

17-Year Old Gets 30-40 Years

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 continue. A sparse courtroom of sympathizers stood in shock and his mother wailed emotional pleas that an injustice had been done.

Robert Beatty, Executive Director of the Cumberland County Citizens' Association said efforts are under way to raise bail if a bail for Terry is granted by Clark. Clark denied a request for bail at the sentencing saying that bail would not be granted at that time.

The two week long trial had drawn the attention of many of the town's people despite the sparsely populated courtroom. The Fayetteville Times editorial staff had warned the town's people not to allow the trial become a racial issue or to put the community into an emotional dilemma.

The circumstantial evidence that convinced the jury of 10 whites and two blacks, all over fifty years of age, amounted to the following. On the morning of January 6th, Terry and Bobby Miller the deceased brother were playing basketball in gym class at Terry Sanford High in Fayetteville. There was a rebound, in which the two made body contact, Terry was hit in the mouth with an elbow and later in the locker room the two fought. Terry is Black and Bobby Miller is white.

Terry's jaw began to swell around noon and he went to a school nurse for an excuse to go home because of a toothache. Unable to get busfare home, according to Caroline Nixon, a teacher at the high school, Terry was readmitted to the school. He went to one afternoon class and spent some time in the locker room where he was told by a student that Bobby Miller's older brother was looking for him to settle the earlier fight.

One Black student testified that he had given Terry a knife before the fight started. Another testified that Terry was met by Ricky Miller, the deceased, in the locker room asked if he was the student that had fought earlier with Bobby? Answering yes, Terry stepped back and Miller asked if he wanted to fight. Terry again answered yes. Ricky swung the first punch. The fight continued in the locker room and into the hallway at which time Terry pulled Ricky Miller's sweater over his

head and landed some hard uppercuts. But then Ricky slumped and cried out "nigger you're dead, you know you're dead for doing this to me".

No one present at the fight scene that testified said that they had witnessed the stabbing. A SBI chemist testified that a knife presented by the District Attorney as the knife given to Terry by the Black youth before the fight did not contain blood stains, which a knife would if it were used in a stabbing.

Terry's public defender, Mary Ann Talley presented no evidence but argued before the jury that the District Attorney had not presented evi-

dence to establish Terry's guilt beyond a reasonable doubt.

But Ed Grannia, the District Attorney, argued that Terry had been charged with a drug offense and was a menace to society and should be put away.

Summarizing the evidence presented by the state, Judge Giles Clark omitted the knife testimony in his summary, but told jurors that they should not be influenced by his failure to mention testimony. The jurist defined second degree murder and involuntary manslaughter and the conditions that they could find that Terry had acted in self-defense.

HUD To Probe 129-C Land Sale

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the right?" She recalled the time, three years ago, when her clothing store "Our Shop" wanted to move from Patterson Avenue.

"I asked Dr. Oliver to build us a store on that part of the redevelopment land," said Mrs. Newell.

The land bid on by Dr. Oliver is located on Claremont Avenue, behind the Burger King.

"Dr. Oliver said that he would be happy to build us a store on that property--if the redevelopment commission would sell it to him. So I went down to talk to them. Mr. Haley wasn't in, so I spoke to his assistant, David Tomkins. He said that Dr. Oliver's plan did not meet the agency's specifications."

A black developer commented: "That phrase is bureaucratic talk for 'We don't want to sell you the land.'"

Dr. Oliver later bid on Parcel 129-C and was the highest bidder, winning the right to develop the land. He was forced to withdraw his bid when the ABC Board, listed as a priority tenant, refused to negotiate with him, saying that they preferred the plans submitted by Cumberland Development Corporation, another black firm.

The land was offered for sale a year later, a fact of which Dr. Oliver and Cumberland were unaware, and this time the low bidder Wilson-Covington Construction Company made the only offer for the property.

"I called the HUD office in Greensboro," says Dr. Oliver. "And they have promised to begin an investigation this week. I have already drawn up plans to negotiate with Covington, in case HUD rules the second sale

invalid."

"One thing I don't understand," he went on. "When I was trying to develop that property, the man I went to for advice was C.C. Ross. He is chairman of the Board of Alderman Finance Committee. When the Redevelopment Commission asked the finance committee to approve that sale, why didn't Ross stop it? He knew all the facts. Why didn't he stop it?"

"The finance committee did not do its job," says Virginia Newell firmly.

C.C. Ross could not be reached for comment by press time.

Smiling Is Fun

Terror In Black And White

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 city government. In one issue they claimed to have heard one of their victims confess to yen for the wife of a co-worker, an indication that some of the writers were closely associated with the officials they lampooned.

The Black Informer became the subject of quiet but frantic detective work. Efforts were made to find the xerox machine or to link the writers to the publication. Some say the FBI was called in to investigate, but nothing was ever proved.

Mayoral candidate Cecil Butler, who was writing a column for The Suburbanite at the time, deplored the Black Informer's methods in an article called: "Character Assassination."

"After that article came out, my phone at home would ring and ring. When we answered it, the

people would hang up. It went on constantly," he recalls.

Finally one day he told the callers that they could call as much as they liked, and he would answer, but that they weren't upsetting him. The harassment stopped.

The issues of the Black Informer stopped as suddenly as they had started. The word is that things were becoming too hot for the writers. Faced with the risk of being caught, they abandoned publication.

Officially, the staff of the Black Informer remains anonymous, but most of the paper's readers had a good idea who was writing it all along. Anyone familiar with the 'activists' in East Winston, who has heard them speak and knows what issues concern them, can easily identify each

writer in the Black Informer.

The Chronicle's guesses about the writers' identity were confirmed by a source close to the news-sheet, who insisted upon remaining anonymous.

So we know who wrote the Black Informer--but we cannot print their names, because there is not enough proof. In their own tradition, we will give you clues:

--one of them has a high position in a federal agency


--at least one of them is running for office, and another is closely connected to the campaigns

As for the 'power of the pen,' all the officials attacked in the Black Informer are still around, still doing what they were doing all along.



The Midwest Piedmont Area Business Development Organization honored three of its board members at their last meeting, on Tuesday, Aug. 30 in the organization's headquarters at 623 Woughtown St. Those honored at the meeting were Outgoing Board Chairman B. Joseph Thomas, president of Thomas Brothers Custom Meat Slaughterhouse Co. of North Wilkesboro; Future Williams, a senior business student at WSSU, who received a service award; and J. Thomas Ogburn, St. vice-president & city executive of NCNB of North Wilkesboro, who received the John Pike Memorial Award, designated by MPABDO director John Duncan as "an award for service above and beyond the call of duty."

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Panama
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 "If the canal is important to our trade and national defense, its value lies in keeping the waterway open and accessible," Noel said. "I wouldn't turn it over to anybody if doing so would weaken us in any way."

Bar Questions Clients of Legal Aid

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and the standard fee is \$150.

"Any reasonably intelligent person could do it himself without an attorney," admitted one local lawyer.

Legal Aid does not accept just anyone for a client. It is not an organization for people too cheap to hire a private attorney. Their client's income must be below \$7,313 for a family of four, in order to qualify for legal aid.

"If a person does not qualify, we advise him to hire a private attorney," says Brown.

One black Bar Association member sees no reason for the present conflict between private attorneys and legal aid.

"I send people to legal aid," he said. "If a person comes to me needing legal services and he doesn't have any money, I say: 'Fella, you need to go to legal aid.'"

The average attorney's fee in Winston-Salem is \$50 an hour. If a person needs a lawyer, the court investigates very carefully to see if he can afford one, even checking his assets, such as property holdings. If he cannot afford to hire an attorney, the court will appoint him one in criminal cases.

The operative word is "cannot." If one can afford an attorney, but is too cheap to get one, no one will defend him for free.

"The law says you are entitled to a defense," smiled Attorney David Wagner. "If you don't want to retain counsel, that's your problem."