Town Council meeting stated that Town attorney Ronnie Sutton indicated "If the vote had been to abolish the Housing Authority Board, at that instance, the Town Board would have assumed the position of the current Pembroke Housing Authority Board. All property would have been transferred to the Town, but without the liability to pay off any outstanding debts."

The last sentence should have read "All property would have been transferred to the Town along with the liability to pay off any outstanding debts."

The reporter apologizes to Mr. Sutton for the misprint.

Named Outstanding Young Educator By Laurinburg Jaycees



MS. PHYLLIS DEESE MURRAY

Ms. Phyllis Deese Murray is the recipient of the Laurinburg Jaycees Outstanding Young Educator award for 1988-1989. The award was presented to her by Mr. Eugene Blackwelder, principal of Laurel Hill School, on February 27th at the Jaycees Award Banquet which was held at St. Andrews Presbyterian College.

Ms. Murray received a bachelor of science and masters degree in elementary education from Pembroke State University. After six months of substitute teaching at various schools such as R.B. Dean, Oxendine, and Laurel Hill, she was hired at Laurel Hill Elementary and has been teaching there for the past six years.

Ms. Murray is a member of the North Carolina Association of Educators, the National Educational Association, and the N.C.

Association for the Education of Young Children. She has participated in numerous workshops including assertive discipline, stress management, mathematics, drug awareness, K-12 Curriculum, and the "Writing to Read" computer workshop. She also serves on various school committees at Laurel Hill Elementary. She is the chairperson for the Handwriting Committee for Southern Association Accreditation, serves as the liaison for ethnic children at Laurel Hill Elementary, is a member of the school base committee at Laurel Hill, twice chairperson of First Grade Teachers, and the contact person for Indian Heritage Week at Laurel Hill Elementary.

Ms. Murray credits her success to the excellent professors at Pembroke State University such as Dr. David Eliades, Drs. Judith and Pete Wish, Dr. Gilbert Sampson, and Dr. Shelby Stephenson. In addition, she acknowledges the cooperation of the staff at Laurel Hill Elementary and the leadership of her principal, Mr. Eugene Blackwelder.

Ms. Murray is the daughter of Velton and Sally Deese of Pembroke and is married to Ottis Murray, Jr. They have one son, Travis, and reside in the St. Annah community of Pembroke.