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News Service of the Southern Baptist Convention

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February 17, 1986

86-20

Family Sues Church, Association,  
Two Conventions For \$5.75 Million

By Larry High

RALEIGH, N.C. (BP)--The Tar River Baptist Association, the Baptist State Convention of North Carolina and the Southern Baptist Convention have been named as defendants in a \$5.75 million lawsuit filed Jan. 29 in Wake Forest (N.C.) Superior Court.

The defendants have 30 days to respond formally to the suit.

The complaint is being brought by Dana Renee Williams, a minor, by and through her parents, Ellerbee H. and Denise C. Williams, also listed as plaintiffs.

The plaintiffs allege Dana Renee Williams was injured in a June 20, 1985, accident involving a log truck and an automobile in which she was riding. The automobile was en route to a Girls in Action camp sponsored by Tar River Association. The camp was being held at Chowan College in Murfreesboro, N.C.

When the accident occurred, according to the suit, Dana Renee, whom the suit says is a member of Hopkins Chapel Baptist Church in Zebulon, N.C., was riding with seven other GAS in a vehicle owned and operated by Sharon Walker, also a member of Hopkins Chapel and GA leader at the church.

The plaintiffs contend Walker, as a member of Hopkins Chapel church, was acting as an agent of the church while she transported GAS to the camp.

Because the congregation in Zebulon is a cooperating Southern Baptist church, the suit alleges Walker also was acting as an agent or sub-agent of the Tar River Association, the Baptist State Convention of North Carolina and the Southern Baptist Convention.

The suit also lists as defendants the driver of the automobile, the driver of the logging truck, the owner of the logging truck and Hopkins Chapel church.

Dana Renee, according to the suit filed by Attorney Fred R. Harwell Jr., of Winston-Salem, was injured to the degree she required hospitalization and continuing treatment by physicians.

Baptist State Convention General Secretary Roy J. Smith, an attorney from USF&G Insurance and Baptist State Convention trustees met in early February to discuss the convention's response to the suit. USF&G insures the convention for liability losses.

Trustees of the convention are Judge David Britt of Raleigh, attorney Gale Parker of Raleigh and attorney general Gerald Arnold of Fuquay-Varina.

The convention does not retain a full-time attorney.

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Annuity Board Reports  
Big Gains During 1985

Baptist Press  
2/17/86

DALLAS (BP)--An open enrollment period for church term life and comprehensive medical plans was the most successful promotion in the Southern Baptist Annuity Board's history, trustees learned at the their annual meeting Feb. 3-5.

The open enrollment figures were a part of the 1985 annual report delivered by Annuity Board President Darold Morgan.

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During the two-month period, 9,374 applicants were enrolled without having to provide evidence of good health, Morgan said, adding the board was able to suspend this requirement because of the strength of the plans.

Morgan's report also showed in 1985:

- The board's assets rose to almost \$1.7 billion, a gain of nearly \$259 million over 1984;
- More than \$43.7 million in retirement benefits were paid to 15,127 annuitants, the most in any year;
- A total of \$42.9 million was paid in insurance benefits;
- Investments incomes reached \$198 million, a gain of \$89 million.

In other business, trustees heard a report on a proposed relocation of the board's offices. Twelve sites in the Dallas area are under consideration, said A. George Avinger Jr., the board's director of administrative services, who spoke for the relocation committee. The board sold the building it currently occupies last year. Plans call for it to remain in that building until it builds a new facility or its lease runs out in 1988.

Trustees were notified of the appointment of Marvin T. York as interim director of the investments division. York was investment director for the board before his retirement several years ago. His return follows the resignation of Stan Morrow, the former chief investment executive. Morrow is returning to his work as a private consultant.

Bobbie Adrian, the Annuity Board's internal auditor, was promoted to director. Curt Sharp also was promoted to a director position in the marketing division.

Willis L. Meadows of Shreveport, La., was re-elected chairman of the trustees. Meadows is president of the Hunter Company, Inc.

Frank T. Goodson of Jacksonville, Texas, was elected vice chairman.

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Appeals Court Hears  
Case Of TBCH Vs. IRS

By Al Shackelford

Baptist Press  
2/17/86

CINCINNATI (BP)--The definition of "religious activity" was the basis of appeal by the Internal Revenue Service of a court decision favoring Tennessee Baptist Children's Homes Inc.

The hearing on the appeal was held Feb. 10 at the United States Court of Appeals for the Sixth Circuit in Cincinnati.

At an August 1984 trial in the United States District Court for Middle Tennessee in Cookeville, the jury had determined that the children's homes' principal activity is "exclusively religious" and therefore is exempt from filing Informational Return Form 990 as required by IRS.

That verdict and a Nov. 14, 1984 memorandum from Judge L. Clure Morton declared the homes are considered an "integrated auxiliary" of Tennessee Baptist churches under the Tax Reform Act of 1969. The judge had instructed IRS to refund \$29,665.12 in penalties assessed against the homes for failure to file Form 990.

At the Feb. 10 appeal hearing, Ray Hepper of Washington declared "religious activity is limited only to the conduct of worship."

The Justice Department attorney said, "We do not question that Tennessee Baptist Children's Homes are providing Christian homes for children. This activity is child care. Their religious motivation to do this is not relevant."

Hepper contended the district court erred in allowing a jury trial on what he called "a matter of law." He added the jury confused "motivation" with "activity."

Frank Ingraham of Franklin, Tenn., in representing the homes, countered, "Child care is not just a matter of motivation but a religious activity motivated by religious concern."

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Ingraham said the government's interpretation of religious activity as only worship would strike out the parable of the Good Samaritan.

Ingraham told the three-judge appeal panel the basic issue is that Congress has provided a mandatory exemption for churches and their organizations but that IRS ignores the relationship set by Congress.

"Religious activity is functional rather than motivational," he concluded.

In his rebuttal statement, Hepper said the government is trying to treat church organizations separately from churches. "The IRS simply says, 'Give us some information so we can see what's going on in your organization.'"

Before the hearing, each side had submitted a written brief and was allowed 15 minutes top to discuss its position. Three judges interrupted with questions as the attorneys presented their statements.

At the conclusion of the presentations, Robert Krupansky, as presiding judge, announced the appeal had been taken "under advisement" and a written decision would be announced at a later time.

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Seminary Graduate Arrested  
For Disseminating Obscenity

By Larry High

Baptist Press  
2/17/86

WAKE FOREST, N.C. (BP)—A December 1985 graduate of Southeastern Baptist Theological Seminary has been arrested on charges of disseminating obscene materials through a computer network and of taking indecent liberties with children.

Arthur James Manchester, 33, was charged Feb. 5 by Wake County, N.C., sheriff's deputies on one count of disseminating obscenity and one count of disseminating obscenity to a 15-year-old boy. He was ordered held on \$250,000 bond and taken to North Carolina Central Prison in Raleigh.

One day after his arrest, Manchester also was charged with one count of taking indecent liberties with children. His bond then was raised to \$350,000.

In the 1979 Annual of the Baptist State Convention of North Carolina, Manchester is listed as a minister of education at Hopewell Baptist Church in Morganton, N.C. In the 1981 Annual, he is listed as minister of education at Woodlawn Baptist Church in Lowell, N.C.

Assistant District Attorney Evelyn W. Hill told Wake County Superior Court Judge Anthony M. Brannon Manchester had received a master of divinity degree from Southeastern seminary and had used his credentials "as a cover for inducing minors to engage in the alleged acts."

Wake County Sheriff John Baker later said Manchester, who is self-employed, "does not now serve a particular church."

At a court hearing, Assistant District Attorney Linda Morris said deputies had searched Manchester's Wake Forest, N.C., home and seized a computer, videocassettes, magazines and photographs depicting teenage boys engaged in sexual acts. The photographs apparently were taken in Manchester's home, she said.

Manchester said he and his wife own a computer programming and consulting company that works with several businesses in Wake County.

Sheriff Baker said at a news conference Manchester operated the Ministry Bulletin Board, a network through which computer operators could communicate with each other.

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District Attorney Randolph Riley said authorities were tipped to the network by local computer experts who gained access to homosexually-oriented stories on their computer terminals and then obtained written copies of the material on computer printers. He said the network, known as "Gay Teen Conference," could be reached by computer operators who obtained a special password. Wake County Sheriff's Department investigators were able to gain access to the material through a system owned by the department.

Deputy K.G. Hensley said he had communicated with Manchester's network at least four times.

"The express purpose of such a (network)...is to promote interactions of and free association between juvenile homosexuals and bisexuals and for the sexual gratification of the file writer, who identifies himself as Jim Manchester," said the application for the search warrant of Manchester's house.

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Palm Beach Atlantic College  
Receives \$1 Million Gift

Baptist Press  
2/17/86

WEST PALM BEACH, Fla. (BP)--Palm Beach Atlantic College has received a \$1 million gift from Rose Sachs of Palm Beach, Fla., in memory of her late husband, Mortimer Sachs, announced Hugh R. Mathis, director of development at the college.

The funds will be used to help build an administration complex for the school, located in downtown West Palm Beach, Fla., Mathis said.

The building will be named Sachs Hall, and it will be attached to a classroom-dormitory complex, he added, noting it is to be the first of several buildings the Baptist college hopes to build and renovate by the year 2000 at a cost of \$61 million. Sachs Hall construction is expected to begin by June.

Sachs was a long-time friend of the liberal arts school and was impressed by the college's emphasis on social responsibility and the free-enterprise system, said Donald Warren, chairman of Palm Beach Atlantic's board of trustees.

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HMB Elects Writer  
For Abortion Prevention

Baptist Press  
2/17/86

ATLANTA (BP)--The Southern Baptist Home Mission Board approved a missionary to write abortion alternative materials, reported on the status of Good News America Simultaneous Revivals and elected three staff members in February board actions.

Fred Loper, a medical doctor from Oklahoma City, and his wife, Lavada, were appointed to write the board's first alternative-to-abortion materials and provide leadership in medical missions.

The materials are to be a result of Home Mission Board efforts to encourage the teaching of Christian sex education in churches and to inform them of abortion alternatives. The suggestions include ways churches can become involved in constructive prevention of abortions such as crisis pregnancy centers where women are counseled on abortion alternatives--keeping the baby or placing it for adoption.

Loper, the second board-appointed medical doctor, will devise ways physicians can be used in home missions, said Wendell Belew, board mission ministries division director. The board receives a number of requests from doctors who want to aid migrants, ghetto dwellers and other indigents, but the current process prevents them from practicing outside of the state in which they are licensed, he explained.

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Evangelism committee members reported that all state Baptist conventions and fellowships, about 90 percent of Southern Baptist district associations and nearly 70 percent of SBC churches are scheduled to participate in the Good News revivals set to kick-off next month. HMB evangelism leaders also anticipate 10 million Scripture portions will be distributed by the end of the six-week emphasis.

Committee member Lawson Schroeder of Stone Mountain, Ga., said the amount of Good News participation was an "important message to our country that we are planning and doing something about distributing the gospel of Jesus Christ."

In staff appointments, board members elected Fred White associate vice president of the evangelism section. White, who was promoted from director of the evangelism development division, replaced Joe Ford, who resigned last year to become co-pastor of North Phoenix Baptist Church in Phoenix, Ariz.

Charles J. Williamson Jr. was promoted from system analyst to director of data processing services, a new position. Timothy Dale Hill of Baldwin, Miss., was elected assistant director of the board's ethnic church growth department. He was a Home Mission Board chaplain to international seaman before assuming duties formerly held by Ken Chadwick, now director of missions in Salt Lake Baptist Association in Salt Lake City.

In other personnel matters, the executive committee appointed one missionary, two missionary associates and a church planter apprentice. The committee also approved financial assistance for one student mission pastor, one state administrator, one language pastor and 100 mission pastors.

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Southern Seminary Names  
1st Black Professor

Baptist Press  
2/17/86

LOUISVILLE, Ky. (BP)--T. Vaughn Walker has become the first black person to join the faculty of Southern Baptist Theological Seminary.

Walker, who is pastor of First Gethsemane Baptist Church in Louisville, has been named assistant professor of church social work, announced C. Anne Davis, dean of the Louisville seminary's Carver School of Church Social Work.

The new professor will teach courses on the black family and the black church. He said he hopes his courses will attract students with little or no exposure to black churches or families so they will become more effective ministers to persons in those environments.

He will continue as pastor of First Gethsemane, he said, explaining, "I really feel a calling to pastor, preach and teach."

Walker is a graduate of Hampton University and Eastern Illinois University and earned a doctor of philosophy degree from Oregon State University.

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NEWS SERVICE OF THE SOUTHERN BAPTIST CONVENTION