

Appellate Judges' Pay Bill Advances

The Atlanta Journal; February 3, 1970; pg. 9A,4

Bill Collins and Neil Swan

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The Atlanta Journal; April, 24, 1970; pg. 4A,4

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The Atlanta Journal; May 28, 1970; pg. 1C,1

House Approves Funds for Judges, Sheriffs

The Atlanta Journal; March 12, 1971; pg. 2A,1

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3 Appellate Judges Likely to Retire Soon

The Atlanta Journal; March 22, 1971; pg. 2A,1

Savannah Lawyer Named to Bench

The Atlanta Journal; November 26, 1971; pg. 2A,4



UPI Telephoto

KIRK GETS COMPETITION

llabassie—Jack N. Eck—the millionaire whose dis-it drug stores have become usehold word in the South, enge Gov. Claude September Repub-primaries. Sources close Eckerd said he would an-ance his candidacy this k.

as received word from Inte-that officials there are sat-l with the nature of his ation.

though the federal govern-t is short of funds for such ities, the legislations comes he heel of a promise by ident Nixon that more nal parklands and open es will be acquired for use he public.

ie Stuckey bill will be red-ed to the House Committee he Interior which is chaired ep. Wayne Aspinall, D-Colo. ie young South Georgia con-sman now will be faced with task of pushing for rapid ac-on the measure in the As-ll committee.

ie e of Georgia has set at nds study commission er the General Assembly ch also has been studying possibility of purchasing aberland as a state park.

Appellate Judges' Pay Bill Advances

By BILL COLLINS and NEIL SWAN

The Georgia House Tuesday approved a \$6,000-a-year pay raise for appellate court judges and passed a Senate bill allowing the state highway director to name the highway department treasurer and set his salary.

The proposed pay raise for judges passed the House 98-79, (it takes 98 votes for a constitutional majority) shortly after Majority Leader George Busbee of Albany told his colleagues: "I know it's unpopular but it is in the interest of your people. Only 16 judges are affected by this and it'll cost \$90,000 (annually). We spend more than three times that amount each year on interim committees."

Rep. Bobby Pafford of Lakeland pleaded against the pay raise, pointing out that the raise would be "\$5,600 a year more than the distinguished speaker of this House has said we can give teachers."

"It's the fellow that works that's paying the taxes in this state. At the present rate, these appellate judges are making \$112 a day and you won't find a better retirement system than they've got. They can draw \$20,000 a year in retirement," Pafford argued.

And he told of one anonymous judge who, he said, lobbied for the bill in the Senate. "He sweetened their coffee over there and they sweetened his pot," Pafford said amid laughter of the House.

The bill, as passed last year by the Senate, would have raised the 16 judges serving on the State Supreme Court and the State Court of Appeals to \$31,000 a year, but the House Judiciary Committee offered an amendment raising that to \$32,500, the figure the House agreed on Tuesday.

EARLIER in the day, some lawmakers took potshots at the highway department as the House considered a bill passed by the Senate last week which

Rep. Clarence Vaughn of Conyers labeled a "housekeeping bill." It gives the highway director the power to appoint a treasurer and an assistant treasurer to serve in his stead if something happens to the treasurer and to set the treasurer's salary.

However, many House members did not agree with Vaughn who is chairman of the House Highway Committee.

Rep. Carr Dodson of Macon, Republican minority leader, told the members, "In the past there has been a treasurer in the highway department who could decide where \$140 million in gasoline taxes will be placed in banks around Georgia.

"He was to serve at the Pleasure of the board and what they're asking us to do today is to re-create this office to allow the director to appoint a treasurer and an assistant treasurer to at a salary that's unknown." This is bad legislation because you'll have one man with control over a considerable sum of money that the people have paid in their gasoline taxes, Dodson added.

THE HOUSE approved an amendment by Rep. Tom Murphy of Bremen which lets the director appoint the treasurer

NO ANSWER TO LETTERS OF ST. PAUL

LONDON (UPI) — A discussion in the letters column of the Times on how to get a letter printed in the Times has ended with a note from clergyman Graham Jeffrey.

"Which (if any) of St. Paul's letters would you have accepted for publication?" he asked. The Times did not comment.

but says he'll serve at the pleasure of the State Highway Board.

With this amendment the bill seemed more palatable to the House and was approved 142 to 21.

The House approved also a bill by Sen. Sam Hensley of Marietta which lets the 10 member highway board delegate authority to State Highway Director Jim Gillis.

Rep. L. H. Simkins Jr. of Augusta asked Vaughn, who pushed the bill through the House, "Why don't y'all just go ahead and abolish the State Highway Board. Isn't that what you're doing with this bill?"

Vaughn said, "No. This bill will let the board give the director only authority necessary to operate the department and they can take it back anytime they choose."

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Mrs. W. K. (N. J.)

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Court Upholds Disbarment Of Jefferson City Solicitor

By HARRY MURPHY

The Georgia Court of Appeals has upheld the disbarment of Jefferson City Court prosecutor Henry Scott Schmid, disagreeing with his contention that the action was illegal because of a statute of limitations.

In an opinion written by Judge P. J. Hall and concurred in by Judges Braswell Deen and Randall Evans, the court said Thursday that the statute did not apply to convictions of crimes involving moral turpitude.

Schmid, 45, said in his appeal

that the law required that disbarment proceedings be instituted within four years of committing a crime and that his last conviction was just over four years prior to the filing of the proceedings in Jackson county Superior Court last October.

According to the case record, Schmid's last bout with the law was July 12, 1965 in Louisiana when he got a one-year sentence after pleading guilty to forgery.

THE RECORD also showed seven other sentences for crimes involving moral turpitude dating back to 1957, including impersonating a federal officer, larceny and issuing fraudulent checks.

Dist. Atty. Nat Hancock, who Schmid succeeded in the city court position, said in the disbarment petition that Schmid failed to disclose his convictions when he registered with the state bar in 1967 and thus perpetrated a fraud.

Jackson Superior Court Judge Mark Dunahoo permanently enjoined Schmid from practicing law and City Court Judge Early Stark appointed James Horace

Wood as interim prosecutor for the court.

Schmid was admitted to practice in 1949 and was elected to the city court position in 1968.

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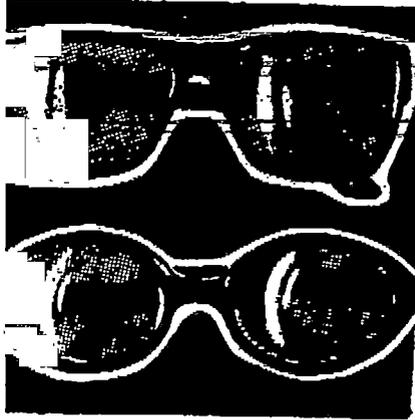
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City Building Director William R. Wofford described the inspector, Howard Hildebrand, as "honest and capable."

"I feel that Mr. Hildebrand is well qualified," Wofford said,

**Judge's Words
Cause Switch
In Decisions**

The Georgia Court of Appeals Thursday reversed two aggravated sodomy convictions of a 23-year-old Vietnam war veteran for the same reason that the Georgia Supreme Court last week reversed a rape conviction — the trial judge's comments.

The appeals court said the supreme court decision controls that of the lower court and therefore reversed the convictions of C. L. Riggins, who was given one year on each of the sodomy convictions to follow the life sentence for rape.

The supreme court reversed the rape conviction last week on the grounds that Fulton Superior Court Judge emeritus M. G. Hicks had erred when he told jurors, hung 10-2 in trying to reach a verdict, that some of them were "being unreasonable, stubborn."

Riggins was accused of the offenses against a white mother of two who was employed by the Vine City Foundation, a private poverty-fighting organization.

The state said he lured the woman to his home on the pretense that he was going to help her engage a band for an activity in the ghetto.

He denied the rape, but said in his trial statement that his service experience had taught him violence.

The sale of the fire-damaged house, which took place in 1968, was first reported in The Atlanta Journal. The department in which Hildebrand is employed inspects fire-damaged buildings and issues repair notices to bring them up to code standards.

THE CODE of ethics, adopted in 1965, says no city employe shall be involved in any "transaction or shall have a financial or other private interest, direct or indirect, which is in conflict with and adverse to the proper discharge of his official duties."

Although committee chairman Ira Jackson said he thought the facts should be referred to the Board of Ethics to determine if there had been any wrongdoing, both aldermen William Knight and Charles Leftwich were hesitant.

Both finally agreed to refer the case after Wofford and Hildebrand said they would not object.

Wofford noted that although the code of ethics was adopted in 1965, the supply of copies for employes was quickly exhausted and additional copies were not available for Hildebrand until after the incident.

The Board of Ethics meets on call to determine if certain types of conduct would be considered a violation of the code of ethics.

**Peace Day Teach-In
On Tap at Georgia State**

A "Peace Day Teach-In" will be held Friday at Georgia State University, featuring speeches against U.S. involvement in Indochina, debates, films and a rally at Hurt Park.

The teach-in is being sponsored by the Georgia State Students United Against the War, a coalition of antiwar students and faculty.

ACTIVITIES will begin at Sparks Assembly Hall at 10 a.m.

Bubbling Battle at City Hall

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House Approves Funds For Judges, Sheriffs

Retirement Pay Boost's Purpose To Place Younger Men on Bench

By RICHARD B. MATTHEWS

The Georgia House of Representatives went into the final day of the 1971 legislative session Friday after several relatively quiet days of passing Senate bills.

Thursday's action was marked by only two real debates on the House floor, both on bills which involved spending money.

One bill, which passed the House intact, will double the retirement pay of judges of the state Court of Appeals, but its real purpose is to get some of the older men on the bench to step down for younger replacements

bills to allow insurance company holdings and estate and foundation holdings to be invested in bonds of the Asian Development Bank.

The House passed the bill allowing the insurance companies to make the investment, but when the companion bill came up, a wave of isolationism apparently swept the members and the second measure was defeated.

The Asian Development Bank is similar to the World Bank and Inter-American Development Bank, in whose bonds both insurers and trustees may already invest.

Rep. John Greer of Atlanta, who spoke for the bills, said he would ask the House to reconsider its vote on the second one later Friday.

It may have been the fading legis-



SPEAKER SMITH Makes Rare Speech

CORRECTION

UAW Chief Not Involved In Indictment

A headline in The Atlanta Journal of March 2, 1971, erroneously stated "UAW Chief Indicted in Fund Misuse."

The indictment was brought against an official of the United Mine Workers (UMW), not against an official of the United Auto Workers (UAW).

The article which appeared

THE OTHER, crippled somewhat by amendments in the House, would set a minimum salary scale for sheriffs in the state, based on the population of the counties they serve.

The debate on the judges' retirement bill brought House Speaker George L. Smith down from the rostrum for a rare appearance in the well of the House, where he spoke in favor of the bill.

"This is a must to keep our judicial system on a high level," he said, adding that a few members of the court are carrying the burden because some others should be retired.

The bill sets 70 as the mandatory retirement age for the

AIR POLLUTION IN UP SLIGHTLY IN C

The latest available air pollution index for M is 45. The previously reported figure was 41. A code indicates a danger state. The highest ever recorded was 98.

The index is an average of three factors -

A headline in The Atlanta Journal of March 2, 1971, erroneously stated "UAW Chief Indicted in Fund Misuse."

The indictment was brought against an official of the United Mine Workers (UMW), not against an official of the United Auto Workers (UAW).

The article which appeared beneath the erroneous headline correctly stated that W. A. "Tony" Boyle, president of the United Mine Workers of America (UMW), was indicted on charges of conspiracy, embezzlement and making illegal political contributions of \$49,250 from union funds.

Neither the "Chief" nor any official of the United Auto Workers (UAW) was involved, in any way, in the indictments.

The Atlanta Journal regrets the error and hereby corrects and retracts it.

House Gets State Secrecy Study Bill

A resolution has been introduced in the Georgia House of Representatives to study possible laws forbidding secret sessions by any governmental body in the state.

Introduced on the last day of the 1971 legislative session by Rep. Larry Thomason of DeKalb County, the bill is similar to Florida's "government in the sunshine" law.

The study committee would consider legislation to prohibit closed, secret and executive sessions of the legislature, board of regents, county commissions, local school boards and the State Highway Department.

"Secret meetings of governmental authorities are contrary to the ideals of democracy which this country was founded on," the resolution said. "A thorough study needs to be made of public meetings, records, public inspection, penalties and other related matters."

Small Firm Computer

down from the rostrum for a rare appearance in the well of the House, where he spoke in favor of the bill.

"This is a must to keep our judicial system on a high level," he said, adding that a few members of the court are carrying the burden because some others should be retired.

The bill sets 70 as the mandatory retirement age for the judges, but doubles their pensions, to \$24,000, if they will retire at 65.

The House passed the bill Thursday by a vote of 156-18.

THE SHERIFF'S minimum pay bill brought on a little more debate, with some representatives complaining that it would take away home rule from the county governments.

The measure sets \$7,000 a year as a minimum salary for sheriffs in the smallest counties in the state—under 6,000 people—and goes up with the population to a top minimum of \$16,000 for counties over 200,000.

Rep. W. W. Larsen of Dublin told the House that some sheriffs in the state now get as little as \$3,600 a year and out of that must furnish a car and hire deputies.

"If you won't pay your sheriffs enough," Larsen scolded, "you are telling us you can't afford to have good law enforcement, or you can't afford to get an honest man in the office."

THE BILL also contained a provision giving the sheriff a five per cent increase for every four-year term he serves, but an amendment added in the House assured that this will not be retroactive.

Another House amendment, which sent the bill back to the Senate—for reconsideration, provided that the bill will not cause any incumbent sheriff to get a raise during his current term in office.

The bill passed in its amended form by a vote of 119-29.

In floor action Friday, the House considered two Senate

AIR POLLUTION IN UP SLIGHTLY IN C

The latest available air pollution index for March is 45. The previously reported figure was 41. A code indicates a danger state. The highest ever recorded was 98.

The index is an average of three factors—(dust and dirt) based on a criterion of 150 mic cubic meter of air, sulphur dioxide based on a criterion of 0.07 parts per million and carbon monoxide on a 15 ppm basis.

The total of the percentage, divided by 3 equals the nearest whole number, the index.

	24-Hour Reading	Criterion
Particulate	130	150.0
Sulphur dioxide	0.027	0.1
Carbon monoxide	3.3	15.0

Man Caught H After Chase, B

ORVILLE GAINES

Atlanta police employed gunfire, a 90-mile-per-hour mobile chase and a helicopter Friday while cornering a wanted suspect in a murder and several robberies.

Identified as John Samuel Chandler, 35, the suspect, after he and a companion abandoned a car wrecked during the wild chase, fled into woods off Gordon Road, where he later was found hiding under pieces of tin. He had been shot in the left side while fleeing police.

According to detective Lt. R. E. Nickerson, Chandler was being sought on a robbery warrant and also as a suspect in the pistol slaying last Nov. 9 of James Ivan Woods Sr., 55, a "Lottery" figure. His bullet-riddled body was found on Lannon Avenue and it was speculated at the time that the killing occurred during an attempted robbery.

Investigators said Woods, who had a lengthy lottery arrest record, received 10 gunshot wounds.

After daybreak Friday, police, acting on information, staked out an address on Wadley Street NW and waited for the suspect to make an appearance.

Detective Sidney Dorsey, one of the officers assigned to the stakeout, observed a car

As police operated their service revolver station WSB's helicopter hovered over the woods where the policeman in the car was informed by radio whereabouts of men.

Chandler was under several warrants and his companion as George Sheppard taken into custody on I-20.

LT. NICKERS said that Sheppard was a robbery charge, facing the warrant, was taken to hospital for treatment of a shot wound in his

S. Geo May B

By HARRY M. State highway Lance went to De with the good n

He challenged figures cited by the organization that 150,000 jobs will be lost if the SST is not developed. No more than 50,000 will be lost, said

dwelling when Georgia Bureau of Investigation (GBI) agents found a bag of marijuana in the yard.

Richard Bell, district attorney for the Stone Mountain Judicial Circuit, told Judge Ed-enfield that Hornsby is currently out on \$20,000 bond in a Henry County marijuana case.

"I'm sure in this case, Judge Thibadeau considered that," Bell said.

Hornsby, of 1309 Lakewood Ave. SW, along with Richard F. Dimarzo, 30, of 4353 Kim-

Fire Shuts Off Mountain Top

The road to the top of Kennesaw Mountain was closed for a half hour shortly after noon Sunday while park rangers and Cobb County fire department personnel from the Kennesaw station fought a half-acre grass fire at the top of the mountain.

Park Ranger Ted Wolfe said the fire was contained in about half an hour, although it continued to flare up until about 6 p.m. He said the fire probably was started by a cigarette or a match thrown from the parking area at the top of the mountain.

Waycross Slaying Is Charged to Man

WAYCROSS, Ga. (AP)— Authorities have charged Waiter Holmes, 57, of Waycross, with the murder of Mrs. Alean Phillips, about 40.

Police said the woman was shot four times at her Waycross apartment Saturday.

3 Appellate Judges Likely to Retire Soon

Gov. Jimmy Carter probably will have three state appellate court judgeship posts to fill within a year due to a law he put his signature to last week.

The law allows an appellate court judge who normally would receive \$12,000 annual retirement to double that figure by retiring at age 70.

Bond Almand, 77, and Jule Felton Sr., 72, on the state Supreme Court will be immediately affected. All seven judges on the Supreme Court have notified the State Employee Retirement System to

place them under the new law.

Judge George P. Whitman Sr., 87, on the state Court of Appeals, would be immediately affected also and he is expected to come under the law because his term expires Jan. 4, 1973, and would have to face a re-election battle if he remains.

The law is designed to get the judges to retire at age 70, but there is nothing mandatory to it because of a constitutional prohibition against forced retirement of judges because they are elected for six-year terms.

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THE MAYORS will tell Nixon

Appra Probe

The Atlanta-Fulton tax assessors' avc equalization in re praisals came un in court Monday mony that farm l according to its value instead of t produces.

This came to li appraiser for the ta-Fulton County Board testified in l rior Court that a most income-prod erty, such as apar ings, take into c the income produc

But, said chief r appraiser Clyde C farm land is appra purposes solely a how much the owni it for.

IF THIS is so, Jr O. Williams .rem strikes me that ir time you'd tax woodland out of ex

Williams is being lawsuit brought by irate taxpayers, t assessors to thro recently completed re-appraisals bec leged illegal proced

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b, whose member-
is composed of

John C. Portman Jr., Allen Post, L. E. Rast, Richard H. Rich,
Robert W. Scherer, E. D. Smith, Augustus H. Sterne and A.
Dean Swift.

It is hoped that total needed funds will be raised by Christ-
mas, according to a campaign spokesman.

Savannah Lawyer Named to Bench

A 64-year-old Savannah at-
torney well-known for his
efforts on behalf of indigent
clients is Gov. Jimmy Carter's
choice for a judgeship on the
Georgia Court of Appeals.

H. Sol Clark of the law firm
of Brannel and Clark was
picked by Carter to fill the va-
cancy left by the Dec. 31 re-
tirement of Judge George P.
Whitman.

"Sol Clark is one of the most
well-respected members of the
Georgia bar," said Carter in
making the announcement
Thursday. "His record is one
of hard work, impeccable hon-
esty and intense concern for
the legal rights of the poor
and the weak."

Clark is known as "Mr.
Legal Aid" in Georgia. Foun-
der and first president of the
Savannah Legal Aid Society,
he has continued to devote
much of his time to represent-
ing indigent clients and has
gained a national reputation in
the field, Carter said.

The Savannah attorney is
the first Chatham County na-
tive to be named to the state

Court of Appeals, and also is
the first Jewish member, a
spokesman for the governor
said.

Clark received the Reginald
Hebert Smith Award from the
National Legal Aid and De-
fender Association in 1961 and
the Arthur von Brieson Award
from the same organization in
1970.

A Carter aide said Clark
was picked from a list of can-
didates screened by the State
Bar of Georgia which listed
him as "highly qualified."

CARTER, since taking of-
fice in January, has made
about six judicial appoint-
ments and each time has
sought the advice of the state
bar.

The governor, an aide ex-
plained, submits a list of pos-
sible appointees to a commit-
tee of the bar for investigation
and screening.

The committee looks closely
at each name on the list, and
then returns the full list to
Carter with its findings.

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"Mr. President,"
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