

UNIV. OF NC-SERIALS DEPT.
 ROOM 206 WILSON LIBRARY 024 A
 CHAPEL HILL, NC 27514
 SEPT. 1979 80 81

Winston-Salem Chronicle

"Serving the Winston-Salem Community Since 1974"

VOL. VI NO. 24 22 Pages This Week WINSTON-SALEM, N.C. 20 cents U.S.P.S. NO. 067910 Saturday, February 9, 1980

Elderly Reject CD Grants

By John W. Templeton
 Staff Writer

Senior citizens in the East Winston Community Development project area are reluctant to take advantage of a CD grant program because of the possibility that their heirs will have to repay the grant if they die.

Helen Gwyn, president of the Winston Restoration Associations, said all the eligible homeowners in the area have opted not to take the grants.

"We were afraid we would lose the property," said Mrs. Bonnie Eller of 1319 W. 1st St., one of the residents who turned the grant down.

Fear Loss of Property

The city makes the grants to senior citizens in amounts up to \$5,000 to rehabilitate their homes. If the recipients leaves the home before five years are up, then the grant must be repaid. Once the five years has past, the debt is "forgiven."

Currently, the provision is interpreted to mean that if the recipient dies, then the loan is due, said city lawyer Roddey M. Ligon, Tuesday.

That policy came under sharp attack by Alderman Virginia K. Newell, D-East, during Monday night's Board of Aldermen meeting. During a discussion of a similar grant being advanced to Piney Grove resident Wade O'Neal, to install his water line, she brought up the issue.

Newell maintained that as long as the property is not sold or divided, then the five-year grace period should continue.

"There's a lady who is 85 who wanted

this grant and her son who is 65 passed away the other day, said Newell. "He wouldn't take the grant because if his mother had died the next day, he would have had to cough up \$5,000."

Alderman John J. Cavanaugh Jr. responded, "The idea was to create a deterrent to profiteering...we really agonized over this provision."

However, Newell insisted that both aims could be met. Ligon said he will be meeting with City Manager Bryce A. (Bill) Stuart within the next week to try to draft language that will allow recipients to pass their property on to heirs once they die and still prevent capital gains on

See Page 18



Staff Photo By Templeton

Piney Grove Man Wins 8-Year Fight

By John W. Templeton
 Staff Writer

Wade O'Neal, the Piney Grove resident who has been without water for 18 months, has finally been hooked up with water after his neighbors.

The Board of Aldermen approved Monday night a contract by which the city would pay for the connection charge on the condition O'Neal apply for rehabilitation loans which become available in Piney Grove by 1981.

The amount may be decreased once city officials figure out the difference between what O'Neal is being charged and what his neighbors paid. O'Neal had been told he would have to pay \$435, but elected not to get sewer service, which costs \$250.

Mrs. Sophia Brown, a Piney Grove community leader, appeared before the board, to ask for clarification of the contract. "It's not clearly understood what they will pay and what liens will be on his property," she commented.

City manager Bryce A. "Bill" Stuart said he will see the contract through.

See Page 18

Civil Rights Costs Rise out of Reach

By John W. Templeton
 Staff Writer

GREENSBORO--The cost of civil rights suits are skyrocketing beyond the reach of many potential clients, according to the one of the state's leading civil rights lawyers.

A stiffer attitude among judges has increased the risk involved in civil rights suits, and advocacy organizations are cutting back on their support, said James S. Ferguson, a Charlotte attorney who had defended such clients as the Charlotte Three and the Wilmington Ten.

Ferguson, a partner of the NAACP Legal Defense Fund president Julius L. Chambers, said here during the Feb. 2 Mobilization rally that civil rights litigation is becoming "prohibitively expensive."

"A lot of organizations which have spearheaded legal efforts in the past have suffered a steep drying up of support, so they're not able to support cases like they used to," said Ferguson.

Ferguson said judges have been increasingly reluctant to certify suits as class action litigation. A class action seeks damages on behalf of a whole group (for instance, all blacks who have applied for jobs at a certain industry).

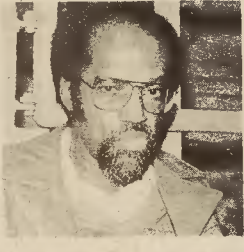
"The cutting back on class actions means that the burden now falls on individuals to try each individual case instead of getting systematic relief," said Ferguson.

From the lawyer's perspective, legal costs in general are going up. "Inflation is catching up with litigation," offered the attorney.

Ferguson said there is a continuing need for civil rights suits. "Throughout the '80s, there's still going to be a number of cases that demonstrate that the N.C. criminal justice systems is not willing to deal with racial matters."

The lawyers said he does not expect the furor over his two celebrated cases to die down because of the release of his clients on parole.

"I don't think black folks are going to forgive and forget," he added.



Ferguson

Brrrr



If you've found a coat and muffler strong enough to fight off the "Hawk," hang on to it for dear life. Following this week's snow, the National Weather Service's long-range outlook through Feb. 15 calls for below normal temperatures.

Bias Suit Dismissed

By Patrice E. Lee
 Staff Writer

A federal judge has rejected a Winston-Salem man's claim that he was fired from a factory job because he is black, but his attorneys have said they will appeal the decision.

James A. Epps contended that he was fired from Continental Can Co. Oct. 25, 1973 because of his race but Federal Judge Hiram T. Ward ruled that "the company did not consider Epps' color in making its decisions to promote or discipline him."

The 39-year-old Winston-Salem man claims he was fired while he was out sick,

but company officials claim that Epps quit because he allegedly failed to notify the company of his planned absence on three consecutive days, as required by the union contract.

According to a union rule on seniority, "an employee will lose all seniority and continuous service if such service is interrupted... (if he is) absent for three consecutive days without notifying the local management, unless he produces a good and sufficient cause for not notifying the local management."

Citing the company's use of the union rule on seniority to substantiate Epps' firing, Atty. Annie Brown Kennedy said Epps, was fired on a "pretext" because he was never given an opportunity to give a good reason.

However, Judge Ward ruled that "Continental Can and the Steelworkers, like others employers and unions with a similar contract provision, interpreted the subgraph as providing for the loss of all seniority and (emphasis his) the automatic termination of an employee after three consecutive days of unreported absence."

Judge Ward also ruled that the union fulfilled its duties of proper representation by taking Epps' case to arbitration.

Fields Crowded For State, County Offices

John W. Templeton
 Staff Writer

A flurry of late filing dates in most races for state and county offices in North Carolina.

Between campaigns and the filing fee for the open seats on the

Republican primaries for the State House, and one for District Court, state senate and registrar of deeds--formally entered the races.

Alderman Vivian Burke, D-NE, chairman of the Black Political Awareness League, said she was pleased by the black candi-

dates who have offered themselves. "We need to have black representation," she said. "It's a shame we don't have anybody represented on the school board."

The noon, Feb. 4 filing deadline attracted a throng of candidates who filled the outer office of the Board of Elections Monday. The



Staff Photo By Templeton

Donald Walter Phillips takes oath from Elections Board official as he files for race as registrar of deeds just before the close of the filing period on Monday.

Billings, Rodney J. Sumler and John F. Moss.

SCHOOL BOARD (four seats)--Democrats: Edna Rumley Walls, Gene M. Marshall, Fleming A. El-Amin, Tom C. Womble, William I. (Bill) Sheppard, Leon M. (Lee) Hope, Marvin S. Calloway, Julius Cornell Jr. and Beaufort O. Bailey. Republicans: David B. Wyatt, Vernon Logan, Edward Higgins Jr., Nancy Respass, Michealec and Margaret Plemmons

COUNTY COMMISSIONERS (three seats) Democrats: H.B. Goodson, Bernard F. Ball Sr., H.H.H. Clark, James L. Ziglar Jr., Mazie S. Woodruff, John S. Pulliam, Neal A. Bedinger, W.C. (Curt) Musten and Robert Dunningan. Republicans: Forrest Conrad, Ray E. Whiteheart, C. Joe Grady, James

deadline put an end to speculation about the plans of two Democratic state House incumbents, Ted Kaplan and Richard (Dick) Barnes, who were rumored to be running for higher offices. Both filed for re-election.

A complete list of candidates in state and county races follows:

STATE SENATE (two seats)--Democrats: Marvin Ward, Rev. Moses A. Small and Carl D. Totherow. Republicans: L. Hackett French and John J. Cavanaugh Jr.

STATE HOUSE (five seats)--Democrats: Margaret Tennille, Judson S. Davis, Annie Brown Kennedy, Ned R. Smith, Ted Kaplan, Joe N. Norman, Richard (Dick) Barnes. Republicans: Frank E. Rhodes, C. David Kepple, Marry L. Pegg, Donald R.

See Page 18

Elections '80

of County Commissioners and fifteen filed for four vacancies on the County School Board.

Green candidates have advanced for the five seats in the House of Representatives.

blacks--three on the school board, two on the county commissioners, one on the Democratic and

dates who have offered themselves. "We need to have black representation," she said. "It's a shame we don't have anybody represented on the school board."

The noon, Feb. 4 filing deadline attracted a throng of candidates who filled the outer office of the Board of Elections Monday. The

Filing