

# Smith's Rise And Fall From Page 1

According to Smith, his intentions were to get the money, fly to Atlanta and then tell her the deal had fallen through and that they had lost the money. "She couldn't go to the police," Smith says. "What would she tell them?"

But the plan never worked. Both Smith and McGee were arrested and tried, found guilty, sentenced to seven years in jail and fined \$50,000. However, McGee has spent less than two days in jail.

Friends rallied behind McGee and raised the money for his bond. They didn't for Smith.

Yet, according to Smith, he and McGee traveled among the same friends. Smith had been an employee of McGee's at a restaurant during his college days and before he left the area to work for Steve Neal. He says he had worked with and "done special favors" for a number of McGee's business partners. But the 21 families who raised the \$300,000 for McGee didn't raise a penny toward Smith's \$250,000 bond.

"I guess they (people who raised McGee's bond) felt that I, born on Seven and One-half Street and Patterson Avenue, could survive in the pen, but that Bill couldn't," Smith says.

During the time Smith spent in jail, he says he never

received any correspondence, saw or had any other form of contact with McGee.

But Smith says that, despite the fact that McGee seems to have forgotten him, he has no anger or animosity towards him.

"There was a period when I hated him," Smith says. "I hated the fact that I was poor. Bill wasn't rich, but he was rich in friends.

"Now, I don't have time for bitterness. Bitterness and hate are two useless emotions and I just don't have time to be bothered."

He adds, "When I was in jail, I made a deal with a partner (God) and He gave me an opportunity to put my life back together. And in return, I promised I would leave all that bitterness behind."

Smith gets a little uncomfortable, moving from side to side in his chair, when McGee's name is mentioned or when he is asked about his past dealings with McGee, but he does say, "If I wanted to, I could hurt a lot of people around here." He says that statement in such a manner that it's obvious he has something to say, but is not willing to say it.

To compensate for the lost time in his life, Smith says he is busy trying to help his family.

"Through it all, my family was behind me. My mama, my daddy and God were behind me," Smith says as his voice strains and tears begin to flow slowly down his cheeks. His head drops to his knees and he stops talking momentarily.

Then he reminds the reporter that he is working against a deadline. "My parents have gone through hell for me and I need to get some things done for them as soon as possible," Smith says. "I have another chance to show them how much I care. I am going to get a job and I am going to help them." Smith is referring to his mother, his sickly step-father, his 18-year-old retarded brother and his 12-year-old sister.

When Smith was asked to analyze the past two years, he says, "I'm glad it happened. It gave me an opportunity to go through my entire life and examine my mistakes. I can't change what has happened, but I can learn from it."

"If somebody had told me that a snotty-nose kid from East Winston would have made it to Capitol Hill, I would not have believed them. But if they had told me that I would go to prison, then I would have believed that. And I have seen both and I have been given a chance to start my life over again."

Tying a knot in one's apron is believed by some to give gossips toothaches.

**BENNIE CAN.**



Bennie McBride

If anybody can, Bennie can.

"One of the Chevy Price Leaders"

**MODERN**

New and Used Cars: 722-4197

"Stubbornness is the energy of fools." German Proverb

# Affirmative Action From Page 1

jobs. It is the city manager's job to make sure that city department heads implement fair hiring and promotion practices among minorities.

Three of the city's four black aldermen have expressed disappointment with the report.

"I was certainly not pleased with the report," says Alderman Virginia Burke. "They can do anything they want with statistics and numbers to make them look favorable. But you can't tell me that there are not more qualified blacks who can fill some of the positions in the technical and professional fields."

"I have a great deal of concern with the report," says Larry Womble. "The figures are much, much too low."

"It just says that the city manager and the Board of Aldermen need to do a better job of getting more blacks hired and promoted, especially in the professional area," says Larry Little.

But Virginia Newell says she thinks the numbers will improve with time.

"The figures are a bit disturbing, but I think we should wait before we make strong judgments," says Newell. "The city manager was given a mandate and I think he's making a strong effort to make sure minorities get a fair shake."

Mrs. Newell adds that many local blacks who are qualified for professional and administrative positions move to other cities, thus

cutting down on the pool of available candidates.

City Manager Bill Stuart says that, since the document is only an "interim report," it must be viewed as such.

"I think that, overall, there were some areas where we made progress and there were areas where we need improvement," says Stuart. "In such a short period of time, it's difficult to make a complete assessment. This is just an interim report."

He adds, "We're using the report to constantly communicate to our department heads what we need to get accomplished."

Beatty says that the official progress report will be released in July.

# McGee Gets New Trial From Page 1

Smith, in 1981, had contacted him several times last week "distressed over the guilty plea that McGee and Smith had entered." Powell said that Toms said she had information that might affect the course of the proceedings.

After pondering the "unexpected" change of course, Albright referred to law manuals several times, and left the courtroom once, before returning.

Powell then told the judge that, based on the new information, he was requesting a new trial outside of Winston-Salem. Powell said that "newspaper articles and extensive TV coverage" would make it "impossible to find impartial jurors" in Winston-Salem.

But District Attorney Donald K. Tisdale said, "The (local) citizens can give McGee a fair trial. No juror has been put in the box. No juror has been asked a question."

Albright disagreed. "The extent of publication has been of such a magnitude that it raises questions about a fair, impartial trial," he said. Albright then announced that the trial would be moved to Caswell County, a rural area to the east of Forsyth County that is bordered by Alamance, Orange, Person and Rockingham counties and the North Carolina/Virginia state line.

No date has been set for the new trial.

Powell said after the proceedings that while he could not elaborate on the specific evidence Mrs. Toms wanted to present, it was of such a magnitude that it would merit a new trial.

The upcoming trial will make the second trial for McGee. On Tuesday, Feb. 15, The North Carolina Court of Appeals granted him and Smith a new trial because the previous trial, held in 1981, was ruled unfair.

In the first trial, McGee's former attorneys, Carl Parrish and Robert Tally, had asked to be withdrawn from the case after their names were mentioned in testimony. But the request was denied by Judge Hal Hammer Walker.

The appellate court also noted that Smith's trial should have been separated at that point from McGee's.

Last Monday, both Smith and McGee pleaded guilty and Smith was sentenced to the time he had already served, 19 months and 25 days. But, because McGee has not served a sentence and has been out on bail, his sentencing was postponed until last Thursday.

Smith said that the new trial for McGee does not change his plea. Still, he maintains he is innocent. "I know I wasn't guilty and the Man upstairs knows it," he said.

the black man."

"I have no respect for the law anymore," says Donald Amos, who lives on Trade Street. "They were wrong. With that kind of incompetence on the police force, we'll never get anywhere. They're supposed to be public safety officers and servants of the people, but with this kind of incident, it really makes you wonder."

North Ward Alderman Larry Little says he was out of town during the incident and has not yet gathered all the facts regarding the scuffle. But he adds, "I'm very concerned about it because it's in my ward. I plan to get a report from the police and go down and talk to the people who were involved. From there, I'll determine whether or not it needs to be brought before the Public Safety Committee."

Alderman Vivian Burke, chairman of the Board of Aldermen's Public Safety Committee, also says she knows very little about the matter other than media accounts. She adds that she plans to get a report from Police Chief Lucius Powell and talk to Kimberly Park residents before taking any action.

Foy has been charged with assault on a police officer and drinking beer in public while his mother and Miss White have been charged with disorderly conduct and assault on an officer. The trial date has been set for May 13.

The *Winston-Salem Chronicle* is published every Thursday by the Winston-Salem Chronicle Publishing Company Inc., 516 N. Trade Street, Mailing Address: Post Office Box 3154, Winston-Salem, N.C. 27102. Phone 722-8624. Second Class postage paid at Winston-Salem, N.C. 27102.

Subscription: \$13.52 per year payable in advance (North Carolina sales tax included). PUBLICATION USPS NO. 067910.



**KILLS FLEAS, TICKS!**

Sergeant's SENTRY Flea & Tick Collar  
Kills Fleas - Kills Ticks

**Pic 'n Pay Shoes** Mother's Day Sunday, May 8  
Sale. Nylon and split suede Cuga.



**\$12**  
Reg. \$15.97 and \$16.97

Men's, women's and big boys' low cut all sport.

Shop these Winston-Salem area stores...  
1. East Winston Shopping Center, 570 Claremont Avenue  
2. 2853 North Liberty Street  
3. Loehmann's Plaza, 3614 Reynolda Rd.  
4. 2942 Woughtown Street  
5. K-Mart Plaza, 2870 Peters Creek Parkway  
6. 825 South Main St., Lexington  
7. K-Mart Shpg. Ctr., Lexington  
...and Pic 'n Pay stores everywhere.  
Sale prices good thru Sun. MasterCard or Visa. Open evenings and open Sun. 1-6pm.

# Police, Residents Clash From Page 1

my eyeglasses fell off. Other officers grabbed me and handcuffed me."

Several residents of the neighborhood corroborated the Foy's story, including Tyrone's girlfriend Carolyn White, who was directly involved in the incident.

"I tried to tell the officers that that was his mother," says Miss White, who was carrying an 18-month-old baby. "They told me to stay out of it. Then, when I tried to help out Mrs. Alberta, Officer Twitty shoved me against the car and I dropped my baby. I forgot about the baby and began to fight him. I was protecting myself. And then they had the nerve to charge me with assaulting an officer and disorderly conduct."

The police offer a different account of the incident. Says Capt. C.E. Koontz of the North Division of the city police department:

"Our officer (Leonard) observed Mr. Foy drinking beer in public, which is against the city ordinance," says Koontz. "When the officer attempted to make the arrest, Mr. Foy resisted arrest and two other officers were called in to assist. The mother and the girlfriend got involved and they were charged with disorderly conduct. That is our basic report at this point."

Koontz says an internal investigation is underway, but he adds that it is no more than normal departmental procedure to conduct such an investigation when a citizen or officers receive injuries during an incident.

Residents of Kimberly Park expressed shock over the incident. They say that community-police relations in that neighborhood have been relatively incident-free. Others feel it is probably an isolated incident that happened as a result of overreaction on the part of Officer Leonard.

Residents who observed the fracas say they are outraged.

"It was totally unjustified," says Harvey Dea, who lives on Lime Avenue. "He (Officer Leonard) didn't have any reason to arrest Tyrone. There is no justice for

**NOW IS THE TIME TO SAVE ALOT!**

*Parks Chevrolet is still offering low*

**9.9 % A.P.R. FINANCING**  
ON ALL NEW CHEVETTES, CITATIONS & CAVALIERS



ABE RUSSELL

DRIVE ON OVER TO PARKS CHEVROLET TODAY. WHILE YOU'RE THERE TALK WITH ABE RUSSELL, HE'S THE MAN WITH THE DEAL.



The L'il Cheeper Dealer  
**Parks CHEVROLET, INC.**  
KERNERSVILLE — Off 1-40 at Rt. 66 Exit  
**724-7014 or 993-2101**  
HOURS: Mon-Fri 8:30-9pm; Sat 8:30-5:30