



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE END OF TMR # 551

Date Filmed 12/10/79 Camera No. --- 2

Cameraman SPC

79040171311



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 7, 1978

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
SUBJECT: MUR 551 (78) - Interim Status Report dated 6-24-78  
Signed 7-5-78  
Received in Office of Commission  
Secretary 7-5-78, 2:28

The above-mentioned document was circulated on a 24  
hour no-objection basis at 9:00 a.m., July 6, 1978.

As of 9:00 a.m., this date, no objections have been  
received in the Office of Commission Secretary to the Interim  
Status Report.

79040171312

July 5, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Status Report distributed to the Commission.

Thankyou.

19040171813

BEFORE THE FEDERAL ELECTION COMMISSION

JUNE 24, 1978

In the Matter of )  
 )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee, et. al )

INTERIM STATUS REPORT III

During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee"), evidence was found of contributions having been received from eight apparent corporations. Three of these contributions, Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties, had given \$100 or more.

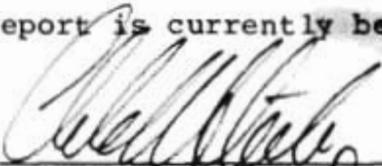
The auditors also found that the Committee and Mr. Bill L. Evans ("the Candidate") had received a loan of \$10,000 from Ms. Irene Capel on August 13, 1976, and that the Committee had received a joint loan of \$5,000 from Ms. Joan Gann and Mr. Glenn Gann on August 27, 1976. The Committee has provided a listing of ten individuals in the first instance and of five individuals in the second instance who allegedly agreed to act as guarantors of the loans involved. However, because these were personal, not bank loans, the Office of General Counsel preliminarily determined that the exception made for loans from national and state banks contained in 2 U.S.C. § 431(e)(5)(G) does not apply in these situations. Hence Ms. Capel, Ms. Gann and Mr. Gann appear to be in violation of 2 U.S.C. § 441a(a)(1)(A).

72040171814

On April 13, 1976, the Commission found reason to believe that the Committee has violated 2 U.S.C. § 441b(a) by accepting corporate contributions; that the Committee and the Candidate have violated 2 U.S.C. § 441a(f) by accepting contributions in excess of the \$1,000 limitation on contributions from individuals per election; that Ms. Irene Capel, Ms. Joan Gann, and Mr. Glenn Gann have violated 2 U.S.C. § 441(a)(1)(A) by making contributions to the Candidate and the Committee in excess of the \$1,000 per election limitation; and that Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties have violated 2 U.S.C. § 441b(a) by making corporate contributions to the Committee.

Letters were sent to all of the above respondents informing them of the Commission's findings. Responses have been received from all respondents as has documentation requested following examination of the information supplied by respondents. The General Counsel's report is currently being prepared.

5 July 1978  
Date

  
\_\_\_\_\_  
William C. Oldaker  
General Counsel

RWC

79040171815



BILLY EVANS  
Congressman, 8th District

LC3985

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
**Congressman Billy Evans**

'78 JUN 27 PM 12:57  
RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

*acc 3944*

To: Ann F. Weissenborn

From: Dennis J. F. Beall *DJB*

Date: , June 23, 1978

Re: Materials requested per telephone conversation June 23, 1978

Please find enclosed:

1. Copy of Capel note, front and back, with list of endorsers including name, address, and occupation
2. Copies of Gann note - same as above
3. Office memo concerning corporate items returned 12-27-77 with receipt for registered mail
4. April bank statement - items #187 and #188 attached
5. May bank statement - items #186 , #189, and #190 attached
6. Item #208 from June bank statement not yet rendered.

Concerning items #189 and #208, our records indicate that Flowers donated \$50.00. When Flowers received our refund check, they called to discuss the matter. We then learned that the correct amount had been \$250.00. Hence, we issued item #208 to complete the refund.

79040171815

FEDERAL ELECTION COMMISSION

Account Numbers - 9 pages

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |   |   |
|---|---|
| <input type="checkbox"/> (1) Classified Information   | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                                     | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute  | <input type="checkbox"/> (8) Banking Information                          |
| <input checked="" type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents   |   |

Signed Gene A. Wessendon  
date 11/27/79

712010171817

308 42 97 72

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

186

P O BOX 6176  
MACON, GEORGIA 31201

April 24 1978 <sup>64-1137</sup> 00

PAY TO THE  
ORDER OF

*Claussen Printing Company*

\$ 100.00

*One Hundred & no/100*

DOLLARS



CENTRAL BANK  
of GEORGIA

MACON, GEORGIA

CENTRAL BANK  
OF GEORGIA

MACON, GEORGIA

FOR *comb. corp funds*

*B. Evans*

⑈00000⑈0000⑈

7904017313

PAY TO THE ORDER OF  
The Georgia National Bank & Trust Co.  
MACON, GEORGIA  
COMMERCIAL COMPANY

00000146  
ATLANTA

MAY 9 11 1978

1978  
ATLANTA

0146  
ATLANTA

186  
34

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

189

P O BOX 6176  
MACON, GEORGIA 31201

April 24 1978 <sup>64-1137</sup> 011 00

PAY TO THE  
ORDER OF

*Flowers Industries*

\$ 50.

*Fifty & no/100*

DOLLARS



CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA  
CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA

3 78 148

*for memb. corp funds*

*John E. Evans*

⑆0000005000⑆

RE-ELECTION COMMITTEE

7 4 0 4 0 7

4 5 5 5

VI  
BANK  
GEORGIA

REG  
010010

VI  
BANK  
GEORGIA

3 2 5

For Deposit Only  
THE FARMERS BANK  
Douglas, Ga.  
DOUGLAS FOODS, Inc.  
DOUGLAS SPECIALTY CO.  
DOUGLAS FOOD SERVICE

REG  
010010

3 2 5

189

CONGRESSMAN BILLY LYONS  
RE-ELECTION COMMITTEE  
P O BOX 6176  
MACON, GEORGIA 31201

150

PAY TO THE  
ORDER OF

*Big J Super Stores Inc. 98* <sup>84-1137</sup> 19 <sup>28</sup> <sup>811</sup> <sup>00</sup>  
\$ 50.00

*Fifty & no/100*

DOLLARS



CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA  
CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA

NOV 5 78 148

FOR REIMB. CORP. FUNDS

*Al E. Jones*

⑈0000005000⑈

7 9 0 1 0 1

BIG J, INC.

1495 45945

WELLS FARGO BANK  
TRUST  
MACON, GEORGIA  
64-1196  
612

MAY -4 78

2 PEG

111145

0 2 6

THE P.T.G.

150

12817101002

7 0 0 0 0 0

ATLANTA

For Deposit Only  
THE FARMERS BANK  
Douglas, Ga.  
DOUGLAS FOODS, Inc.  
DOUGLAS SPECIALTY FOODS  
DOUGLAS FOOD SERVICE

061000146  
FEB 21 1964

0 3 9

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

208

P O BOX 6176  
MACON, GEORGIA 31201

PAY TO THE  
ORDER OF

Flowers Industries, Inc.

May 26

64-1137  
19 28 611

\$ 200.00

Two Hundred & no/100

DOLLARS



CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA

*[Signature]*

FOR Reimb. corp. funds  
#DL612 dated 3-

#0000020000#



# CENTRAL BANK

of GEORGIA  
MACON, GEORGIA

FDIC



EVANS FOR CONGRESS  
C/O JOHN JAMES  
P O BOX 6176  
MACON, GEORGIA

31208

NUMBER ENCLOSURE	PAGE	ACCOUNT NUMBER
31	1	0-1-2022

"People Make the Difference!"

PREVIOUS STATEMENT DATE: 04/28/78 BALANCE: 531.06

CURRENT STATEMENT DATE: 5/31/78 BALANCE: 5,687.98

DEPOSITS		CHECKS		SERVICE CHARGE	BALANCE USED FOR SERVICE CHARGE	DAY
NUMBER	AMOUNT	NUMBER	AMOUNT			
8	11,610.00	23	6,453.08	.00	210	19

CHECKS AND OTHER DEBITS	DEPOSITS	DATE	BALANCE
66401 ✓ 625		0502	16080
6488 ✓ 5000		0503	4592
2645 ✓ 5000		0505	13063
2500 ✓		0509	5447
0000 ✓ #180	70000	0510	4447
5000 ✓		0511	3947
26000 ✓		0515	13447
2500 ✓		0516	10947
16859 ✓		0517	5912
13858 ✓		0518	19770
10966 ✓		0519	21736
	9000	0519	21736
	100000	0522	978264
	2500 ✓	0523	980764
3150 ✓	40000 ✓	0525	1017614
7524 ✓	10000 ✓	0526	964561
180370 ✓		0526	599098
	15000 ✓		
	12593 ✓		
	40529 ✓		
	172500 ✓		

CB CHARGE BACK    CR CREDIT REVERSAL    DM DEBIT MEMO    HF HANDLING FEE    R REVERSAL/LET-OVERDRAFT  
 CW CREDIT MEMO    CT COURTESY TRANSFER    DR DEBIT REVERSAL    PD PAYROLL DEPOSIT    SC SERVICE CHARGE  
 EW ELECTRONIC WITHDRAWAL/TRANSFER    ED ELECTRONIC DEPOSIT/TRANSFER

79010171822



# CENTRAL BANK

of GEORGIA  
MACON, GEORGIA

FDIC



EVANS FOR CONGRESS  
C/O JOHN JAMES  
P O BOX 6176  
MACON, GEORGIA

31208

NUMBER ENCL. TO	PAGE	ACCOUNT NUMBER
31	2	0-13-0000

"People Make the Difference!"

PREVIOUS STATEMENT		CURRENT STATEMENT	
DATE	BALANCE	DATE	BALANCE
04/28/78	531.06	5/31/78	5,687.98

DEPOSITS		CHECKS		SERVICE CHARGE	BALANCE USED FOR SERVICE CHARGE	DAY
NUMBER	AMOUNT	NUMBER	AMOUNT			
8	11,610.00	23	6,453.08	.00	210	19

CHECKS AND OTHER DEBITS		DEPOSITS		DATE	BALANCE
			8000	0530	607098
28300			21500	0530	600298
31500				0531	568798

CR - CREDIT BACK      CR - CREDIT REVERSAL      DR - DEBIT MEMO      DF - HANDLING FEE      S - RETURN OF REALTY OVERCRAFT  
 CW - CREDIT MEMO      CT - COUNTER TRANSFER      DR - DEBIT REVERSAL      PD - PAYROLL DEPOSIT      SC - SERVICE CHARGE  
 EW - ELECTRONIC WITHDRAWAL/TRANSFER      ED - ELECTRONIC DEPOSIT/TRANSFER

77040171823

The Exchange Bank  
 Douglas, Georgia  
 in hand 2 mail # 23

APR 28  
 64-1190  
 PAY ANY BANK, P.E.G.  
 The Exchange Bank  
 DOUGLAS  
 GEORGIA  
 061190

CONGRESSMAN BILLY EVANS  
 RE-ELECTION COMMITTEE  
 P O BOX 6176  
 MACON, GEORGIA 31201

188

April 24 1978 <sup>64-1137</sup>/<sub>611</sub>

PAY TO THE ORDER OF Exchange Bank of Douglas \$ 50.00

Fifty & 00/100 DOLLARS

CENTRAL BANK OF GEORGIA  
 MACON, GEORGIA

FOR reimb corp funds

M E Evans

0000005000

7 040171824

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

187

P O BOX 6176  
MACON, GEORGIA 31201

April 24 1978 <sup>64-1137</sup>/<sub>611</sub> 00

PAY TO THE  
ORDER OF

Hudson & Marshall Inc.

\$ 500

Five Hundred & no/100

DOLLARS



CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA

*B. Evans*

FOR

reimb. corp. funds

⑈0000050000⑈

PAY TO THE ORDER OF  
CITIZENS & SOUTHERN NAT'L BANK  
MACON, GEORGIA

HUDSON & MARSHALL, INC.

0009 49551

FILED  
APR 26 1978  
NATIONAL BANK  
MACON, GEORGIA  
COMM. NO. 3811-0045

APR 26 1978

7 4 0 5 0 7 1 3 2 3



# CENTRAL BANK

of GEORGIA  
MACON, GEORGIA



EVANS FOR CONGRESS  
C/O JOHN JAMES  
P O BOX 6176  
MACON, GEORGIA

31208

NUMBER ENCLOSURE	PAGE	ACCOUNT NUMBER
22	1	

*"People Make the Difference"*

PREVIOUS STATEMENT		CURRENT STATEMENT	
DATE	BALANCE	DATE	BALANCE
03/31/78	1,543.81	4/28/78	531.06

DEPOSITS		CHECKS		SERVICE CHARGE	BALANCE USED FOR SERVICE CHARGE	DAY
NUMBER	AMOUNT	NUMBER	AMOUNT			
6	1,159.77	16	2,272.72	.00	530	28

CHECKS AND OTHER DEBITS		DEPOSITS	DATE	BALANCE
343	16350		0403	144396
15200			0404	129396
6336		10000	0407	133060
		5000	0411	138060
2500		33497	0411	169057
3105			0412	131002
4000			0413	126941
244			0417	127942
1440	5000 → #188		0418	108456
1160			0419	96770
		12500	0420	109270
3694		50000	0421	155606
250	50000 → #187	5000	0426	108106
4000			0427	58106
5000			0428	53106

72040171826

Billy L. Evans

Ninety (90) days

after date,

CENTRAL BANK OF GEORGIA, MAcon, GA

P.O. Box 508

IRENE CAPEL - LEEDS, ALABAMA

I, the undersigned, promise to pay to the order of... IRENE CAPEL - LEEDS, ALABAMA... together with any and all balances, credits, deposits, accounts, items and monies of the undersigned now or hereafter with the Holder, which balances and the like undersigned hereby conveys and transfers to Holder...

Table with 9 columns: 1. Amount of Loan, 2. Other Charges, 3. Sub-Total, 4. Credit Life Insurance, 5. Amount Financed, 6. Interest, 7. Base Charge, 8. FINANCE CHARGE, 9. Total of Payments. Includes handwritten values like 10,000.00 and 8/13/76.

\*On demand notes these items are based on a maturity of one half year pursuant to Federal Regulation. Interest payment period is monthly, payable upon receipt of statement.

together with any and all balances, credits, deposits, accounts, items and monies of the undersigned now or hereafter with the Holder, which balances and the like undersigned hereby conveys and transfers to Holder, and together with any and all other property of the undersigned...

The undersigned agrees that the Holder shall have a lien upon, security title to and a security interest in the Collateral to secure the payment of this Note and all other indebtedness or liability of the undersigned to Holder, however and wherever incurred or evidenced...

The Holder shall be deemed to have exercised reasonable care in the custody and preservation of the Collateral if Holder takes such action for that purpose as the undersigned shall request in writing, but failure of the Holder to preserve or protect any rights with respect to the Collateral against prior parties...

If more than one party shall execute this Note, the term undersigned as used herein shall mean all parties signing this Note and each of them, who shall be jointly and severally obligated hereunder.

Insurance Statement: Credit Life Insurance is not a condition of this loan. Loan not eligible for Credit Life Insurance. I request Credit Life Insurance at a cost of \$... for the term of the credit.

Signed, sealed and delivered by the undersigned who hereby acknowledges receipt of a completed copy hereof.

301 Oldham Building

Mailing Address

Telephone Number

Macon, GA

State

31201

Zip Code

City

NOTICE:

In compliance with Public Law 93-502, in connection with your application for a loan, a routine inquiry may be made which will provide certain information concerning your general reputation, financial history, personal characteristics and mode of living to enable us, should you request Credit Life and/or Disability Insurance the issuer, may also request a similar report. Upon your written request, with a reasonable time, additional information as to the nature and scope of either or both of these reports will be provided you.

FL 1205 (8-74)

each **GUARANTY OF PAYMENT** of an amount not to exceed hereby guarantees the payment/\$1,000.00 of the amount of

For value received the undersigned (with ~~his~~ ~~her~~ or more as holder, maker, jointly or severally, or as holder) hereby unconditionally ~~guarantees~~ the Note on the reverse side hereof and all extensions or renewals thereof, and undersigned further agrees to pay: (a) all expenses paid or incurred by the Holder of the Note in attempting to collect the Note, including attorney's fees of fifteen per cent (15%) of the principal and interest of the Note if attempt is made by the Holder of the Note to collect the Note by law or through an attorney at law; (b) all expenses paid or incurred by the Holder of the Note in collecting this guaranty, including attorney's fees of fifteen per cent (15%) of the amount sought to be collected if this guaranty is collected by law or through an attorney at law; and (c) all expenses paid or incurred by the Holder of the Note, including reasonable attorney's fees, in the enforcement of rights under any security given for the Note. Undersigned also agrees that the holder of said Note may from time to time extend or renew said Note for any period (whether or not longer than the original period of said Note), may, from time to time and without notice, surrender, compromise, substitute or exchange all or any part of the collateral described on the reverse hereof, and may grant any releases, compromises or indulgences with respect to said Note or any extension or renewal thereof or any security therefor or to any party liable thereunder or hereunder (including but not limited to failure or refusal to exercise one or more of the rights or remedies provided by said Note), all without notice to or consent of any of the undersigned and without affecting the liability of the undersigned hereunder, any of whom may be sued by the holder hereof with or without joining any of the other indorsers or makers of this Note and without first or contemporaneously suing such other persons, or otherwise seeking or proceeding to collect from them.

Given under the hand and seal of each of the undersigned.

(Address) \_\_\_\_\_ } Don O. Beath (SEAL)  
Telephone Number \_\_\_\_\_ } Wallace L. Wilson (SEAL)

(Address) \_\_\_\_\_ } Glenda S. Harrah (SEAL)  
Telephone Number \_\_\_\_\_ }

\_\_\_\_\_ } John M. Debus (SEAL)  
\_\_\_\_\_ } John Lawery (SEAL)  
\_\_\_\_\_ } Richard C. ... (SEAL)  
\_\_\_\_\_ } ... .. (SEAL)  
\_\_\_\_\_ } Alice Smith (SEAL)  
\_\_\_\_\_ } Wm. J. Peoples (SEAL)  
\_\_\_\_\_ } Billye R. Peoples (SEAL)

Guarantors on August 13, 1976 Note from Billy L. Evans to Irene Capel for \$10,000.00

Don A. Barnette  
121 Governors Drive  
Forest Park, GA 30050 ✓  
Vice President  
A & W Bricks, Inc.

Barbara Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214 ✓  
Accounting Clerk  
Market Grocery Company

Wallace L. Wilson  
4795 Tanglewood Lane  
Forest Park, GA 30050  
President  
W.D.W. Kitchens

A. S. Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214 ✓  
Load Planner  
United Air Lines

Glenda S. Harrah  
4764 Manse Drive  
Forest Park, GA 30050 ✓  
Bookkeeper  
Shamblee Building Materials, Inc.

Alice Smith  
4609 Richard Road  
Conley GA 30027 ✓  
Accounting Clerk  
Market Grocery Company

John M. Daher  
4692 Tara Woods Blvd.  
Ellenwood, GA.  
President  
Shurway Company

William T. Peoples  
1433 Graceland Court  
Morrow GA 30260  
Sales Manager  
Standard Oil Company

L. A. Lowery  
2555 Fox Hall Lane  
College Park, GA 30334  
Secretary  
Johnson & Marter, Attys. at Law

Billye R. Peoples  
1433 Graceland Court, Morrow, GA  
Housewife  
Morrow GA 30260

NAME Billy L. Evans  
Ninety (90) days offer date,  
 the undersigned promises to pay to the order of

\$ 5,000.00		8/27/76
2. Other Charges (Specify)		
\$		
3. Sub-Total (1 + 2)	6. Interest	Due
\$	\$	
4. Credit Life Insurance	7. Base Charge	ANNUAL PERCENT-AGE RATE*
\$	\$	%
5. Amount Financed (3 + 4)	8. FINANCE CHARGE* (6 + 7)	9. Total of Payments* (5 + 8)
\$	\$	\$

**CENTRAL BANK OF GEORGIA, Macon, GA**  
**GLENN AND JOAN GANN**  
 ROUTE 2, Box 1175, HAMPTON, GA. 30228

(hereafter, together with any holder hereof, called "Holder"), at its office or at such place as the Holder may designate and notify undersigned, the amount shown hereon of Amount Financed with interest thereon from date until paid in full at the rate of eight per cent (8.0%) per annum, together with the Base Charge shown hereon and with all costs of collection including 15% as attorneys fees if collected by law or through an attorney at law. In the event of prepayment, unearned FINANCE CHARGE, after first deducting the Base Charge will be computed on a daily pro rata basis. The term "Collateral" as used herein, shall mean the following property which has been or is hereby delivered, pledged, assigned, conveyed and transferred to the Holder:

*[Handwritten signature]*

together with any and all balances, credits, deposits, accounts, items and monies of the undersigned now or hereafter with the Holder, which balances and the like undersigned hereby conveys and transfers to Holder, and together with any and all other property of the undersigned of every kind or description now or hereafter in the possession or control of the Holder for any reason, including all dividends and distributions on or other rights in connection with any property hereinabove referred to. Undersigned hereby warrants that sole and lawful ownership of Collateral is in the undersigned with full power and authority to transfer, convey and encumber.

The undersigned agrees that the Holder shall have a lien upon, security title to and a security interest in the Collateral to secure the payment of this Note and all other indebtedness or liability of the undersigned to Holder, however and whenever incurred or evidenced, whether direct or indirect, absolute or contingent, or due or to become due (hereafter with this Note collectively called "Liabilities"). The surrender of this Note upon payment or otherwise shall not affect the right of the Holder to retain the Collateral for any other Liabilities. The Holder shall be deemed to have exercised reasonable care in the custody and preservation of the Collateral if Holder takes such action for that purpose as the undersigned shall request in writing, but failure of the Holder to comply with any such request shall not of itself be deemed a failure to exercise reasonable care, and no failure of the Holder to preserve or protect any rights with respect to the Collateral against prior parties, or to do any act with respect to preservation of the Collateral not so requested by the undersigned, shall be deemed a failure to exercise reasonable care in the custody or preservation of the Collateral.

In addition to all other rights possessed by it, the Holder, from time to time, whether before or after any of the Liabilities shall become due and payable, may (a) transfer all or any part of the Collateral into the name of the Holder or its nominee, with or without disclosing that such Collateral is subject to the lien, security title and security interest hereunder; (b) notify the parties obligated on any of the Collateral to make payment to the Holder of any amounts due or to become due thereunder; (c) enforce collection of any of the Collateral by suit or otherwise and surrender, release or exchange all or any part thereof, or compromise or extend or renew from time to time and for any period (whether or not longer than the original period) any indebtedness evidenced thereby; (d) take control of any proceeds of the Collateral and (e) exercise such additional rights and powers, if any, with respect to any security for or guaranty of any of the Liabilities as may be provided in any written instrument (in addition to this Note).

If at any time Collateral shall be or become unsatisfactory to the Holder, undersigned will immediately furnish such other Collateral or make such payment on account as will be satisfactory to the Holder and in case of failure so to do, or if the undersigned should become insolvent (as defined in the Uniform Commercial Code as in effect at that time in Georgia, or a petition in bankruptcy be filed by or against undersigned, or a receiver be appointed for any part of the property or assets of undersigned, or if any judgment be entered against the undersigned, or if undersigned shall fail to meet at maturity any indebtedness or liability to the Holder, or if any warranty or representation of undersigned pertaining to this credit (whether contained in this Note or not), prove untrue or misleading, or if the Holder shall feel insecure for any reason whatsoever, (1) any and all of Liabilities may, at the option of the Holder, and without demand or notice of any kind, be declared, and thereupon immediately shall become, due and payable, (2) the undersigned will pay all expenses of the Holder in the collection of this Note, and in the enforcement of rights under any of the Collateral, including reasonable attorney's fees and legal expenses, (3) the Holder may exercise from time to time any rights and remedies available to Holder under the Uniform Commercial Code as in effect at that time in Georgia or otherwise available to Holder, including those available under any written instrument (in addition to this Note) relating to any of the Liabilities or any security therefor (and without limitation on its rights and remedies, the Bank may take the Collateral into its own possession, by such means (without breach of the peace) and through agents or otherwise as it shall elect, and sell, lease or otherwise dispose of the Collateral in its then condition or following any commercially reasonable preparation or processing, which disposition may be by public or private proceedings, by one or more contracts, as a unit or in parcels, at any time and place and on any terms, so long as the same is commercially reasonable, and) (4) the Holder may, at any time, without demand or notice of any kind, appropriate and apply toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time, elect, any balances, credits, deposits, accounts, items or monies of the undersigned with the Holder. If any notification of intended disposition of any of the Collateral is required by law, such notification, if mailed, shall be deemed reasonably and properly given if mailed at least five days before such disposition, postage prepaid, addressed to the undersigned, either at the address below, or at any other address of the undersigned appearing on the records of the Holder. Any proceeds of any disposition of Collateral may be applied by the Holder to the payment of expenses in connection with the Collateral, including reasonable attorney's fees and legal expenses, and any balance of such proceeds may be applied by the Holder toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time elect. No delay or failure on the part of the Holder in the exercise of any right or remedy shall operate as a waiver thereof, and no single or partial exercise by the Holder of any right or remedy shall preclude other or further exercise thereof or the exercise of any other right or remedy.

The Holder shall be under no duty to exercise any or all of the rights and remedies given by this Note and no party to this instrument shall be discharged from his obligations or undertakings hereunder (a) should the Holder release or agree to sue any person against whom the party has, to the knowledge of the Holder, a right of recourse or (b) should the Holder agree to suspend the right to enforce this Note or Holder's interest in the Collateral against such person or otherwise discharge such person.

Undersigned transfers, assigns and conveys to the Holder a sufficient amount of homestead and exemption which undersigned or undersigned's family may have under or by virtue of the Constitution or laws of Georgia or any other State of the United States as against Liabilities to pay them. In case of bankruptcy, undersigned authorizes and directs the Trustee to deliver to Holder a sufficient amount of property or money claimed as exempt to pay Liabilities and the Holder is appointed attorney in fact for undersigned to claim any and all homestead exemptions allowed by law.

If more than one party shall execute this Note, the term undersigned as used herein shall mean all parties signing this Note and each of them, who shall be jointly and severally obligated hereunder.

Insurance Statement: Credit Life Insurance is not a condition of this loan.  
 Loan not eligible for Credit Life Insurance.  I decline Credit Life Insurance. Date of birth \_\_\_\_\_  
 I request Credit Life Insurance at a cost of \$ \_\_\_\_\_ for the term of the credit. Date \_\_\_\_\_ Signature \_\_\_\_\_

Signed, sealed and delivered by the undersigned, who hereby acknowledges receipt of a completed copy hereof.  
Billy L. Evans (Seal)  
 Mailing Address: 301 Oldham Building, Macon, Georgia 31201 Telephone Number \_\_\_\_\_ (Seal)  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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NOTICE: In compliance with Public Law 91-508, in connection with your application for a loan, a routine inquiry may be made which will provide certain information concerning your general reputation, financial history, personal characteristics and mode of living. In addition, should you request Credit Life and/or Disability Insurance the lender may also request a similar report. Upon your written request, within a reasonable time, additional information as to the nature and scope of either or both of these reports will be provided you. TL 1205 (8-74)

GUARANTY OF PAYMENT of an amount not to exceed

each hereby guarantees the payment/\$1,000.00 of the amount of

For value received the undersigned ~~XXXXXX~~ the Note on the reverse side hereof and all extensions or renewals thereof, and undersigned further agree(s) to pay: (a) all expenses paid or incurred by the Holder of the Note in attempting to collect the Note, including attorney's fees of fifteen per cent (15%) of the principal and interest of the Note if attempt is made by the Holder of the Note to collect the Note by law or through an attorney at law; (b) all expenses paid or incurred by the Holder of the Note in collecting this guaranty, including attorney's fees of fifteen percent (15%) of the amount sought to be collected if this guaranty is collected by law or through an attorney at law; and (c) all expenses paid or incurred by the Holder of the Note, including reasonable attorney's fees, in the enforcement of rights under any security given for the Note. Undersigned also agree(s) that the holder of said Note may from time to time extend or renew said Note for any period (whether or not longer than the original period of said Note), may, from time to time and without notice, surrender, compromise, substitute or exchange all or any part of the collateral described on the reverse hereof, and may grant any releases, compromises or indulgences with respect to said Note or any extension or renewal thereof or any security therefor or to any party liable thereunder or hereunder (including but not limited to failure or refusal to exercise one or more of the rights or remedies provided by said Note), all without notice to or consent of any of the undersigned and without affecting the liability of the undersigned hereunder, any of whom may be sued by the holder hereof with or without joining any of the other indorsers or makers of this Note and without first or contemporaneously suing such other persons, or otherwise seeking or proceeding to collect from them.

Given under the hand and seal of each of the undersigned.

(Address) \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Charles A. Lewis (SEAL)

Norman Lewis (SEAL)

(Address) \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Bob A. Bennett (SEAL)

Frederick H. [unclear] (SEAL)

J. Ralph Carter (SEAL)

Guarantors on August 27, 1976 Note from Billy L. Evans to Joan & Glenn Gann For \$5,000.00

Charles Autrell Lowery  
2555 Fox Hall Lane  
College Park, GA 30334 ✓  
Salesman  
Market Grocery Company

Norman Lewis  
175 Harold Drive  
Athens, GA 30601  
Salesman  
Poss Famous Foods

Bob A. Barnette  
5582 Jonesboro Road  
Lake City, GA  
Purchasing Agent  
Market Grocery Company

Fred R. McDonald  
1429 Graceland Court  
Morrow GA 30260 ✓  
Mechanic  
Raymond Services, Inc.

J. Ralph Carter  
237 Rivertown Road  
Fairburn GA 30213 ✓  
Salesman  
Market Grocery Company

79040171832

7 7 0 4 0 1 7 1 9 3 3

Office Memo  
Shows Corp. items  
returned 12/27/77

913

REGISTERED NO. 104118	
Value \$ 5.00	Special Delivery \$
Reg. Fee \$ 2.90	Return Receipt \$.25
Handling Charge \$	Restricted Delivery \$
Postage \$ 24	<input type="checkbox"/> AIRMAIL
POSTMASTER'S USE ONLY	



MAILING OFFICE

FROM / Conq. Billy Evans  
P.O. Box 4993  
31208  
 TO Mr. Reggie Roberts  
P.O. Box 528  
Douglas, Ga. 31533

U.S. G.P.O. 1976 - 299 - 228

Note date copy 7 3048 D 71834  
 This Memo sent FEB 7 4-28-78  
 Corp Check sent Sur Exc

Date	Account	Amount	Balance
12/27/77			
06/1/72	Luke Bros ✓ #132		10.00
"	Bennett Drug ✓ #4860		10.00
02/27/77	Jacobson's ✓ #15 #84149		15.00
06/1/72	WE Bros ✓ 759		10.00
"	Truman Mfg Co ✓ 3603		10.00
02/27/77	Jacobson's ✓ 84234		10.00
	Lott Invest 13965		50.00
	Voigt Pecan 3705		30.00
06/1/72	Mary Quinn's Interiors 258		10.00
	United Fed. 48270		100.00
02/27/77	Way Cross Bth - 32688		20.00
06/1/72	Cecil Herrin ✓ 48111		10.00
	Holiday Inn 8409		20.00
	Perish Motor 17062		20.00
	Padgett Motor 7812		20.00
	Clyde Smith 17214		100.00
	Worthington Blount 6416		100.00
	Southern Automotive 13812		100.00
	Dixie Concrete 28941		100.00
	Sport Shop 4719		20.00
06/1/72	Hiers Plowing Mill 1857		20.00
	Hiers Mill		

Call Reggie these  
 See who runs  
 business  
 esp. ~~motor~~

170.00  
 120.00  
 500.00  
 80.00  
 15.00  
 785.00

Corp. checks from Listening Tour  
 returned to Reggie for replacement

Sen Billy Evans Re-Election Committee  
1993  
Georgia 31208

RECEIVED  
FEDERAL ELECTION  
COMMISSION

'78 JUN 27 PM 12:57



79040171835

**RTIFIED**  
975847  
**MAIL**

Ms. Anne Weissenborn  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

RECEIPT REQUESTED





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

May 31, 1978

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *mue*  
SUBJECT: MUR 551 (78) - Interim Status Report II  
Dated: 5-22-78, Signed: 5-26-78  
Received in Office of Commission  
Secretary: 5-26-78

The above-mentioned document was circulated on a 24  
hour no-objection basis at 1:30 p.m., May 30, 1978.

There were no objections to the Interim Status Report II.

79040171836

May 26, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Status Report II  
on MUR 551 distributed to the Commission.

Thank you.

79040171837



corporate contributions to the Committee.

Letters were sent to all of the above respondents, informing them of the Commission's findings. Responses have been received from the three business respondents, the Committee and the Candidate, these responses providing all needed information as to the portion of the MUR concerning corporate contributions. We have also received a response from Ms. Irene Capel concerning her alleged excessive contribution and are awaiting further responses related to the excessive contribution question.

26 Aug 1974  
Date

  
William C. Oldaker  
General Counsel *for WU*

790401718339

BILLY LEE EVANS  
9TH DISTRICT, GEORGIA

306 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
PHONE: (202) 225-6831

COMMITTEES:  
PUBLIC WORKS AND  
TRANSPORTATION  
JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

DOC 3694

DISTRICT OFFICES:  
231 FEDERAL BUILDING  
MARIETTA, GEORGIA 31208  
PHONE: (912) 742-5753

805 COLLIER STREET  
KATYHOPE, GEORGIA 31023  
PHONE: (912) 374-7319

307 FEDERAL BUILDING  
WAYCROSS, GEORGIA 31501  
PHONE: (912) 288-8420

**Congress of the United States**  
**House of Representatives**  
Washington, D.C. 20515  
May 26, 1978

Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

805225

Dear Mr. Oldaker:

In correspondence dated April 18, 1978, your office advised me and my principal campaign committee, the "Evans for Congress Campaign Fund Committee" (currently the "Congressman Billy Evans Re-Election Committee), that you had found reason to believe that the Federal Election Campaign Act of 1971, as amended ("the Act"), had been violated by acceptance of a \$10,000 loan from Ms. Irene Capel, a \$5,000 loan from Mr. and Mrs. Glenn Gann, and acceptance of contributions from eight persons whom you alleged to be corporate entities. Knowing acceptance of a corporate contribution would constitute a violation of 2 U.S.C. Section 441(b)(a). Similarly, knowing acceptance of a contribution which exceeds the \$1,000 per election limitation for contributions for individuals set forth in 2 U.S.C. Section 441(a)(a)(1)(A) would constitute a violation of 2 U.S.C. Section 441(a)(f).

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Mr. William C. Oldaker  
May 26, 1978  
Page Two

Your letter asked that we submit any factual or legal materials which we believe relevant to the Commission's investigation of these possible violations.

On April 27, 1978, I advised you that neither I, nor my Committee had knowingly violated the Act, and that we had exercised good faith efforts to meet its complex, technical requirements. I further indicated that to our knowledge, no corporate contributions had been accepted and I further pointed out that, as your auditors know, my Committee on a number of occasions had returned contributions which we believed might be from corporate sources. I also noted that we have not accepted any contributions which we believed to be in excess of the limits allowed by the Act. I reaffirmed our intention to continue to cooperate fully, as we have done throughout the Commission's audit, but requested thirty additional days to provide our complete response. This extension was necessary to allow us to carefully review our records and other documents and to interview appropriate individuals so as to be able to respond fully to your questions.

We have completed our initial review of this matter, and I am confident that you will agree after considering the following explanations of our actions that we have not committed any knowing violation of the Act. However, through misunderstanding and inadvertence, we acknowledge that we failed

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Mr. William C. Oldaker  
May 26, 1978  
Page Three

to meet several of the Act's technical requirements. We have taken action as described herein to correct such deficiencies and to prevent any similar problems in the future.

RESPONSE CONCERNING EIGHT POSSIBLE CORPORATE CONTRIBUTIONS

Your April 18, 1978, correspondence indicated that my Committee had accepted contributions from eight persons who you believe to be corporate entities. You noted that these persons were: The Citizens Bank and Trust Company, The Farmers Bank, Hudson and Marshall Properties, International Realty Company, Claussen Paving Company, The Exchange Bank, Flowers Industries, and Big J Super Stores, Inc. Our investigation of these eight items has disclosed the following:

Citizens Bank and Trust Company

We have determined that the alleged contribution by the Citizens Bank and Trust Company of Eastman, Georgia is not a corporate contribution. The item in question is a bank draft by the Citizens Bank and Trust Company drawn on the First National Bank of Atlanta for the purpose of transmitting the personal contribution of Mr. Robert Bruce Jones, a graduate student at the University of Georgia, presently presiding in Bishop, Georgia. It is common practice to use such an instrument to transmit money instead of using currency. Mr. Jones failed to indicate his name or address on the draft, and the volunteer campaign worker who recorded and deposited this item

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merely entered the Citizens Bank and Trust name in the Committee's file card record of the contribution. Another campaign worker, who presumably was aware of the federal prohibition of corporate contributions, assumed that the bank draft was a contribution by Mr. F.A. Jones, Jr., an officer of the bank who signed the bank draft. As a result of our investigation of this matter, the Committee records now have been corrected to properly indicate that this draft was the contribution of Mr. Robert Bruce Jones.

The Farmers Bank

Our investigation has revealed that the alleged corporate contribution of the Farmers Bank of Douglas, Georgia, is not a corporate contribution, but represents a contribution which was made by the personal check of Mr. Dewey Hayes, and so recorded on the Committee's bank deposit slip of November 16, 1976. A campaign worker properly recorded the contribution as being made by Mr. Hayes, but another volunteer worker recorded it in a different file as a contribution of the Farmers Bank apparently because that was the most prominent name on the check. As a result of our investigation, the incorrect entry in one of the Committee's files has been corrected to properly record that the contribution was made by Mr. Hayes. I also would point out with respect to the Farmers Bank, that another item which may have raised a question for

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Mr. William C. Oldaker  
May 26, 1978  
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your auditors was a cashier's check drawn on the Farmers Bank of Douglas which was used to transmit various individual contributions made at a fundraising function held in Douglas, Georgia. The names of the individual contributors and the amounts of their contributions were duly recorded in the Committee records and reported as required in the Committee's quarterly FEC reports.

Hudson and Marshall Properties

We have determined that the contribution which your auditors alleged to be a corporate contribution from Hudson and Marshall Properties is not a corporate contribution, but represents a contribution from a partnership of Messers Ben G. Hudson and Asa Marshall. However, during our careful examination of all contributions made individually or jointly by Messers Hudson and Marshall, we discovered that another contribution in fact was drawn against the account of a Hudson and Marshall corporation. Although this contribution was not the item your office questioned in your April 18 letter, this contribution would be a violation of 2 U.S.C. Section 441(b)(a) if we had knowingly accepted it as a corporation contribution. Apparently, the volunteer campaign worker who accepted the check thought that this particular contribution was allowable because the Committee's records indicated that earlier contributions from Hudson and Marshall had been accepted. These

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Mr. William C. Oldaker  
May 26, 1978  
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earlier contributions, however, in fact were personal or partnership contributions. We regret that the campaign worker misunderstood the nature of the contribution and unknowingly accepted it on behalf of the Committee. To correct this matter, we promptly issued a check to the Hudson and Marshall corporation to return this contribution.

International Realty Company

We have determined that the alleged corporate contribution by International Realty Company was not a corporate contribution. The check in question was drawn against the account of a sole proprietorship owned by Mr. James Shaheen, and this contribution therefore was not a corporate contribution. International Realty was subsequently incorporated after the contribution was made.

Claussen Paving Company

Our investigation has revealed that the \$100 check in question, which did not indicate that the company was a corporation, was drawn on a corporate account. This check was used to purchase tickets to a March 26, 1977 fundraising function. A volunteer campaign worker accepted the check on behalf of the Committee without knowing that corporate contributions are prohibited under federal law. As you know, corporations may make contributions in state and local elections in Georgia. This causes considerable misunderstandings when

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Mr. William C. Oldaker  
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campaign volunteer workers switch to federal elections. Through inadvertence, Committee officials did not note that the check was drawn on a corporate account. However, when Committee officials learned of this unknowing acceptance of a corporate contribution, a reimbursement check was forwarded immediately by the Committee to Claussen Paving Company.

The Exchange Bank

Our investigation of the questioned contribution with respect to the Exchange Bank of Douglas, Georgia, has revealed that this contribution was made with corporate funds, and was not a transfer of personal funds by bank draft as the Committee assumed, and as occurred in the case of the contribution discussed above with respect to the Citizens Bank and Trust. As soon as we learned from Mr. Ed Bolden, an officer of the Exchange Bank, that the contribution in fact was a corporate contribution, the Committee immediately forwarded a reimbursement check to the Exchange Bank. This \$50 corporate contribution had been accepted and deposited by volunteer campaign workers who had sponsored a Douglas fundraising dinner on behalf of the Committee. These persons were unaware that it was a prohibited corporate contribution, and Committee officials were unaware of this error until it was raised by your auditors.

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Flowers Industries

Our investigation of the alleged corporate contribution by Flowers Industries has revealed that the contribution in question came from corporate funds. This contribution was for the purchase of tickets to the Douglas fundraising dinner, and like the preceding contribution of the Exchange Bank, was accepted by local campaign volunteers in Douglas who did not realize that it was a prohibited corporate contribution. Committee officials did not become aware of this corporate contribution until after the issue was raised by your auditors. The Committee, upon discovering that this was a corporate contribution, has reimbursed Flowers Industries.

Big J Super Stores, Inc.

Our investigation of the alleged corporate contribution by Big J Super Stores Inc., of Alma, Georgia, has revealed that the \$50 check in question may have been drawn on a corporate account. The check received for Big J Super Stores had "Inc." marked out and a handwritten notation "Not a corporation" on its face. This check, which was received in the height of the campaign in late August, 1976, was used to purchase two tickets to a fundraising dinner in Waycross, Georgia. The check was accepted by local campaign workers upon the basis of the notation that it was not a corporation and therefore not a prohibited corporate contribution. Since this \$50 may

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have come from corporate funds, the Committee has forwarded a reimbursement check to the Big J Super Stores.

In summary, our careful examination of the items questioned by your office has revealed that a number in fact were not corporate contributions, but several of these small contributions were derived from corporate sources. Various volunteer campaign workers acting on behalf of the Committee unknowingly accepted several small contributions from corporations. The amounts involved were quite insubstantial and represented only a tiny fraction of the total contributions to my 1976 campaign which amounted to nearly \$100,000. The Committee upon discovering these improper contributions promptly fully reimbursed the contributors. We regret that these errors occurred. As you know, the Committee policy absolutely prohibited the receipt of corporate checks, and we have earlier provided your office with copies of written material demonstrating that during the course of the campaign or post-campaign fundraising efforts, the Committee returned a number of contributions that it believed may have been derived from corporate sources. In addition to such documents which evidence our good faith efforts to comply fully with the prohibition on corporate contributions, I would point out that numerous other possible corporate contributions were

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returned during this time. In such cases, the potential corporate contributions were returned after oral communications to officials of the corporation involved. The Committee often felt it more appropriate to speak personally or by telephone with the individuals involved since this insured that Committee officials could fully explain applicable federal laws and avoid misunderstandings that could be construed as a refusal on our part to accept their kind generosity in support of my candidacy.

My Committee and I have learned from the experience of our first federal campaign, that, although we attempted to achieve full compliance with applicable federal laws, errors can occur inadvertently. Accordingly, we have instituted a number of new procedures in the 1978 campaign to help insure that all requirements of the Act and regulations are fully complied with. Committee officials will double check each contribution to help insure that it is not derived from corporate sources. We also have spent significant amounts of time to achieve a better personal understanding of the requirements of the Act and regulations, and are attempting to convey this to the numerous citizens who act as volunteer campaign workers on my behalf. We have distributed materials to Committee members which explain the requirements of the Act and

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regulations. We will carefully instruct and monitor volunteer campaign workers to ensure they do not inadvertently violate the Federal laws. In addition, we have obtained competent counsel with expertise in federal election law matters to advise us when questions arise.

ACCEPTANCE OF PERSONAL LOANS

Your April 18, 1978, letter also raised the question of whether my Committee and I had violated the Act by knowingly accepting a \$10,000 loan from Ms. Irene Capel, and a \$5,000 loan from Mr. and Mrs. Glenn Gann. You indicated that these loans would be prohibited by the Act since you considered them to exceed the \$1,000 per election limitation for contributions by individuals.

My Committee and I were shocked when we read that you considered these loans to violate the Act. During the course of my first federal campaign in 1976, virtually all of my campaign workers were unpaid volunteers, and the Committee unfortunately had no attorney with expertise in federal election law to volunteer his services as our legal advisor, nor could we afford to retain counsel with such expertise. However, we attempted to study and understand the complex requirements of the Act, and informally discussed its meaning and application with various persons who had prior experience with federal election laws. It

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was our understanding that it was fully permissible to receive a loan in any amount as long as the loan was endorsed or guaranteed by enough individuals. We believed that for purposes of the Act's limitations, it would not be considered a contribution by the lender, but would only be considered a contribution by each endorser or guarantor in that portion of the total thereof that the endorser or guarantor bears to the total number of endorsers and guarantors.

We had earlier obtained several bank loans and knew that the Act's definition of "contribution" excluded loans by a national or state bank made in accordance with applicable banking laws and regulations and in the ordinary course of business, but that such loans would be considered a loan and therefore a contribution by each endorser or guarantor in that portion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors. We thought that the same rule applied with respect to loans from individuals. Thus, in the case of the loan from Ms. Capel for \$10,000, we obtained 10 guarantors and in the case of the loan from Mr. & Mrs. Gann, we obtained 5 guarantors. We treated each guarantor as having made a \$1,000 contribution, as allowed by the Act, and our records so indicated. Moreover, we

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fully disclosed the loans on our reports filed with the Commission, and thought that the procedure we utilized was evident from our notation in the reports of both loans that the loan was "Fully Guaranteed by Guarantors." Accordingly, I am sure you understand our surprise and dismay when we learned over a year and a half later from the Commission that it considered the loans to violate the \$1,000 per election limitation for contributions by individuals.

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Although we see no reasonable basis for a distinction and consider the Act to be arbitrary and capricious if interpreted in a manner as to distinguish between loans of money by national or state banks and loans of money by arm length transactions by individuals, we do recognize, after having carefully examined the Act and current regulations, that such an interpretation is possible. This was not our interpretation at the time of acceptance of the two individual loans. These loans were accepted as a matter of convenience at the time since they certainly could have been obtained from a banking institution with the same guarantors provided to the individual lenders. We will in the future be guided by your interpretation of this provision of the Act and will not obtain such loans from individuals.

Both personal loans in question were subsequently repaid with interest by the Committee. Thus,

Mr. William C. Oldaker  
May 26, 1978  
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there is no further reimbursement that we can make with respect to these contributions. However, now that we understand the law, I can assure you that this situation will not arise again. We regret our misunderstanding and unknowing acceptance of these two loans which technically would be in excess of the Act's \$1,000 limitation even though we obtained sufficient guarantors so that each guarantor's pro rata share of the loan would not exceed the \$1,000 per election limitation. We believe that our good faith efforts in obtaining guarantors and in fully disclosing these loans on our periodic reports filed with the Commission demonstrates that we had no intent to violate the Act. Likewise, we are certain that Ms. Capel and Mr. and Mrs. Gann, who relied on our representations that the procedure we were utilizing was proper had no intent whatever to violate the Act.

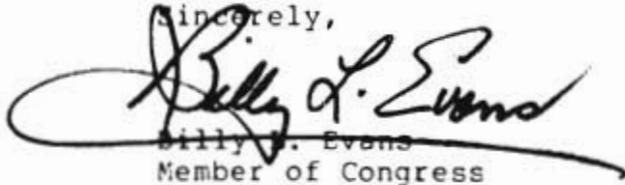
I hope that the foregoing response demonstrates to the Commission's satisfaction why no action should be taken against us or the persons involved in this matter. Having undergone our first campaign during which we relied heavily on well-meaning, but inexperienced volunteers, we are determined to avoid further inadvertent errors or misunderstandings of the Act's technical requirements.

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May 26, 1978  
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We have not only personally become quite knowledgeable of the requirements of the Act and regulations, but have obtained legal counsel with particular expertise in election law matters to provide appropriate legal guidance during the 1978 campaign. We also are distributing material explaining requirements of the Act and regulations to Committee members and will monitor campaign workers to help insure against further problems.

I am providing this response on behalf of myself and my Committee. I hope that we have fully responded to your concerns, but we would be happy to provide you with additional information if so desired.

Sincerely,

  
Billy J. Evans  
Member of Congress

cc: Charles N. Steele  
Associate General Counsel

Anne A. Weissenborn, Esquire

John E. James, Treasurer  
Evans for Congress Campaign Fund

79040171954

**JAMES, SHIFF & WILCOX**  
ATTORNEYS AT LAW  
BOX 6176  
MACON, GA. 31209



Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

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PCD  
3601

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
Irene Capel

P O Box 507

'78 MAY 22 11 AM 93044  
May 2, 1978

Dear Sir:

I work for \$4.00 and hour as a sales clerk, standing on my feet all day and I save my money. April Evans is like a daughter to me but she knew I couldn't give Billy my savings. She sent me a legal note signed by ten people who would pay me back plus interest. I wrote her the check because I knew she would pay me back, you can trust her. I didn't know all the people who signed the note but April can tell you because I gave it to her when I got my money back.

I don't think you should have laws so only rich people can go to Congress. Billy is a good, honest, hardworking boy and he knows what it is to work for a living.

I would have written you before but I have been in the hospital.

Sincerely,

Irene Capel

MUR 551(78)

Copy to Billy Evans

79040171855

Irene Capel  
P. O. Box 507  
Leeds, Alabama 35084

7901017185  
RECEIVED  
FEDERAL ELECTION  
COMMISSION

78 MAY 22 AM 9:30



Charles N. Steele  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D.C. 20463

MUR 551(78)

Weissenborn



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joan and Glenn Gann  
P.O. Box 1175  
Hampton, Georgia

Re: MUR 551(78)

Dear Mr. and Mrs. Gann,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation regarding contributions from individuals set forth in 2 U.S.C. §441a (a)(1)(A). The contribution in question is the loan of \$5000 which you made jointly to the Committee on August 27, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

79040171939



ACC 3584  
802851

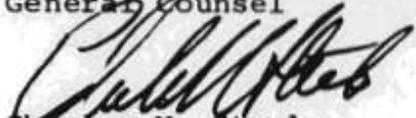
RECEIVED  
FEDERAL ELECTION  
COMMISSION

- 2 -

This matter will remain confidential with 2 U.S.C. §437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

  
Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

I had a note for the for five thousand dollars signed by Charles A. Lowery, Norman Lewis Bob A. Barnette, Fred R. McDonald and J. Ralph Carter, guaranteeing \$1,000.00 each.

When we received payment for the note with interest, I marked it paid and sent it to Billy Evans for his records.

Jean Lane

79040171859

79040171860

*C. Joan Stern*

~~MARKET GROCERY COMPANY~~

P. O. Box 397  
FOREST PARK, GEORGIA 30050

ATLANTA, GA 30303  
PM  
RECEIVED  
FEDERAL ELECTION  
COMMISSION



'78 MAY 18 PM 12:10

*Federal Election Commission  
1325 K Street N.W.  
Washington DC 20463*



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

May 9, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS

SUBJECT: Interim Status Report, Dated May 13, 1978?  
MUR 551 (78)

*MWE*  
Signed by General Counsel: 5-5-78  
Received in Office of  
Commission Secretary: 5-5-78, 3:20

The above-mentioned document was circulated on a 24 hour no-objection basis at 3:00 p.m., May 8, 1978.

As of 4:00 p.m., this date, no objections have been received in the Office of Commission Secretary to the Interim Status Report.

Your attention is called to the date typed on the report.

79040171861

May 5, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Status Report  
on MUR #51 distributed to the Commission on a 24  
hour no-objection basis.

Thank you.

79040171862

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 13, 1978

In the Matter of )  
 )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee, et al. )

INTERIM STATUS REPORT

During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee"), evidence was found of contributions having been received from eight apparent corporations. Three of these contributors, Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties, had given \$100 or more.

The auditors also found that the Committee and Mr. Billy L. Evans ("the Candidate") in August, 1976, had received a loan of \$10,000 from Ms. Irene Capel and that the Committee had received on August 27, 1976, a joint loan of \$5000 from Ms. Joan Gann and Mr. Glenn Gann.

On April 13, 1978, the Commission found reason to believe that the Committee has violated 2 U.S.C. §441b(a) by having accepted corporate contributions; that the Committee and the Candidate have violated 2 U.S.C. §441(f) by having accepted contributions in excess of the \$1000 limitation on contributions from individuals per election; that Ms. Irene Capel, Ms. Joan Gann and Mr. Glenn Gann have violated 2 U.S.C. §441(a)(1)(A) by making contributions to the Candidate and the Committee in

79040171863

excess of the \$1000 per election limitation; and that Claussen Paving Company, International Realty Company, and Hudson and Marshall properties have violated 2 U.S.C. §441b(a) by having made corporate contributions to the Committee.

Letters were sent to all of the above respondents informing them of the Commission's findings. We have received written replies from the Candidate, from the Committee and from two of the business respondents, and are awaiting further information.

5/5/78  
Date

William C. Oldaker  
William C. Oldaker  
General Counsel

7904071864

BILLY LEE EVANS  
8TH DISTRICT, GEORGIA

505 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
PHONE: (202) 225-8231

COMMITTEES:  
PUBLIC WORKS AND  
TRANSPORTATION  
JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

April 27, 1978

DISTRICT OFFICE:  
201 FEDERAL BUILDING  
MARIETTA, GEORGIA 31706  
PHONE: (912) 745-8753

205 COLLINS STREET  
SAVANNAH, GEORGIA 31023  
PHONE: (912) 274-7219

207 FEDERAL BUILDING  
WAYNESBORO, GEORGIA 31001  
PHONE: (912) 266-8420

BY HAND

Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

RE: MUR 551(78)

Dear Mr. Oldaker:

In correspondence dated April 18, 1978, your office advised me and my principal campaign committee that you had found reason to believe the Federal Election Campaign Act of 1971, as amended, ("the Act"), had been violated by acceptance of a \$10,000 loan from Ms. Irene Capel, a \$5,000 loan from Mr. and Mrs. Glenn Gann, and acceptance of contributions from eight persons whom you alleged to be corporate entities. You requested we respond within ten (10) days with any factual or legal materials which we believe are relevant to the Commission's investigation.

I appreciate being advised of your initial findings. Neither I nor my Committee has knowingly violated the Act, and we have exercised good faith efforts to meet its complex technical requirements. We have not to our knowledge accepted any corporate contributions, and as your auditors know, have returned a number of contributions that we believed might be from corporate sources. Nor have we accepted any contributions which we believed to be in excess of the limits allowed by the Act. My Committee and I have begun to assemble the relevant materials for you to assist in your investigation. We intend to continue to cooperate fully, as we have done throughout the Commission's audit, so that this matter can be concluded expeditiously. However, I must respectfully request thirty (30) additional days to provide you with our response. This extension is necessary to allow

79040171865

Mr. William C. Oldaker  
FEDERAL ELECTION COMMISSION  
April 27, 1978  
Page Two

us to carefully review our records and other documents and to interview appropriate individuals to be able to respond fully with all relevant factual or legal materials.

I am confident our response will demonstrate that we have committed no knowing violation of the Act. If through misunderstanding or inadvertence, we have failed to meet the Act's technical requirements, we will take immediate action to correct any such deficiencies and to prevent any similar problems in the future.

Sincerely,



BILLY L. EVANS  
Member of Congress

BLE:mp

cc: ✓ Charles N. Steele  
Associate General Counsel

Anne A. Weissenborn, Esquire

John E. James, Treasurer  
Evans for Congress Campaign Fund

79040171866

79040171857

House of Representatives  
Washington, D.C. 20515

OFFICIAL BUSINESS

*Billy L. Evans* M.C.

Mr. Charles N. Stelle  
Associate General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

1003405

802348

LAW OFFICES  
JAMES, SHIPP AND WILCOX

POST OFFICE BOX 6178  
8034 VINEVILLE AVENUE  
MACON, GEORGIA 31208

78 MAY 7 PM 4:53

JOHN E. JAMES  
B. ROBERT SHIPP  
TOMMY DAY WILCOX

TELEPHONE  
(912) 748-8551

April 27, 1978

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 30463

Attention: Ann F. Weissenborn

In Re: MUR 551(78) Evans for Congress  
Campaign Committee 8th District of Georgia

Dear Mrs. Weissenborn:

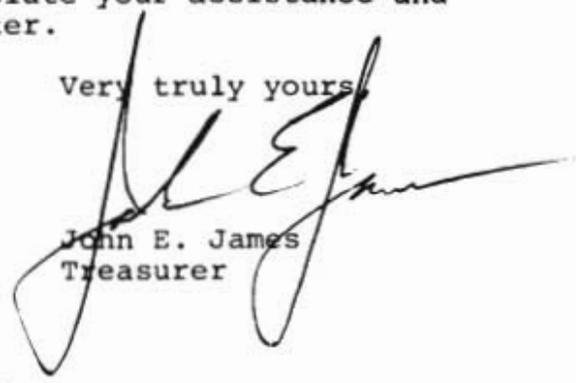
After speaking with you on the phone this morning,  
I have discussed the questions raised in your letter with  
Congressman Evans.

It is my understanding that he is forwarding a  
letter to you requesting some additional time to complete  
the information to be forwarded to you.

I would appreciate your considering this a con-  
curring request on behalf of the Committee for the same  
reasons set forth in his letter.

We very much appreciate your assistance and  
consideration in this matter.

Very truly yours,



John E. James  
Treasurer

JEJ:sf

CC: The Honorable Billy Evans  
Mr. Dennis Beall

79040171858

79040171859

JAMES SHIPP AND WILCOX

ATTORNEYS AT LAW

POST OFFICE BOX 6176

MACON, GEORGIA 31206



EG: A MM • MAY 27 1978

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K. St., N. W.  
Washington, D. C. 20543

ACC5409

LAW OFFICES

HULL, TOWILL, NORMAN, BARRETT & JOHNSON

SEVENTH FLOOR FIRST NATIONAL BANK BUILDING

AUGUSTA, GEORGIA 30903

RECEIVED  
FEDERAL ELECTION  
COMMISSION

802333

WILLIAM HALE BARRETT  
1886-1922  
GEORGE S. BARRETT  
1864-1842  
JAMES J. WILLINGHAM  
1867-1863  
JAMES M. HULL  
1865-1878

78 MAY 1 P 5:00

JOHN BELL TOWILL  
ROBERT C. NORMAN  
WM. HALE BARRETT  
JAMES E. JOHNSON, JR.  
BERNARD J. MULHERIN  
A. ZACHRY EVERITT  
LAWTON JORDAN, JR.  
PATRICK J. RICE  
J. LARRY BROYLES  
DOUGLAS D. BATCHELOR, JR.  
BERNARD S. DUNSTAN, JR.  
DAVID E. HUDSON  
CHARLES W. ROWELL IV  
JOHN L. CRESON  
NEAL W. DICKERT

April 27, 1978

P. O. BOX 1564  
TELEPHONE 722-4481  
AREA CODE 404  
CABLE "MULTON"

Ms. Anne A. Weissenborn  
Federal Election Commission  
1324 K Street, N.W.  
Washington, D.C. 20463

RE: MUR 551 (78)  
Claussen Paving Company

Dear Ms. Weissenborn:

I greatly appreciated your taking your time to discuss the above matter. As I informed you, this contribution was completely inadvertent and unintentional. The Company's main office is in Augusta, Georgia and the subject check was issued by the Macon, Georgia office where an unknowing and unintentional error could more easily occur. Apparently, the employee issuing the check mentally distinguished between a campaign contribution and the purchase of tickets for an appreciation dinner.

The Company has religiously adhered to the letter and spirit of the Federal Election Campaign Act of 1971, and strict instructions have been issued and adhered to in regard to same. We will be pleased to take whatever additional steps might be necessary to assure the Commission of the Company's good faith now and in the future. If there is any policy or procedure of employee education which you can recommend in this regard, please so advise.

I can assure you, on behalf of the Company, that this type of incident will not occur again. Management is as upset about the matter, or possibly more so, than the Commission.

For your further information, please be advised that we have been informed by the "Evans for Congress Campaign Fund Committee" that the contribution will be refunded promptly. Hopefully, this will be helpful in resolving the matter.

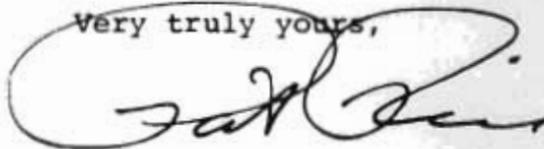
72040171877

Ms. Anne A. Weissenborn  
April 27, 1978  
Page 2

Please let us know what further information we can furnish you. The Company is ready to cooperate as fully as possible. I will await hearing from you.

Again, thank you very much for your courtesy.

Very truly yours,



Patrick J. Rice

PJR:ec

cc: Mr. Henry H. Claussen

79040171871

LAW OFFICES

HULL, TOWILL, NORMAN, BARRETT & JOHNSON

POST OFFICE BOX 1564

AUGUSTA, GEORGIA 30903



Ms. Anne A. Weissenborn  
Federal Election Commission  
1324 K Street, N.W.  
Washington, D. C. 20463

78 MAY 1 P 5:00

RECEIVED  
FEDERAL ELECTION  
COMMISSION

7904017187

2003419



**BILLY EVANS**  
Congressman, 8th District

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

Murr 551

April 28, 1978

802275

Ms. Anne A. Weissenborn  
Federal Election Commission  
Office of General Counsel  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Ms. Weissenborn,

Enclosed is a copy of a list of corporate checks sent to the Committee and subsequently returned. This list along with the documents mailed to you April 24, 1978 demonstrate the Committee's efforts to comply with FEC regulations.

The documents sent to you thus far represent only a portion of all corporate checks returned. In many instances, checks would be personally returned to the signors the same day as received by the Committee. In such cases, no records were kept.

If you need further information, please contact me.

Yours truly,

Dennis J.F. Beall  
Campaign Coordinator

DJFB/dw  
Enclosure

79040171873

Corp Check sent <sup>done</sup> for Exc  
12/27/77

12/27/77	O'Neill	Luke Bros ✓	#132	10.00
	"	Bennett Drug ✓	#4860	10.00
Uyecross	Jacobson ✓	#15	#81149	15.00
O'Neill	WE Ross ✓	759		10.00
"	Truman Mfg Co ✓	3603		10.00
Uyecross	Jacobson ✓	84234		10.00
	Loth Insoot	13965		50.00
	Vaigt Pacem	3905		30.00
Count head	Mary Quinn's Interiors	258		10.00
	United Fed.	A8270		100.00
Count head	Uyecross Bitt	32688		20.00 =
Cecil Herrin	Cecil Herrin ✓	4811		10.00
	Holiday Inn	8409		20.00
	Parish Motor	19062		20.00
	Podgett Motor	7812		20.00
	Clyde Smith	7214		100.00
	Worstant Blount	6416		100.00

790401

REGISTERED NO. 104118

Value \$ 500	Special Delivery \$
Reg. Fee \$ 2.90	Return Receipt \$ .25
Handling Charge \$	Restricted Delivery \$
Postage \$ 24	<input type="checkbox"/> AIRMAIL

POSTMARK OF M. G. N. GA  
DEC 27 1977  
USPO

MAILING OFFICE

FROM Cong. Billy Evans  
P.O. Box 4993  
31208

TO Mr. Reggie Roberts  
P.O. Box 528  
Douglas, Ga. 31533

© GPO: 1976 - 289 - 203

79040171875

✓ Podyett Motor	7812	20 <sup>00</sup>
- Clyde Smith	7214	100 <sup>00</sup>
✓ Wortman Blount	6416	100 <sup>00</sup>
✓ Southern Automotive	13812	100 <sup>00</sup>
✓ Dixie Concrete	28941	100 <sup>00</sup>
Sport Shop	4719	20 <sup>00</sup>
can't read Hiery Plenary Mill	1857	20 <sup>00</sup>
Hiery Mill		

Call Reggie these  
 Jan who <sup>found</sup>  
 business  
 esp. ~~to~~

170.00  
 120.00  
 500.00  
 80.00  
 15.00  
 -----  
 785.00

Corp. checks from Listening Tour  
 turned to Reggie for replacement

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

CERTIFIED

No. 474602

MAIL

RETURN RECEIPT



25

98

Ms. Anne Weissenborn

Federal Election Commission

Office of General Counsel

12:8 11325 K Street, N.W.

Washington, D.C. 20463

NOV 11 1981  
FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

BILLY LEE EVANS  
9TH DISTRICT, GEORGIA

806 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
PHONE: (202) 225-6521

COMMITTEES:  
PUBLIC WORKS AND  
TRANSPORTATION  
JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

April 27, 1978

100-3374  
DISTRICT OFFICE:  
321 FEDERAL BUILDING  
MADISON, GEORGIA 31208  
PHONE: (912) 742-5753

805 COLLEGE STREET  
EASTMAN, GEORGIA 31023  
PHONE: (912) 374-7319

207 FEDERAL BUILDING  
WAYCROSS, GEORGIA 31501  
PHONE: (912) 285-6420

BY HAND

4-28-78

Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

RE: MUR 551(78)

Dear Mr. Oldaker:

In correspondence dated April 18, 1978, your office advised me and my principal campaign committee that you had found reason to believe the Federal Election Campaign Act of 1971, as amended, ("the Act"), had been violated by acceptance of a \$10,000 loan from Ms. Irene Capel, a \$5,000 loan from Mr. and Mrs. Glenn Gann, and acceptance of contributions from eight persons whom you alleged to be corporate entities. You requested we respond within ten (10) days with any factual or legal materials which we believe are relevant to the Commission's investigation.

I appreciate being advised of your initial findings. Neither I nor my Committee has knowingly violated the Act, and we have exercised good faith efforts to meet its complex technical requirements. We have not to our knowledge accepted any corporate contributions, and as your auditors know, have returned a number of contributions that we believed might be from corporate sources. Nor have we accepted any contributions which we believed to be in excess of the limits allowed by the Act. My Committee and I have begun to assemble the relevant materials for you to assist in your investigation. We intend to continue to cooperate fully, as we have done throughout the Commission's audit, so that this matter can be concluded expeditiously. However, I must respectfully request thirty (30) additional days to provide you with our response. This extension is necessary to allow

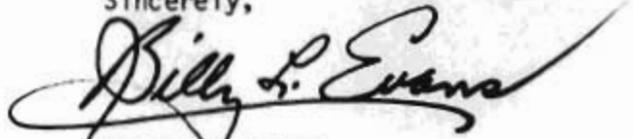
79040171977

Mr. William C. Oldaker  
FEDERAL ELECTION COMMISSION  
April 27, 1978  
Page Two

us to carefully review our records and other documents and to interview appropriate individuals to be able to respond fully with all relevant factual or legal materials.

I am confident our response will demonstrate that we have committed no knowing violation of the Act. If through misunderstanding or inadvertence, we have failed to meet the Act's technical requirements, we will take immediate action to correct any such deficiencies and to prevent any similar problems in the future.

Sincerely,



BILLY L. EVANS  
Member of Congress

BLE:mp

cc: Charles N. Steele  
Associate General Counsel

Anne A. Weissenborn, Esquire

John E. James, Treasurer  
Evans for Congress Campaign Fund

79040171878

79040171879

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

OFFICIAL BUSINESS

*Billy L. Evans*  
M.C.

Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

902213  
44333  
4003381

FEDERAL ELECTION COMMISSION

**HUDSON AND MARSHALL, INC.**  
*Realtors and Auctioneers*

78 APR 28 AM 11:43

April 26, 1978

ONE BACONSFIELD PARK  
MACON, GEORGIA 31211  
OFFICE (912) 743-1511  
WATS LINES  
U.S. 1-800/841-9400  
GA. 1-800/342-2866

Ms. Anne A. Weissenborn  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

CERTIFIED LETTER  
NO. 688946

RE: MUR 551 (78)

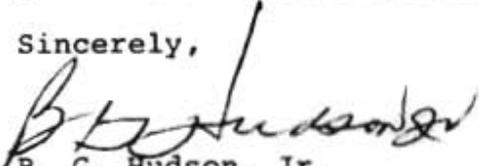
Dear Ms. Weissenborn:

In reference to the above captioned matter, the check rendered the Evans for Congress Campaign Committee was drawn on a joint account, the property of the undersigned and Asa M. Marshall, III. Enclosed is a copy of said check drawn on the account known as Hudson and Marshall Properties, which entity is not a corporation.

You may verify this information with Mr. Robert F. Hatcher, Vice President of The First National Bank and Trust Co., Macon, Georgia, the officer in charge of said joint account.

Please inform me if you need additional information before closing your files on this matter.

Sincerely,

  
B. G. Hudson, Jr.

HUDSON AND MARSHALL, INC.

BGH:zj

Encl:

cc. The Honorable Billy L. Evans  
Robert F. Hatcher

79040171393



FEDERAL ELECTION COMMISSION

Account No. - 1 page

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |                                     |   |                          |  |
|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/>            | (1) Classified Information                                | <input type="checkbox"/> | (6) Personal privacy                             |
| <input type="checkbox"/>            | (2) Internal rules and practices                          | <input type="checkbox"/> | (7) Investigatory files                          |
| <input type="checkbox"/>            | (3) Exempted by other statute                             | <input type="checkbox"/> | (8) Banking Information                          |
| <input checked="" type="checkbox"/> | (4) Trade secrets and commercial or financial information | <input type="checkbox"/> | (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/>            | (5) Internal Documents                                    |                          |  |

Signed Ann G. Wessner  
date 11/27/79





**BILLY EVANS**  
Congressman, 8th District

8 CC 3372

FEDERAL ELECTION COMMISSION

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

April 24, 1978

**802164**

Ms. Anne A. Weissenborn  
Federal Election Commission  
Office of General Counsel  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Ms. Weissenborn,

Regarding the letter from Mr. Charles N. Steele of April 18, 1978, the following is response to the eight items suspected of being corporate funds.

In phone conversation with F.A. Jones, the Citizens Bank and Trust of Eastman, GA item in question (see item 1) #21694 is a bank draft by Citizens Bank and Trust on the First National Bank of Atlanta for the purpose of transmitting the cash contribution of Mr. Robert Bruce Jones, a graduate student at the University of Georgia, whose present address is Bishop, GA. It is common banking practice to use such an instrument for this purpose. Robert Bruce Jones was remiss in not indicating his name or address on the item, therefore the volunteers handling the recording and depositing of this item considered it to be a contribution of Citizens Bank and Trust and made a file card reporting it as such. Another person handling the deposits at the time, apparently aware of FEC regulations on corporate contributions, assumed the item to be a personal contribution by F.A. Jones, Jr., signor and officer of the bank.

In reference to The Farmers Bank of Douglas, this item is drawn against the personal checking account of Dewey Hayes and was so recorded on the Committee's deposit slip of 11/16/76 (see item 2). One person recorded item in file as personal contribution of Mr. Hayes while another volunteer recorded it in another file as contribution of Farmers Bank, since that is the most prominent name on the check. These facts have been ascertained by phone call to the Farmers Bank of Douglas, GA bookkeeping department 4/20/78.

The other item drawn on the Farmers Bank of Douglas that could be in question is a cashier's check used for transmittal of various individual contributions from a function held in Douglas, GA. (see item 3). Individual names and contributions were duly recorded and reported on FEC quarterly reports.

7 2 0 0 1 0 1 7 1 8 9 3

In reference to Hudson & Marshall Properties in telephone conversation with Mr. Ben G. Hudson, we ascertained that Hudson & Marshall Properties is not a corporation, but a partnership of Ben G. Hudson and Mr. Asa Marshall. However upon careful examination of all contributions made personally or jointly by these two people, we did discover that one item (see item 4) was in fact drawn against Hudson & Marshall's corporate account. Although it is not referred to in your letter of 4-18-78 this item would be a violation of #2U.S.C.s441b(a) had we knowingly accepted it as such. It appears to us that one of our volunteer workers saw that Hudson & Marshall items had been accepted, but not knowing that either of the previous were personal or partnership, thought that this particular item was also acceptable.

To correct this matter, we have today forwarded a check for reimbursement.

In regards to International Realty (see item 5), it was ascertained in a phone conversation with Ms. Nell Culpepper that the item was drawn against the account of a sole proprietorship, principal Mr. James Shaheen. International Realty was later incorporated. This contribution is therefore not a violation of 2 U.S.C.s441b(a).

In reference to item of Claussen Paving Company (see item 6), it has been ascertained that this item was used for the purchase of tickets to a fund-raiser on 3-26-77. It was also ascertained that Claussen Paving is a corporation. Their check was accepted unknowingly and therefore does not represent a violation of 2 U.S.C.s441 b(a). A reimbursement check is being forwarded today.

In reference to the matter of Exchange Bank, Douglas, GA., we have talked with Mr. Ed Bolden, a bank officer. Mr. Bolden has researched his records and has informed us that this item is in fact corporate funds and not a transfer of personal funds by bank draft. This contribution was accepted unknowingly by volunteer workers. To correct this matter we have today forwarded a check for reimbursement to the Exchange Bank.

In reference to the contribution by Flowers Industries, we have ascertained that Flowers Industries is a corporation and that the funds were accepted unknowingly by local volunteers. To correct this matter we are today forwarding a check to reimburse these funds.

In reference to Big J Super Stores, Inc., Alma, GA., we did unknowingly accept a \$50.00 check in payment for two tickets to the Waycross Appreciation Dinner. We are today making a reimbursement of funds to them.

You will also find enclosed photostatic copies of certain items related to the return of corporate checks. In addition to the items documented by these copies, there were numerous other items returned during the period in question. In these cases instead of written communication we placed a personal call to a principal of the corporation for the purpose of explaining the regulations which required that we return their check. The use of phone calls avoided misunderstandings that could

79040171894

be construed as a refusal on our part to accept their kind generosity in support of the candidacy of Billy L. Evans.

It is our belief that the actions taken by us as stated in this letter would now put us in full compliance with 2 U.S.C. s441b(a) of FEC regulations.

Yours truly,

  
Dennis J.F. Beall  
Campaign Coordinator

DJFB/dw

Enclosures

cc: Mr. Robert Costa  
Mr. Patrick Parrish  
Congressman Billy L. Evans

79040171885

FEDERAL ELECTION COMMISSION

Account Numbers - 6 pages

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |   |   |
|---|---|
| <input type="checkbox"/> (1) Classified Information   | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                                     | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute  | <input type="checkbox"/> (8) Banking Information                          |
| <input checked="" type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents   |   |

Signed Gene A. Weissenborn  
date 11/27/79

FEC 9-21-77

712010171895

# 1

Citizens BANK & TRUST CO.  
A FEDERAL DEPOSIT INSURANCE CORPORATION  
EASTMAN, GEORGIA

No 21694

10-19 1976

64-1  
610

PAY TO THE  
ORDER OF

Evans for Congress

\$ 50.00

CITIZENS BANK & TRUST CO. 50dolls 00cts

DOLLARS

THE FIRST NATIONAL BANK  
OF ATLANTA / GEORGIA

CITIZENS BANK & TRUST COMPANY

*[Signature]*  
Vice Pres

DEPOSITED WITH



CENTRAL BANK  
MACON



RECEIPT FOR DEPOSIT

TO BE CREDITED TO ACCOUNT ON BANKING DAY SHOWN  
SUBJECT TO CONDITIONS SPECIFIED ON SIGNATURE CARDS COVERING HANDLING OF ITEMS

76679 OCT27

7.165.00D1

79040171887

Contributor

(Dodge)

Citizens Bank & Trust Co.  
5th Ave  
Eastman, GA. 31023

10/25/76 8580

EVANS FOR CONGRESS CAMPAIGN FUND

DEPOSIT NO. 462

TOTAL CHECKS

6865.00

The Enterprise Club	500.00
H.C. Ragan	25.00
F. A. Jones, Jr.	50.00
D.S.G. Campaign Fund	1000.00
Comm. for Thorough	
Ag. Pol. Action	2500.00
I.L.G.W.U.	350.00
Woodson Daniel	100.00
Tom Taggart	100.00
R. W. Reeves	100.00
<b>TOTAL</b>	<b>6865.00</b>





#5

INTERNATIONAL REALTY COMPANY  
RESIDENTIAL SALES & EXCHANGE DIVISION  
2116 RIVERSIDE DRIVE  
MACON, GEORGIA 31204

0132

9-47  
611

Oct. 7 1976

PAID TO THE ORDER OF

Billy Evans Campaign

\$ 100.00

One Hundred & no/100

DOLLARS



The First National Bank  
& Trust Company in Macon  
Macon, Georgia  
A Trust Company of Georgia Affiliate

OR

*James Shaheen*

Shaheen, James

% International Realty Co.

2116 Riverside Drive

Macon, Georgia

Contributor

International Realty Company	100	00
Mrs. Josephine David Barringer	100	00
Phydan J. Ramsey	100	00
Richard L. Lamb	25	00
Mrs. Helen Walker	75	00
Wm. A. Wooten	100	00
E. E. Barger	50	00
Geo. T. DuBose	50	00
Albert Thompson	25	00

10-12-76 \$100.00

DEPOSIT TICKET

EVANS FOR CONGRESS, CAMPAIGN FUND

250 GEORGIA POWER BUILDING  
MACON, GEORGIA 31201

DATE 10-12-1976

ALL ITEMS ARE RECEIVED BY THIS BANK FOR THE PURPOSES OF COLLECTION AND ARE SUBJECT TO PROVISIONS OF THE UNIFORM COMMERCIAL CODE WHERE APPLICABLE AND THE RULES AND REGULATIONS OF THIS BANK. ALL CREDITS FOR ITEMS ARE PROVISIONAL UNTIL COLLECTED.

CASH		
STAMPS		
TOTAL FROM OTHER SIDE	725	00
TOTAL	725	00



64-1137  
611

PLEASE ITEMIZE ADDITIONAL CHECKS ON REVERSE SIDE



CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA

743-3487

#6

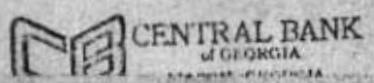
2 tickets Macon Function

Claussen Paving Co.  
P.O. Drawer P  
Macon, Ga. 31202

3-31-77 \$100.00

Please see that all checks are endorsed  
Transfer total to reverse side

Total	900
Additional Checks	
Claussen Paving	100
Blvin Koplin	50
J.A. Kegerl	100
Ed Sipe	100
Marvin Shoob	50
Ca Banking Co	100
Co. of Macon	50
J.H. Smith Jr.	100
Frank Pinkston	50



The Citizens and Southern National Bank  
Macon, Georgia

### Deposit Receipt

Please keep your receipt until you receive your statement. Mark the appropriate account for your records.

- Checking Account
- 5% Regular Savings
- 5% Percenter
- Convenient Savings

Save Automatically at C&S.  
Thanks For Banking With C&S

Shown below are Bank Symbol, Transaction Number, Date, and Amount of your deposit.

172 APR 8 700.00

All items and cash are received subject to verification and final payment.

15-794 Rev. 5-75

CLAUSSEN PAVING COMPANY  
MACON DIVISION  
P. O. DRAWER P  
MACON, GEORGIA 31202

1394

61-47  
611

March 31, 1977

PAY TO THE ORDER OF Billy Evans Appreciation Dinner \$ 100.<sup>00</sup>

One hundred & 00/100 DOLLARS

The First National Bank  
Trust Company in Macon  
Macon, Georgia  
A Trust Company of Georgia Affiliate

FOR

Patricia L. Jordan

Patricia Jordan

7904017189

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P O BOX 6176  
MACON, GEORGIA 31201

186

PAY TO THE  
ORDER OF

*Chusser Paving Company*

*April 24*

1978  $\frac{64-1137}{611}$

00

*One Hundred & no/100*

\$ 100

 CENTRAL BANK

DOLLARS

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P O BOX 6176  
MACON, GEORGIA 31201

187

PAY TO THE  
ORDER OF

*Hudson & Marshall Inc*

*April 24*

1978  $\frac{64-1137}{611}$

00

*Fives Hundred & no/100*

\$ 500

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P O BOX 6176  
MACON, GEORGIA 31201

188

PAY TO THE  
ORDER OF

*Exchange Bank of Douglas*

*April 24*

1978  $\frac{64-1137}{611}$

00

*Fifty & no/100*

\$ 50

 CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA

DOLLARS

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P O BOX 6176  
MACON, GEORGIA 31201

189

PAY TO THE  
ORDER OF

*Flowers Industries*

*April 24*

1978  $\frac{64-1137}{611}$

00

*25 & no/100*

\$ 50

DOLLARS

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P O BOX 6176  
MACON, GEORGIA 31201

190

PAY TO THE  
ORDER OF

*Big J Super Stores, Inc.*

*April 24*

1978  $\frac{64-1137}{611}$

00

*Fifty & no/100*

\$ 50

DOLLARS

 CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA

FOR REIMB. CORP. FUNDS

*[Signature]*

79040171892

November 15, 1977

Mr. Jack Cameron  
Box 100  
Cadwell, Georgia 31009

Dear Mr. Cameron:

We do thank you so much for the contribution to the campaign fund. However, as we discussed by phone today, Federal regulations do not allow us to accept corporate checks. Enclosed are the two Cameron Manufacturing Co. checks #11159 in the amount of \$25.00 and #11201 for \$15.00. We appreciate your understanding of the regulation and hope that replacing these checks with personal checks will not cause an inconvenience.

I am enclosing a stamped, self-addressed envelope so the checks will return to my attention.

Most sincerely,

(Ms) Dolores Walden

/w  
Enclosures

36817101064

FEDERAL ELECTION COMMISSION

Account Nos. - 5 pages

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed Lane A. Wroessman  
date 11/27/79

712010171894

689.1370

Camel Corporate checks 11/15/77

**CAMERON**  
MANUFACTURING COMPANY

WHOLESALE MANUFACTURER AND DISTRIBUTOR OF CHESTNUT  
MILLS EQUIPMENT, METAL LATHES & FAN COILS  
PHONE 47-429 - CADWELL, GA. 31009

11201

64-1119  
612

11-10 1977

PAY TO THE ORDER OF Congressman Billy Evans Re-Election Com. \$ 15<sup>00</sup>

15 00 DOLLARS

FARMERS STATE BANK  
CADWELL, GEORGIA 31009

CAMERON MANUFACTURING CO.

For H. H. Hobbs



**CAMERON**  
MANUFACTURING COMPANY

WHOLESALE MANUFACTURER AND DISTRIBUTOR OF CHESTNUT  
MILLS EQUIPMENT, METAL LATHES & FAN COILS  
PHONE 47-429 - CADWELL, GA. 31009

11159

64-1119  
612

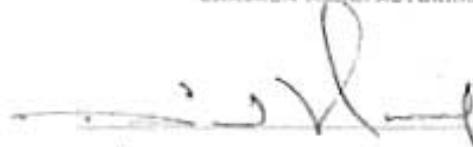
11-4 1977

PAY TO THE ORDER OF Congressman Billy Evans Re-Election Committee \$ 25<sup>00</sup>

25 00 DOLLARS

FARMERS STATE BANK  
CADWELL, GEORGIA 31009

CAMERON MANUFACTURING CO.



79040171895

Forest Services, Inc.

MACON, GEORGIA 31202

64-45  
612

THE CITIZENS & SOUTHERN NATIONAL BANK  
MACON, GEORGIA

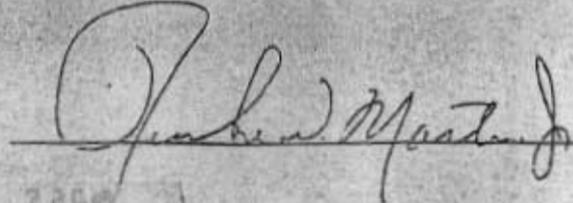
No 16649

DATE 3-24 1977

PAY 50 DOLS 00 CTS DOLLARS \$ 50<sup>00</sup>

TO THE  
ORDER OF

EVANS APPRECIATION DINNER



October 17, 1977

Forest Services, Inc.  
4600 Pio Nono Avenue  
Macon, Georgia 31206  
Att: Charles Bucher

Dear Mr. Bucher:

Enclosed is Forest Services, Inc. check #16649 payable to Evans Appreciation Dinner in the amount of \$50.00 about which we spoke today. Since federal regulations do not allow us to accept corporate contributions, we would appreciate your remitting with a personal check from the person making the contribution.

I regret this delay and hope this will not cause an inconvenience.

Yours very truly,

Volores W Iden

/s/  
Enclosure

79040171896

YARA ENGINEERING CORPORATION

P.O. BOX 28  
SANDERSVILLE, GEORGIA 31082

2108

04-111  
011

3-25 1977

PAY TO THE  
ORDER OF

Appreciation Dinner - Billy Evans \$ 50<sup>00</sup>/<sub>100</sub>

Fifty <sup>00</sup>/<sub>100</sub>

DOLLARS



FIRST STATE BANK  
WRENS, GEORGIA 30833

PETTY CASH

FOR Jim Maddox

John N. Smith

October 17, 1977

Yara Engineering Corporation  
P.O. Box 28  
Sandersville, Georgia 31082  
Attn: Mildred Denton

Dear Mrs. Denton:

Enclosed is Yara Engineering Corporation check #2108 payable to Appreciation Dinner-Billy Evans in the amount of \$50.00. Since federal regulations do not allow us to accept corporate contributions, we would appreciate your remitting with a personal check from the person making the contribution.

I regret the delay and hope this will not cause an inconvenience.

Yours very truly,

Dolores Malden

/dw  
Enclosure

*replaced with personal check.*

79910171897

SAM HALL & SONS, INC.

5432 TINKER DRIVE P O BOX 3429  
MACON, GEORGIA 31203

25860

3/25/77

19

64.45  
611

PAY TO THE ORDER OF Appreciation Dinner for Billy Evans

\$ 50.00

SAM HALL & SONS \$50 and 00 Cts

DOLLARS



The Citizens and Southern  
National Bank  
Macon, Georgia

SAM HALL & SONS, INC.

*John Lawrence*  
*Sam Hall Jr.*

FOR

025860 4:0611-00452 000 27 253

*returned Corporate checks*

*D-18-77*

October 17, 1977

Sam Hall & Sons, Inc.  
5432 Tinker Drive, P.O. Box 3429  
Macon, Georgia 31206  
Att: John Lawrence

Dear Mr. Lawrence:

Enclosed is Sam Hall & Sons, Inc. check #25360 payable to Appreciation Dinner for Billy Evans in the amount of \$50.00 about which we spoke today. Since federal regulations do not allow us to accept corporate contributions, we would appreciate your remitting with a personal check from the person making the contribution.

I regret this delay and hope this will not cause an inconvenience.

Yours very truly,

Dolores Wilden

/dw  
Enclosure

79040171898



# AMERICAN FEDERAL

*Savings and Loan Association*

JOHN W. RAMSEY  
PRESIDENT

October 8, 1976

Mr. Billy L. Evans  
Attorney at Law  
Oldham Building  
Mulberry Street  
Macon, Georgia 31201

Dear Billy:

Enclosed herewith please find the checks itemized below made payable to your campaign fund.

*Copy item* →

Phydan J. Ramsey (my wife)	-	\$100.00
Bob Lewis (tube swapped by 70)	-	100.00
International Realty (James Shaheen)	-	100.00
Helen S. Walker	-	75.00
Richard Lamb	-	25.00
TOTAL	-	\$400.00

Good luck in your campaign!

With kindest personal regards,

Yours very truly,

John W. Ramsey

JWR:gm

Enclosures: checks



AMERICAN FEDERAL BUILDING • P. O. BOX 1098 • MACON, GEORGIA 31202

PHONE

912 - 745-2391





BILLY EVANS  
Congressman, 9th District

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
'78 APR 27 PM 12:41 BOX 4993  
MACON, GEORGIA 31208

April 24, 1978

Ms. Anne A. Weissenborn  
Federal Election Commission  
Office of General Counsel  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Ms. Weissenborn,

Regarding the letter from Mr. Charles N. Steele of April 18, 1978, the following is response to the eight items suspected of being corporate funds.

In phone conversation with F.A. Jones, the Citizens Bank and Trust of Eastman, GA item in question (see item 1) #21694 is a bank draft by Citizens Bank and Trust on the First National Bank of Atlanta for the purpose of transmitting the cash contribution of Mr. Robert Bruce Jones, a graduate student at the University of Georgia, whose present address is Bishop, GA. It is common banking practice to use such an instrument for this purpose. Robert Bruce Jones was remiss in not indicating his name or address on the item, therefore the volunteers handling the recording and depositing of this item considered it to be a contribution of Citizens Bank and Trust and made a file card reporting it as such. Another person handling the deposits at the time, apparently aware of FEC regulations on corporate contributions, assumed the item to be a personal contribution by F.A. Jones, Jr., signor and officer of the bank.

In reference to The Farmers Bank of Douglas, this item is drawn against the personal checking account of Deway Hayes and was so recorded on the Committee's deposit slip of 11/16/76 (see item 2). One person recorded item in file as personal contribution of Mr. Hayes while another volunteer recorded it in another file as contribution of Farmers Bank, since that is the most prominent name on the check. These facts have been ascertained by phone call to the Farmers Bank of Douglas, GA bookkeeping department 4/20/78.

The other item drawn on the Farmers Bank of Douglas that could be in question is a cashier's check used for transmittal of various individual contributions from a function held in Douglas, GA. (see item 3). Individual names and contributions were duly recorded and reported on FEC quarterly reports.

106191901

In reference to Hudson & Marshall Properties in telephone conversation with Mr. Ben G. Hudson, we ascertained that Hudson & Marshall Properties is not a corporation, but a partnership of Ben G. Hudson and Mr. Asa Marshall. However upon careful examination of all contributions made personally or jointly by these two people, we did discover that one item (see Item 4) was in fact drawn against Hudson & Marshall's corporate account. Although it is not referred to in your letter of 4-18-78 this item would be a violation of #2 U.S.C.s441b(a) had we knowingly accepted it as such. It appears to us that one of our volunteer workers saw that Hudson & Marshall items had been accepted, but not knowing that either of the previous were personal or partnership, thought that this particular item was also acceptable.

To correct this matter, we have today forwarded a check for reimbursement.

In regards to International Realty (see Item 5), it was ascertained in a phone conversation with Ms. Nell Culpepper that the item was drawn against the account of a sole proprietorship, principal Mr. James Shaheen. International Realty was later incorporated. This contribution is therefore not a violation of 2 U.S.C.s441b(a).

In reference to item of Claussen Paving Company (see Item 6), it has been ascertained that this item was used for the purchase of tickets to a fund-raiser on 3-26-77. It was also ascertained that Claussen Paving is a corporation. Their check was accepted unknowingly and therefore does not represent a violation of 2 U.S.C.s441 b(a). A reimbursement check is being forwarded today.

In reference to the matter of Exchange Bank, Douglas, GA., we have talked with Mr. Ed Bolden, a bank officer. Mr. Bolden has researched his records and has informed us that this item is in fact corporate funds and not a transfer of personal funds by bank draft. This contribution was accepted unknowingly by volunteer workers. To correct this matter we have today forwarded a check for reimbursement to the Exchange Bank.

In reference to the contribution by Flowers Industries, we have ascertained that Flowers Industries is a corporation and that the funds were accepted unknowingly by local volunteers. To correct this matter we are today forwarding a check to reimburse these funds.

In reference to Big J Super Stores, Inc., Alma, GA., we did unknowingly accept a \$50.00 check in payment for two tickets to the Waycross Appreciation Dinner. We are today making a reimbursement of funds to them.

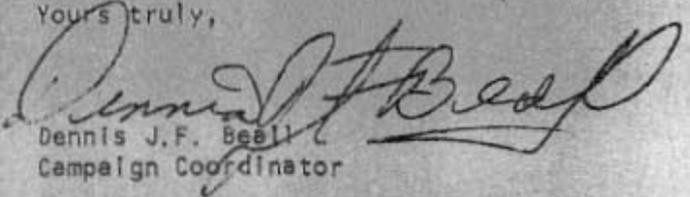
You will also find enclosed photostatic copies of certain items related to the return of corporate checks. In addition to the items documented by these copies, there were numerous other items returned during the period in question. In these cases instead of written communication we placed a personal call to a principal of the corporation for the purpose of explaining the regulations which required that we return their check. The use of phone calls avoided misunderstandings that could

79040171902

be construed as a refusal on our part to accept their kind generosity in support of the candidacy of Billy L. Evans.

It is our belief that the actions taken by us as stated in this letter would now put us in full compliance with 2 U.S.C. s441b(a) of FEC regulations.

Yours truly,



Dennis J.F. Beall  
Campaign Coordinator

DJFB/dw

Enclosures

cc: Mr. Robert Costa  
Mr. Patrick Parrish  
Congressman Billy L. Evans

79040-171903

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

**CERTIFIED**

**No. 975889**

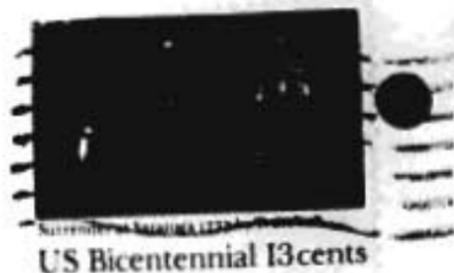
**MAIL**

RETURN RECEIPT

46  
85  
35  
46  
178 APR 21 12:39  
Ms. Anne A. Weissenborn  
Federal Election Commission  
Office of General Counsel  
1325 K Street, N.W.  
Washington, D.C. 20463

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208



Mr. Robert Costa  
Federal Election Commission Audit Division  
1325 K Street, N.W.  
Washington, D.C. 20463

7904017



BILLY LEE EVANS  
6th District, Georgia

204 Cannon House Office Building  
Washington, D.C. 20515  
Phone (202) 535-2251

COMMITTEE  
PUBLIC WORKS AND  
TRANSPORTATION

JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

**Congress of the United States**  
**House of Representatives**

Washington, D.C. 20515

April 27, 1978

*DOC 3374*  
*WHL*

OFFICE OFFICE  
207 FEDERAL BUILDING  
MARTA, GEORGIA 31405  
PHONE (202) 742-2922

205 COLLEGE STREET  
SAVANNAH, GEORGIA 31903  
PHONE (912) 374-7310

207 FEDERAL BUILDING  
MARTA, GEORGIA 31405  
PHONE (202) 742-2922

*Rec'd 4-28-78*

BY HAND

Mr. William C. Oldaker  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

RE: MUR 551(78)

Dear Mr. Oldaker:

In correspondence dated April 18, 1978, your office advised me and my principal campaign committee that you had found reason to believe the Federal Election Campaign Act of 1971, as amended, ("the Act"), had been violated by acceptance of a \$10,000 loan from Ms. Irene Capel, a \$5,000 loan from Mr. and Mrs. Glenn Gann, and acceptance of contributions from eight persons whom you alleged to be corporate entities. You requested we respond within ten (10) days with any factual or legal materials which we believe are relevant to the Commission's investigation.

I appreciate being advised of your initial findings. Neither I nor my Committee has knowingly violated the Act, and we have exercised good faith efforts to meet its complex technical requirements. We have not to our knowledge accepted any corporate contributions, and as your auditors know, have returned a number of contributions that we believed might be from corporate sources. Nor have we accepted any contributions which we believed to be in excess of the limits allowed by the Act. My Committee and I have begun to assemble the relevant materials for you to assist in your investigation. We intend to continue to cooperate fully, as we have done throughout the Commission's audit, so that this matter can be concluded expeditiously. However, I must respectfully request thirty (30) additional days to provide you with our response. This extension is necessary to allow

79040171906



James T. Shaheen / 2116 Riverside Dr. / Macon, Ga. 31204 / (912) 743-3487

APR 27 PM 12:33

April 24, 1978

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

*P02-203*

Attention: Mr. Charles N. Steele

To Whom It May Concern:

I have operated International Realty Company as a proprietorship since September 1, 1975 and registered my trade name International Realty Company with the Bibb County Court House on August 29, 1975.

Enclosed are copies of said registration and copy of check and bank statement the month prior to check and the month check was written showing International Realty Company as a proprietorship and First National Bank will verify same.

I hope this clears up any questions as to my violating the Federal Election Campaign Act of 1971.

Thank you for your consideration of this matter and may I please receive a response to this letter so that I may feel this matter is cleared up.

Best regards,

*James T. Shaheen*  
James T. Shaheen

JTS/msr

Enclosures

cc: Ms. Anne A. Weissenborn



79040171907

**GEORGIA, BIBB COUNTY:**

Personally appeared before me, James T. Shaheen

who on oath deposes and says that James T. Shaheen

Address 2116 Riverside Drive

and Macon, Georgia, 31204

Address \_\_\_\_\_

(is) doing business in Bibb County, Georgia at 2116 Riverside Drive, under  
(are)

the name and style of International Realty Company

The business to be carried on is real estate

This affidavit is made in accordance with Laws of the State of Georgia.

James T. Shaheen

Sworn to and subscribed before me

Filed in office

this 29th day of August 19 75

this 29 day of August 1975

Carol Ann Mattaway

Wm. D. [Signature]

Notary Public, Bibb County, Georgia

Clerk



79040171908

*Handwritten initials*

FEDERAL ELECTION COMMISSION

Checking account number - 2 pages

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |   |   |
|---|---|
| <input type="checkbox"/> (1) Classified Information   | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                                     | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute  | <input type="checkbox"/> (8) Banking Information                          |
| <input checked="" type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents   |   |

Signed Rose A. Werschenhan  
date 11/27/79

7190971909

70010171910

INTERNATIONAL REALTY COMPANY  
RESIDENTIAL SALES & EXCHANGE DIVISION  
2118 RIVERSIDE DRIVE  
MACON, GEORGIA 31204

0132

*Oct. 7*

19 *76*

64-47  
611

PAY TO THE  
ORDER OF

*Billy Evans Company*

\$ *100.00*

*One Hundred & 00/100*

DOLLARS



The First National Bank  
& Trust Company in Macon  
Macon, Georgia  
A Trust Company of Georgia Affiliate

*James S. Sheehan*

FOR

⑈00000 ⑈0000⑈

*PA*

THE FIRST NATIONAL BANK & TRUST COMPANY  
 IN MACON  
 MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION  
 MACON, GEORGIA 31208



STATEMENT OF THE ACCOUNT OF:

INTERNATIONAL REALTY COMPANY  
 2116 RIVERSIDE DRIVE  
 MACON, GEORGIA 31204

ACCOUNT NUMBER

02-32-67-8

DATE OF STATEMENT

SEP 30, 1976

CODES	
RT - RETURNED DEPOSIT ITEM	LP - LOAN PAYMENT
SP - STOP PAYMENT CHARGE	OC - OVERDRAFT CHARGE
DA - DEPOSIT ADJUSTMENT	EC - ERROR CORRECTION
IC - INSUFFICIENT CHARGE	EX - EXCHANGE CHARGE
SC - SERVICE CHARGE	AC - ANALYSIS CHARGE

NUMBER OF CHECKS PAID    NUMBER OF DEPOSITS

YOUR BALANCE FROM THE PREVIOUS STATEMENT

PLUS DEPOSITS OF

LESS CHECKS AND OTHER ITEMS PAID

PRESENT BALANCE

7 9 0 4 0 1 7 1 9

THE FIRST NATIONAL BANK & TRUST COMPANY  
 IN MACON  
 MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION  
 MACON, GEORGIA 31208



STATEMENT OF THE ACCOUNT OF

INTERNATIONAL REALTY COMPANY  
 2116 RIVERSIDE DRIVE  
 MACON, GEORGIA 31204

ACCOUNT NUMBER

DATE OF STATEMENT

OCT 29, 1976

CODES	
RT - RETURNED DEPOSIT ITEM	LP - LOAN PAYMENT
SP - STOP PAYMENT CHARGE	OC - OVERDRAFT CHARGE
DA - DEPOSIT ADJUSTMENT	EC - ERROR CORRECTION
IC - INSUFFICIENT CHARGE	EX - EXCHANGE CHARGE
SC - SERVICE CHARGE	AC - ANALYSIS CHARGE

NUMBER OF CHECKS PAID    NUMBER OF DEPOSITS

YOUR BALANCE FROM THE PREVIOUS STATEMENT

PLUS DEPOSITS OF

LESS CHECKS AND OTHER ITEMS PAID

PRESENT BALANCE

*Handwritten mark*

19010171912

International Realty Company



James T. Shaheen

2116 Riverside Drive • Macon, Georgia 31204  
912-743-3487

Attention: Mr. Charles N. Steele

Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U. S. House of Representatives  
Washington, D. C.

RE: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting a \$10,000 loan from Ms. Irene Capel, an amount which exceeds the \$1,000 per election limitation for contributions for individuals set forth in 2 U.S.C. §441a(a)(1)(A). Knowing acceptance of such a contribution constitutes a violation of 2 U.S.C. §441a(f).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the



700 0171913

Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Enclosed are copies of letters being sent to other persons involved with apparent violations of the Act which are being covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Charles N. Steele  
Associate General Counsel

700 0171914

75 (Rev. 10-15-73)

*BW 551*

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on verso.

1. The following service is requested (check one):

- Show to whom and date delivered. \_\_\_\_\_
- Show to whom, date, and address of delivery. \_\_\_\_\_
- RESTRICTED DELIVERY Show to whom and date delivered. \_\_\_\_\_
- RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*The Honorable Billy L. Coons  
U.S. House of Representatives  
Washington, D.C. F4*

3. ARTICLE DESCRIPTION:  
REGISTERED NO. \_\_\_\_\_ CERTIFIED NO. *943701* INSURED NO. \_\_\_\_\_

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent  
*S. Ellis*

4. DATE OF DELIVERY \_\_\_\_\_

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

POSTMARK  
APR 19 1978

CLERK'S INITIALS \_\_\_\_\_

© 1973 USPS - D-234-327



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U. S. House of Representatives  
Washington, D. C.

RE: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting a \$10,000 loan from Ms. Irene Capel, an amount which exceeds the \$1,000 per election limitation for contributions for individuals set forth in 2 U.S.C. §441a(a)(1)(A). Knowing acceptance of such a contribution constitutes a violation of 2 U.S.C. §441a(f).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the



72010171915

Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Enclosed are copies of letters being sent to other persons involved with apparent violations of the Act which are being covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Enclosures

79010171916



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer, Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

RE: MUR 551(78)

Dear Mr. James,

This letter is to inform you that the Federal Election Commission has found reason to believe that the Evans for Congress Campaign Fund Committee violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that the Committee accepted contributions from eight corporate entities, these being Big J Super Stores, Inc., Citizens Bank and Trust Company, Claussen Paving Company, the Exchange Bank, the Farmers Bank, Flowers Industries, Hudson and Marshall Properties, and International Realty Company. Knowing acceptance of a corporate contribution constitutes a violation of 2 U.S.C. §441b(a).

In addition, the Commission has found reason to believe that the Committee knowingly accepted contributions from individuals in excess of the \$1000 per election limitation set forth in 2 U.S.C. §441a(a)(1)(A), thus placing the Committee in violation of 2 U.S.C. §441a(f). The first such contribution involved a loan in the amount of \$10,000 extended to Mr. Billy L. Evans and to the Committee by Ms. Irene Capel, and the second involved a \$5000 loan received from Joan and Glenn Gann.



79010171917

Under the act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

Charles N. Steele  
Associate General Counsel

cc: The Honorabel Billy L. Evans

7 9 0 1 0 1 7 1 9 1 9

AW 051

SEND: Complete this form and RETURN TO: space on envelope.

1. The following service is requested (check one):  
 Show to whom and date delivered.  
 **RESTRICTED DELIVERY**  
 Show to whom, date, and address of delivery.  
 **RESTRICTED DELIVERY.**  
 Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
 John F. Garcia  
 2034 Waverly Ave.  
 Waco, TX 76788

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. 913697 CERTIFIED NO. INSURED NO.

Always obtain signature of addressee or agent.  
 I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 DATE OF DELIVERY 4-20-78 POSTMARK  
 ADDRESS Complete only if requested  
 451 E. 17th St.  
 Waco TX 76788

UNABLE TO DELIVER BECAUSE: COMPLETE DETAILS

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

W 80 107-0-114-87



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer, Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

RE: MUR 551(78)

Dear Mr. James,

This letter is to inform you that the Federal Election Commission has found reason to believe that the Evans for Congress Campaign Fund Committee violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that the Committee accepted contributions from eight corporate entities, these being Big J Super Stores, Inc., Citizens Bank and Trust Company, Claussen Paving Company, the Exchange Bank, the Farmers Bank, Flowers Industries Hudson and Marshall Properties, and International Realty Company. Knowing acceptance of a corporate contribution constitutes a violation of 2 U.S.C. §441b(a).

In addition, the Commission has found reason to believe that the Committee knowingly accepted contributions from individuals in excess of the \$1000 per election limitation set forth in 2 U.S.C. §441a(a)(1)(A), thus placing the Committee in violation of 2 U.S.C. §441a(f). The first such contribution involved a loan in the amount of \$10,000 extended to Mr. Billy L. Evans and to the Committee by Ms. Irene Capel, and the second involved a \$5000 loan received from Joan and Glenn Gann.



79010171919

Under the act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010171920



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 507  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation for contributions from individuals set forth in 2 U.S.C. §441a(a)(1)(A). The contribution in question is the loan of \$10,000 which you made to Mr. Evans and his Committee by means of a check which was initially made payable to Mrs. Billy Evans, then endorsed to Mr. Evans and deposited in the Committee's account. We have numbered this matter MUR 551.

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

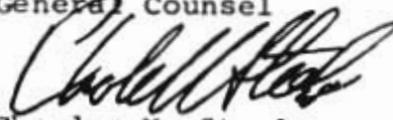


70010171921

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel



Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

AW 551

PS Form 3811, Nov. 1977

1. The following service is requested (check one)

Show to whom and date delivered.

Show to whom, date, and address of delivery.

RESTRICTED DELIVERY  
Show to whom and date delivered.

RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Mrs Irene Copel  
P.O. Box 507  
Leeds, Alabama.

3. ARTICLE DESCRIPTION:  
REGISTERED NO. 443706 CERTIFIED NO. INSURED NO.

(Always retain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized Agent  
Don E. Copel

DATE OF DELIVERY  
APR 20 1978

4. ADDRESS (Complete only if required)

5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

LEADS 8161 APR 20 1978

© 1977-1978

7 0 0 1 0 1 7 1 9 2 2



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 507  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation for contributions from individuals set forth in 2 U.S.C. §441a(a)(1)(A). The contribution in question is the loan of \$10,000 which you made to Mr. Evans and his Committee by means of a check which was initially made payable to Mrs. Billy Evans, then endorsed to Mr. Evans and deposited in the Committee's account. We have numbered this matter MUR 551.

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



77010171923

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

70010171924



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joan and Glenn Gann  
P.O. Box 1175  
Hampton, Georgia

Re: MUR 551(78)

Dear Mr. and Mrs. Gann,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation regarding contributions from individuals set forth in 2 U.S.C. §441a (a)(1)(A). The contribution in question is the loan of \$5000 which you made jointly to the Committee on August 27, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

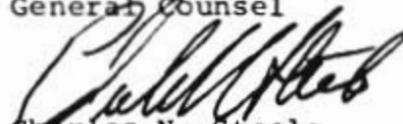


70010171925

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel



Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

72001071925

AW 031

75 Form 3811, Mar. 1977

NOTE: Complete items 1, 2, and 3. Add your address to the "RETURN TO" space on cover.

1. The following service is requested (check one):

Show to whom and date delivered

Show to whom, date, and address of delivery

RESTRICTED DELIVERY  
Show to whom and date delivered

RESTRICTED DELIVERY  
Show to whom, date, and address of delivery

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
Joant Allen Bann  
P.O. Box 1175  
Hampton, Georgia

3. ARTICLE DESCRIPTION

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943698	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*Joant Allen Bann*

DATE OF DELIVERY  
4-22-78

POSTMARK

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS  
*LM*

© 1977 - 375 - 0-334-007



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joan and Glenn Gann  
P.O. Box 1175  
Hampton, Georgia

Re: MUR 551(78)

Dear Mr. and Mrs. Gann,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation regarding contributions from individuals set forth in 2 U.S.C. §441a (a)(1)(A). The contribution in question is the loan of \$5000 which you made jointly to the Committee on August 27, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



79040171927

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010171928



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Claussen Paving Company  
P.O. Drawer  
Macon, Georgia 31202

Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$100 on March 31, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

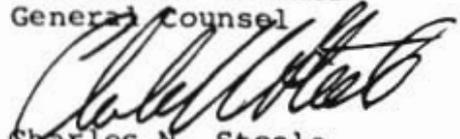


790 10171927

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel



Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

7 9 0 1 0 1 7 1 9 3 0

AW 357

79 APR 21 1978

1. The following service is requested (check one)

Show to whom and date delivered

Show to whom, date, and address of delivery

RESTRICTED DELIVERY  
Show to whom and date delivered

RESTRICTED DELIVERY  
Show to whom, date, and address of delivery

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
President  
Clausen Savings Co.  
PO Drawer  
Blackshear, Georgia 31202

3. ARTICLE DESCRIPTION:  
REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
943699

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent  
James A. Overton

4. DATE OF DELIVERY  
4-21-78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

APR 21 1978

POSTMARK

POSTMAN'S INITIALS  
RB

U.S. MAIL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Claussen Paving Company  
P.O. Drawer  
Macon, Georgia 31202

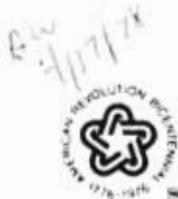
Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$100 on March 31, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



-2-

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79040171932



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
International Realty Company  
2116 Riverside Drive  
Macon, Georgia 31204

Re: 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a campaign contribution to the Evans for Congress Campaign Fund Committee in the sum of \$100 on October 7, 1976. We have numbered this matter MUR 551(78).

Under the Act you have the opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

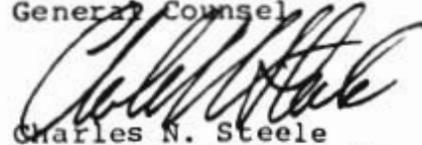


79010171933

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel



Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

7 2 0 1 0 1 7 1 9 3 4

PS Form 3811, Apr. 1977

1. The following service is requested (check one):  
 Show to whom and date delivered  
 Show to whom, date, and address of delivery  
 RESTRICTED DELIVERY  
 Show to whom and date delivered  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 President  
 International Realty Company  
 2116 Riverside Dr  
 Mason, MA 01904

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943703

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY  
 APR 22 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

POSTMARK  
 APR 22 1978  
 MA 01904

7. SENDER'S INITIALS  
 W.C.O.

8. ADDRESSEE'S INITIALS  
 B.L.E.

9. POSTAGE PAID BY ADDRESSEE

10. RETURN TO SENDER (Check one)  
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 Yes  No



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
International Realty Company  
2116 Riverside Drive  
Macon, Georgia 31204

Re: 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a campaign contribution to the Evans for Congress Campaign Fund Committee in the sum of \$100 on October 7, 1976. We have numbered this matter MUR 551(78).

Under the Act you have the opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



70010171935

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010171936



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

April 18, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Hudson and Marshall Properties  
3683 Huston Avenue  
Macon, Georgia

Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$200 on October 14, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



79040171937

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

Charles N. Steele  
Associate General Counsel

cc: The Honorable Billy L. Evans

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PS Form 3811, Apr. 1977

1. The following service is requested (check one):

Show to whom and date delivered.

Show to whom, date, and address of delivery.

RESTRICTED DELIVERY  
Show to whom and date delivered.

RESTRICTED DELIVERY  
Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
President  
Hudson + Marshall Properties  
3693 Houston Ave.  
Macon, GA

3. ARTICLE DESCRIPTION:  
REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
| 943693 |

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent  
Hudson + Marshall  
Charlotte, NC

DATE OF DELIVERY  
4-21-78

4. ADDRESS (Complete only if requested)  
ONE BACONSFIELD  
PARK MACON GA 31206

5. UNABLE TO DELIVER BECAUSE

POSTMARK  
MAY 19 1978  
Macon, GA

6. INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Hudson and Marshall Properties  
3683 Huston Avenue  
Macon, Georgia

Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$200 on October 14, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



79040171939

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

72010171940

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Mr. Billy L. Evans, )  
Evans for Congress Campaign )  
Fund Committee, )  
Ms. Irene Capel, )  
Claussen Paving Company, )  
Ms. Joan Gann, )  
Mr. Glenn Gann, )  
Hudson and Marshall Properties, )  
International Realty Company )

MUR 551

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 13, 1978, the Commission approved the General Counsel's recommendation to take the following actions in the above-captioned matter:

1. Find reason to believe that the Evans for Congress Campaign Fund Committee is in violation of 2 U.S.C. Section 441a(f) by having knowingly accepted contributions from individuals in excess of \$1,000 per election, and of 2 U.S.C. Section 441b(a) by having knowingly accepted corporate contributions.
2. Find reason to believe that Mr. Billy L. Evans has violated 2 U.S.C. Section 441a(f) by having knowingly accepted a contribution from an individual in excess of \$1,000 per election. (Ms. Capel's contribution)
3. Find reason to believe that the Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties have violated 2 U.S.C. Section 441b(a) by having made corporate contributions to the Committee.
4. Find reason to believe that Mr. Glenn Gann and Mrs. Joan Gann have violated 2 U.S.C. Section 441a(a)(1)(A) by having made a loan to the Committee in excess of their respective \$1,000 limitations for individual contributions per election.

Continued.

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5. Find reason to believe that Ms. Irene Capel has violated 2 U.S.C. Section 441a(a)(1)(A) by having made a loan to the Committee and candidate in excess of the \$1,000 limitation for individual contributions per election.
6. Send letters attached to the General Counsel's report.

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary to the Commission

Date: April 14, 1978

General Counsel's Report dated:  
Received in Office of Commission Secretary:  
Circulated on 24 hour no-objection basis  
Objection filed March 31, 1978  
Meeting Agenda of April 13, 1978 - Approved.

March 30, 1978  
March 30, 1978 at 12:46  
March 30, 1978 at 4:00

72040171942



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

March 31, 1978

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
SUBJECT: OBJECTIONS

The following MURs circulated on a 24 hour no-objection basis have received objections from Commissioner Tiernan:

MUR 525 (78) - 1st GC Report dated 3-30-78  
MUR 527 (78) - 1st GC Report dated 3-30-78  
MUR 530 (78) - 1st GC Report dated 3-30-78  
MUR 536 (78) - 1st GC Report dated 3-30-78  
MUR 541 (78) - 1st GC Report dated 3-30-78 re-circulated 3-31-78  
MUR 551 (78) - 1st GC Report dated 3-30-78

These items have been placed on the Executive Session  
Agenda for April 6, 1978

March 30, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached 7 day report on MUR 551 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

79040171944

FEDERAL ELECTION COMMISSION

1325 K Street, N. W.  
Washington, D. C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION

MAR 30 1978

MUR # 551

STAFF  
MEMBER Weissenborn

COMPLAINANT'S NAME: Internally-generated (Audit) -  
See Attachment II

RESPONDENTS' NAMES: Mr. Billy L. Evans  
Evans for Congress Campaign  
Fund Committee  
Ms. Irene Capel  
Claussen Paving Company  
Ms. Joan Gann  
Mr. Glenn Gann  
Hudson and Marshall Properties  
International Realty Company

RELEVANT STATUTE: 2 U.S.C. §441a(a)(1)(A)  
2 U.S.C. §441a(f)  
2 U.S.C. §441b(a)

SUMMARY OF ALLEGATIONS

During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee"), evidence was found of contributions having been accepted from eight corporations. Three of these contributions were in the sums of \$100 or more, the corporations involved being Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties. These corporate

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contributions represent apparent violations of 2 U.S.C. §441b(a) on the part of the Committee and of the above three business entities.

The auditors also found that the Committee and the candidate had received a loan of \$15,000 from one private contributor and that the Committee had accepted a jointly made loan of \$5,000 from two other contributors. These transactions would place the contributors in apparent violation of 2 U.S.C. §441a(a)(1)(A) and the Committee and candidate in violation of 2 U.S.C. §441a(f).

PRELIMINARY LEGAL ANALYSIS

1. Corporate contributions

2 U.S.C. §441b(a) prohibits the making and knowing acceptance of corporate contributions with respect to elections for Federal office. Here the auditors discovered evidence of eight apparent corporate contributions. Included in these were a \$100 contribution from the Claussen Paving Company received on March 13, 1976, a \$100 contribution made by the International Realty Company on October 7, 1976, and a \$200 contribution made by Hudson and Marshall Properties on October 14, 1976. The auditors report that Committee officials admit being aware that contributions from corporations had been accepted. No evidence has been provided that reimbursements have been made by the Committee.

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2. Excess contributions

2 U.S.C. §441a(a)(1)(A) limits contributions from individuals to \$1,000 per election, while 2 U.S.C. §441a(f) requires that candidates and committees not knowingly accept contributions in excess of statutory limitations. Loans are considered contributions for purposes of the Act.

Here the auditors found evidence of two loans having been received from three individuals, each of whom thereby exceeded his or her contribution limitations. In the first instance, Ms. Irene Capel wrote a check payable to Mrs. Billy L. Evans, wife of the candidate, in the sum of \$10,000; the check was dated August 13, 1976. Mrs. Evans endorsed the check to Billy Evans, the candidate, and the check was then deposited into the Committee's account on August 19, 1976. (See Attachment I.) The loan plus interest was repaid in two installments, the first in the amount of \$5,000 on June 30, 1977, having been paid by the Evans for Congress Campaign Fund Committee and the second in the amount of \$5,750.69 having been paid by the Congressman Billy Evans Re-Election Committee on August 12, 1977.

By making this loan Ms. Capel apparently exceeded her contribution limit by \$9,000. The Committee has provided a listing of ten individuals who, it reports, acted

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as guarantors of this loan, each guarantee having been limited to \$1,000. No loan agreement bearing such guarantor signatures has been produced, nor has any other supporting documentation. However, even if such guarantees existed, the total amount of the loan would be charged to Ms. Capel's contribution limits. Her loan does not fall within the exception made for loans from national and state banks set forth in 2 U.S.C. §431(e)(5)(G). Therefore, Ms. Capel is in violation of 2 U.S.C. §441a(a)(1)(A) for having made a loan in excess of contribution limitations and the Committee is in violation of 2 U.S.C. §441a(f) for having accepted that excessive contribution. Because the check was originally made payable to the candidate's wife and then endorsed to the candidate, he also is in apparent violation of 2 U.S.C. §441a(f) for having knowingly accepted the contribution.

In the second loan situation, Joan and Glenn Gann lent to the Committee the sum of \$5,000, a figure which places each of the two creditors in excess of their respective \$1,000 contribution limitations. The loan was made on August 27, 1976, and was repaid by the Committee on May 16, 1977. The Committee's records contain the loan agreements and a list of five individual guarantors. Again, the presence of guarantors does not diminish the portions of the loan charged to the Ganns' contributions limits.

RECOMMENDATIONS

1. Find reason to believe that the Evans for Congress Campaign Fund Committee is in violation of 2 U.S.C. §441a(f) by having knowingly accepted contributions from individuals in excess of \$1,000 per election, and of 2 U.S.C. §441b(a) by having knowingly accepted corporate contributions.

2. Find reason to believe that Mr. Billy L. Evans has violated 2 U.S.C. §441a(f) by having knowingly accepted a contribution from an individual in excess of \$1,000 per election. (Ms. Capel's contribution.)

3. Find reason to believe that the Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties have violated 2 U.S.C. §441b(a) by having made corporate contributions to the Committee.

4. Find reason to believe that Mr. Glenn Gann and Mrs. Joan Gann have violated 2 U.S.C. §441a(a)(1)(A) by having made a loan to the Committee in excess of their respective \$1,000 limitations for individual contributions per election.

5. Find reason to believe that Ms. Irene Capel has violated 2 U.S.C. §441a(a)(1)(A) by having made a loan to the Committee and candidate in excess of the \$1,000 limitation for individual contributions per election.

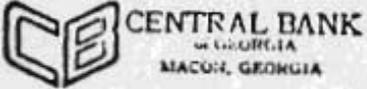
6. Send attached letters.

79010171949

850 GEORGIA POWER BUILDING  
ATLANTA 31201

DATE

3/14 1976  
ALL ITEMS ARE SUBJECT TO THE BANK'S CREDIT POLICY AND THE PROVISIONS OF THE FEDERAL RESERVE ACT AND OTHER FEDERAL LAWS WHICH APPLY TO THE MONEY MARKET AND TO THE BANK. ALL CREDIT ITEMS ARE PROVISIONAL UNTIL COLLECTED.



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PLEASE PRINT IF ADDITIONAL CHECKS ON REVERSE SIDE  
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79040171950

THE CITIZENS BANK OF LEEDS

LEEDS, ALABAMA  
8-13-76

No 44956

61-591  
622

PAY TO THE ORDER OF Mrs. BILLY L. EVANS \$10,000.00

THE CITIZENS BK. LEEDS, ALA. \$10000 AND 00 CTS DOLLARS

CASHIER'S CHECK  
THIS CASHES

*W. R. [Signature]*  
AUTHORIZED SIGNATURE

⑆0622⑆0593⑆

7 9 2y 4 2m 6021 of B117 Evans

Mrs. Billy Evans

Line numbers 25 and/or 26 of F20 Form 3

LINE NUMBER 27  
 (Use separate schedules for each numbered line)

Section Commission  
 Street, N.W.  
 Atlanta, Ga. 30333

(See instructions on back)

Name of Contributor or Committee	Date (month, day, year)	Amount of Original Debt, Contract, Assignment, or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
<b>Event for General Campaign Fund</b>				
Full Name, mailing address and ZIP code, and nature of obligation The Farmers Bank of Tifton Tifton, Ga.	5/18/76 7/14/76	\$ 15,000.00 15,000.00	\$	\$ 15,000.00 15,000.00
Full Name, mailing address and ZIP code, and nature of obligation The Central Bank 756 Poplar St. Macon, Ga. 31201	8/5/76 8/20/76	\$ 5,000.00 15,000.00	\$ 5,000.00	\$ 0 15,000.00
Full Name, mailing address and ZIP code, and nature of obligation Joan & Glenn Gann * P.O. Box 1175 Hampton, Ga.	8/27/76	\$ 5,000.00	\$	\$ 5,000.00
Full Name, mailing address and ZIP code, and nature of obligation Irene Capel * P.O. Box 507 Leeds, Ala.	8/13/76	\$ 10,000.00	\$	\$ 10,000.00
Full Name, mailing address and ZIP code, and nature of obligation *Fully Guaranteed by Guarantors		\$	\$	\$
Full Name, mailing address and ZIP code, and nature of obligation		\$	\$	\$
Full Name, mailing address and ZIP code, and nature of obligation		\$	\$	\$
Full Name, mailing address and ZIP code, and nature of obligation		\$	\$	\$
Total (Sum of this page (optional))		\$ 65,000.00	\$ 5,000.00	\$ 60,000.00

79017193

5/11/76

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## FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

March 9, 1978

MEMORANDUM

TO: WILLIAM OLDAKER

THROUGH: ORLANDO B. POTTER *OB.P.*

FROM: *RC* ROBERT J. COSTA/PATRICK PARRISH *PAP*

SUBJECT: MATTERS NOTED DURING THE AUDIT OF THE EVANS FOR  
CONGRESS CAMPAIGN FUND COMMITTEE

A. Acceptance of Corporate Contributions

During our examination of the Evans for Congress Campaign Fund Committee, we found that the Committee had accepted 22 contributions from business entities. Eight (8) of those, totalling \$625.00, were received from entities we determined to be incorporated through verification with the Secretary of State. Two (2) of these contributions are in excess of \$100; the remainder are in various amounts of \$100 or less. Six (6) of the contributions were received at various times between March and November 1976, while the two (2) remaining contributions were received in April, 1977.

Committee officials stated they were aware that some of the contributions were from corporations. They stated that attempts had been made to return the contributions but it was difficult to obtain individual contributions in exchange for corporate contributions. However, as of the close of our field work, none of the contributions had been returned.

As noted above, it appears the Committee knowingly accepted corporate contributions and has retained them over a considerable period of time. Therefore, we refer this matter to your office for further consideration.



70010171953

B. Contributions in Excess of the Limitations

Committee records show the receipt of a loan of \$10,000.00 from an individual and a loan of \$5,000.00 from two individuals. One (1) loan of \$10,000.00 from Ms. Irene Capel was received on August 13, 1976. Committee records show Ms. Capel's check is made payable to Mrs. Billy L. Evans. The check was subsequently endorsed to Billy Evans (Candidate) and deposited to the Committee bank depository on August 19, 1976 (see Attachment I). Committee records show subsequent repayment of the loan in two (2) installments; \$5,000.00 on June 30, 1977 and \$5,750.69 (including \$750.69 interest) on August 12, 1977.

The Committee reported ten (10) individuals as guarantors of the loan and retains the same listing in its records (see Attachment II). However, we found no evidence of any loan agreement or the guarantors signatures for the loan.

The remaining loan of \$5,000.00 was received on August 27, 1976 from Joan and Glenn Gann. Committee records contain a loan agreement and a list of five (5) individual guarantors in support of this loan. This loan (including interest of \$291.51) was repaid by the Committee on May 16, 1977, in the amount of \$5,291.51.

All transactions involving these two (2) loans are itemized on Committee reports as required (see Attachment III).

As noted above, it appears the contribution limitations have been exceeded in the first instance by \$9,000.00, and in the second instance by \$1,500.00 for each of the two (2) individual contributors. Therefore, we refer this matter to your office for further consideration.

Should you have any questions concerning these matters, please contact Patrick Parrish on extension 3-4155.

Attachments as stated

79010171954



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U. S. House of Representatives  
Washington, D. C.

RE: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting a \$10,000 loan from Ms. Irene Capel, an amount which exceeds the \$1,000 per election limitation for contributions for individuals set forth in 2 U.S.C. §441a(a)(1)(A). Knowing acceptance of such a contribution constitutes a violation of 2 U.S.C. §441a(f).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the



7 9 0 4 0 1 7 1 9 5 5

Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Enclosed are copies of letters being sent to other persons involved with apparent violations of the Act which are being covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Enclosures

7 2 0 1 0 1 7 1 9 5 6



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer, Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

RE: MUR 551(78)

Dear Mr. James,

This letter is to inform you that the Federal Election Commission has found reason to believe that the Evans for Congress Campaign Fund Committee violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that the Committee accepted contributions from eight corporate entities, these being Big J Super Stores, Inc., Citizens Bank and Trust Company, Claussen Paving Company, the Exchange Bank, the Farmers Bank, Flowers Industries, Hudson and Marshall Properties, and International Realty Company. Knowing acceptance of a corporate contribution constitutes a violation of 2 U.S.C. §441b(a).

In addition, the Commission has found reason to believe that the Committee knowingly accepted contributions from individuals in excess of the \$1000 per election limitation set forth in 2 U.S.C. §441a(a)(1)(A), thus placing the Committee in violation of 2 U.S.C. §441a(f). The first such contribution involved a loan in the amount of \$10,000 extended to Mr. Billy L. Evans and to the Committee by Ms. Irene Capel, and the second involved a \$5000 loan received from Joan and Glenn Gann.



70010171957

Under the act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79040171958



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 507  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation for contributions from individuals set forth in 2 U.S.C. §441a(a)(1)(A). The contribution in question is the loan of \$10,000 which you made to Mr. Evans and his Committee by means of a check which was initially made payable to Mrs. Billy Evans, then endorsed to Mr. Evans and deposited in the Committee's account. We have numbered this matter MUR 551.

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



70010171959

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

70010171960



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Joan and Glenn Gann  
P.O. Box 1175  
Hampton, Georgia

Re: MUR 551(78)

Dear Mr. and Mrs. Gann,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") in excess of the \$1000 per election limitation regarding contributions from individuals set forth in 2 U.S.C. §441a (a)(1)(A). The contribution in question is the loan of \$5000 which you made jointly to the Committee on August 27, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g (a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



72010171951

-2-

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010171962



This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

70010171964



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Hudson and Marshall Properties  
3683 Huston Avenue  
Macon, Georgia

Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$200 on October 14, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



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This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

700 10171966



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

President  
Claussen Paving Company  
P.O. Drawer  
Macon, Georgia 31202

Re: MUR 551(78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company has violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a corporate contribution to the Evans for Congress Campaign Fund Committee in the sum of \$100 on March 31, 1976. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.



70010171957

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

72010171959



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

March 9, 1978

MEMORANDUM

TO: WILLIAM OLDAKER

THROUGH: ORLANDO B. POTTER *OBP*

FROM: *RC* ROBERT J. COSTA/PATRICK PARRISH *PAP*

SUBJECT: MATTERS NOTED DURING THE AUDIT OF THE EVANS FOR CONGRESS CAMPAIGN FUND COMMITTEE

A. Acceptance of Corporate Contributions

During our examination of the Evans for Congress Campaign Fund Committee, we found that the Committee had accepted 22 contributions from business entities. Eight (8) of those, totalling \$625.00, were received from entities we determined to be incorporated through verification with the Secretary of State. Two (2) of these contributions are in excess of \$100; the remainder are in various amounts of \$100 or less. Six (6) of the contributions were received at various times between March and November 1976, while the two (2) remaining contributions were received in April, 1977.

Committee officials stated they were aware that some of the contributions were from corporations. They stated that attempts had been made to return the contributions but it was difficult to obtain individual contributions in exchange for corporate contributions. However, as of the close of our field work, none of the contributions had been returned.

As noted above, it appears the Committee knowingly accepted corporate contributions and has retained them over a considerable period of time. Therefore, we refer this matter to your office for further consideration.

70010171969



B. Contributions in Excess of the Limitations

Committee records show the receipt of a loan of \$10,000.00 from an individual and a loan of \$5,000.00 from two individuals. One (1) loan of \$10,000.00 from Ms. Irene Capel was received on August 13, 1976. Committee records show Ms. Capel's check is made payable to Mrs. Billy L. Evans. The check was subsequently endorsed to Billy Evans (Candidate) and deposited to the Committee bank depository on August 19, 1976 (see Attachment I). Committee records show subsequent repayment of the loan in two (2) installments; \$5,000.00 on June 30, 1977 and \$5,750.69 (including \$750.69 interest) on August 12, 1977.

The Committee reported ten (10) individuals as guarantors of the loan and retains the same listing in its records (see Attachment II). However, we found no evidence of any loan agreement or the guarantors signatures for the loan.

The remaining loan of \$5,000.00 was received on August 27, 1976 from Joan and Glenn Gann. Committee records contain a loan agreement and a list of five (5) individual guarantors in support of this loan. This loan (including interest of \$291.51) was repaid by the Committee on May 16, 1977, in the amount of \$5,291.51.

All transactions involving these two (2) loans are itemized on Committee reports as required (see Attachment III).

As noted above, it appears the contribution limitations have been exceeded in the first instance by \$9,000.00, and in the second instance by \$1,500.00 for each of the two (2) individual contributors. Therefore, we refer this matter to your office for further consideration.

Should you have any questions concerning these matters, please contact Patrick Parrish on extension 3-4155.

Attachments as stated

79040171970



7 9 21 4 use of 027 of Bily Evans

*Mrs. Bily Evans*

Guarantors on August 13, 1976 Note from Billy L. Evans to Irene Capel for \$10,000.00

Don A. Barnette  
121 Governors Drive  
Forest Park, GA 30050  
Vice President  
A & W Bricks, Inc.

Barbara Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214  
Accounting Clerk  
Market Grocery Company

Wallace L. Wilson  
4795 Tanglewood Lane  
Forest Park, GA 30050  
President  
W.D.W. Kitchens

A. S. Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214  
Load Planner  
United Air Lines

Glenda S. Harrah  
4764 Manse Drive  
Forest Park, GA 30050  
Bookkeeper  
Chamblee Building Materials, Inc.

Alice Smith  
4609 Richard Road  
Conley GA 30027  
Accounting Clerk  
Market Grocery Company

John M. Daher  
4692 Tara Woods Blvd.  
Ellenwood, GA.  
President  
Shurway Company

William T. Peoples  
1433 Graceland Court  
Morrow GA 30260  
Sales Manager  
Standard Oil Company

J. A. Lowery  
2555 Fox Hall Lane  
College Park, GA 30334  
Secretary  
Johnson & Marter, Attys. at Law

Billye R. Peoples  
1433 Graceland Court, Morrow, GA  
Housewife  
Morrow GA 30260

The above Guarantors are limited to \$1,000.00 each.

AUDITORS NOTE: The Above is the List maintained in Committee Records of identification of GUARANTORS ON LOAN FROM IRENE CAPEL. We found NO evidence of GUARANTORS SIGNATURES OR LOAN AGREEMENT

ppp

72040171973



CONTRIBUTORS TO CAMPAIGN  
Numbers 10, 11, 12 and 16 of FED Form 3  
(See instructions on back)

(Use separate schedules for each numbered line)

Name of Committee or Candidate  
**Excess for Campaign Fund**

Full name, mailing address and ZIP code Central Bank 150 Poplar St. Macon, Ga. 31201	(See attached schedule for listing of guarantors)	Date (month, day, year) 8/26/76	Amount of cash received this period 15,000.00
Principal place of business	Occupation Bank loan		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

Full name, mailing address and ZIP code John & Glenn Gann P.O. Box 1175 Lawson, Ga.	This loan is fully guaranteed by 5 guarantors-see attached listing	Date (month, day, year) 8/27/76	Amount of cash received this period 5,000.00
Principal place of business Market Groc. Co Forest Park, Ga.	Occupation Loan		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

Full name, mailing address and ZIP code Irene Copel P.O. Box 507 Leeds, Ala.	This loan is fully guaranteed by 10 guarantors-see attached listing	Date (month, day, year) 8/27/76	Amount of cash received this period 10,000.00
Principal place of business Goldroes Leeds, Ala	Occupation Loan		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

Full name, mailing address and ZIP code		Date (month, day, year)	Amount of cash received this period
Principal place of business	Occupation		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

Full name, mailing address and ZIP code		Date (month, day, year)	Amount of cash received this period
Principal place of business	Occupation		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

Full name, mailing address and ZIP code		Date (month, day, year)	Amount of cash received this period
Principal place of business	Occupation		
<input type="checkbox"/> Check if Contributor is self-employed			
Applicable Year to date			

\* Amount of cash received this campaign period

Total the period that you list (line number only)

7904071975

8/17 - 8/30/76

Guarantors on August 27, 1976 Note from Billy L. Evans to Joan & Glenn Gann For \$5,000.00

	SIGNATURES IN FILE & REVIEWED	AMOUNT GUARANTEED
Charles Autrell Vallery 2555 Foxhall Lane College Park, GA 30334 Salesman Market Grocery Company	- OK -	\$1,000
Korman Lewis 175 Harold Drive Athens, GA 30601 Salesman Pops Famous Foods	- OK -	1,000
Bob A. Earnette 5582 Jonesboro Road Lake City, GA Purchasing Agent Market Grocery Company	- OK -	1,000
Fred R. McDonald 1429 Graveland Court Warner GA 30150 Mechanic Raymond Services, Inc.	OK	\$1,000
J. Ralph Carter 207 Edgewood Road Fairburn GA 30213 Salesman Market Grocery Company	- OK -	1,000

79040171976

The above Guarantors are limited to \$1,000.00 each

AUDITORS NOTE: This document shows the identification / use  
of PPB of 5 guarantors of Joan & Glenn Gann  
loan to Comm. HCB. A loan agreement  
and signatures of guarantors was reviewed  
HOWEVER, NO COPIES OF THESE WERE OBTAINED

PDP

8/17 - 8/30/76

# Itemized Expenditures

## Campaign Fundraising, Loans, and Transfers

### for Lines 20, 22, 23, and/or 24 of FLC Form 3

(See instructions on back)

(Use separate schedules for each numbered line)

Name of Candidate or Committee in full			
Evans for Congress Campaign Fund			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Market Grocery Company P. O. Box 197 Forest Park, Georgia 30050		April 28, 1977	\$654.72
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
National Democratic Club 300 New Jersey Avenue Washington, D.C. 20003	Reimbursement Expenses Washington Dinner	5-9-77	\$541.12
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
April Evans 10 4th Street, N.E. Washington, D.C. 20002	Reimbursement for Travel	5-10-77 6-2-77	\$712.50 \$500.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
James C. Benfield 1133 24th St. N.W. Washington, D.C. 20003	Photos, Washington Reception	5-11-77	\$175.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
David C. Ramage Clerk, U.S. House of Representatives Washington, D.C. 20003	Invitations Washington Reception	5-11-77	\$197.75
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Connie W. Ward 2370 E. Pinehill Road Macon, Georgia 31201	Secretarial Help	6-2-77	\$100.50
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
The Farmers Bank of Tifton Tifton, Georgia	Interest on loan	4/4/77 5/18/77	\$280.00 \$606.67
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
JoAn and Glenn Gann P.O. Box 1175 Hampton, Ga.	Interest on loan	5/16/77	\$291.51
Subtotal of expenditures this page (optional)			\$ 4,059.77
Total this period (list page this line number only)			\$ 11,771.00

4/1 - 6/30/77

File B  
 Federal Election Commission  
 435 K Street, N.W.  
 Washington, D.C. 20543

Itemized Expenditures  
 Campaign Fundraising, Loans, and Transfers  
 for Lines 20, 22, 23, and/or 24 of FEC Form 3

(See instructions on back)

Page 1 of 1 for

LINE NUMBER 22a

(Use separate schedule(s) for each numbered line)

797091334751

Name of Candidate or Committee in full			
Evans for Congress Campaign Fund			
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
The Farmers Bank of Tifton Tifton, Georgia	Loan Payment	4/4/77 5/18/77	\$15,000.00
The Georgia Bank & Trust Co. 515 Mulberry Street Macon, Georgia 31201	Loan Payment	4/15/77	\$3,000.00
JoAn & Glenn Gann P. O. Box 1175 Hampton, Ga.	Loan Payment	5/16/77	\$5,000.00 ✓
Irene Capel P. O. Box 507 Leeds, Alabama	Loan Payment	6/30/77	\$5,000.00 ✓
Subtotal of expenditures this page (optional)			\$ 28,000.00
Total this period (last page this line number only)			\$ 28,000.00

Table B

Election Commission  
1100 K Street, N.W.  
Washington, D.C. 20463

### Itemized Expenditures Campaign Fundraising, Loans, and Transfers for Lines 20, 22, 23, and/or 24 of FEC Form 3

(See Instructions on back)

Page 1 of 1 for

LINE NUMBER 22(a)

(Use separate schedule(s) for each numbered line)

Name of Candidate or Committee in full

Congressman Billy Evans Re-Election Committee

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Irene Capel P. O. Box 507 Leeds, Alabama	Loan Payment	8-12-77	5,000.00 ✓
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Subtotal of expenditures this page (optional)			\$
Total this period (last page the line number only)			\$ 5,000.00

790 1707 0711 9231181

7/1-9/30/77

Commission  
Street, N.W.  
Washington, D.C. 20543

**Itemized Expenditures**  
**Campaign Fundraising, Loans, and Transfers**  
**for Lines 20, 22, 23, and/or 24 of FEC Form 3**

Page 1 of 1 for

LINE NUMBER 20(a)

(Use separate sheets for each numbered line)

(See Instructions on back)

Name of Candidate or Committee in full  
**Congressman Billy Evans Re-Election Committee**

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
U. S. Postmaster Macon, Georgia 31201	Stamps	7-7-77	65.00
		9-19-77	61.00

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Busy Bee Package Store 885 Broadway Macon, Georgia 31201	Endorsers Party	7-12-77	309.43

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Smith & Sons Foods, Inc. 425 Cherry Street Macon, Georgia 31201	Endorsers Party	7-13-77	416.00

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
B. L. Evans 506 Cannon Office Building Washington, D. C. 20515	reimbursement Office A/C for letter openers	7-13-77	1,740.86

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
IBM P. O. Box 1261 Atlanta, Georgia 30301	magnetic typewriter card	7-22-77	100.00

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Irene Capel P. O. Box 507 Leeds, Alabama	interest on loan	8-12-77	750.69

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Morrison Food Services Milledgeville, Georgia	160 dinners Milledgeville Appreciation Dinners	4-30-77	1,440.00

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period

Subtotal of expenditures this page (optional) \$

Total this period (last page this line number only) \$ 4,882.04

72079071290180

7/1 - 9/30/77

Handwritten notes and initials at bottom right.

18612.01004

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

MUR 551

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):  
 Show to whom and date delivered. \_\_\_\_\_¢  
 Show to whom, date, and address of delivery. \_\_\_\_\_¢  
 RESTRICTED DELIVERY Show to whom and date delivered. \_\_\_\_\_¢  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ \_\_\_\_\_ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Jones and Glenn Gann

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943322

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 Jones and Glenn Gann

4. DATE OF DELIVERY: 11-24-77 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977-0-249-595

21 XW

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):  
 Show to whom and date delivered. \_\_\_\_\_¢  
 Show to whom, date, and address of delivery. \_\_\_\_\_¢  
 RESTRICTED DELIVERY Show to whom and date delivered. \_\_\_\_\_¢  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ \_\_\_\_\_ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Irene Capel

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943320

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 Irene Capel

4. DATE OF DELIVERY: POSTMARK  
 NOV 24 1977

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO 1977-0-249-595

720404067

MUR 551 ALW

PS Form 3811, Apr. 1977

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3  
Add your address in the "RETURN TO" space on reverse

1. The following service is requested (check one):  
 Show to whom and date delivered ..... \$  
 Show to whom, date, and address of delivery ..... \$  
 RESTRICTED DELIVERY  
 Show to whom and date delivered ..... \$  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery \$.....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 JOHN E. ...  
 1:48  
 01

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943323  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 Jack Fay

4. DATE OF DELIVERY POSTMARK  
 NOV 23 1979  
 CLERK'S OFFICE

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

☆GPO 1977-0-249-595



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 19, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

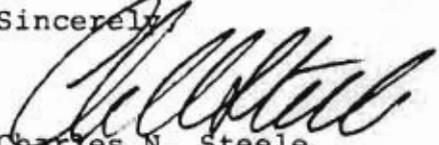
Re: MUR 551 (78)

Dear Mr. James:

The Federal Election Commission has agreed to accept the conciliation agreement which you have signed on behalf of the Evans for Congress Campaign Fund Committee. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

  
Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

70040171983



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551 (78)

Dear Mr. James:

The Federal Election Commission has agreed to accept the conciliation agreement which you have signed on behalf of the Evans for Congress Campaign Fund Committee. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

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*ALV 11/14/74*

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 )  
 Evans for Congress Campaign ) MUR 551(78)  
 Fund Committee )

CONCILIATION AGREEMENT

This matter having been instituted by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Evans for Congress Campaign Fund Committee (hereinafter "Respondent") has violated 2 U.S.C. §441b(a) and 2 U.S.C. § 441a(f):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over Respondent and the subject matter in this case.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters into this Agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5,000 from Joan Gann and Glenn Gann.

B. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principal was repaid in two equal

79010171985

installments on June 30, 1977, and August 12, 1977, plus \$750.69 in interest paid with the second installment.

C. The loan of \$5,000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest.

D. The candidate and ten guarantors in the case of the \$10,000 loan and five guarantors in the case of the \$5,000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

E. Respondent accepted contributions from the following incorporated entities and banks: Claussens Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas. The contributions have been refunded.

F. Respondent's acceptance of the contribution from Hudson and Marshall, Inc., was inadvertent in that it was confused with a previous contribution from Hudson and Marshall Properties, a non-incorporated entity.

WHEREFORE, Respondent agrees that:

A. Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.

B. Respondent accepted a \$5,000 loan from Joan Gann and Glenn Gann on August 27, 1976.

C. Respondent accepts the Commission's interpretation of 2 U.S.C. § 431(e)(5)(G), which states that a loan "shall be considered a loan by each endorser or guarantor, in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors;"

79040171985

as being limited in application only to loans made by national or State banks and not to personal loans.

D. Given this proper construction of 2 U.S.C. § 431(e)(5)(G) a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. § 431(e), notwithstanding any guarantees of repayment made part of the loan agreement.

E. A personal loan to a candidate or committee in excess of \$1,000 per election places the contributor in violation of the limitations of 2 U.S.C. § 441a(a)(1)(A).

F. Acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. § 441a(a)(1)(A) constitutes a violation of 2 U.S.C. § 441a(f) by the recipient candidate or committee.

G. Although the Candidate signed the promissory notes involved with the above loans, he did so depending upon Respondent's misinterpretation of 2 U.S.C. § 431(e)(5)(G). Therefore, Respondent accepts full responsibility for the Candidate's actions.

H. Respondent accepted contributions from Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc. and the Exchange Bank of Douglas.

I. Acceptance of contributions from incorporated entities and national or State banks constitutes a violation of 2 U.S.C. § 441b(a).

J. Respondent will pay a civil penalty of Four Hundred Dollars, (\$400).

K. Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

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V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

B. It is further agreed that this Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matters set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

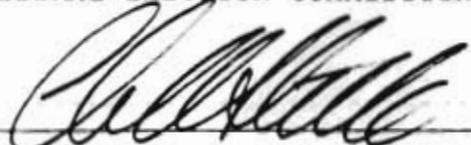
19 November 1979

Date

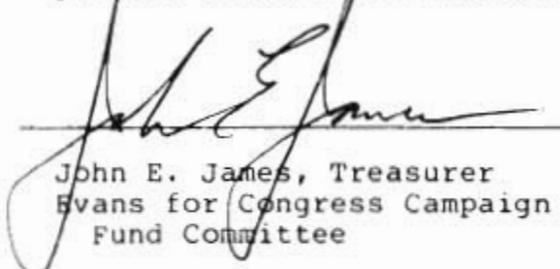
10/10/79

Date

FEDERAL ELECTION COMMISSION



Charles N. Steele  
Acting General Counsel  
Federal Election Commission



John E. James, Treasurer  
Evans for Congress Campaign  
Fund Committee

79040171933



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 19, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

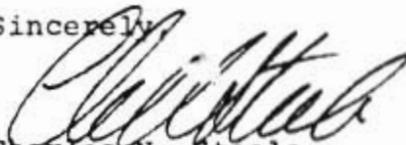
Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

The Federal Election Commission has agreed to accept the conciliation agreement which has been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

  
Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79040171937



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

The Federal Election Commission has agreed to accept the conciliation agreement which has been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79040171990

AW  
11/17/79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Ms. Joan Gann )

Mr. Glenn Gann )

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Joan Gann and Glenn Gann (hereinafter "Respondents") have violated 2 U.S.C. §441a(a)(1)(A):

WHEREFORE, the Commission and Respondents, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5)d, do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over Respondents and the subject matter in this case.

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. Respondents made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$5,000.

B. The above loan was made on August 27, 1976, and was repaid in full with interest by the Committee on May 16, 1977.

79040171991

C. A consumer collateral note in the amount of \$5,000 was executed by the Candidate and signed by five guarantors.

WHEREFORE, Respondent agrees that:

A. A personal loan for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution in the full amount of the loan pursuant to 2 U.S.C. § 431(e) regardless of the number of co-signers guaranteeing payment.

B. A personal loan from two individuals in the amount of \$5,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

C. On August 27, 1976, Respondents made in the form of a loan a contribution of \$5,000 to the Candidate and to the Committee in violation of 2 U.S.C. § 441a(a)(1)(A).

D. Respondents' violations of 2 U.S.C. § 441a(a)(1)(A) were not willful.

E. Respondents will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

73040171992

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g (a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the violations set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

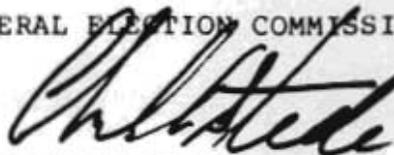
11/19/79

Date

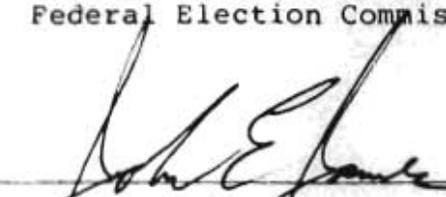
10/10/79

Date

FEDERAL ELECTION COMMISSION



Charles N. Steele  
Acting General Counsel  
Federal Election Commission



John E. James, Esquire  
Attorney for Respondents,  
Joan Gann and Glenn Gann

79040171993



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 19, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
Post Office Box 508  
Leeds, Alabama

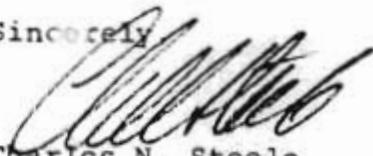
Re: MUR 551 (78)

Dear Ms. Capel:

The Federal Election Commission has agreed to accept the conciliation agreement which has been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

  
Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

7170071994



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
Post Office Box 508  
Leeds, Alabama

Re: MUR 551 (78)

Dear Ms. Capel:

The Federal Election Commission has agreed to accept the conciliation agreement which as been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

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ACJ  
11/1/79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Ms. Irene Capel )

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Irene Capel (hereinafter "Respondent") has violated 2 U.S.C. §441a(a)(1)(A):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5)d, do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over Respondent and the subject matter in this case.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. Respondent made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$10,000.

B. The above loan was made on August 13, 1976, and the principal was repaid by the Committee in two installments, on July 30, 1977, and August 12, 1977, plus \$750.69 in interest with the latter payment.

72040171996

C. A consumer collateral note in the amount of \$10,000 was executed by the Candidate and signed by ten guarantors.

WHEREFORE, Respondent agrees that:

A. A personal loan for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution in the full amount of the loan pursuant to 2 U.S.C. § 431(e) regardless of the number of co-signers guaranteeing payment.

B. A personal loan from an individual in the amount of \$10,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

C. On August 13, 1976, Respondent made in the form of a loan a contribution of \$10,000 to the Candidate and to the Committee in violation of 2 U.S.C. § 441a(a)(1)(A).

D. Respondent's violation of 2 U.S.C. § 441a(a)(1)(A) was not willful.

E. Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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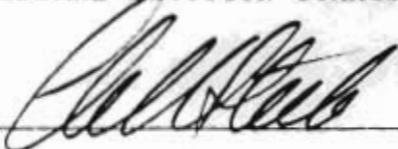
B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g (a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the violations set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

19 November 1979

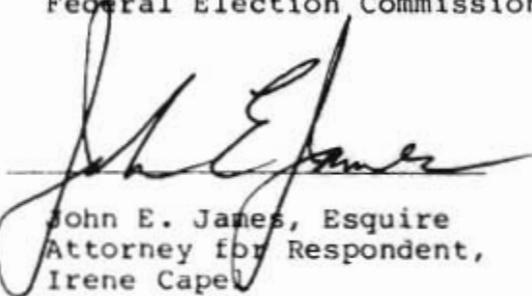
Date



Charles N. Steele  
Acting General Counsel  
Federal Election Commission

10/10/79

Date

  
John E. James, Esquire  
Attorney for Respondent,  
Irene Capel

72040171978

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Evans for Congress Campaign )  
Fund Committee )

MJR 551 (78)

CERTIFICATIONS

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on November 14, 1979, do hereby certify that the Commission determined by a vote of 5-0 to take the following actions in the above-captioned matter:

1. That the Commission approve the revised conciliation agreements attached to the November 2, 1979, memorandum from the Office of the General Counsel.
2. That the Commission take no further action with regard to the involvement of Billy L. Evans in this matter.
3. That the letter attached to the November 2, 1979, memorandum from the Office of the General Counsel be sent.
4. That the file in this matter be closed.

Commissioners Aikens, Friedersdorf, Harris, McGarry, and Tiernan voted affirmatively for the above determination. Commissioner Reiche abstained in the vote.

Attest:

11-16-79

Date

  
Marjorie W. Emmons  
Secretary to the Commission

72040171999



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*  
DATE: NOVEMBER 7, 1979  
SUBJECT: OBJECTION - MUR 551 - Memorandum from OGC  
dated 11-2-79; Received in OCS 11-5-79,  
10:18

The above-named document was circulated on a 48 hour  
vote basis at 4:00, November 5, 1979.

Commissioner Reiche submitted an objection at 12:28,  
November 7, 1979, thereby placing MUR 551 on the Executive  
Session Agenda for November 14, 1979.

A copy of Commissioner Reiche's vote sheet is attached  
with comments.

ATTACHMENT:  
Copy of Vote Sheet

79040172000



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

79 NOV 7 8  
PI2:

Date and Time Transmitted: 11-5-79, 4:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: WEDNESDAY, NOVEMBER 7, 1979  
4:00

MUR No. 551 - Memorandum from OGC dated 11-2-79, Conciliation Agreements

- ( ) I approve the recommendation
- () I object to the recommendation

COMMENTS: I do not believe we should let the candidate off the hook.

Date: 11/7/79 Signature: Frank P. Reiche

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



79049172001

November 5, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Memo distributed to the  
Commission on a 48 hour tally basis.

Thank you.

70919.72002



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
SECRETARY  
79 NOV 5 AIO: 13

November 2, 1979

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele  
Acting General Counsel *CS*

SUBJECT: Conciliation Agreements  
Re: Evans for Congress Campaign Fund Committee, et al

On July 11, 1979, the Commission found probable cause to believe that the Evans for Congress Campaign Fund Committee ("the Committee") and Billy L. Evans ("the Candidate") had violated 2 U.S.C. § 441a(f) and that Irene Capel, Joan Gann and Glenn Gann had violated 2 U.S.C. § 441a(a)(1)(A) as the result of loans made by the above three individuals to the Candidate and Committee in 1976. The Office of General Counsel was authorized to file suit against all of the above respondents.

Upon being notified of this Commission decision, the Candidate asked that negotiations be resumed. The attached revised conciliation agreements are the result of these discussions.

As was noted in the General Counsel's Report of July 3, 1979, the Candidate, who has personally undertaken negotiations on behalf of all respondents in this matter, was very reluctant to agree to having Irene Capel, Joan Gann and Glenn Gann sign conciliation agreements. Further negotiations have, however, reversed this position, and the attached conciliation agreements involving these individuals have been signed on their behalf by counsel.

The second objection raised by the Candidate involved his own signature on a conciliation agreement and payment of a \$200 civil penalty. The Candidate insisted that all of the transactions involved took place through his Committee and that it was the Committee which should therefore be held responsible. Further negotiations produced a provisional agreement with the Committee which included admissions of wrongdoing and the payment of the full penalties assessed on both the Committee and the Candidate.

79040172003

This Office believes that this negotiated settlement is fair in light of the facts involved in this matter. The overall issue has involved the correct interpretation of 2 U.S.C. § 431(e)(5)(g)(iii) which provides that loans obtained by candidates or committees from national or State banks are to be considered contributions by any endorsers or guarantors in proportion to each such person's share of the unpaid balance. Here the Committee applied this concept concerning contributions by guarantors to two loans for \$10,000 and \$5,000 received from three private individuals. The Committee believed that the guarantees obtained reduced each actual lender's contribution to \$1,000. These arrangements were duly disclosed in the Committee's reports submitted to the Commission, (See Attachments 1, 2 and 3), but were not detected as being in error until the Audit Division's examination of the Committee's records. The Committee reported these guarantees in exactly the same manner as it did guarantees involving bank loans. (See Attachment 4). The Candidate himself did sign the promissory notes for the above private loans, but apparently did so in consultation with the Committee. The Committee repaid these loans. These facts indicate that the violations involved in this matter were not intentional and evidence a good faith effort to comply with the law.

Attached for Commission approval are three conciliation agreements. A civil penalty of \$400 is included in the Committee's agreement. (See attached copy of check).

Recommendation

1. That the Commission approve the revised conciliation agreements attached to this memorandum.
2. That the Commission take no further action with regard to the involvement of Billy L. Evans in this matter.
3. Send the attached letter.
4. Close the file in this matter.

Attachments:

Conciliation Agreements (3)  
Copies of Committee report and attached listings of guarantors  
Copy of check  
3 Letters

72040172004

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
) MUR 551(78)  
Evans for Congress Campaign )  
Fund Committee )

CONCILIATION AGREEMENT

This matter having been instituted by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Evans for Congress Campaign Fund Committee (hereinafter "Respondent") has violated 2 U.S.C. §441b(a) and 2 U.S.C. § 441a(f):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over Respondent and the subject matter in this case.
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters into this Agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
  - A. Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5,000 from Joan Gann and Glenn Gann.
  - B. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principal was repaid in two equal

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installments on June 30, 1977, and August 12, 1977, plus \$750.09 in interest paid with the second installment.

C. The loan of \$5,000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest.

D. The candidate and ten guarantors in the case of the \$10,000 loan and five guarantors in the case of the \$5,000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

E. Respondent accepted contributions from the following incorporated entities and banks: Claussens Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas. The contributions have been refunded.

F. Respondent's acceptance of the contribution from Hudson and Marshall, Inc., was inadvertent in that it was confused with a previous contribution from Hudson and Marshall Properties, a non-incorporated entity.

WHEREFORE, Respondent agrees that:

A. Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.

B. Respondent accepted a \$5,000 loan from Joan Gann and Glenn Gann on August 27, 1976.

C. Respondent accepts the Commission's interpretation of 2 U.S.C. § 431(e)(5)(G), which states that a loan "shall be considered a loan by each endorser or guarantor, in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors;"

79040172005

as being limited in application only to loans made by national or State banks and not to personal loans.

D. Given this proper construction of 2 U.S.C. § 431(e)(5)(G) a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. § 431(e), notwithstanding any guarantees of repayment made part of the loan agreement.

E. A personal loan to a candidate or committee in excess of \$1,000 per election places the contributor in violation of the limitations of 2 U.S.C. § 441a(a)(1)(A).

F. Acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. § 441a(a)(1)(A) constitutes a violation of 2 U.S.C. § 441a(f) by the recipient candidate or committee.

G. Although the Candidate signed the promissory notes involved with the above loans, he did so depending upon Respondent's misinterpretation of 2 U.S.C. § 431(e)(5)(G). Therefore, Respondent accepts full responsibility for the Candidate's actions.

H. Respondent accepted contributions from Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc. and the Exchange Bank of Douglas.

I. Acceptance of contributions from incorporated entities and national or State banks constitutes a violation of 2 U.S.C. § 441b(a).

J. Respondent will pay a civil penalty of Four Hundred Dollars, (\$400).

K. Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

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V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

B. It is further agreed that this Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matters set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

*10/10/79*

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

*[Handwritten Signature]*  
\_\_\_\_\_  
John E. James, Treasurer  
Evans for Congress Campaign  
Fund Committee

79040172003

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Ms. Irene Capel ) MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Irene Capel (hereinafter "Respondent") has violated 2 U.S.C. §441a(a)(1)(A):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5)d, do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over Respondent and the subject matter in this case.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. Respondent made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$10,000.

B. The above loan was made on August 13, 1976, and the principal was repaid by the Committee in two installments, on July 30, 1977, and August 12, 1977, plus \$750.69 in interest with the latter payment.

72040172009

C. A consumer collateral note in the amount of \$10,000 was executed by the Candidate and signed by ten guarantors.

WHEREFORE, Respondent agrees that:

A. A personal loan for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution in the full amount of the loan pursuant to 2 U.S.C. § 431(e) regardless of the number of co-signers guaranteeing payment.

B. A personal loan from an individual in the amount of \$10,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

C. On August 13, 1976, Respondent made in the form of a loan a contribution of \$10,000 to the Candidate and to the Committee in violation of 2 U.S.C. § 441a(a)(1)(A).

D. Respondent's violation of 2 U.S.C. § 441a(a)(1)(A) was not willful.

E. Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

79040172010

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g (a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the violations set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

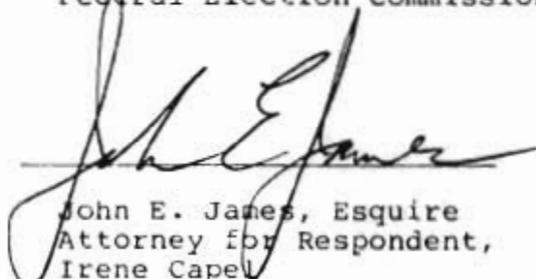
FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

10/10/79 -

Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

  
\_\_\_\_\_  
John E. James, Esquire  
Attorney for Respondent,  
Irene Capel

79040172011

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Ms. Joan Gann )

Mr. Glenn Gann )

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Joan Gann and Glenn Gann (hereinafter "Respondents") have violated 2 U.S.C. §441a(a)(1)(A):

WHEREFORE, the Commission and Respondents, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5)d, do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over Respondents and the subject matter in this case.

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. Respondents made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$5,000.

B. The above loan was made on August 27, 1976, and was repaid in full with interest by the Committee on May 16, 1977.

79040172012

C. A consumer collateral note in the amount of \$5,000 was executed by the Candidate and signed by five guarantors.

WHEREFORE, Respondent agrees that:

A. A personal loan for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution in the full amount of the loan pursuant to 2 U.S.C. § 431(e) regardless of the number of co-signers guaranteeing payment.

B. A personal loan from two individuals in the amount of \$5,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

C. On August 27, 1976, Respondents made in the form of a loan a contribution of \$5,000 to the Candidate and to the Committee in violation of 2 U.S.C. § 441a(a)(1)(A).

D. Respondents' violations of 2 U.S.C. § 441a(a)(1)(A) were not willful.

E. Respondents will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

#### V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the violations at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

77040172013

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g (a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the violations set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

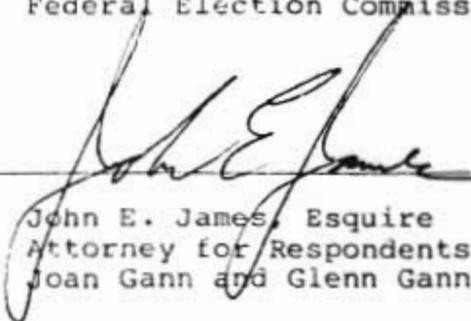
FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

10/10/79

Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

  
\_\_\_\_\_  
John E. James, Esquire  
Attorney for Respondents,  
Joan Gann and Glenn Gann

79040172014

Form 4  
May 1976  
New Election Campaign  
25 N. BRAD, N.W.  
WASHINGTON, D.C. 20045

Itemized Receipts,  
Contributions, Ticket Purchases, Loans,  
Rebates, and Transfers for Line  
Numbers 15, 16, 17 and/or 18 of FEC Form 3  
(See instructions on back)

Page 1 of 1 for  
LINE NUMBER 16  
Use amounts scheduled for each  
numbered line.

Name of Candidate or Committee in full			Date (month, day, year)	Amount of each receipt this period
Evans for Congress Campaign Fund				
Full Name, mailing address and ZIP code CENTRAL BANK 756 Poplar St. Macon, Ga. 31201	(See attached schedule for listing of guarantors)	Occupation Bank loan		
Principal place of business	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date	8/26/76	15,000.00
Full Name, mailing address and ZIP code Joan & Glenn Gann P.O. Box 1175 Hampton, Ga.	This loan is fully guaranteed by 5 guarantors-see attached listing	Occupation Loan		
Principal place of business Market Groc. Co Forest Park, Ga.	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date	8/27/76	5,000.00
Full Name, mailing address and ZIP code Irene Copal P.O. Box 507 Leeds, Ala.	This loan is fully guaranteed by 10 guarantors-see attached listing	Occupation Loan		
Principal place of business Goldroes Leeds, Ala	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date	8/13/76	10,000.00
Full Name, mailing address and ZIP code		Occupation	Date (month, day, year)	Amount of each receipt this period
Principal place of business	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date		
Full Name, mailing address and ZIP code		Occupation	Date (month, day, year)	Amount of each receipt this period
Principal place of business	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date		
Full Name, mailing address and ZIP code		Occupation	Date (month, day, year)	Amount of each receipt this period
Principal place of business	<input type="checkbox"/> Check if Contributor is self-employed	Aggregate Year-to-Date		

79010172015  
760106271

Guarantors on August 13, 1976 Note from Billy L. Evans to Irene Capel for \$10,000.00

Don A. Barnette  
121 Governors Drive  
Forest Park, GA 30050  
Vice President  
A & W Bricks, Inc.

Barbara Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214  
Accounting Clerk  
Market Grocery Company

Wallace L. Wilson  
4795 Tanglewood Lane  
Forest Park, GA 30050  
President  
W.D.W. Kitchens

A. S. Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214  
Load Planner  
United Air Lines

Glenda S. Harrah  
4764 Menae Drive  
Forest Park, GA 30050  
Bookkeeper  
Chambles Building Materials, Inc.

Alice Smith  
4609 Richard Road  
Conley GA 30027  
Accounting Clerk  
Market Grocery Company

John M. Deher  
4692 Tara Woods Blvd.  
Ellenwood, GA.  
President  
Sawrey Company

William T. Peoples  
1433 Graceland Court  
Morrow GA 30260  
Sales Manager  
Standard Oil Company

J. A. Lowery  
2555 Fox Hall Lane  
College Park, GA 30334  
Secretary  
Johnson & Minter, Attys. at Law

Billye E. Peoples  
1433 Graceland Court, Morrow, GA  
Housewife  
Morrow GA 30260

The above Guarantors are limited to \$1,000.00 each

70010172015  
76011062499

Guarantors on August 27, 1976 Note from Billy L. Evans to Joan & Glenn Gann For \$5,000.00

Charles Antrell Lowery  
2553 Fox Hall Lane  
College Park, GA 30334  
Salesman  
Market Grocery Company

Norman Lewis  
175 Harold Drive  
Athens, GA 30601  
Salesman  
Peele Famous Foods

Bob A. Barnette  
5582 Jansboro Road  
Lake City, GA  
Purchasing Agent  
Market Grocery Company

Fred L. McDonald  
1429 Spaulding Court  
Norcross GA 30260  
Mechanic  
Raymond Services, Inc.

J. Ralph Carter  
117 Riverbend Road  
Kennesaw GA 30143  
Salesman  
Market Grocery Company

The above Guarantors are limited to \$1,000.00 each

72010172017  
76011062500

ATTACHMENT 4

Guarantors on August 20, 1976 Note from Billy L. Evans to Central Bank of Georgia for \$15,000.00

Frank Pinkston 3077 Stuart Dr. Macon, Ga. 31204 Attorney Georgia Power Bldg. Macon, Ga. 31201	\$900.00	Mose Chanin 395 Gandler Dr. Macon, Ga. 31204 Retailer Broadway Macon, Ga. 31201	\$700.00
John Wingate 948 Hill Pl. Macon, Ga. 31204 Attorney Oldham Bldg. Macon, Ga. 31201	\$1,000.00	Wm. T. Long 4629 Lattimore Dr. Macon, Ga. 31204 4 Seasons Florist Vineville Ave. Macon, Ga. 31204	\$100.00
Lester Z. Dozier 3059 Clairmont Ave. Macon, Ga. 31204 Attorney Oldham Bldg. Macon, Ga. 31201	\$1,000.00	Wm. C. Randall 1758 3rd. Ave. Macon, Ga. 31201 Attorney 845 Foreyth St. Macon, Ga. 31201	\$1,000.00
O.C. Lergs, Jr. 3094 Clairmont Ave. Macon, Ga. 31204 Magaro, Peel & Gross, CPA 828 Riverside Dr. Macon, Ga. 31201	\$900.00	B.T. Walton, Jr. Walton Bldg. Macon, Ga. 31201 Dentist Walton Bldg. Macon, Ga. 31201	\$1,000.00
Dennis Beall 3404 Ridge Ave. Macon, Ga. 31204 Retail Hardware 119 Marshall Ave. Macon, Ga. 31204	\$850.00	Andrew McKenna American Federal Bldg. Macon, Ga. 31201 Attorney American Federal Bldg. Macon, Ga. 31201	\$250.00
Bill Ashmore 2291 Vineville Ave. Macon, Ga. 31204 Real Estate Macon, Ga.	\$900.00	Mitchell P. House, Jr. American Federal Bldg. Macon, Ga. 31201 Attorney American Federal Bldg. Macon, Ga. 31201	\$250.00
B.B. Sanders 212 Pio Hono Ave. Macon, Ga. 31204 Doctor 709 Spring St. Macon, Ga. 31201	\$500.00	Carl E. Lancaster, Jr. American Federal Bldg. Macon, Ga. 31201 Attorney American Federal Bldg. Macon, Ga. 31201	\$250.00

72010172013

96011062497

MP-100-2

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

P. O. BOX 6176  
MACON, GEORGIA 31201

PAY TO THE  
ORDER OF

*Federal Election Commission*

*00*

*2100*

441

64,1137

19 *29* 611

\$ *410* 10

DOLLARS



CENTRAL BANK  
OF GEORGIA  
MACON, GEORGIA

FOR

*[Handwritten Signature]*

6102210002



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress  
Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551 (78)

Dear Mr. James:

The Federal Election Commission has agreed to accept the conciliation agreement which you have signed on behalf of the Evans for Congress Campaign Fund Committee. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79010172020



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
Post Office Box 508  
Leeds, Alabama

Re: MUR 551 (78)

Dear Ms. Capel:

The Federal Election Commission has agreed to accept the conciliation agreement which as been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79040172031



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

The Federal Election Commission has agreed to accept the conciliation agreement which has been signed on your behalf by Mr. John E. James, Esquire. Enclosed is a copy of the signed agreement.

The file in this matter is now closed.

Sincerely,

Charles N. Steele  
Acting General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79040172022

LAW OFFICES  
JAMES AND WILCOX  
POST OFFICE BOX 8178  
2034 VINEVILLE AVENUE  
MACON, GEORGIA 31208

RECEIVED  
FEDERAL ELECTION  
COMMISSION

11358  
'79 OCT 15 AM 9:17  
TELEPHONE  
(404) 748-2551

JOHN E. JAMES  
TOMMY DAY WILSON  
ANTHONY A. WILHOIT

October 10, 1979

0 4501

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attention: Ms. Anne A. Weissenborn

IN RE: MUR 551 (78)

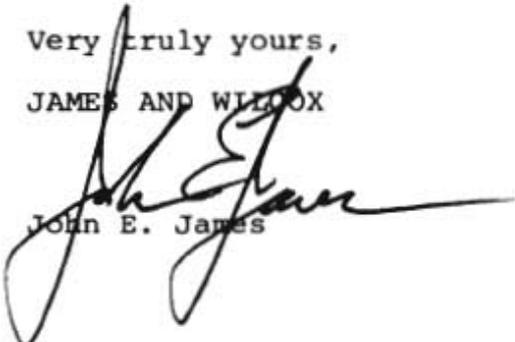
Dear Ms. Weissenborn:

I am enclosing the signed consent agreements in accordance with our discussion yesterday and the Committee check in the amount of \$400.00.

We very much appreciate your working with us on this matter and we shall look forward to hearing from you.

Very truly yours,

JAMES AND WILCOX

  
John E. James

JEJ/dg

Enclosure:

82:21d 51100 6/

RECEIVED  
GENERAL COUNSEL  
FEDERAL ELECTION  
COMMISSION

79040172023

FEDERAL ELECTION COMMISSION

Account Number - 1 page

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |   |   |
|---|---|
| <input type="checkbox"/> (1) Classified Information   | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                                     | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute  | <input type="checkbox"/> (8) Banking Information                          |
| <input checked="" type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents   |   |

Signed Lune A. Wasserman  
date 11/27/79

FEC 9-21-77

71 0 1 7 2 0 2 4

CONGRESSMAN BILLY EVANS  
RE-ELECTION COMMITTEE

# O BOX 6176  
MACON, GEORGIA 31201

441

PAY TO THE  
ORDER OF

*Federal Election Commission*

*Five hundred & 00/100*

DOLLARS

10-11

64,1137  
1979 011

\$ 441



CENTRAL BANK  
of GEORGIA  
MACON, GEORGIA

*[Signature]*

⑆0611⑈1137⑆ 0 13 000 2⑈

FOR

0 2 2 1 0 0 0 2

# Congressman Billy Evans

RE-ELECTION COMMITTEE  
BOX 4993  
MACON, GEORGIA 31208

The Federal Election Commission requires that we have a receipt marked paid for all expenditures. For your convenience, we enclose the following form for signature and a paid stamp, if available. Please return in the enclosed postage paid envelope.

Thank you,

Linda Wingate

Check number: 441

Date: 10-11-79

Amount: \$400.00

Payable to: Federal Election Commission

In Payment for: Fine

We received the above item for the purpose specified.

79040072026

LAW OFFICES

JAMES AND WILCOX

POST OFFICE BOX 8178

2984 VINEVILLE AVENUE

MACON, GEORGIA 31208



RECEIVED  
FEDERAL ELECTION  
COMMISSION

79 OCT 15 AM 9:17

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Attention: Anne A. Weissenborn

C

720E6104062

600  
108

LAW OFFICES  
JAMES AND WILCOX  
POST OFFICE BOX 6176  
2034 VINEVILLE AVENUE  
MACON, GEORGIA 31208

903489

JOHN E. JAMES  
TOMMY DAY WILCOX  
ANTHONY A. WILHOIT

August 6, 1979

TELEPHONE  
19121 742-2551

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street N. W.  
Washington, D. C. 20463

Attention: Anne A. Weissenborn

IN RE: MUR 551 (78)  
Your Letter Dated July 18, 1979

Dear Ms. Weissenborn:

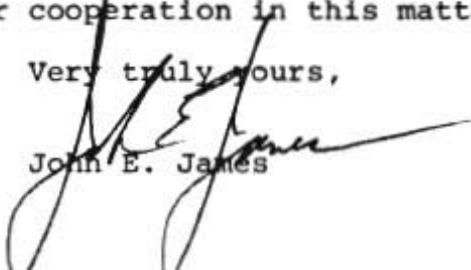
I have today received your letter of July 18, 1979. Apparently for some reason the post office attempted to make delivery at another post office box thereby causing the delay. I would like to request that future correspondence be addressed to my office post office box as indicated above.

It has been my understanding from my discussions earlier with Congressman Evans that he had asked that you schedule a mutually convenient time so that he might meet with you personally to discuss these matters.

In that he anticipates being out of the country for approximately three weeks during the recess, I would request that before any action is taken that you contact him upon his return.

We very much appreciate your cooperation in this matter.

Very truly yours,

  
John E. James

JEJ/cw

cc: Billy L. Evans

77040172029

79 AUG 8 P 2:58

RECEIVED  
GENERAL COUNSEL  
FEDERAL ELECTION COMMISSION

79040172029

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Official Business  
Penalty for Private Use \$300

POSTAGE AND FEES PAID



Name \_\_\_\_\_  
1st Notice 7-27  
2nd Notice 8-5  
Return \_\_\_\_\_

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund  
Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

*July 21 1979*  
*4-6-79*

CERTIFIED  
993150

FEDERAL ELECTION COMMISSION  
1325 K STREET N.W.  
WASHINGTON, D.C. 20463

POSTAGE AND FEES PAID



*July 21 1979*  
*8-5*  
*4-6-79*

Mr. Eugene Evans  
In Care of Mr. John E. James, Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Name \_\_\_\_\_  
1st Notice 7-27  
2nd Notice 8-5  
Return \_\_\_\_\_

CERTIFIED  
993148



79040172031

PS Form 3811, Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

*AW J MS51*

SENDER Complete items 1, 2 and 3. Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... \$  
 Show to whom, date, and address of delivery ..... \$  
 RESTRICTED DELIVERY Show to whom and date delivered ..... \$  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ ..... (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*John E James*

3. ARTICLE DESCRIPTION  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
*RJ100*

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. *Linda A. James*  
 DATE OF DELIVERY *8/6/79*

5. ADDRESS (Complete only if registered)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS  
*RP*



JAMES AND WILCOX  
ATTORNEYS AT LAW  
POST OFFICE BOX 6176  
MACON, GEORGIA 31208



Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street N. W.  
Washington, D. C. 20463

Attention: Anne A. Weissenborn

79040172032

79040172033

PS Form 3811, Apr 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

4551 ✓ A6

● **SENDER** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... €  
 Show to whom, date, and address of delivery ..... €  
 RESTRICTED DELIVERY Show to whom and date delivered ..... €  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ \_\_\_\_ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
*Honorable Billy L. Evans*

3. ARTICLE DESCRIPTION  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *943149* | |  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. *Martha Parrell*  
 DATE OF DELIVERY | POSTMARK  
*7-20-79* | *ASHTON WASH DC JUL 20 1979*

5. ADDRESS (Complete only if requested)  
*113 Cannon HOB, Wash DC*

6. UNABLE TO DELIVER BECAUSE



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
Post Office Box 508  
Leeds, Alabama

Re: MUR 551 (78)

Dear Ms. Capel:

Efforts to enter into a conciliation agreement with you having failed, the Federal Election Commission has found probable cause <sup>19551</sup> that you violated 2 U.S.C. § 441a(a)(1)(A) by

contribution to Mr. Billy L. Evans and the Campaign Fund Committee. The Commission the filing of a civil action against you

questions, please contact Anne A. Weissenborn, to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

y L. Evans

1. The following service is requested (check one):  
 Show to whom and date delivered  
 Show to whom, date, and address of delivery  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery.  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Ms. Irene Capel

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 JUL 1 1979

(Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 D.M. Capel

4. DATE OF DELIVERY: JUL 1 1979

5. ADDRESS: JUL 1 1979

6. UNABLE TO DELIVER BECAUSE:

POSTMARK: JUL 1 1979

FORM 3877-0-248-555



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

Efforts to enter into a conciliation agreement with you having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a by making an excessive contribution to Mr. Billy Evans for Congress Campaign Fund Committee. I have authorized the filing of a civil suit in this regard.

For further questions, please contact Anne A. Weissenborn, at this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

By L. Evans

551

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):  
 Show to whom and date delivered. \$  
 Show to whom, date, and address of delivery. \$  
 RESTRICTED DELIVERY Show to whom and date delivered. \$  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Glenn + Joan Gann

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943147  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 Glenn Gann

4. DATE OF DELIVERY: 7/18/79 POSTMARK

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

Efforts to enter into a conciliation agreement with you having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a (a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee. The Commission has also authorized the filing of a civil action against you in this regard.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

ALW  
7/8/77

79040172036



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20510

Re: MUR 551 (78)

Dear Mr. Evans:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all persons involved with these contributions.

The Commission has decided to take no further action with regard to your violation of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan which you obtained on May 18, 1976, from the Farmers Bank of Tifton. The Commission's decision is based upon the fact that you independently determined that the use of Mr. Evans' collateral was improper and that you substituted your own collateral within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel



72037

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20510

Re: MUR 551 (78)

Dear Mr. Evans:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all persons involved with these contributions.

The Commission has decided to take no further action with regard to your violation of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan which you obtained on May 18, 1976, from the Farmers Bank of Tifton. The Commission's decision is based upon the fact that you independently determined that the use of Mr. Evans' collateral was improper and that you substituted your own collateral within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

AW  
11/18/78

79040172038



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund  
Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551 (78)

Dear Mr. James:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all respondents involved with these contributions.

The Commission has decided to take no further action with regard to the violation by the Evans for Congress Campaign Fund Committee ("the Committee") of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan obtained by Mr. Billy L. Evans on May 18, 1976, from the Farmers' Bank of Tifton and used by the Committee for Mr. Evans' campaign. The Commission's decision is based upon the fact that Mr. Billy L. Evans determined that use of Mr. Eugene Evans' collateral was improper and that he substituted his own collateral for that of his uncle within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel



cc: The Honorable Billy L. Evans

72039

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund  
Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: HUR 551 (78)

Dear Mr. James:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all respondents involved with these contributions.

The Commission has decided to take no further action with regard to the violation by the Evans for Congress Campaign Fund Committee ("the Committee") of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan obtained by Mr. Billy L. Evans on May 18, 1976, from the Farmers' Bank of Tifton and used by the Committee for Mr. Evans' campaign. The Commission's decision is based upon the fact that Mr. Billy L. Evans determined that use of Mr. Eugene Evans' collateral was improper and that he substituted his own collateral for that of his uncle within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

400172040  
7/8/78



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Eugene Evans  
In care of Mr. John E. James,  
Treasurer  
Evans for Congress Campaign  
Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

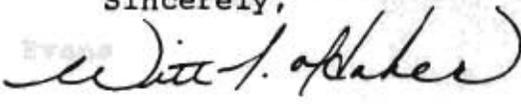
Re: MUR 551 (78)

Dear Mr. Evans:

The Federal Election Committee has decided to take no further action with regard to your violation of 2 U.S.C. § 441a(a)(1)(A) by allowing use of your savings account as collateral for a \$15,000 loan obtained by Mr. Billy L. Evans from the Farmers' Bank of Tifton on May 18, 1976. The Commission's decision is based upon the facts that Mr. Billy L. Evans determined that use of your collateral was inappropriate and that he substituted his own collateral for yours within a reasonable time after the promissory note was signed.

The file is now closed in this matter.

Sincerely,

  
William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

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79040172042

PS Form 3811, Apr 1977 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

468 551 K6

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... \$  
 Show to whom, date, and address of delivery ..... \$  
 RESTRICTED DELIVERY Show to whom and date delivered ..... \$  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
*Mr. H. Daniel Wayns Jr.  
 Corporate Attorney  
 20000 Lindenwood, Suite  
 1300  
 Thornhill, Pa. 15146*

3. ARTICLE DESCRIPTION  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*H. Daniel Wayns Jr.*

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE | CLERK'S INITIALS

209 1977-5-249-586



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. H. Daniel Hayes, Jr.  
Corporate Attorney  
Flowers Industries, Inc.  
Post Office Drawer 1338  
Thomasville, Georgia 31792

Re: MUR 551 (78)

Dear Mr. Hayes,

The Federal Election Commission has decided to take no further action with regard to the violation by Flowers Industries, Inc., of 2 U.S.C. § 441b(a) in view of the fact that the \$250.00 corporate contribution involved has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79040172043

AW  
7/18/78



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 18, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, Georgia 31211

Re: MUR 551 (78)

Dear Mr. Hudson,

The Federal Election Commission has decided to take no further action with regard to the violation of 2 U.S.C. § 441b(a) by Hudson and Marshall, Inc., in view of the fact that the \$500.00 corporate contribution has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

72044

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, Georgia 31211

Re: MUR 551 (78)

Dear Mr. Hudson,

The Federal Election Commission has decided to take no further action with regard to the violation of 2 U.S.C. § 441b(a) by Hudson and Marshall, Inc., in view of the fact that the \$500.00 corporate contribution has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79040172045

5-15-79

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Evans for Congress Campaign )  
Fund Committee )  
Mr. Billy L. Evans )  
Mr. Eugene Evans ) MUR 551 (78)  
Ms. Irene Capel )  
Ms. Joan Gann )  
Mr. Glenn Gann )  
Flowers Industries, Inc. )  
Hudson and Marshall, Inc. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, certify that on July 11, 1979, the Commission, meeting in an executive session at which a quorum was present, determined by a vote of 5-0 to adopt the recommendation of the General Counsel to take the following actions in MUR 551 (78):

1. Take no further action with regard to the violation of 2 U.S.C. §441b(a) by Hudson and Marshall, Inc., and Flowers Industries, Inc., and send the letters attached to the General Counsel's July 3, 1979 report in this matter.
2. Take no further action with regard to the violation of 2 U.S.C. §441a(a)(1)(A) by Eugene Evans and send the letter attached to the General Counsel's July 3, 1979 report in this matter.
3. Take no further action with regard to the violations of 2 U.S.C. §441a(f) by the Evans for Congress Campaign Fund Committee and by Billy L. Evans for accepting an excessive contribution from Eugene Evans.

Continued

79040172045

4. Find probable cause to believe that Irene Capel, Joan Gann and Glenn Gann have violated 2 U.S.C. §441a(a) (1) (A).
5. Find probable cause to believe that the Evans for Congress Campaign Fund Committee and Billy L. Evans have violated 2 U.S.C. §441a(f).
6. Authorize the General Counsel to file a lawsuit.

Commissioners Aikens, Friedersdorf, McGarry, Harris, and Tiernan voted affirmatively for the above actions. Commissioner Thomson was not present at the time of the vote.

Attest:

7/11/79

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary to the Commission

79040172047

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Evans for Congress	)	
Campaign Fund Committee	)	
Mr. Billy L. Evans	)	
Mr. Eugene Evans	)	
Ms. Irene Capel	)	MJR 551 (78)
Ms. Joan Gann	)	
Mr. Glenn Gann	)	
Flowers Industries, Inc.	)	
Hudson and Marshall, Inc.	)	

GENERAL COUNSEL'S REPORT

SUMMARY OF ALLEGATIONS AND COMMISSION ACTION

1. Corporate Contributions

During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee"), evidence was found of eight apparent corporate contributions, three of which were in the sum of \$100 or more.

On April 13, 1978, the Commission found reason to believe that the Committee had violated 2 U.S.C. § 441b(a) by accepting corporate contributions and that Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties had violated § 441b(a) by making corporate contributions.

Further investigation revealed that International Realty Company was not incorporated at the time the contribution was made and that Hudson and Marshall Properties is not a corporate entity. It was determined, however, that the Committee had in fact accepted corporate contributions from Claussen Paving Company and from two of the five contributors of less than \$100 involved in this matter. In addition, the Committee volunteered the information that one of these two contributors initially found to have contributed less than \$100,

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Flowers Industries, Inc., had in fact contributed \$250. Also, the Committee revealed that its own records disclosed a contribution in the sum of \$500 from Hudson and Marshall, Inc.

On July 19, 1978, the Commission voted to find no reasonable cause to believe that International Realty Company and Hudson and Marshall Properties had violated 2 U.S.C. § 441b(a), to take no further action with regard to the violation of 2 U.S.C. § 441b(a) by Claussen Paving Company, and to find reason to believe that Hudson and Marshall Properties, Inc., Flowers Industries and the Committee had violated 2 U.S.C. § 441b(a). The Commission voted to include a finding of acceptance of corporate contributions in the proposed conciliation agreement to be sent to the Committee.

2. Excessive Contributions from Individuals

a. Contribution from Ms. Irene Capel

On August 13, 1976, Ms. Irene Capel wrote a check payable to Mrs. Billy L. Evans, wife of the Candidate, in the sum of \$10,000. Mrs. Evans endorsed the check to the Candidate and the check was deposited into the Committee's account. The Committee continuously reported this loan until final payment was made on August 12, 1977.

Ms. Capel took back a "consumer collateral note" in the amount of \$10,000 at 8% interest per annum which was signed by the Candidate and guaranteed by ten individuals whose signatures appear on the back of the note. The guarantors and terms of the note were fully disclosed to the Commission. (See Attachment I).

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On July 19, 1978, the Commission found reasonable cause to believe that Ms. Capel had violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Committee and that the Committee and the Candidate had violated 2 U.S.C. § 441a(f) by accepting that excessive contribution. Proposed conciliation agreements were sent to Ms. Capel, to the Candidate, and to the Committee.

b. Contribution from Joan and Glenn Gann

On August 27, 1977, Joan and Glenn Gann made a \$5,000 loan to the Candidate. This loan was reported by the Committee until it was repaid on May 16, 1977.

A "consumer collateral note" made payable to the Ganns in the amount of \$5,000 was signed by the Candidate and guaranteed by five individuals whose signatures appear on the back of the note. The guarantors and terms of the note were fully disclosed to the Commission. (See Attachment II).

On July 19, 1978, the Commission found reasonable cause to believe that Joan and Glenn Gann had violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution and that the Committee and the Candidate had violated 2 U.S.C. § 441a(f) by accepting that excessive contribution. A proposed conciliation agreement was sent to Joan and Glenn Gann including admissions as to the making of excessive contributions. Proposed agreements were sent to the Candidate and the Committee, these agreements stating that receipt by these respondents of the excessive contributions was in violation of § 441a(f).

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c. Contribution from Mr. Eugene Evans

On June 29, 1978, the Candidate provided the audit staff with a copy of the face of a promissory note supporting a \$15,000 loan obtained by the Candidate from the Farmers' Bank of Tifton on May 18, 1976. The face of the note indicates that this loan was secured by the assignment of the savings account of Mr. Eugene Evans, the Candidate's uncle. The Candidate has stated that because of uncertainty as to whether this arrangement was appropriate, he later substituted his own collateral for that of his uncle's bank account. The loan was reported as coming from the Farmers' Bank. The promissory note was signed by the Candidate. (See Attachment III).

On July 19, 1978, the Commission found reason to believe that Mr. Eugene Evans had violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans and that Mr. Billy L. Evans and the Committee had violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from Mr. Eugene Evans. Letters were sent to all of the respondents involved informing them of the Commission's findings.

CONCILIATION EFFORTS

1. Corporate Contributions

Letters were sent to Hudson and Marshall Properties, Inc., and Flowers Industries, Inc., on July 24, 1978, informing them of the Commission's findings. The response received from Hudson and Marshall, Inc., states that "...a \$500 check was inadvertently paid the Evans for Congress Committee on or

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about March 15, 1977. This error was subsequently discovered and the contribution was refunded on April 24, 1978." The Committee surmises that a volunteer campaign worker accepted this contribution "because the Committee's records indicated that earlier contributions from Hudson and Marshall (Properties) had been accepted."

The response from Flower Industries, Inc., states that this company's various plants often support state and local candidates by means including the purchase of tickets for appreciation dinners. During the period when the contribution to the Evans for Congress Committee was made, several such dinners for state and local candidates were held in the area of the Douglas, Georgia, plant. When asked to purchase tickets to such a dinner for Mr. Evans, the new plant manager in Douglas told his assistant "to handle in the usual manner," and the assistant apparently issued a company check. The corporation's attorney has written that the manager, being new, was unaware that all requests from federal candidates were to be directed through the Flowers Political Action Committee (FLO-PAC). The attorney states further that the contribution has been refunded in full and that a directive is to be issued that contributions to federal candidates from company funds "are strictly forbidden by law. As a further precaution, we are already taking steps to establish a political action group for state and local candidates only in order to centralize decisions involving the political process."

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The Committee's explanation for its acceptance of this contribution is that it was accepted by local campaign volunteers in Douglas who did not realize it was a prohibited corporate contribution. "Committee officials did not become aware of this corporate contribution until after the issue was raised by your auditors."

The Office of General Counsel recommends that no further action be taken against Hudson and Marshall, Inc., and Flowers Industries, Inc., in view of the fact that the contributions have been refunded.

As stated above, on July 19, 1978, the Commission voted to include the Committee's acceptance of these contributions in the proposed conciliation agreement to be sent to the Committee.

The Candidate submitted on behalf of the Committee a counterproposal for a conciliation agreement. In its proposal the Committee changed Section IV(A) of the Commission's proposal to read as follows:

The Respondent, unaware at the time of their status as corporations or national or state banks, accepted contributions from the following incorporated entities and banks: Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas.

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The proposed revision also dropped the word "knowingly" from the Committee's acknowledgment that it accepted corporate and bank contributions.

2. Excessive Contributions from Individuals

a. Apparent Contribution from Eugene Evans

Telephoned and written responses have been received from the Candidate and the Committee with regard to the use of Eugene Evans' assets as collateral for a loan, as have letters from the Vice-President of the Farmers' Bank of Tifton ("the Bank").

According to the information provided by the above sources, the Bank, on May 18, 1976, made a loan of \$15,000 to the Candidate and used as security an assignment of Eugene Evans' savings account. The face of the 6 month promissory note bears only the name of the Candidate. We have requested a copy of the back of this note, but the Candidate reports that neither he nor the Committee has been able to find the original document. The vice-president of the Bank has stated that the original was sent to the Candidate and that all the bank has retained is a copy of the face of the note. As a result, there is no way to ascertain whether Mr. Eugene Evans signed the back of the note. The Committee has written that neither Mr. Eugene Evans nor the Bank recalls if Mr. Evans ever signed anything related to the use of his collateral for this particular loan. The bank's representative has stated that the Bank relied upon the fact that at the time the loan was made to the Candidate, the Bank held a savings

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assignment form signed by Mr. Eugene Evans when he obtained an earlier, personal loan from the Bank. The savings assignment agreed to by Mr. Evans was a continuing one and was to "operate as security for payment of any other debts or liabilities" of the signor contracted thereafter.

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According to both the Committee and the Candidate, shortly after the May 18, 1976, loan was made to the Candidate, he became aware that the use of Mr. Eugene Evans collateral was prohibited under federal law, and he substituted his own collateral for that of his uncle's. The Bank's vice-president has been unable to determine the exact date this substitution took place, but states that it was no later than July 14, 1976. On that date the Bank made another loan to the Candidate in the amount of \$15,000 which was secured by two time certificates in the Candidate's own name and by two mobile homes. This collateral covered both loans. At the time the Candidate's certificates were given to the Bank, it released Mr. Eugene Evans' savings account as collateral for the first loan.

2 U.S.C. § 431(e) defines a contribution "to include a gift, ...loan, advance, or deposit of money or anything of value made for the purpose of influencing the nomination for election, or election of any person to federal office..." The provision of collateral for a loan made to a candidate or committee is something of value and, therefore, a contribution. Here the value of the collateral was sufficient to secure a loan of \$15,000,

thus placing that value in excess of the statutory limitation on individual contributions. Although there exists no evidence that Mr. Eugene Evans signed any agreement with specific regard to the May 18, 1978, loan made to his nephew, the Bank asserts that it relied upon an earlier, continuing assignment of his savings account when granting the \$15,000 loan to the Candidate. The Candidate and Committee acknowledge that Mr. Eugene Evans' savings account was intended to serve as collateral for this loan.

Therefore, it appears that Mr. Eugene Evans did violate 2 U.S.C. § 441a(a)(1)(A) while the Candidate and Committee violated 2 U.S.C. § 441a(f). We find, however, that mitigating factors exist which would justify taking no further action in this matter. It was the Candidate who determined within two months after the May 18, 1976, promissory note was signed that the use of his uncle's collateral was inappropriate under federal law, and it was he who took the initiative in substituting his own collateral. Therefore, while a mistake was made which resulted in a violation of the Act, this mistake was identified and the situation rectified within a reasonable time.

b. Contributions from Irene Capel and Joan and Glenn Gann

The conciliation process with regard to the excessive loans made to the Committee by Irene Capel and Joan and Glenn Gann has been conducted solely by the Candidate who has insisted that these respondents not be required to sign conciliation agreements.

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The Candidate has written:

...I do not feel that any useful purpose would be served by having these people (Irene Capel and Joan and Glenn Gann) sign an agreement not to take this action in the future. They have no knowledge of the Federal Election Commission laws nor any desire to influence legislation in the United States Congress. They will no doubt refrain from making loans to any other candidates as a result of the contacts made with them by the Federal Election Commission.

With regard to his own involvement in the acceptance of the loans from Irene Capel and the Ganns and to his signing of a conciliation agreement, the Candidate argues:

All of these transactions took place through my election committee, and I have no intention of operating other than through an election committee in future races for Congress. Therefore, I feel that the execution of this agreement by my election committee is sufficient to satisfy the violations found to exist by the Federal Election Commission.

In other words, the Candidate declines to enter into a conciliation agreement between himself and the Commission or to pay the \$200 civil penalty included in the draft conciliation agreement sent to him.

The counterproposal for a conciliation agreement submitted for the Committee modifies the language of the draft submitted by the Commission with regard to the above excessive contributions. This modification shifts the emphasis of the agreement from the Respondent's violation of the Act to the Respondent's agreement that the Commission "properly construes" 2 U.S.C. § 431(e)(6)(ii) as applying only to loans obtained from national or state banks and not to personal loans, therefore causing a personal loan to become a contribution in the full

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amount of the loan despite any guarantees of repayment made part of the loan agreement. The Committee's counterproposal also drops the civil penalty of \$200 which was included in the Commission's proposed agreement.

It has been the position of the Office of General Counsel throughout the conciliation period that at the very least Irene Capel and Joan and Glenn Gann should sign conciliation agreements in light of the amount of money involved in their loans to the Candidate and Committee. This Office has also contended that because the candidate personally signed the promissory notes involved with these loans from the three contributors, he should at the least sign a conciliation agreement acknowledging his involvement.

No agreement with the Candidate has been forthcoming on these issues. Nor has the Committee entered into a conciliation agreement with regard to its violation of 2 U.S.C. § 441a(f) and 2 U.S.C. § 441b. The conciliation process has been underway since July 1978. It is, therefore, the recommendation of the Office of General Counsel that, thorough efforts at conciliation having failed, the Commission find probable cause to believe that Irene Capel, Joan Gann, and Glenn Gann have violated 2 U.S.C. § 441a(a)(1)(A), and that Billy L. Evans and the Evans for Congress Committee Campaign Fund Committee have violated 2 U.S.C. § 441a(f). It is also recommended that this Office

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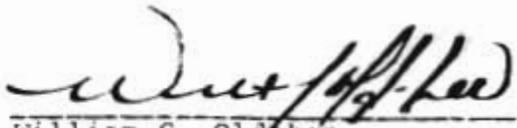
be authorized to file a lawsuit against Irene Capel, Joan Gann, Glenn Gann, Billy L. Evans, and the Evans for Congress Campaign Fund Committee.

RECOMMENDATIONS

1. Take no further action with regard to the violation of 2 U.S.C. § 441b(a) by Hudson and Marshall, Inc., and Flowers Industries, Inc., and send the attached letters.
2. Take no further action with regard to the violation of 2 U.S.C. § 441a(a)(1)(A) by Eugene Evans and send attached letter.
3. Take no further action with regard to the violations of 2 U.S.C. § 441a(f) by the Evans for Congress Campaign Fund Committee and by Billy L. Evans for accepting an excessive contribution from Eugene Evans.
4. Find probable cause to believe that Irene Capel, Joan Gann and Glenn Gann have violated 2 U.S.C. § 441a(a)(1)(A).
5. Find probable cause to believe that the Evans for Congress Campaign Fund Committee and Billy L. Evans have violated 2 U.S.C. § 441a(f).
6. Authorize the General Counsel to file a lawsuit.

Date

7/3/79

  
William C. Oldaker  
General Counsel

Attachments:

- 7 Letters
- 3 Promissory Notes

79040172059



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, Georgia 31211

Re: MUR 551 (78)

Dear Mr. Hudson,

The Federal Election Commission has decided to take no further action with regard to the violation of 2 U.S.C. § 441b(a) by Hudson and Marshall, Inc., in view of the fact that the \$500.00 corporate contribution has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010172060



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. H. Daniel Hayes, Jr.  
Corporate Attorney  
Flowers Industries, Inc.  
Post Office Drawer 1338  
Thomasville, Georgia 31792

Re: MUR 551 (78)

Dear Mr. Hayes,

The Federal Election Commission has decided to take no further action with regard to the violation by Flowers Industries, Inc., of 2 U.S.C. § 441b(a) in view of the fact that the \$250.00 corporate contribution involved has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

77010172061



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Eugene Evans  
In care of Mr. John E. James,  
Treasurer  
Evans for Congress Campaign  
Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551 (78)

Dear Mr. Evans:

The Federal Election Committee has decided to take no further action with regard to your violation of 2 U.S.C. § 441a(a)(1)(A) by allowing use of your savings account as collateral for a \$15,000 loan obtained by Mr. Billy L. Evans from the Farmers' Bank of Tifton on May 18, 1976. The Commission's decision is based upon the facts that Mr. Billy L. Evans determined that use of your collateral was inappropriate and that he substituted his own collateral for yours within a reasonable time after the promissory note was signed.

The file is now closed in this matter.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans

79010172062



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20510

Re: MUR 551 (78)

Dear Mr. Evans:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all persons involved with these contributions.

The Commission has decided to take no further action with regard to your violation of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan which you obtained on May 18, 1976, from the Farmers Bank of Tifton. The Commission's decision is based upon the fact that you independently determined that the use of Mr. Evans' collateral was improper and that you substituted your own collateral within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel



73063



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund  
Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551 (78)

Dear Mr. James:

Efforts to enter into a conciliation agreement having failed, the Federal Election Commission has found probable cause to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Irene Capel and Joan and Glenn Gann. The Commission has also authorized the filing of civil actions against all respondents involved with these contributions.

The Commission has decided to take no further action with regard to the violation by the Evans for Congress Campaign Fund Committee ("the Committee") of 2 U.S.C. § 441a(f) by accepting the use of Mr. Eugene Evans' savings account as collateral for a loan obtained by Mr. Billy L. Evans on May 18, 1976, from the Farmers' Bank of Tifton and used by the Committee for Mr. Evans' campaign. The Commission's decision is based upon the fact that Mr. Billy L. Evans determined that use of Mr. Eugene Evans' collateral was improper and that he substituted his own collateral for that of his uncle within a reasonable time after the promissory note was signed.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans



72064



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
Post Office Box 508  
Leeds, Alabama

Re: MUR 551 (78)

Dear Ms. Capel:

Efforts to enter into a conciliation agreement with you having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee. The Commission has also authorized the filing of a civil action against you in this regard.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Glenn and Joan Gann  
Route 2, Box 1175  
Hampton, Georgia 30228

Re: MUR 551 (78)

Dear Mr. and Mrs. Gann:

Efforts to enter into a conciliation agreement with you having failed, the Federal Election Commission has found probable cause to believe that you violated 2 U.S.C. § 441a (a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee. The Commission has also authorized the filing of a civil action against you in this regard.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans



Billy L. Evans  
Ninety (90) days

after date,

CONSUMER COLLATERAL NOTE

1. Amount of Loan	Date	Number
\$ 10,000.00	8/13/76	
2. Other Charges (Specify)		
\$		
3. Sub-Total (1 + 2)	6. Interest	Due
\$	\$	
4. Credit Life Insurance	7. Base Charge	ANNUAL PERCENT-AGE RATE*
\$	\$	%
5. Amount Financed (3 + 4)	8. FINANCE CHARGE* (6 + 7)	9. Total of Payments* (5 + 8)
\$	\$	\$

~~CITIZEN BANK OF GEORGIA~~  
P.O. Box 508  
IRENE CAPEL - LEEDS, ALABAMA

hereafter, together with any holder hereof, called "Holder", at its office or at such place as the Holder may designate and notify undersigned, the amount shown hereon as Amount financed with interest thereon from date until paid in full at the rate of eight per cent (8.0%) per annum, together with the Base Charge shown hereon and with all costs of collection including 15% as attorneys fees if collected by law or through an attorney at law in the event of prepayment, unsecured FINANCE CHARGE, after first deducting the Base Charge will be computed on a daily pro rata basis. The term "Collateral" as used herein, shall mean the following property which has been or is hereby delivered, pledged, assigned, conveyed and transferred to the Holder:

\*On demand notes these items are based on a maturity of one half year pursuant to Federal Regulation, interest payment period is  monthly,  payable upon receipt of statement.

together with any and all balances, credits, deposits, accounts, items and monies of the undersigned now or hereafter with the Holder, which places and the like undersigned hereby conveys and transfers to Holder, and together with any and all other property of the undersigned of every kind or description now or hereafter in the possession or control of the Holder for any reason, including all dividends and distributions on or other rights in connection with any property hereinabove referred to. Undersigned hereby warrants that sole and lawful ownership of Collateral is in the undersigned with full power and authority to transfer, convey and encumber.

The undersigned agrees that the Holder shall have a lien upon, security title to and a security interest in the Collateral to secure the payment of this Note and all other indebtedness or liability of the undersigned to Holder, however and whenever incurred or renewed, whether direct or indirect, absolute or contingent, or due or to become due hereafter with this Note collectively called "Liabilities". The surrender of this Note upon payment or otherwise shall not affect the right of the Holder to retain the Collateral for any other Liabilities. The Holder shall be deemed to have exercised reasonable care in the custody and preservation of the Collateral if Holder takes such action for that purpose as the undersigned shall request in writing, but failure of the Holder to comply with any such request shall not of itself be deemed a failure to exercise reasonable care, and no failure of the Holder to preserve or protect any rights with respect to the collateral against third parties, or to do any act with respect to preservation of the Collateral not so requested by the undersigned, shall be deemed a failure to exercise reasonable care in the custody or preservation of the Collateral.

In addition to all other rights possessed by it, the Holder, from time to time, whether before or after any of the Liabilities shall become due and payable, may: (a) transfer all or any part of the Collateral into the name of the Holder or its nominee, with or without indorsement; (b) make payment to the Holder of any amounts due or to become due thereunder; (c) enforce collection of any of the collateral by suit or otherwise and surrender, release or exchange all or any part thereof, or compromise or extend or renew from time to time and for any period (whether or not longer than the original period) any indebtedness evidenced thereby; (d) take control of any proceeds of the Collateral and (e) exercise such additional rights and powers, if any, with respect to any security for or guaranty of any of the Liabilities as may be provided in any written instrument (in addition to this Note).

If at any time Collateral shall be or become unsatisfactory to the Holder, undersigned will immediately furnish such other Collateral or make such payment on account as will be satisfactory to the Holder and in case of failure so to do, or if the undersigned should become insolvent (as defined in the Uniform Commercial Code as in effect at that time in Georgia, or a petition in bankruptcy be filed by or against undersigned, or a receiver be appointed for any part of the property or assets of undersigned, or if any judgment be entered against the undersigned, or if undersigned shall fail to meet at maturity any indebtedness or liability to the Holder, or if any arrant or representation of undersigned pertaining to this credit (whether contained in this Note or not), prove untrue or misleading, or if the Holder shall feel insecure for any reason whatsoever, (1) any and all of Liabilities may, at the option of the Holder, and without demand or notice of any kind, be declared, and thereupon immediately shall become, due and payable, (2) the undersigned shall pay all expenses of the Holder in the collection of this Note, and in the enforcement of rights under any of the Collateral, including reasonable attorney's fees and legal expenses, (3) the Holder may exercise from time to time any rights and remedies available to Holder under the Uniform Commercial Code as in effect at that time in Georgia or otherwise available to Holder, including those available under any written instrument (in addition to this Note) relating to any of the Liabilities or any security therefor (and without limitation on its rights and remedies, the Bank may take the Collateral into its own possession, by such means (without breach of the peace) and through agents or otherwise as it shall elect, and sell, lease or otherwise dispose of the Collateral in its then condition or following any commercially reasonable preparation or processing, which disposition may be by public or private proceedings, by one or more contracts, in a unit or in parcels, at any time and place and on any terms, so long as the same is commercially reasonable, and) (4) the Holder may, at any time, without demand or notice of any kind, appropriate and apply toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time, elect, any balances, credits, deposits, accounts, items or monies of the undersigned with the Holder. If any notification of intended disposition of any of the Collateral is required by law, such notification, if any, shall be deemed reasonably and properly given if mailed at least five days before such disposition, postage prepaid, addressed to the undersigned, either at the address below, or at any other address of the undersigned appearing on the records of the Holder. Any proceeds of any disposition of Collateral may be applied by the Holder to the payment of expenses in connection with the Collateral, including reasonable attorney's fees and legal expenses, and any balance of such proceeds may be applied by the Holder toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time elect. No delay or failure on the part of the Holder in the exercise of any right or remedy shall operate as a waiver thereof, and no single or partial exercise by the Holder of any right or remedy shall preclude other or further exercise thereof or the exercise of any other right or remedy.

The Holder shall be under no duty to exercise any or all of the rights and remedies given by this Note and no party to this instrument shall be discharged from his obligations or undertakings hereunder (a) should the Holder release or agree to sue any person against this Note or Holder's interest in the Collateral against such person or otherwise discharge such person, (b) should the Holder agree to suspend the right to enforce this Note or Holder's interest in the Collateral against such person or otherwise discharge such person.

Undersigned transfers, assigns and conveys to the Holder a sufficient amount of his interest and exemption which undersigned or undersigned's family may have under or by virtue of the Constitution or laws of Georgia or any other State of the United States as against creditors to pay them, in case of bankruptcy, undersigned authorizes and directs the Trustee to deliver to Holder a sufficient amount of property or money claimed, exempt to pay Liabilities and the Holder is appointed attorney in fact for undersigned to claim any and all homestead exemptions allowed by law.

If more than one party shall execute this Note, the term undersigned as used herein shall mean all parties signing this Note and each of them, who shall be jointly and severally obligated hereunder.

Insurance Statement Credit Life Insurance is not a condition of this loan. Date of birth \_\_\_\_\_  
Loan not eligible for Credit Life Insurance.  I decline Credit Life Insurance. \_\_\_\_\_  
I request Credit Life Insurance of a cost of \$ \_\_\_\_\_ for the term of the credit. Date \_\_\_\_\_ Signature \_\_\_\_\_

Signed, sealed and delivered by the undersigned who hereby acknowledges receipt of a completed copy hereof.

301 Oldham Building

*Billy L. Evans* (Seal)

Living Address

Telephone Number

Macon, GA

31201

City State Zip Code

NOTICE:

Under the Equal Credit Opportunity Act (ECOA), in connection with your application for a loan, a credit inquiry may be made which will provide certain information concerning your general reputation, financial history, personal characteristics and mode of living to enable the lender to evaluate your creditworthiness. If you are applying for a loan, you may also request a similar report. Upon your written request, within a reasonable time, additional information as to the nature and scope of either or both of these reports will be provided you. L 1205 (8-74)



Guarantors on August 13, 1976 Note from Billy L. Evans to Irene Capel for \$10,000.00

Don A. Barnette  
121 Governors Drive  
Forest Park, GA 30050 ✓  
Vice President  
A & W Bricks, Inc.

Barbara Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214 ✓  
Accounting Clerk  
Market Grocery Company

Wallace L. Wilson  
4795 Taaglewood Lane  
Forest Park, GA 30050  
President  
W.D.W. Kitchens

A. S. Carns  
Route #3, Lynn Drive  
Fayetteville GA 30214 ✓  
Load Planner  
United Air Lines

Glenda S. Harrah  
4764 Hanse Drive  
Forest Park, GA 30050 ✓  
Bookkeeper  
Charblee Building Materials, Inc.

Alice Smith  
4609 Richard Road  
Conley GA 30027 ✓  
Accounting Clerk  
Market Grocery Company

John M. Daler  
4692 Tara Woods Blvd.  
Ellenwood, GA.  
President  
Shurway Company

William T. Peoples  
1433 Graceland Court  
Morrow GA 30260  
Sales Manager  
Standard Oil Company

J. A. Lowery  
2555 Fox Hall Lane  
College Park, GA 30334  
Secretary  
Johnson & Marter, Attys. at Law

Billye R. Peoples  
1433 Graceland Court, Morrow, GA  
Housewife  
Morrow GA 30260

CONSUMER COLLATERAL NOTE

NAME Billy L. Evans  
Ninety (90) days after date,  
the undersigned promises to pay to the order of

~~CENTRAL BANK OF GEORGIA~~  
**GLENN AND JOAN GANN**  
ROUTE 2, Box 1175, HAMPTON, GA. 30228

1. Amount of Loan	Date	Number
\$ 5,000.00	8/27/76	21/1
2. Other Charges (Specify)		
\$		
3. Sub-Total (1 + 2)	6. Interest	Due
\$	\$	
4. Credit Life Insurance	7. Base Charge	ANNUAL PERCENT-AGE RATE*
\$	\$	%
5. Amount Financed (3 + 4)	8. FINANCE CHARGE* (6 + 7)	9. Total of Payments* (5 + 8)
\$	\$	\$

(hereafter, together with any holder hereof, called "Holder"), at its office or at such place as the Holder may designate and notify undersigned, the amount shown hereon of Amount Financed with interest thereon from date until paid in full at the rate of eight per cent (8.0%) per annum, together with the Base Charge shown hereon and with all costs of collection including 15% as attorneys fees if collected by law or through an attorney at law. In the event of prepayment, unearned FINANCE CHARGE, after first deducting the Base Charge will be computed on a daily pro rata basis. The term "Collateral" as used herein, shall mean the following property which has been or is hereby delivered, pledged, assigned, conveyed and transferred to the Holder:

*Handwritten signature: Paul*

together with any and all balances, credits, deposits, accounts, items and monies of the undersigned now or hereafter with the Holder, which balances and the like undersigned hereby conveys and transfers to Holder, and together with any and all other property of the undersigned of every kind or description now or hereafter in the possession or control of the Holder for any reason, including all dividends and distributions on or other rights in connection with any property hereinabove referred to. Undersigned hereby warrants that sole and lawful ownership of Collateral is in the undersigned with full power and authority to transfer, convey and encumber.

The undersigned agrees that the Holder shall have a lien upon, security title to and a security interest in the Collateral to secure the payment of this Note and all other indebtedness or liability of the undersigned to Holder, however and whenever incurred or evidenced, whether direct or indirect, absolute or contingent, or due or to become due (hereafter with this Note collectively called "Liabilities"). The surrender of this Note upon payment or otherwise shall not affect the right of the Holder to retain the Collateral for any other Liabilities. The Holder shall be deemed to have exercised reasonable care in the custody and preservation of the Collateral if Holder takes such action for that purpose as the undersigned shall request in writing, but failure of the Holder to comply with any such request shall not of itself be deemed a failure to exercise reasonable care, and no failure of the Holder to preserve or protect any rights with respect to the Collateral against prior parties, or to do any act with respect to preservation of the Collateral not so requested by the undersigned, shall be deemed a failure to exercise reasonable care in the custody or preservation of the Collateral.

In addition to all other rights possessed by it, the Holder, from time to time, whether before or after any of the Liabilities shall become due and payable, may (a) transfer all or any part of the Collateral into the name of the Holder or its nominee, with or without declaring that such Collateral is subject to the lien, security title and security interest hereunder; (b) notify the parties obligated on any of the Collateral to make payment to the Holder of any amounts due or to become due thereunder; (c) enforce collection of any of the Collateral by suit or otherwise and surrender, release or exchange all or any part thereof, or compromise or extend or renew from time to time and for any period (whether or not longer than the original period) any indebtedness evidenced thereby; (d) take control of any proceeds of the Collateral and (e) exercise such additional rights and powers, if any, with respect to any security for or guaranty of any of the Liabilities as may be provided in any written instrument (in addition to this Note).

If at any time Collateral shall be or become unsatisfactory to the Holder, undersigned will immediately furnish such other Collateral or make such payment on account as will be satisfactory to the Holder and in case of failure so to do, or if the undersigned should become insolvent (as defined in the Uniform Commercial Code as in effect at that time in Georgia, or a petition in bankruptcy be filed by or against undersigned, or a receiver be appointed for any part of the property or assets of undersigned, or if any judgment be entered against the undersigned, or if undersigned shall fail to meet at maturity any indebtedness or liability to the Holder, or if any warranty or representation of undersigned pertaining to this credit (whether contained in this Note or not), prove untrue or misleading, or if the Holder shall feel insecure for any reason whatsoever, (1) any and all of Liabilities may, at the option of the Holder, and without demand or notice of any kind, be declared, and thereupon immediately shall become, due and payable, (2) the undersigned will pay all expenses of the Holder in the collection of this Note, and in the enforcement of rights under any of the Collateral, including reasonable attorney's fees and legal expenses, (3) the Holder may exercise from time to time any rights and remedies available to Holder under the Uniform Commercial Code as in effect at that time in Georgia or otherwise available to Holder, including those available under any written instrument (in addition to this Note) relating to any of the Liabilities or any security therefor (and without limitation on its rights and remedies, the Bank may take the Collateral into its own possession, by such means (without breach of the peace) and through agents or otherwise as it shall elect, and sell, lease or otherwise dispose of the Collateral in its then condition or following any commercially reasonable preparation or processing, which disposition may be by public or private proceedings, by one or more contracts, as a unit or in parcels, at any time and place and on any terms, so long as the same is commercially reasonable, and) (4) the Holder may, at any time, without demand or notice of any kind, appropriate and apply toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time, elect, any balances, credits, deposits, accounts, items or monies of the undersigned with the Holder. If any notification of intended disposition of any of the Collateral is required by law, such notification, if mailed, shall be deemed reasonably and properly given if mailed at least five days before such disposition, postage prepaid, addressed to the undersigned, either at the address below, or at any other address of the undersigned appearing on the records of the Holder. Any proceeds of any disposition of Collateral may be applied by the Holder to the payment of expenses in connection with the Collateral, including reasonable attorney's fees and legal expenses, and any balance of such proceeds may be applied by the Holder toward the payment of such of the Liabilities, and in such order of application, as the Holder may from time to time elect. No delay or failure on the part of the Holder in the exercise of any right or remedy shall operate as a waiver thereof, and no single or partial exercise by the Holder of any right or remedy shall preclude other or further exercise thereof or the exercise of any other right or remedy.

The Holder shall be under no duty to exercise any or all of the rights and remedies given by this Note and no party to this instrument shall be discharged from his obligations or undertakings hereunder (a) should the Holder release or agree to sue any person against this Note or Holder's interest in the Collateral against such person or otherwise discharge such person.

Undersigned transfers, assigns and conveys to the Holder a sufficient amount of homestead and exemption which undersigned or undersigned's family may have under or by virtue of the Constitution or Laws of Georgia or any other State of the United States as against Liabilities to pay them, in case of bankruptcy, unsecured creditors and directs the Trustee to deliver to Holder a sufficient amount of property or money claimed as exempt to pay Liabilities and the Holder is appointed attorney in fact for undersigned to claim any and all homestead exemptions allowed by law.

If more than one party shall execute this Note, the terms used, signed as used herein shall mean all parties signing this Note and each of them, who shall be jointly and severally obligated hereunder.

Insurance Statement: Credit Life Insurance is not a condition of this loan.  
 Loan not eligible for Credit Life Insurance.  I decline Credit Life Insurance. Date of birth: \_\_\_\_\_  
 I request Credit Life Insurance at a cost of \$ \_\_\_\_\_ for the term of the credit. Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signed, sealed and delivered by the undersigned who hereby acknowledges receipt of a completed copy hereof  
301 Oldham Building \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Macon, Georgia \_\_\_\_\_ 31201 \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
NOTICE: \_\_\_\_\_

In compliance with Public Law 93-502, in connection with your application for a loan, a notice hearing may be made which will provide certain information concerning your general credit history, personal characteristics and mode of living. In order to obtain your report under this law, you will be required to pay a fee. Upon your written request, within a reasonable time, additional information as to the nature and scope of a hearing or both of these reports will be provided you. IL 1205 (8-74)



Guarantors on August 27, 1976 Note from Billy L. Evans to Joan & Glenn Gann For \$5,000.00

Charles Autrell Lavery  
2555 Fox Hall Lane  
College Park, GA 30334 ✓  
Salesman  
Market Grocery Company

Norman Lewis  
175 Harold Drive  
Athens, GA 30601  
Salesman  
Poss Famous Foods

Bob A. Barnette  
5582 Jonesboro Road  
Lake City, GA  
Purchasing Agent  
Market Grocery Company

Fred R. McDonald  
1429 Graceland Court  
Morrow GA 30260 ✓  
Mechanic  
Raymond Services, Inc.

J. Ralph Carter  
237 Rivertown Road  
Fairburn GA 30213 ✓  
Salesman  
Market Grocery Company

*The Farmers Bank of Tifton*WEST SIDE BRANCH  
CORNER W. 2ND ST. & VIRGINIA AVE.  
*Tifton, Georgia 31794*L. A. BRASWELL  
VICE PRESIDENT

June 20, 1978

Mr. Dennis Beall  
P.O. Box 4993,  
Macon, Ga. 31208

As you requested on the phone today I am enclosing a photo-copy of our carbon copy of the note this bank made to Mr. Billy Evans on May 18, 1976 for \$15,000.00 to be used in his election campaign.

This note shows as collateral an assignment of a savings account of Mr. Eugene Evans. Later Mr. Billy Evans sent us some Time Certificates of Deposit issued by a bank there in Macon and we substituted them in place of the savings account of Mr. Eugene Evans. This will show on the original note which was mailed to Billy when it paid out.

I hope this will give you the information you needed in this matter.

Sincerely,

*L. A. Braswell*L. A. Braswell  
Vice Pres.

79040172073



3A

ADDED FEBRUARY 1976

hereafter, together with any holder hereof, called "holder", at its office or at such place as the holder may designate and notify undersigned, the amount shown hereon as Total of Payments with interest after maturity at 8% per annum until paid in full and with all costs of collection including 15% as attorneys fees if collected by law or through an attorney at law. The interest shown hereon in item 5 will be earned daily on a pro rata basis.

This note bears interest at \_\_\_\_\_ % per annum  
**THE FARMERS BANK OF TIFTON SECURED PROMISSORY NOTE**

1. Amount of Loan \$ 15,000.00	ANNUAL PERCENT- AGE RATE 08.00 %	Date 7-11-76
2. Credit Life Insurance \$ .00	3. Interest \$ 613.33	Number of Payments ONE
3. Other Charges (Specify) Rec. - NRI \$ 0	4. Escrow Annual Charge \$ 0	Due 1-11-77
4. Amount Financed (1 + 2 + 3) \$ 15,000.00	5. FINANCE CHARGE (5 + 6)* \$ 613.33	6. Total of Payments (4 + 5)* \$ 15,613.33

To secure the payment of this note and any and all liability, direct or indirect, joint or several, as principal, maker, endorser, surety, guarantor or otherwise of the undersigned to the holder hereof, already existing of which may hereafter arise, and whether due or not due, the undersigned (hereafter called "maker") hereby pledges and deposits the following property as Collateral, with the intent of granting therein a security interest and security title thereto: Assign Time Certificates

Also: 1-1973 Peerless Mobile Home, Id # PG2266 & 1-1973 Peerless Mobile Home, Id # PG2270

(including all cash, stock or other dividends and all proceeds thereof, and all rights to subscribe for securities incident thereto), all of which is hereafter called "Collateral."

The holder hereof is hereby granted a security interest and lien for this note and all other indebtedness of the maker, or either of them, as aforesaid, to such holder hereof upon all property left with said holder, whether now or hereafter or hereafter deposited, and upon any balance or deposit account of the maker, or either of them, whether such accounts be general or special, or individual or joint, and upon all drafts, notes or other items deposited for collection by the maker, or either of them, with said holder, all of which are deemed Collateral as herein defined, and the holder may at any time, without demand or notice, appropriate and apply any of such toward the payment of any obligation or liability hereunder, whether or not due.

If at any time the Collateral above or hereafter specifically pledged as security for this note and then so held, shall be or become unsatisfactory to the holder or any of its officers, or should the holder deem itself insecure, the maker will immediately furnish such further Collateral or make such payment on account as will be satisfactory to such holder to be held by the holder as if originally pledged hereunder. The date on which any Collateral is substituted for or added to the Collateral herewith deposited shall be deemed to be the date of the original obligation secured by this note. The maker represents and covenants that the maker owns and has full power and authority to transfer, convey and encumber the Collateral herewith described, and any substituted and additional Collateral which may be given.

Upon (i) the failure of any obligor (which term shall include each maker, endorser, surety or guarantor of this note) to perform any agreement or promise hereunder or to pay any liability whatsoever to the holder when due, (ii) any warranty, representation or statement made or furnished to the holder by or on behalf of the maker in connection with this agreement proving to have been false in any material respect when made or furnished, (iii) loss, theft, substantial damage, destruction, sale or encumbrance to or of any of the Collateral, or the making of any levy, seizure or attachment thereof or thereon or the rendering of any judgment or lien, or garnishment or attachment against any obligor or his property, (iv) death, dissolution, termination of existence, insolvency, sequestration, appointment of a receiver of any part of the property of, assignment for the benefit of creditors by, or the commencement of any proceeding under any bankruptcy or insolvency laws, State or Federal, by or against the maker or any guarantor or surety for the maker, (v) the holder deeming itself insecure or the Collateral in danger of misuse or destruction, thereupon, or at any time thereafter (such default not having been previously cured), the holder at its option may decline all of the obligations to be performed hereunder, due and payable, all without notice or demand, and shall then have the remedies at a secured party under the Uniform Commercial Code of Georgia (including, whether the Code has been enacted in the jurisdiction where rights or remedies are asserted), including without limitation thereto, the right to take possession of the Collateral, or the proceeds thereof and to sell or otherwise dispose thereof, and for this purpose, to sign in the name of the maker any transfer, conveyance or instrument necessary in the premises, and the holder may, so far as the maker can give authority therefor, enter upon the premises on which the Collateral or any part thereof may be situated and remove the same therefrom, without being liable in any way to the maker on account of entering any premises. The holder may require the maker to assemble the Collateral and make the Collateral available to the holder at a place to be designated by the holder which is reasonably convenient to both parties. The right is expressly granted to the holder to transfer at any time to itself or its nominee any Collateral held hereunder and to receive the income therefrom and to hold the same as security herefor, or to apply it to any obligations secured hereby. Unless the Collateral is perishable or threatens to decline speedily in value or is of a type customarily sold on a recognized market, the holder shall give the maker written notice of the time and place of any public sale thereof or at the time after which any private sale or other intended disposition thereof is to be made. The requirement of sending reasonable notice shall be met if such notice is mailed, postage prepaid, or otherwise given, to the maker at his last address shown on the holder's records at least five days before such disposition. Expenses of retaking, holding, preparing for sale, selling or the like shall include the holder's reasonable attorney's fees and legal expenses. The rights of the holder specified herein shall be in addition to, and not in limitation of, the holder's rights under the said Uniform Commercial Code as amended from time to time, or any other statute or rule of law conferring rights similar to those conferred by said Code and under the provisions of any other instrument executed by the maker to the holder.

Each maker, surety, guarantor, endorser or other party hereto hereby severally waives and renounces for himself and family all homestead exemption rights he may have under or by virtue of the Constitution or the laws of the United States or of any State, and each hereby transfers, assigns and conveys to the holder of this note, all of his homestead and exemption rights, including any homestead or exemption set apart in bankruptcy, to secure the indebtedness represented by this note and any renewal and any and all other indebtedness each may now or hereafter owe the holder of this note, and each hereby directs any trustee in bankruptcy, having possession of such homestead or exemption to turn the same over to the holder of this note, and waives presentment, demand, protest and notice of demand, protest and non-payment, and any other notice required by law relative hereto. Each agrees that this note or any installment thereof may be renewed or extended and any security may be released or substituted or reduced, the holder may compromise or receive less than the amount due on any Collateral, and may grant any other indulgence to any party without notice to any party and without affecting his liability, and the holder may proceed against any party without first proceeding against the maker or any other party, or against any Collateral.

As used herein, the term "maker" shall mean each of the undersigned, jointly and/or severally.

Insurance Statement Credit Life Insurance is not a condition of this loan.

Date of birth \_\_\_\_\_ Loan not eligible for Credit Life Insurance \_\_\_\_\_

Amount Insured \$ \_\_\_\_\_ Cost of Insurance \$ \_\_\_\_\_

I \_\_\_\_\_ request \_\_\_\_\_ Decline Credit Life Insurance. Date 7-11-76

Signature Billy Evans

Signed, sealed and delivered by the undersigned who hereby acknowledges receipt of a completed copy hereof.

Billy Evans

Note number 2037

Original

Approved [Signature]

72075



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
DATE: MAY 23, 1979  
SUBJECT: MUR 551 - Interim Conciliation Report  
dated 5-21-79; Received in  
OCS 5-21-79, 3:36

The above-named document was circulated on a 24  
hour no-objection basis at 9:00, May 22, 1979.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
10:00 this date.

79040172076

EO

May 21, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Concil Report  
on MUR 551 distributed to the Commission.

Thankyou.

79010.72077

In the Matter of )  
 )  
Evans for Congress )  
Campaign Fund Committee, )  
et al. )

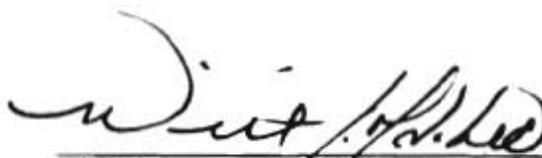
MUR 551 (78) 79 MAY 21 P 3: 36

INTERIM CONCILIATION REPORT

No further information has been received from Congressman Evans since March 29, 1979. This Office is in the process of informing him by letter that if there is no further movement on this matter within 10 days of his receipt of the letter, the matter will be referred to the Commission for possible litigation.

Date

5/21/79



William C. Oldaker  
General Counsel

79040172078



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MJE*  
DATE: APRIL 13, 1979  
SUBJECT: MUR 551 - Interim Conciliation Report  
dated 4-11-79; Received in  
OCS 4-12-79, 10:22

The above-named document was circulated on a 24  
hour no-objection basis at 3:30, April 12, 1979.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
4:00 this date.

79040172079

April 12, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Concil Report  
on MUR 551 distributed to the Commission.

Thank you.

79040172080

RECEIVED  
APR 12 1979  
BEFORE THE FEDERAL ELECTION COMMISSION CLERK

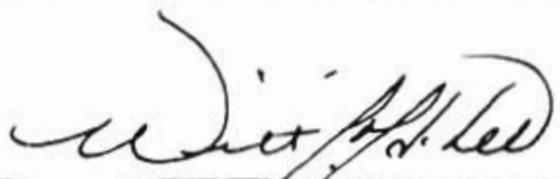
In the Matter of )  
 ) 79 APR 12 AIO: 22  
Evans for Congress )  
Campaign Fund Committee, ) MUR 551 (78)  
et al. )

INTERIM CONCILIATION REPORT

7 9 0 4 0 1 7 2 0 9 1

On March 29, 1979, Mr. Evans telephoned this Office and reiterated his desire that of all the respondents in this matter only the Committee be required to sign a conciliation agreement. He was informed of this Office's continuing position that: (1) Irene Capel and Glenn and Joan Gann should at a minimum sign agreements, given the amounts of the loans (\$10,000 and \$5,000 respectively) which they extended to Mr. Evans and the Evans for Congress Campaign Fund Committee in 1976; and (2) that Mr. Evans himself should also sign an agreement given his personal involvement in the receipt of these loans. He stated that he would discuss our position with the other respondents and report their decisions soon. He asserted that he wishes to have this matter closed.

4/11/79  
Date

  
William C. Oldaker  
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *mwe*  
DATE: MARCH 13, 1979  
SUBJECT: MUR 551 - Interim Conciliation Report  
3-8-79; Received in OCS 3-9-79,  
2:36

The above-named document was circulated on a 24  
hour no-objection basis at 4:30, Monday, March 12, 1979.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
4:30 this date.

79040172082

March 9, 1979

MEMORANDUM TO: Marge Emmons  
from: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Concil Report  
on MUR 551 distributed to the Commission.

Thank you.

7 9 7 4 0 1 7 2 0 8 3

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

In the Matter of )  
Evans for Congress Committee, )  
et al. )

MUR 551 (78) P 2: 36  
9 MAR 9

INTERIM CONCILIATION REPORT

Congressman Billy Evans was out of the country for several weeks in February, thus necessitating a postponement in negotiations. On March 6 the reactions of this Office to Mr. Evans' counter-proposals were presented to him. It was agreed that both sides would consider further the remaining differences and that discussions would resume on March 12.

3/8/79  
Date

William C. Oldaker  
William C. Oldaker  
General Counsel  
by Harold Johnson

79040172084



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
DATE: FEBRUARY 12, 1979  
SUBJECT: MUR 551 (78) - Interim Conciliation  
Report dated 2-8-79; Received  
in OCS 2-9-79, 12:32

The above-named document was circulated on a 24  
hour no-objection basis at 10:30, Monday, February 12, 1979.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
12:00 this date.

79040172085

February 9, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Concil Report  
on MUR 551 distributed to the Commission.

Thank you.

79040172086

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

79 FEB 9 P12: 32

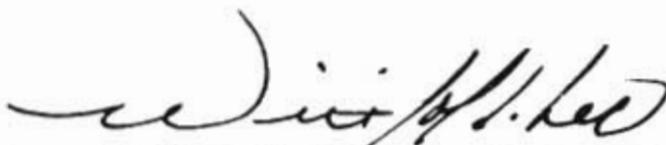
In the Matter of )  
Evans for Congress/Campaign ) MUR 551 (78)  
Fund Committee, et al. )

INTERIM CONCILIATION REPORT

We are in the process of sending to Congressman Billy L. Evans a counter-response to his response to all of the findings of reasonable cause to believe made by the Commission in this matter. It is hoped that agreement with the respondents can be reached on all of the issues involved so that the report submitted to the Commission may contain only recommendations for approval.

Date

2/8/79

  
William C. Oydaker  
General Counsel

79040172087



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
DATE: JANUARY 15, 1979  
SUBJECT: MUR 551 (78) - Interim Conciliation  
Report dated 1-10-79, Signed 1-11-79:  
Received in OCS 1-12-79, 10:45

The above-named document was circulated on a 24  
hour no-objection basis at 3:30, January 12, 1979.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as  
of 4:00, this date.

79040172088

January 12, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Conciliation  
Report on MUR 551 distributed to the Commission.

Thank you.

79040172089

BEFORE THE FEDERAL ELECTION COMMISSION

January 10, 1979

RECEIVED  
OFFICE OF THE  
SECRETARY  
29 JAN 12 AIO: 45

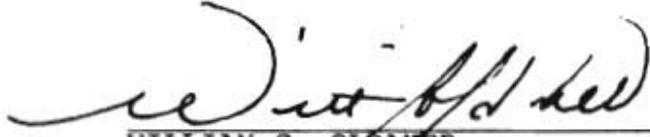
In the Matter of	)	
	)	
Evans for Congress/Campaign	)	MUR 551(78)
Fund Committee, et al.	)	

INTERIM CONCILIATION REPORT

Congressman Billy L. Evans ("the Candidate") has submitted a response with regard to all of the findings of reasonable cause to believe made by the Commission on July 19, 1978, together with a proposed revision of the conciliation agreement sent to the Evans for Congress Campaign Fund Committee. We are in the process of preparing a report to the Commission covering all of the issues involved in this matter.

79040172090

1/11/79  
DATE

  
 WILLIAM C. OLDAKER  
 GENERAL COUNSEL

600-5955

BILLY LEE EVANS  
5TH DISTRICT, GEORGIA

506 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
PHONE: (202) 225-4531

COMMITTEES:

PUBLIC WORKS AND  
TRANSPORTATION  
JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

DISTRICT OFFICE:  
231 FEDERAL BUILDING  
MARIETTA, GEORGIA 31506  
PHONE: (912) 742-8753

805 COLLIER STREET  
EASTMAN, GEORGIA 31023  
PHONE: (912) 374-7319

207 FEDERAL BUILDING  
WAYCROSS, GEORGIA 31501  
PHONE: (912) 388-8420

# Congress of the United States

## House of Representatives

Washington, D.C. 20515 2 AM 10:21

December 19, 1978

Ms. Anne Weissenborn  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463

808606

Dear Anne:

I am enclosing a proposed conciliation agreement which I feel adequately embodies the points of contention which the Federal Election Commission raised as a result of my campaign for Congress.

With regard to the loan in the amount of \$10,000 to my campaign committee from Irene Capel and the loan of \$5,000 from JoAnn and Glenn Gann to my campaign committee, I do not feel that any useful purpose would be served by having these people sign an agreement not to take this same action in the future. They have no knowledge of the Federal Election Commission laws nor any desire to influence legislation in the United States Congress. They will no doubt refrain from making loans to any other candidates as a result of the contacts made with them by the Federal Election Commission.

All of these transactions took place through my election committee, and I have no intention of operating other than through an election committee in future races for Congress. Therefore, I feel that the execution of this agreement by my election committee is sufficient to satisfy the violations found to exist by the Federal Election Commission.

Further, it is my belief that since my first campaign for Congress was the first contact I had with the regulations in question, no useful purpose would be served by the payment of a fine which would indicate knowing wrongdoing on the part of my committee and myself. I believe the facts in your investigation reveal exactly the opposite, to wit, that every effort was made to avoid even a technical violation of the Federal Election Campaign Regulations. Further evidence of these efforts is the fact that all transactions were fully reported with no attempt to conceal anything that occurred in our election effort.

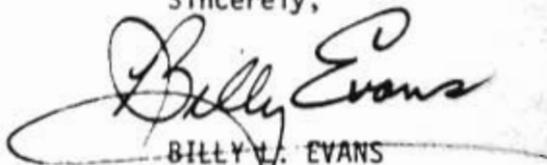
I hope the enclosed conciliation agreement will suffice to reflect that my committee regrets the stated violations of the Federal Election Campaign Regulations

19940172091

Ms. Anne Weissenborn  
FEDERAL ELECTION COMMISSION  
December 19, 1978  
Page Two

and that all care will be taken to prevent any violations in the future. I await the Commission's decision and the opportunity to meet further on this matter and bring it to a final conclusion.

Sincerely,

  
BILLY L. EVANS  
Member of Congress

BLE:mp

Enclosure

79040172092

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee )

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Evans for Congress Campaign Fund Committee (hereinafter "Respondent") has violated 2 U.S.C. § 441b(a) and 2 U.S.C. § 441a(f):

WHEREFORE; the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
  - A. The Respondent, unaware at that time of their status as corporations or National or State banks, accepted contributions from the following incor-

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porated entities and banks: Claussens Paving Company, Flowers Industries, Hudson & Marshall, Inc., and the Exchange Bank of Douglas. The contributions have been refunded.

- B. The Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5,000 from Joan Gann and Glenn Gann.
- C. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principle was repaid in two equal installments on June 30, 1977, and August 12, 1977, plus \$750.69 in interest paid with the second installment.
- D. The loan of \$5,000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest.
- E. The candidate and ten guarantors in the case of the \$10,000 and five guarantors in the case of the \$5,000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

WHEREFORE, Respondent agrees:

- A. That Respondent accepted contributions from Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas.

79040172094

- B. That acceptance of contributions from incorporated entities and national or state banks constitutes a violation of 2 U.S.C. § 441b(a).
- C. That Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.
- D. That Respondent accepted a \$5,000 loan from Joan and Glenn Gann on August 27, 1976.
- E. That the Commission properly construes 2 U.S.C. § 431(e)(G)(ii), which states that a loan "shall be considered a loan by each endorser or guarantor, in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors;" to be limited in application only to loans made by national or state banks and not to personal loans.
- F. That given this proper construction of 2 U.S.C. § 431(e)(G)(ii), a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. § 431(e), notwithstanding any guarantees of repayment made part of the loan agreement.
- G. That a personal loan to a candidate or committee in excess of \$1,000 per election places the contributor

79040172095

in violation of the limitations of 2 U.S.C. § 441a(a)(1)(A).

- H. That acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. § 441a(a)(1)(A) constitutes a violation of § 441a(f) by the recipient candidate or committee.
- I. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

79040172096

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

79040172097  
Date \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

Date \_\_\_\_\_

\_\_\_\_\_  
John E. James, Treasurer  
Congressman Billy Evans  
Re-Election Committee (formerly  
Evans for Congress Campaign  
Fund Committee)

79010T72098

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS

U.S. House of Representatives  
WASHINGTON, D.C. 20515  
PUBLIC DOCUMENT  
OFFICIAL BUSINESS

*Billy J. Evans* M.C.

Ms. Anne Weissenborn  
FEDERAL ELECTION COMMISSION  
1325 K Street, N. W.  
Washington, D. C. 20463



11/10/98  
22 AM 10



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
DATE: DECFMBER 18, 1978  
SUBJECT: MUR 551 (78) - Interim Conciliation Report  
dated 12-12-78; Signed by  
GC 12-13-78. Received in  
OCS 12-15-78. 10:25

The above-named document was circulated on a 24  
hour no-objection basis at 3:00, December 15, 1978.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
4:00 this date.

79040173099

December 15, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Concil Report on  
MUR 551 distributed to the Commission.

Thank you.

79010172100

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

December 12, 1978

78 DEC 15 A10: 25

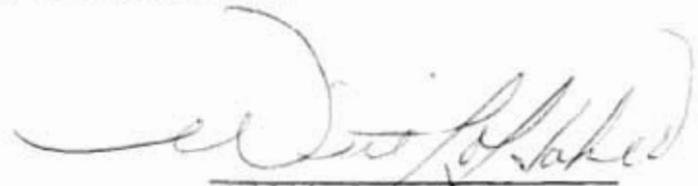
In the Matter of )  
 )  
Evans for Congress )  
Campaign Fund Committee )

MUR 551(78)

INTERIM CONCILIATION REPORT

Since our last interim report was submitted on November 15, 1978, we have been unable to reach Congressman Billy L. Evans ("the Candidate") to pursue conciliation concerning the issue of excessive contributions involved in this matter. We were informed on November 14 that he would be out of the country until November 27; however, a more recent inquiry has revealed that he did return but then almost immediately left the country again on official business. He is expected to return on December 14. At that time we will contact him concerning the proposed conciliation agreements presently in the hands of himself, the Committee and the three contributors of excessive contributions.

12/13/78  
Date

  
\_\_\_\_\_  
William C. Oldaker  
General Counsel

79040172101



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MJE by jc*  
DATE: NOVEMBER 22, 1978  
SUBJECT: MUR 551 (78) - Interim Status Report  
dated 11-15-78; Signed  
11-20-78; Received in  
OCS: 11-21-78, 10:08

The above-named document was circulated on a 24  
hour no-objection basis at 3:30, November 21, 1978.

The Commission Secretary's Office has received  
no objections to the Interim Status Report as of 4:00,  
this date

79040172102

November 21, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Status Report  
on MUR 551 distributed to the Commission.

Thank you.

79040172103

BEFORE THE FEDERAL ELECTION COMMISSION  
November 15, 1978

RECEIVED  
OFFICE OF THE

78 NOV 21 A10: 08

In the Matter of )  
 )  
 )  
Evans for Congress )  
Campaign Fund Committee, et. al )

MUR 551 (78)

INTERIM STATUS REPORT

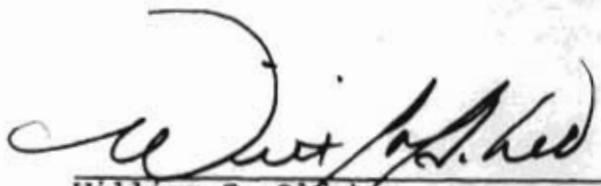
Since our last interim status report submitted on September 13, 1978, we have been concentrating on the issue contained in this MUR concerning the contribution by Mr. Eugene Evans. Mr. Eugene Evans provided collateral for a \$15,000 bank loan obtained by Mr. Billy L. Evans ("the Candidate") on May 18, 1976, and used by the Evans for Congress Campaign Fund Committee ("the Committee"). On July 19, 1978, the Commission found reason to believe that Mr. Eugene Evans had violated 2 U.S.C. § 441a(a)(1)(A) by permitting use of his collateral in connection with this loan and that the Candidate and the Committee had violated 2 U.S.C. § 441a(f) by accepting such use.

We now have obtained sufficient information from the bank involved as well as from the Candidate and Committee in order to make a recommendation concerning Commission action on this issue. We believe, however, that it is best to defer this recommendation, as well as one concerning the apparent corporate contributions also addressed by the Commission on July 19, until the conciliation process

79040172104

with the Committee, Candidate, and three other contributors of excessive contributions has been completed. In response to a request from the Candidate, we agreed to postpone this conciliation process until our investigation of the use of Mr. Eugene Evans' collateral had been completed. Now that that has been accomplished, we anticipate reaching final resolution of the entire matter within the next three weeks.

11/20/78  
Date

  
William C. Oldaker  
General Counsel

79040172105

BILLY LEE EVANS  
8TH DISTRICT, GEORGIA

508 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
PHONE: (202) 225-8531

COMMITTEES:

PUBLIC WORKS AND

TRANSPORTATION

SMALL BUSINESS

JUDICIARY

SELECT COMMITTEE ON  
NARCOTICS ABUSE AND CONTROL

Congress of the United States

House of Representatives

Washington, D.C. 20515

October 26, 1978

RECEIVED  
FEDERAL ELECTION  
COMMISSION

78 OCT 29 PM 12:00

5356  
DISTRICT OFFICES:  
331 FEDERAL BUILDING  
MACON, GEORGIA 31208  
PHONE: (912) 742-5753  
1808 COLLEGE STREET  
EASTMAN, GEORGIA 31023  
PHONE: (912) 374-7319  
1000 FEDERAL BUILDING  
WAYNESBORO, GEORGIA 31501  
PHONE: (912) 285-8420

551

807447

Mr. William C. Oldaker  
Office of the General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Dear Mr. Oldaker:

This will acknowledge your letter requesting the original paid note which was executed by me to the Farmers Bank of Tifton on May 18, 1976. I regret to advise you that I am unable to locate the original note.

I went to Georgia last week and along with the former treasurer and the present treasurer of my campaign I searched through all of our files regarding the election. I also called my former chairman who kept the records during the early part of my campaign and he stated that after a diligent search of his records that he was unable to find the note.

In an effort to be completely thorough, I went back through all of my personal records, including my income tax returns for the past two years, and was unable to locate the note in my records. I sincerely wish that I could locate the note because I believe that it would substantiate our belief that Gene Evans did not endorse this note. However, I believe that I have exhausted every place that I know to look for the note and must ask that you proceed without this material. In the meantime, if the note turns up I will forward it to you immediately.

Sincerely yours,

*Billy Evans*

BILLY L. EVANS  
Member of Congress

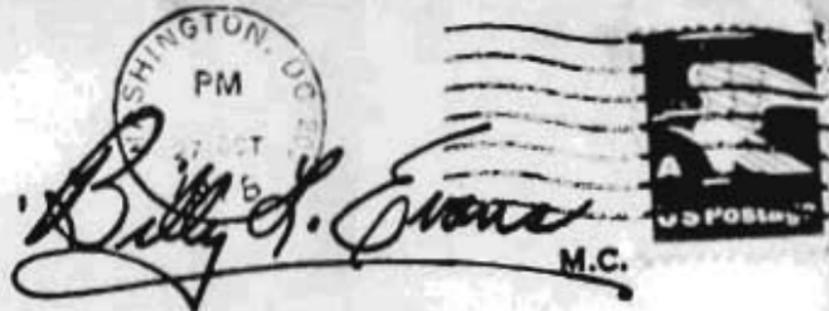
lca/

BLE/ca

79040172106

79040172107

Congress of the United States  
House of Representatives  
Washington, D.C. 20515



OFFICIAL BUSINESS

RECEIVED  
FEDERAL ELECTION  
COMMISSION

OCT 29 PM 12:09

Mr. William C. Oldaker  
Office of the General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

October 11, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20515

Re: MUR 551(78)

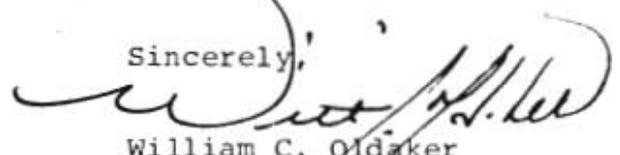
Dear Mr. Evans,

This letter is to confirm your telephone conversation with Anne Weissenborn of this office. You agreed to supply a copy of the back of the promissory note to the Farmers Bank of Tifton which you executed on May 18, 1976. The face of that note indicates the assignment of the savings account of Mr. Eugene Evans as collateral for the loan secured by you for your campaign.

We will look forward to the receipt of a copy of the back of the note within the next week so that we may resolve this matter as soon as possible.

Thank you for your cooperation in this matter.

Sincerely,



William C. Oldaker  
General Counsel

7904 017 2108

MUR 551(78) A W

PS Form 3811, Apr 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... \$  
 Show to whom, date, and address of delivery ..... \$  
 RESTRICTED DELIVERY Show to whom and date delivered ..... \$  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$.....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 THE HON. BILLY L EVANS  
 U.S. HOUSE OF REP  
 CANNON H. OFF. BLDG  
 WASHINGTON, DC 20515

3. ARTICLE DESCRIPTION  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943566

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
 M. Parnell

4. DATE OF DELIVERY  
 10/16/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE TH. VN. CLERK'S INITIALS





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE *MWE*  
FROM: MARJORIE W. EMMONS  
DATE: SEPTEMBER 26, 1978  
SUBJECT: MUR 551 (78) - Interim Status Report  
dated 9-13-78. Signed:  
9-22-78. Received in  
OCS 9-22-78, 2-33

The above-named document was circulated on a 24  
hour no-objection basis at 10:00 a.m. September 25, 1978.

The Commission Secretary's Office has received  
no objections to the Interim Status Report as of 11:30  
this date.

79040172110

September 22, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached Interim Status Report on  
MUR 551 distributed to the Commission.

Thankyou.

79040172111

BEFORE THE FEDERAL ELECTION COMMISSION

September 13, 1978

In the Matter of )  
 )  
Evans for Congress Committee ) MUR 551(78)

INTERIM STATUS REPORT

79040172112

During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee"), the auditors found that the Committee and Mr. Billy L. Evans ("the Candidate") had received a loan of \$10,000 from Ms. Irene Capel on August 13, 1976, and that the Committee had received a joint loan of \$5,000 from Ms. Joan Gann and Mr. Glenn Gann on August 27, 1976. These loans placed the contributors in apparent violation of 2 U.S.C. § 441a(a)(1)(A) and the Candidate and Committee in apparent violation of 2 U.S.C. § 441a(f). The Commission on April 13, 1978, found reason to believe, and on July 19, 1978, reasonable cause to believe that these violations had occurred. Letters and conciliation agreements were sent to all respondents on July 24, 1978.

The auditors also discovered evidence that contributions had been made by corporate entities and accepted by the Committee. On July 19, 1978, the Commission voted to find no reasonable cause to believe that two of the business entities involved had made such illegal contributions and to take no further action as to a third. At the same time the Commission voted to find reason to believe that two additional corporate respondents, Hudson and Marshall, Inc., and Flowers Industries, Inc., and the Committee had violated 2 U.S.C. § 441b(a) and to include

in the proposed conciliation agreement sent to the Committee a finding that the Committee had accepted contributions from four incorporated entities. Letters were sent to the new respondents on July 24, 1978, and the proposed conciliation agreement sent to the Committee reflected the above addition.

On July 19, 1978, the Commission also found reason to believe that Mr. Eugene Evans had made an excessive contribution to the Candidate by pledging his savings account as collateral for a \$15,000 bank loan obtained by the Candidate on May 18, 1978. The making and acceptance of this contribution places Mr. Eugene Evans and the Candidate in apparent violation of 2 U.S.C. § 441a(a)(1)(A) and of 2 U.S.C. § 441a(f) respectively. A letter was sent to Mr. Evans on July 24, 1978.

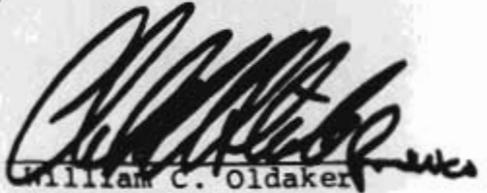
This Office has received written responses from both of the additional corporate respondents and from the Committee plus a telephoned response from the Candidate. We have also been in telephone contact with the bank from which the Candidate obtained the May 18, 1976, loan cited above with regard to the involvement of Mr. Eugene Evans in that loan, and are awaiting a written response from the bank's vice-president. The Candidate has expressed his desire to postpone conclusion of his conciliation agreement until the matter concerning Mr. Eugene Evans can be resolved, so that all matters may be contained within a single agreement.

No responses have been received from Ms. Joan Gann and Mr. Glenn Gann nor from Ms. Irene Capel. The receipt cards attached to their letters have been returned, indicating delivery.

79040172113

Attempts to reach these respondents by telephone have failed thus far. We will make further efforts to resolve the involvement of these respondents amicably.

22 Sept 1978  
Date

  
William C. Oldaker  
General Counsel

79040172114

Q.C. # 1956

The Farmers Bank of Tifton  
Tifton, Georgia 31794

806321

Sept. 14, 1978

'78 SEP 19 PM 11:33

79040172115

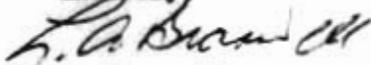
\* Ms. Anne Weissenborn \*  
Federal Election Commission  
General Counsel  
1325 K. Street, N.W.,  
\* Washington, D.S. 20463 \*

Dear Ms. Weissenborn:

Enclosed is a blank copy of our savings assignment form which we use when a savings account is pledged as collateral on a note.

This is the same form we held on Mr. Eugene Evans at the time we made the loan to Congressman Billy L. Evans and was used as security on Congressman Evans' loan until he gave us his own time certificates.

Sincerely,



L.A. Braswell,  
Vice Pres.

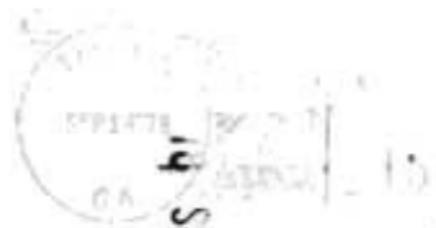
79040172115

*The Farmers Bank of Tifton*

POST OFFICE BOX 8

*Tifton, Georgia 31794*

Ms. Anne Weissenborn  
Federal Election Commission  
General Counsel  
1325 K. Street, N.W.,  
Washington, D.C. 20463



14 SEP 1963 11:52

4894

FEDERAL ELECTION COMMISSION

# The Farmers Bank of Tifton

WEST SIDE BRANCH  
CORNER W. 2ND ST. & VIRGINIA AVE.

Tifton, Georgia 31794

September 13, 1978

'78 SEP 13 PM 11:43

L. A. BRASWELL  
VICE PRESIDENT

806220

Ms. Anne Weissenborn  
Federal Election Commission  
General Counsel  
1325 K Street, N.W.,  
Washington, D.C. 20463

Re: Cong'man Billy L. Evans

Dear Ms. Weissenborn:

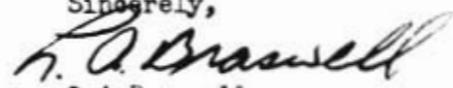
In reference to our telephone conversation of this morning, this bank made a loan to Mr. Evans, in the amount of \$15,000.00 on May 18, 1976 and used as security for this loan an assignment of a savings account of Mr. Evans' uncle, Mr. Eugene Evans. This was an assignment which we already held as security for a note we held on Mr. Eugene Evans, and was a continuing assignment which secured any present and/or future liabilities.

On July 14, 1976 we made Congressman Evans another note in the same amount, and on this note we showed an assignment of two time certificates in Congressman Evans' own name and two mobile homes. This collateral, of course, covered both loans. We do not have a record of the date that Congressman Evans gave us the time certificates, but it was no later than July 14th. At the time he gave us these certificates we released Mr. Eugene Evans' savings account as security on the loan.

We no longer have the assignment given us by Mr. Eugene Evans for when his note was paid out the assignment was stamped "Satisfied" and given back to him.

I hope this is the information you wanted in connection with your inquiry on Congressman Evans' notes.

Sincerely,



L.A. Braswell,  
Vice Pres.

79010172117

7 9 0 4 0 1 7 2 1 1 8  
The Farmers Bank of Tifton

POST OFFICE BOX 8

Tifton, Georgia 31794

79 SEP 15 PM 11:43

Ms. Anne Weissenborn  
Federal Election Commission  
General Counsel  
1325 K Street, N.W.,  
Washington, D.C. 20463



BCC\* 4766

RECEIVED  
FEDERAL ELECTION  
COMMISSION

LAW OFFICES  
JAMES. SHIPP AND WILCOX

POST OFFICE BOX 8178  
2034 VINEVILLE AVENUE  
MACON, GEORGIA 31208

78 SEP 5 P 1:13

August 31, 1978

TELEPHONE  
(912) 744-8551

JOHN E. JAMES  
B. ROBERT SHIPP  
TOMMY DAY WILCOX

Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

005937

Attention: Ms. Anne Weissenborn

IN RE: Billy L. Evans  
MUR 551(78)

Dear Ms. Weissenborn:

I am writing to confirm a telephone discussion I had with Ms. Weissenborn yesterday concerning a \$15,000 note which the Congressman had with the Farmers Bank of Tifton. On the face of this note it reflected as collateral savings certificates of Eugene Evans, who is the Congressman's uncle.

A copy of the note which we have bears the Congressman's signature as maker and there is no endorsement or other guaranty signed by Eugene Evans. Shortly after this note was made, the Congressman became aware of the prohibition in the Federal Code against using his uncle's collateral. At that time he promptly went to the bank and substituted some of his personal property as collateral and this is reflected in a copy of a substituted note previously provided to you.

At this time neither Mr. Eugene Evans nor the bank recalls whether or not Mr. Eugene Evans ever signed anything prior to the substitution of collateral. I have talked with Mr. L. A. Braswell, who is a vice president of the Farmer's Bank of Tifton, Georgia and the officer who handled this transaction. Mr. Braswell advises me that they have no documents at this time bearing the signature of Mr. Eugene Evans with respect to this note. He does state that it is possible that Mr. Eugene Evans signed some type of assignment of guaranty, but he has no recollection at this time one way or the other.

If you would like to confirm this situation, please feel

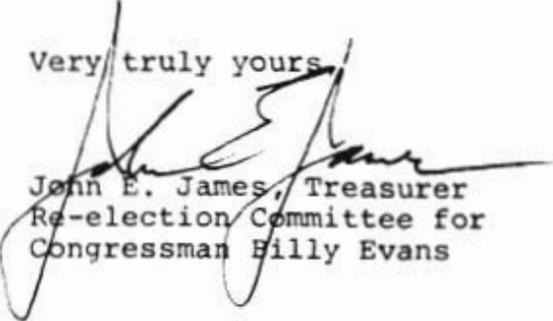
79040172119

Mr. William C. Oldaker  
Page Two  
August 31, 1978

free to contact Mr. L. A. Braswell, Vice President, Farmer's Bank of Tifton, P. O. Box 8, Tifton, Georgia 31794.

We surmise from the facts available the Congressman negotiated the note with the bank personally with the understanding that his uncle, Mr. Eugene Evans, would post the savings certificates as collateral and endorse the note. The loan was made and prior to receiving the savings certificates or endorsement from Mr. Eugene Evans, the Congressman learned that this was an inappropriate procedure and proceeded to post his personal collateral. Under the circumstances it appears that Mr. Eugene Evans did not, in fact, personally guarantee this loan although he had intended to prior to determining that it was inappropriate for him to do so.

Very truly yours,



John E. James, Treasurer  
Re-election Committee for  
Congressman Billy Evans

J EJ/cw

cc: Mr. L. A. Braswell  
Mr. Eugene Evans  
Mr. Billy Evans

79049172120

JAMES, SHIPP AND WILCOX

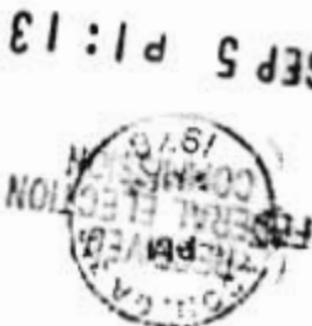
ATTORNEYS AT LAW

POST OFFICE BOX 8178

MACON, GEORGIA 31208



Mr. William C. Oldaker  
General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463



7 9 0 4 0 1 7 2 1 2 1

ACC# 4657

HUDSON AND MARSHALL, INC.

RECEIVED  
FEDERAL ELECTION  
COMMISSION

*Realtors and Auctioneers*

'78 AUG 28 AM 9:56

ONE BACONSFIELD PARK  
MACON, GEORGIA 31211  
OFFICE (912) 743-1511  
WATS LINES  
U.S. 1-800/841-9400  
GA. 1-800/342-2666

August 16, 1978

Mr. William C. Oldaker  
Federal Election Commission  
1325 K Street N.W.  
Washington, D. C. 20463

RE: MUR 551(78)

Dear Mr. Oldaker:

Investigation of this firm's records reveal that a \$500.00 check was inadvertently paid the Evans for Congress Committee on or about March 18, 1977. This error was subsequently discovered and the contribution was refunded on April 24, 1978. A copy of the refund check is enclosed for your information.

Please inform if you need additional information.

Yours truly,

*B. G. Hudson, Jr.*  
B. G. Hudson, Jr.

HUDSON AND MARSHALL, INC.

BGH:zj

Encl:

805705

79040172122



FEDERAL ELECTION COMMISSION

Account Numbers - 2 pages

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |   |   |
|---|---|
| <input type="checkbox"/> (1) Classified Information   | <input type="checkbox"/> (6) Personal privacy                             |
| <input type="checkbox"/> (2) Internal rules and practices                                     | <input type="checkbox"/> (7) Investigatory files                          |
| <input type="checkbox"/> (3) Exempted by other statute  | <input type="checkbox"/> (8) Banking Information                          |
| <input checked="" type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents   |   |

Signed Gene A. Wasserman  
date 11/27/79

0172123

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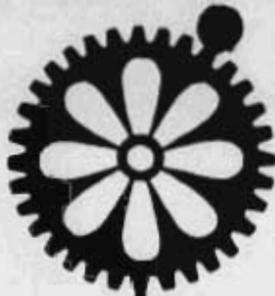
HUDSON AND MARSHALL, INC.  
ONE BACONSFIELD PARK  
MACON, GEORGIA 31211

FEDERAL ELECTION  
COMMISSION



'78 AUG 20 AM 9:56

Mr. William C. Oldaker  
Federal Election Commission  
1325 K. Street N. W.  
Washington, D. C. 20463



RECEIVED  
FEDERAL ELECTION  
COMMISSION

00018  
ACC# 4545

'78 AUG 17 AM 11:05

# FLOWERS INDUSTRIES, INC.

H. Daniel Hayes, Jr.  
Corporate Attorney

POST OFFICE DRAWER 1338 - THOMASVILLE, GEORGIA 31792 - 912/226-9110

August 10, 1978

Mr. Kenneth Gross  
Federal Election Commission  
1325 K Street N.W.  
Washington, D.C. 20463

RE: MUR551(78)

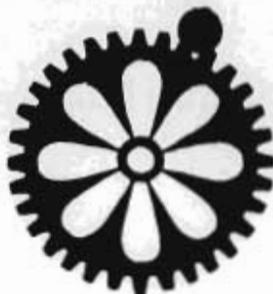
Dear Mr. Gross,

Thank you for allowing me to discuss with you the above referenced matter during our recent phone conversation.

As background to the facts leading up to our violation of the Federal Election Campaign Act of 1971, as amended, may I explain that our plants often support local and state candidates in various forms in those states which permit corporate contributions to state and local candidates. One means of contributing to a candidate's election fund is through the purchase of tickets to a candidate appreciation dinner. During the time period of the violation, several such dinners had been held and supported by our plant at Douglas. However, the candidates were for state or local office only. During the same month as that in which the violation occurred, Mr. Billy Evans also had an appreciation dinner in the area of our Douglas plant, and asked our newly appointed plant manager if he would purchase tickets for the event. Being new in the position, our plant manager was unaware that all requests from federal candidates are to be directed through the Flowers Political Action Committee (FLO-PAC). I assume Mr. Evans campaign manager expected the funds to come from FLO-PAC in view of the fact that he is supported by PAC funds. Nevertheless, being unaccustomed to his new position, the plant manager gave instructions to his clerical assistant to "handle in the usual manner, whatever it may be." The assistant apparently issued a company check as was the practice for state and local candidates acting on the obviously vague directives of the plant manager.

Of course, we at FLO-PAC are acutely aware of the limitations on contributions to national candidates and by established custom and policy, we are the only entity within the company having contact with such candidates, Mr. Evans included.

79040172125



## FLOWERS INDUSTRIES, INC.

H. Daniel Hayes, Jr.  
Corporate Attorney

POST OFFICE DRAWER 1338 - THOMASVILLE, GEORGIA 31792 - 912/226-9110

August 10, 1978  
Page 2

I might add that our contribution of \$250.00 to Mr. Evans has been refunded in full and as a check on further inadvertent contributions and failures in the communication process concerning political activities, we are taking immediate steps to assure that a similar error will not take place in the future. A directive from our Chief Executive Office will be issued stating that contributions from company funds to federal candidates, whether in kind or cash, are strictly prohibited by law. As a further precaution we are already taking steps to establish a political action group for state and local candidates only in order to centralize decisions involving the political process.

In closing, I hope you will give careful consideration to the mitigating circumstances surrounding the issue and fairly consider our activities as devoid of any intent to circumvent the requirements of the law and the directives of your agency.

If there is any additional information you wish to receive or should you desire to meet with me or other representatives of my company, please do not hesitate to write or call.

Sincerely,

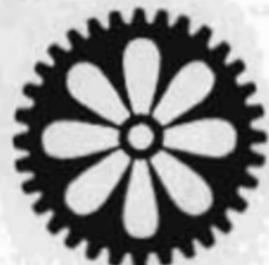
H. Daniel Hayes, Jr.  
Corporate Attorney

cc: Anne A Weissenbom (Federal Election Commission)  
L.S. Flowers (Chief Executive Officer)  
Amos McMulliam (President)  
Mel Brdlik (Chairman -FLO-PAC)

/sb

79040172125

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**FLOWERS INDUSTRIES, INC.**

P. O. DRAWER 1338 THOMASVILLE, GEORGIA 31792

RECEIVED  
FEDERAL ELECTION  
COMMISSION

'78 AUG 17 AM 11:05

Mr. Kenneth Gross  
Federal Election Commission  
1325 K Street N.W.  
Washington, D.C. 20463





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 28, 1978

The Honorable Billy L. Evans  
U. S. House of Representatives  
Cannon House Office Building  
Washington, DC 20515

Re: MUR 551(78)

Dear Mr. Evans:

Pursuant to your request made of  
Anne A. Weissenborn of this Office, I am  
enclosing copies of the proposed concilia-  
tion agreement recently sent to the Evans  
for Congress Campaign Committee, Ms. Irene  
Capel, Ms. Joan Gann and Mr. Glenn Gann.

Sincerely,

William C. Oldaker  
General Counsel

Enclosures

79010172123

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee )

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Evans for Congress Campaign Fund Committee (hereinafter "Respondent") has violated 2 U.S.C. § 441b (a) and 2 U.S.C. § 441a(f):

WHEREFORE; the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:

79040172129

- 79040172130
- A. The Respondent accepted contributions from the following incorporated entities and banks: Claussen Paving Company, Flowers Industries, Hudson & Marshall, Inc., and the Exchange Bank of Douglas. The contributions have been refunded.
  - B. The Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5000 from Joan Gann and Glenn Gann.
  - C. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principle was repaid in two equal installments on June 30, 1977, and August 12, 1977, plus \$750.69 in interest paid with the second installment.
  - D. The loan of \$5000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest.
  - E. The candidate and ten guarantors in the case of the \$10,000 and five guarantors in the case of the \$5000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

WHEREFORE, Respondent agrees:

- A. That Respondent knowingly accepted contributions from Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas.

- B. That knowing acceptance of contributions from incorporated entities and national or State banks constitutes a violation of 2 U.S.C. § 441b(a).
- C. That Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.
- D. That Respondent accepted a \$5000 loan from Joan and Glenn Gann on August 27, 1976.
- E. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. § 431(e), notwithstanding any guarantees of repayment made part of the loan agreement.
- F. That a personal loan to a candidate or committee in excess of \$1000 per election places the contributor in violation of the limitations of 2 U.S.C. § 441a(a) (1) (A).
- G. That acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. § 441a(a) (1) (A) constitutes a violation of § 441a(f) by the recipient candidate or committee.
- H. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- I. That Respondent will pay a civil penalty in the amount of Two Hundred Dollars, (\$200.00), pursuant to 2 U.S.C. § 437g(a) (5) (B).

79040172131

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

79040172132

FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
John E. James, Treasurer  
Congressman Billy Evans Re-  
Election Committee (formerly  
Evans for Congress Campaign  
Fund Committee)

79040172133

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Ms. Irene Capel

)  
)  
)

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Irene Capel (hereinafter "Respondent") has violated 2 U.S.C. § 441a(a)(1)(A):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.

II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. The Respondent made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$10,000.

B. The above loan was made on August 13, 1976, and the principal was repaid by the Committee in two installments, on July 30, 1977, and August 12, 1977 plus \$750.69 in interest with the latter payment.

79040172134

C. A consumer collateral note in the amount of \$10,000 was executed by the Candidate and signed by ten guarantors.

WHEREFORE, Respondent agrees:

A. That Respondent made a loan to the Candidate and to the Committee in the sum of \$10,000 on August 13, 1976.

B. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution pursuant to 2 U.S.C. § 431(e) regardless of the number of cosigners guaranting payment.

C. That a personal loan in the amount of \$10,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

D. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Irene Capel

79040172136

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Ms. Joan Gann  
Mr. Glenn Gann

)  
)  
) MUR 551(78)  
)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Joan Gann and Glenn Gann (hereinafter "Respondents") has violated 2 U.S.C. § 441a(a)(1)(A):

WHEREFORE, the Commission and Respondents, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondents and the subject matter in this case.

II. The Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. The Respondents made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$5,000.

79040172137

B. The above loan was made on August 27, 1976, and was repaid in full with interest by the Committee on May 16, 1977.

C. A consumer collateral note in the amount of \$5,000 was executed by the Candidate and signed by five guarantors.

WHEREFORE, Respondents agree:

A. That Respondents made a loan to the Candidate and to the Committee in the sum of \$5,000 on August 27, 1976.

B. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution pursuant to 2 U.S.C. § 431(e) regardless of the number of cosigners guaranting payment.

C. That a personal loan in the amount of \$5,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a) (1) (A) .

D. That Respondents will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing of anyone filing a complaint under 2 U.S.C. § 437g(a) (1) concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement.- If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a) (5) (A) , and

79040172138





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. James T. Shaheen  
International Realty Company  
2116 Riverside Drive  
Macon, Georgia

Re: MUR 551(78)

Dear Mr. Shaheen:

On July 19, 1978, the Federal Election Commission found no reasonable cause to believe that the International Realty Company violated 2 U.S.C. § 441b(a) by making a corporate contribution to the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

*William C. Oldaker*  
William C. Oldaker  
General Counsel

7-2040172140

79040172141

AW ✓ 551

PS Form 3811, Nov. 1977  
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered .....  
 Show to whom, date, and address of delivery .....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Mr. James T. Shanon*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *443813* | |  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*HOB Wiggins*

4. DATE OF DELIVERY  
*7-28-78*

5. ADDRESS (Complete only if requested)  
*2116 Riverside Dr  
 Macon Ga 31204*

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS \_\_\_\_\_





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Henry H. Claussen  
Claussen Paving Company  
P.O. Drawer  
Macon, GA 31202

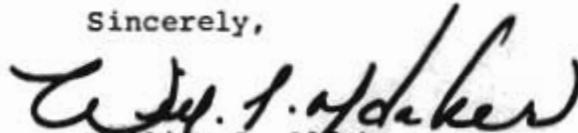
Re: MUR 551(78)

Dear Mr. Claussen:

On July 19, 1978, the Federal Election Commission decided to take no further action with regard to the violation by the Claussen Paving Company of 2 U.S.C. § 441b(a) in view of the fact that the \$100 corporate contribution involved has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

  
William C. O'Daker  
General Counsel

cc: Patrick J. Rice, Esquire  
Hall, Towill, Norman, Barrett and Johnson  
P.O. Box 1564  
Augusta, GA 30903

MB 551 ✓

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered.  
 Show to whom, date, and address of delivery.  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. **!!!**  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. Henry H. Clauson

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943804

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

AW 551 ✓

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered.  
 Show to whom, date, and address of delivery.  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. Henry H. Clauson

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943812

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)  
 MULBERRY STREET STATION

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Glenn Gann  
Ms. Joan Gann  
Route 2, Box 1175  
Hampton, GA 30228

Re: MUR 551(78)

Dear Mr. Gann and Ms. Gann:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution in the form of a \$5,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Endorsed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten

72010172144

days of your receipt of this letter. If you have any questions, please contact the attorney handling this matter, Anne A. Weissenborn, at (202) 523-4039.

Sincerely,

*William C. Oldaker*

William C. Oldaker  
General Counsel

Enclosure

AW 451 ✓

PS Form 3811, May 1977

RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

1. The following service is requested (check one)

Show to whom and date delivered

Show to whom, date, and address of delivery

RESTRICTED DELIVERY  
Show to whom and date delivered

RESTRICTED DELIVERY  
Show to whom, date, and address of delivery

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

*Mr. Glenn Barr*  
*Ms. Joan Barr*

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

| *943806* | |

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

*Glenn Barr*

4. DATE OF DELIVERY

*7-27-78*

POSTMARK

5. ADDRESS (Complete only if requested)

*Rt 2 Houghton*  
*Box 1175*

6. UNABLE TO DELIVER BECAUSE:

*AV*

1978-1979-2-234-337

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ms. Joan Gann  
Mr. Glenn Gann

)  
)  
)  
)

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Joan Gann and Glenn Gann (hereinafter "Respondents") has violated 2 U.S.C. § 441a(a)(1)(A):

WHEREFORE, the Commission and Respondents, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondents and the subject matter in this case.

II. The Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. The Respondents made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$5,000.

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B. The above loan was made on August 27, 1976, and was repaid in full with interest by the Committee on May 16, 1977.

C. A consumer collateral note in the amount of \$5,000 was executed by the Candidate and signed by five guarantors.

WHEREFORE, Respondents agree:

A. That Respondents made a loan to the Candidate and to the Committee in the sum of \$5,000 on August 27, 1976.

B. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution pursuant to 2 U.S.C. § 431(e) regardless of the number of cosigners guaranteeing payment.

C. That a personal loan in the amount of \$5,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

D. That Respondents will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement.. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and

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that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joan Gann

\_\_\_\_\_  
Date

\_\_\_\_\_  
Glenn Gann

79040172143



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 508  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution in the form of a \$10,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Ms. Irene Capel

)  
)  
)

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Irene Capel (hereinafter "Respondent") has violated 2 U.S.C. § 441a(a)(1)(A):

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.

II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. The Respondent made a loan to Mr. Billy L. Evans (hereinafter "the Candidate") and the Evans for Congress Campaign Fund Committee (hereinafter "the Committee") in the sum of \$10,000.

B. The above loan was made on August 13, 1976, and the principal was repaid by the Committee in two installments, on July 30, 1977, and August 12, 1977 plus \$750.69 in interest with the latter payment.

79040172151

C. A consumer collateral note in the amount of \$10,000 was executed by the Candidate and signed by ten guarantors.

WHEREFORE, Respondent agrees:

A. That Respondent made a loan to the Candidate and to the Committee in the sum of \$10,000 on August 13, 1976.

B. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution pursuant to 2 U.S.C. § 431(e) regardless of the number of cosigners guaranting payment.

C. That a personal loan in the amount of \$10,000 exceeds the \$1,000 contribution limitation per individual in violation of 2 U.S.C. § 441a(a)(1)(A).

D. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

79010172153  
\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Irene Capel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson, Jr.  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, GA 31211

Re: MUR 551(78)

Dear Mr. Hudson:

On July 19, 1978, the Federal Election Commission found no reasonable cause to believe that Hudson and Marshall Properties violated Section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") on October 14, 1976. The file has now been closed as to this matter.

The Commission did, however, find reason to believe that Hudson and Marshall, Inc., made a corporate contribution of \$500 to the Committee on March 18, 1977, in violation of Section 441b(a). As was explained in our letter of April 18, 1978, you have an opportunity to demonstrate why no action should be taken against your company. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

Because the Commission is under a duty to investigate this matter expeditiously, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

79010172154





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20515

Re: MUR 551(78)

Dear Mr. Evans,

This letter is to inform you that the Federal Election Commission, on July 19, 1978, found reason to believe that you violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral for a \$15,000 loan obtained by the Committee and by yourself from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time you substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. §431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. §441a(a)(1)(A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by this pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

Also on July 19, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §441a(f) by accepting contributions in excess of \$1000 from Irene Capel and from Joan and Glenn Gann. Having made this determination the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct this violation of Section 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding

7 9 0 1 0 1 7 2 1 5 8

of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of your violation of 2 U.S.C. §441a(f) involving acceptance of excessive loans. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

*William C. Oldaker*  
William C. Oldaker  
General Counsel

Enclosures

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HW 551

72010172137

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one)

Show to whom and date delivered. \_\_\_\_\_

Show to whom, date, and address of delivery. \_\_\_\_\_

RESTRICTED DELIVERY Show to whom and date delivered. \_\_\_\_\_

RESTRICTED DELIVERY Show to whom, date, and address of delivery. \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*The Honorable Betty L. Evans*

3. ARTICLE DESCRIPTION:  
REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
| *94380R* |

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Agent of addressee

*D. Parnell*

4. DATE OF DELIVERY  
*7/26/78*

5. ADDRESS (Complete only if requested)  
*506 Cannon Hall*

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_

CLERK'S INITIALS \_\_\_\_\_

JUL 26 1978

© 1975 - 1978 U.S. POSTAL SERVICE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Mr. Billy L. Evans )

MUR 551(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. Billy L. Evans (hereinafter "Respondent") has violated 2 U.S.C. §441a(f):

WHEREFORE: the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.

II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. The Respondent enters into this agreement with the Commission voluntarily.

IV. The pertinent facts in this matter are as follows:

A. The Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5000 from Joan Gann and Glenn Gann.

B. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principle was repaid in two equal installments on June 30, 1977, and August 12, 1977, plus \$750.69 in interest paid with the second installment.

C. The loan of \$5000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest

79040172158

D. The candidate and ten guarantors in the case of the \$10,000 and five guarantors in the case of the \$5000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

WHEREFORE, Respondent agrees:

A. That Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.

B. That Respondent accepted a \$5000 loan from Joan and Glenn Gann on August 27, 1976.

C. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. §431(e), notwithstanding any guarantees of repayment made part of the loan agreement.

D. That a personal loan to a candidate or committee in excess of \$1000 per election places the contributor in violation of the limitations of 2 U.S.C. §441a(a)(1)(A).

E. That acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. §441a(a)(1)(A) constitutes a violation of 2 U.S.C. §441a(f) by the recipient candidate or committee.

F. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

G. That Respondent will pay a civil penalty in the amount of Two Hundred Dollars, (\$200.00), pursuant to 2 U.S.C. § 437g(a)(5)(B).

79040172159

V. General Conditions

A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Billy L. Evans

79040172150



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Eugene Evans  
c/o Mr. John E. James, Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you made an excessive contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee by pledging your savings account as collateral for a \$15,000 loan obtained by Mr. Billy L. Evans from The Farmer Bank of Tifton on May 18, 1976.

2 U.S.C. §431(e) includes in its definition of "contribution" to a Federal campaign a "loan, advance, a deposit of money or anything of value made for the purpose of influencing the nomination for election, or election, of any person to federal office." A pledge of collateral is deemed something of value.

Because the savings account you pledged was in support of a \$15,000 loan, it is assumed that the account contained a sum in excess of \$1000, thus placing the pledge in excess of the contribution limitation for individuals set forth in 2 U.S.C. §441 a(a)(1)(A). We understand that Mr. Billy Evans substituted his own collateral for your savings account on July 14, 1976.

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Under the act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

*William C. Oldaker*

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
John E. James, Treasurer  
Evans for Congress  
Campaign Fund Committee

25 MAR 1977  
RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

AW 551

The following service is requested (check one)  
 Show to whom and date delivered  
 Show to whom, date, and address of delivery  
 RESTRICTED DELIVERY  
 Show to whom and date delivered  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery & (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Mr. Eugene Evans

1. ARTICLE DESCRIPTION:  
 REGISTERED NO. 943901 INSURED NO.

3. I have received the article described above.  
 SIGNATURE  Address  Authorized agent  
*John E. James*

4. DATE OF DELIVERY  
 JUL 27 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

U.S. MAIL SERVICE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee )

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the Evans for Congress Campaign Fund Committee (hereinafter "Respondent") has violated 2 U.S.C. § 441b (a) and 2 U.S.C. § 441a(f):

WHEREFORE; the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. § 437g(a)(5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:

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- 79040172164
- A. The Respondent accepted contributions from the following incorporated entities and banks: Claussen Paving Company, Flowers Industries, Hudson & Marshall, Inc., and the Exchange Bank of Douglas. The contributions have been refunded.
  - B. The Respondent accepted a loan of \$10,000 from Irene Capel and a loan of \$5000 from Joan Gann and Glenn Gann.
  - C. The loan of \$10,000 from Irene Capel was accepted on August 13, 1976, and the principle was repaid in two equal installments on June 30, 1977, and August 12, 1977, plus \$750.69 in interest paid with the second installment.
  - D. The loan of \$5000 from Joan Gann and Glenn Gann was accepted on August 27, 1976, and was satisfied with interest.
  - E. The candidate and ten guarantors in the case of the \$10,000 and five guarantors in the case of the \$5000 loan executed consumer collateral notes representing the full amount of each loan plus 8% interest per annum.

WHEREFORE, Respondent agrees:

- A. That Respondent knowingly accepted contributions from Claussen Paving Company, Flowers Industries, Hudson and Marshall, Inc., and the Exchange Bank of Douglas.

- B. That knowing acceptance of contributions from incorporated entities and national or State banks constitutes a violation of 2 U.S.C. § 441b(a).
- C. That Respondent accepted a \$10,000 loan from Irene Capel on August 13, 1976.
- D. That Respondent accepted a \$5000 loan from Joan and Glenn Gann on August 27, 1976.
- E. That a personal loan made for the purpose of influencing the nomination for election, or election, of any person to Federal office constitutes a contribution of the full amount of the loan pursuant to 2 U.S.C. § 431(e), notwithstanding any guarantees of repayment made part of the loan agreement.
- F. That a personal loan to a candidate or committee in excess of \$1000 per election places the contributor in violation of the limitations of 2 U.S.C. § 441a(a)(1)(A).
- G. That acceptance of a contribution in excess of the contribution limitation of 2 U.S.C. § 441a(a)(1)(A) constitutes a violation of § 441a(f) by the recipient candidate or committee.
- H. That Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- I. That Respondent will pay a civil penalty in the amount of Two Hundred Dollars, (\$200.00), pursuant to 2 U.S.C. § 437g(a)(5)(B).

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V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1), concerning the matters at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. § 437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this Agreement will become effective on the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

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FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel  
Federal Election Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
John E. James, Treasurer  
Congressman Billy Evans Re-  
Election Committee (formerly  
Evans for Congress Campaign  
Fund Committee)

79040172167



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, GA 31208

Re: MUR 551(78)

Dear Mr. James:

This letter is to inform you that the Federal Election Commission, on July 19, 1978, found reason to believe that the Evans for Congress Campaign Fund Committee ("the Committee") violated 2 U.S.C. § 441a (f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral for a \$15,000 loan obtained by the Committee and by Mr. Billy L. Evans ("the Candidate") from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time the Candidate substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. § 431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. § 441a (a) (1) (A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by the pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

On July 19, 1978, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441b(a)

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and reasonable cause to believe that the Committee violated 2 U.S.C. § 441a(f). Having made these determinations the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct these violations of Sections 441b(a) and 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe violations have occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of the Committee's violations of 2 U.S.C. § 441b(a) and § 441a(f). If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

*William C. Oldaker*

William C. Oldaker  
General Counsel

Enclosure

cc: The Honorable Billy L. Evans

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1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: <i>Mr. John F. [Signature]</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>94905</i>   INSURED NO.	I have received the article described above. SIGNATURE <input type="checkbox"/> Address <input type="checkbox"/> Authorized agent <i>[Signature]</i>
4. ADDRESS (Complete only if required) DATE OF DELIVERY <i>Jan 4 1978</i>	
5. UNABLE TO DELIVER BECAUSE:	

JUN 27 1978  
 U.S. POSTAL SERVICE  
 49-100-00-00



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 24, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The President  
Flowers Industries  
Douglas, Georgia

Re: MUR 551 (78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making corporate contributions to the Evans for Congress Campaign Fund Committee in the sums of \$200 and \$50. These contributions were made on March 31, 1977 and April 2, 1977, respectively. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented

700 0172170

by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

*William C. Oldaker*

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
Mr. John James, Treasurer  
Evans for Congress  
Campaign Fund Committee

PS Form 3811, Nov. 1972

AW 551 11

1. SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- Show to whom and date delivered.
- Show to whom, date, and address of delivery.
- RESTRICTED DELIVERY. Show to whom and date delivered.
- RESTRICTED DELIVERY. Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*The President*

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.  
*943500*

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent  
*Sandra Miller*

4. DATE OF DELIVERY: *NOV 03 1978* POSTMARK: *150 151*

5. ADDRESS: Complete only if registered.  
*P.O. Box 1208*

6. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, GA 31208

Re: MUR 551(78)

Dear Mr. James:

This letter is to inform you that the Federal Election Commission, on July , 1978, found reason to believe that the Evans for Congress Campaign Fund Committee ("the Committee") violated 2 U.S.C. § 441a (f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral for a \$15,000 loan obtained by the Committee and by Mr. Billy L. Evans ("the Candidate") from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time the Candidate substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. § 431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. § 441a (a) (1) (A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by the pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

On July , 1978, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441b(a)

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and reasonable cause to believe that the Committee violated 2 U.S.C. § 441a(f). Having made these determinations the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct these violations of Sections 441b(a) and 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe violations have occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of the Committee's violations of 2 U.S.C. § 441b(a) and § 441a(f). If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

cc: The Honorable Billy L. Evans

79040172173

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20515

Re: MUR 551(78)

Dear Mr. Evans,

This letter is to inform you that the Federal Election Commission, on July , 1978, found reason to believe that you violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral for a \$15,000 loan obtained by the Committee and by yourself from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time you substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. §431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. §441a(a)(1)(A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by this pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

Also on July , 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §441a(f) by accepting contributions in excess of \$1000 from Irene Gann and from Joan and Glenn Gann. Having made this determination the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct this violation of Section 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement, during that period, the Commission may, upon a finding

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of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of your violation of 2 U.S.C. §441a(f) involving acceptance of excessive loans. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

William C. O'daker  
General Counsel

Enclosures

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson, Jr.  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, GA 31211

Re: MUR 551(78)

Dear Mr. Hudson:

On July , 1978, the Federal Election Commission found no reasonable cause to believe that Hudson and Marshall Properties violated Section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") on October 14, 1976. The file has now been closed as to this matter.

The Commission did, however, find reason to believe that Hudson and Marshall, Inc., made a corporate contribution of \$500 to the Committee on March 18, 1977, in violation of Section 441b(a). As was explained in our letter of April 18, 1978, you have an opportunity to demonstrate why no action should be taken against your company. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

Because the Commission is under a duty to investigate this matter expeditiously, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

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This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
Mr. John James, Treasurer  
Evans for Congress  
Campaign Fund Committee

79040172177

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. James T. Shaheen:  
International Realty Company  
2116 Réverside Drive  
Macon, Georgia

Re: MUR 551(78)

Dear Mr. Shaheen:

On July , 1978, the Federal Election Commission found no reasonable cause to believe that the International Realty Company violated 2 U.S.C. § 441b(a) by making a corporate contribution to the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

79040172178

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Henry H. Claussen  
Claussen Paving Company  
P.O. Drawer  
Macon, GA 31202

Re: MUR 551(78)

Dear Mr. Claussen:

On July , 1978, the Federal Election Commission decided tottake no further action with regard to the violation by the Claussen Paving Company of 2 U.S.C. § 441b(a) in view of the fact that the \$100 corporate contribution involved has been refunded by the Evans for Congress Campaign Fund Committee.

The File is now closed-in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: Patrick J. Rice, Esquire  
Hall, Towill, Norman, Barrett and Johnson  
P.O. Box 1564  
Augusta, GA 30903

79040172179

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The President  
Flowers Industries  
Douglas, Georgia

Re: MUR 551 (78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making corporate contributions to the Evans for Congress Campaign Fund Committee in the sums of \$200 and \$50. These contributions were made on March 31, 1977 and April 2, 1977, respectively. We have numbered this matter MUR 551(88).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented

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by counsel in this matter, please have such counsel  
so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
Mr. John James, Treasurer  
Evans for Congress  
Campaign Fund Committee

79040172181

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 508  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel:

The Federal Election Commission had found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) BY making an excessive contribution in the form of a \$1,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. § U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please

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sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact the attorney handling this matter, Anne A. Weissenborn, at (202) 523-4039.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

79040172183

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Glenn Gann  
Ms. Joan Gann  
Route 2, Box 1175  
Hampton, GA 30228

Re: MUR 551(78)

Dear Mr. Gann and Ms. Gann:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution in the form of a \$1,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Endorsed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten

79040172184

days of your receipt of this letter. If you have any questions, please contact the attorney handling this matter, Anne A. Weissenborn, at (202) 523-4039.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

79040172185

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Eugene Evans  
c/o Mr. John E. James, Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Uineville Avenue  
Macon, Georgia 31208

Re: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("The Act"). Specifically, the Commission has found reason to believe that you made an excessive contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee by pledging your savings account as collateral for a \$15,000 loan obtained by Mr. Billy L. Evans from The Farmer Bank of Tifton on May 18, 1976.

2 U.S.C. §431(e) includes in its definition of "contribution" to a Federal campaign a "loan, advance, a deposit of money or anything of value made for the purpose of influencing the nomination for election, or election, of any person to federal office." A pledge of collateral is deemed something of value.

Because the savings account you pledged was in support of a \$15,000 loan, it is assumed that the account contained a sum in excess of \$1000, thus placing the pledge in excess of the contribution limitation for individuals set forth in 2 U.S.C. §441 a(a)(1)(A). We understand that Mr. Billy Evans substituted his own collateral for your savings account on July 14, 1976.

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Under the act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
John E. James, Treasurer  
Evans for Congress  
Campaign Fund Committee

79040172187

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Evans for Congress Campaign )  
Fund Committee )  
Mr. Billy L. Evans )  
Ms. Irene Capel )  
Claussen Paving Company )  
Mr. Eugene Evans ) MUR 551(78)  
Flowers Industries )  
Ms. Joan Gann )  
Mr. Glenn Gann )  
Hudson and Marshall Properties, )  
Inc. )  
International Realty Company )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 19, 1978, the Commission determined by a vote of 5-0 to take the following actions in the above-captioned matter:

1. Find no reasonable cause to believe that International Realty Company and Hudson and Marshall Properties violated 2 U.S.C. §441b(a).
2. Take no further action as to violations of 2 U.S.C. §441b(a) by the Claussen Paving Company.
3. Find reason to believe that Hudson and Marshall Properties, Inc., Flowers Industries, and the Evans for Congress Campaign Fund Committee violated 2 U.S.C. §441b(a).
4. Find reasonable cause to believe that Ms. Irene Capel, Ms. Joan Gann and Mr. Glenn Gann violated 2 U.S.C. §441a(a)(1)(A) by making excessive contributions to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee.

Continued

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5. Find reasonable cause to believe that Mr. Billy L. Evans violated 2 U.S.C. §441a(f) by accepting excessive contributions from Ms. Irene Capel, Ms. Joan Gann, and Mr. Glenn Gann.
6. Find reasonable cause to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. §441a(f) by accepting excessive contributions from Ms. Irene Capel, Ms. Joan Gann, and Mr. Glenn Gann.
7. Find reason to believe that Mr. Eugene Evans violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans.
8. Find reason to believe that Mr. Billy L. Evans violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Eugene Evans.
9. Find reason to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Eugene Evans.
10. Send the letters and conciliation agreements attached to the General Counsel's Report signed July 14, 1978, subject to the amendments made at the meeting of July 19, 1978.

Commissioner Tiernan was not present at the time of the vote.

Attest:

7/19/78  
Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary to the Commission

700407199



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

July 17, 1978

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
SUBJECT: MUR 551 - General Counsel's Report dated 7-14-78  
Received in Office of Commission  
Secretary: 7-17-78, 9:34

The above-mentioned document was circulated on a 48 hour vote basis at 12:00, July 17, 1978.

Commissioner Harris submitted an objection at 1:47 p.m., July 17, 1978, thereby placing MUR 551 on the Addendum to the Agenda for the Executive Session of July 19, 1978. In accordance with Directive No. 8, last paragraph, approved at the Commission Meeting of April 27, 1978, the General Counsel's Office has responsibility for the preparation of the Addendum.

cc: Commissioner Harris



79040172190

July 17, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 551

Please have the attached General Counsel's report distributed to the Commission on a 48 hour tally basis.

Thank you.

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BEFORE THE FEDERAL ELECTION COMMISSION

JUNE , 1978

In the Matter of )  
 )  
Evans for Congress Campaign ) MUR 551(78)  
Fund Committee )  
Mr. Billy L. Evans )  
Ms. Irene Capel )  
Claussen Paving Company )  
Mr. Eugene Evans )  
Flowers Industries )  
Ms. Joan Gann )  
Mr. Glenn Gann )  
Hudson and Marshall Properties, )  
Inc. )  
International Realty Company )

GENERAL COUNSEL'S REPORT

Summary of Allegations and Commission Action

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During the Audit Division's examination of the records of the Evans for Congress Campaign Fund Committee ("the Committee")<sup>1/</sup> evidence was found of eight apparent corporate contributions. Three of these contributions, those from Claussen Paving Company, International Realty Company, and Hudson and Marshall Properties, were in the sums of \$100 or more. These corporate contributions represented apparent violations of 2 U.S.C. § 441b(a) on the part of the Committee and the business entities involved.

The auditors also found that the Committee and Mr. Billy L. Evans ("the Candidate") had received a loan of \$10,000 from one private contributor and that the Committee had accepted a jointly

<sup>1/</sup> Now reporting as the Congressman Billy Evans Re-election Committee.

made loan of \$5,000 from two other contributors. These transactions placed the three contributors in apparent violation of 2 U.S.C. § 441a(a)(1)(A) and the Committee and Candidate in apparent violation of 2 U.S.C. § 441a(f).

On April 13, 1978, the Commission found reason to believe that the above violations had occurred.

Evidence

On April 18, 1978, letters were sent to all respondents informing them of the Commission's findings. Responses have been received from all respondents. The following is an analysis of these responses:

1) Corporate Contributions

a. Contribution of \$100 from Claussen Paving Company dated March 26, 1977.

According to information provided by the respondents, Claussen Paving Company is an incorporated entity; therefore, the company and the Committee did violate 2 U.S.C. § 441b(a) by giving and receiving a contribution of \$100. The contribution involved the purchase of tickets for an appreciation dinner by an employee of the company's branch office purportedly without the home office's knowledge. Counsel for the company expressed great concern regarding the violation and will take steps to avoid future problems. The contribution was refunded by the Committee on April 24, 1978.

b. Contribution of \$100 from International Realty Company dated October 7, 1976.

Information received from the Committee, the Candidate and International Realty Company indicates that at the time the

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contribution was made this company was a proprietorship. Thus neither the Committee nor the company is in violation of 2 U.S.C. § 441b(a) with regard to this contribution.

c. Contribution of \$200 from Hudson and Marshall Properties dated October 14, 1976.

The responses received from the Committee, the Candidate, and Mr. B. G. Hudson, Jr. state that Hudson and Marshall Properties is not a corporation, but rather a partnership. Therefore, neither the company nor the Committee is in violation of 2 U.S.C. § 441b(a) with regard to this contribution.

d. Contribution of \$500 from Hudson Marshall, Inc., dated March 18, 1977.

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During its examination of its records in preparation for responding to the Office of General Counsel's notification of the Commission's findings, the Committee discovered and voluntarily admitted receipt of a \$500 contribution from Hudson and Marshall, Inc., a contribution which was made from a corporate account. The Committee hypothesizes that one of its volunteers noted clearance of the previous contribution from the non-corporate entity of Hudson and Marshall Properties and assumed that the subsequent contribution was made from the same entity. The Committee refunded the contribution on April 24, 1978, but denies that it knew it was accepting a corporate contribution.

We recommend that the Commission find reason to believe that Hudson and Marshall, Inc., has violated 2 U.S.C. § 441b(a) by

making a corporate contribution to the Committee. We also recommend that the Committee's acceptance of this contribution be incorporated into the recommended decision given below concerning the Committee's acceptance of corporate contributions.

e. Other corporate and bank contributions

The auditors found five additional apparent corporate and bank contributions during their study of the Committee's records. Further information revealed that alleged contributions from the Farmers Bank of Douglas, GA (\$25) and from the Citizens Bank and Trust of Eastman, GA., (\$50), were in fact individual contributions drawn on bank drafts and thus not violations of 2 U.S.C. § 441b(a).

The Committee acknowledges the receipt of corporate and bank contributions from the Exchange Bank of Douglas, GA (\$50) and from Flowers Industries, (\$250) and has refunded these monies on April 24, 1978 and May 26, 1978. We recommend a finding of reason to believe that Flower Industries has violated 2 U.S.C. § 441b(a) by making corporate contributions to the Committee.

According to the Secretary of the State of Georgia, Big J Super Stores, Inc. of Alma, Georgia has been incorporated since 1969. The Committee, however, reports that a notation on the face of the corporate check indicated that the contributor was not a corporation. The Committee refunded the \$50 on April 24, 1978.

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f. Discussion & recommendation

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The Committee admits accepting a total of \$900 in contributions from three corporations and one bank in 1976 and early 1977. The character of a fifth contribution remains unclear. In all instances the Committee claims unknowing acceptance but the term "Inc." appeared on the face of one corporate check while another bore only the name of a bank. Account names on the three other checks included the terms "Company" and "Industries". Therefore, in two instances the Committee was put on direct notice that retention of the checks should be questioned while the other checks raised the possibility of a problem which should have been investigated. As a result we find that the Committee has violated 2 U.S.C. § 441b(a).

In that all the corporation and bank contributions have been returned the Office of General Counsel recommends that no further action be taken against the Committee nor against Claussen Paving Company.<sup>2/</sup> We recommend finding reason to believe that Hudson and Marshall Properties, Inc., and Flower Industries have violated Section 441b(a).

<sup>2/</sup> There is evidence that the Committee has been making an effort to prevent receipt or retention of corporate contributions. A copy of its present contributor card states that "Federal law does not allow acceptance of corporate checks". In addition, the Committee has provided evidence that a number of corporate contributions were returned during 1977.

2) Excessive contributions from individual

a. Contribution from Ms. Irene Capel

On August 13, 1976, Ms. Irene Capel wrote a check payable to Mrs. Billy L. Evans, wife of the Candidate, in the sum of \$10,000. Mrs. Evans endorsed the check to the Candidate and the check was deposited into the Committee's account on August 19, 1976. The Committee continuously reported this loan until it was repaid, the first repayment installment of \$5000 having been made on June 30, 1977 by the Evans for Congress Campaign Fund Committee and the second installment plus interest, totaling \$5,750.69, having been made on August 12, 1977, by the Congressman Billy Evans Re-Election Committee.

Ms. Capel took back a "consumer collateral note" in the amount of \$10,000 at 8% interest per annum signed by the Candidate, dated August 13, 1976. The note was guaranteed by ten individuals whose signatures appear on the back of the note. The reports of this loan filed by the Committee specified that the loan was "fully guaranteed by 10 guarantors" and a list of the guarantors was attached.

b. Contribution from Joan and Glenn Gann

On August 27, 1976, Joan and Glenn Gann made a \$5,000 loan to the Candidate and the Committee. This loan was reported by the Committee until it was repaid in full with interest on May 16, 1977.

A "consumer collateral note" made payable to the Ganns in the amount of \$5,000 was signed by the Candidate and dated August 27, 1976. This note also provided for the payment of 8% interest and was guaranteed by five individuals. The guarantors and the terms of the note were fully disclosed to the Commission.

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c. Discussion and recommendations - Capel and Gann loans

2 U.S.C. § 431(e) includes in its definition of "contribution" loans made for the purpose of influencing a Federal election. 2 U.S.C. § 431(e)(5)(G) excepts from this definition loans obtained from a national or state bank, but provides in § 431(e)(5)(G)(ii) that such bank loans are to be considered a loan by each endorser or guarantor "in proportion to the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors."

In the present situations, the Candidate and the Committee applied 2 U.S.C. § 431(e)(5)(G)(ii) to personal loans and thought they were in compliance with the law. The Candidate states that these loans were obtained "as a matter of convenience" and that they could have been obtained from a banking institution using the same guarantors.

The Office of General Counsel finds that these private loans of \$10,000 and \$5,000 were made and accepted in violation of 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f). It is possible that a cursory reading of Section 431(e)(5)(G) could have led the Candidate and Committee to assume that that section applied to private as well as bank loans; however, the individuals did in fact loan the Candidate and the Committee \$10,000 and \$5,000 rather than a bank making the loan and the individuals merely cosigning a proportionate share of liability. These activities were fully disclosed but never questioned by the Commission until almost two years after the fact.

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The Committee obtained a sufficient number of guarantors to satisfy the requirements of the Act if these had been bank loans and the lenders were paid commercially reasonable rates of interest. These factors mitigate the gravity of the violations.

d. Contribution from Mr. Eugene Evans

On June 29, 1978, the Candidate provided the audit staff with copies of promissory notes supporting a \$15,000 loan obtained from The Farmers Bank of Tifton on May 18, 1976. These notes show that this loan was secured from May 18, 1976, to July 14, 1976, by an assignment of the savings account of Mr. Eugene Evans, the uncle of the Candidate. The Candidate has stated that because of uncertainty as to whether this arrangement was appropriate, he substituted his own security for that of his uncle's bank account on July 14. The loan was reported as coming from The Farmers Bank. The promissory note was signed by the Candidate.

2 U.S.C. § 431(e) defines a "contribution" to include "a gift, ... loan, advance, or deposit of money or anything of value...." Collateral may be considered a loan or advance of something of value and therefore may be deemed a contribution. In the present instance, the collateral was used to secure a loan of \$15,000 for the Candidate's campaign. Therefore, the Office of General Counsel recommends a finding of reason to believe that Mr. Eugene Evans has violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution. Acceptance of this excessive contribution should be added to the Candidate's and the Committee's violations of § 441a(f) cited above.

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Recommendations

1. Find no reasonable cause to believe that International Realty Company and Hudson and Marshall Properties violated 2 U.S.C. § 441b(a).

2. Take no further action as to violations of 2 U.S.C. § 441b(a) by the Evans for Congress Campaign Fund Committee and by Claussen Paving Company.

3. Find reason to believe that Hudson and Marshall Properties, Inc. and Flowers Industries violated 2 U.S.C. § 441b(a).

4. Find reasonable cause to believe that Ms. Irene Capel, Ms. Joan Gann and Mr. Glenn Gann violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee.

5. Find reasonable cause to believe that Mr. Billy L. Evans violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Ms. Irene Capel, Ms. Joan Gann, and Mr. Glenn Gann.

6. Find reasonable cause to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from Ms. Irene Capel, Ms. Joan Gann, and Mr. Glenn Gann.

7. Find reason to believe that Mr. Eugene Evans violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to Mr. Billy L. Evans.

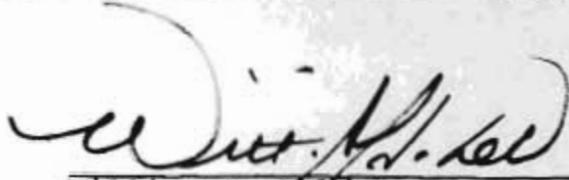
8. Find reason to believe that Mr. Billy L. Evans violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from Mr. Eugene Evans.

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9. Find reason to believe that the Evans for Congress Campaign Fund Committee violated 2 U.S.C. § 441a(f) by accepting an excessive contribution from Mr. Eugene Evans.

10. Send attached letters and conciliation agreements.

7/14/78  
Date

  
\_\_\_\_\_  
William C. Oldaker  
General Counsel

79040172301



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. John E. James  
Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, GA 31208

Re: MUR 551(78)

Dear Mr. James:

This letter is to inform you that the Federal Election Commission, on July , 1978, found reason to believe that the Evans for Congress Campaign Fund Committee ("the Committee") violated 2 U.S.C. § 441a (f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral for a \$15,000 loan obtained by the Committee and by Mr. Billy L. Evans ("the Candidate") from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time the Candidate substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. § 431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. § 441a (a) (1) (A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by the pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

On July , 1978, the Commission decided to take no action relating to the apparent violations by the Committee of 2 U.S.C. § 441b(a) in view of the fact that all corporate contributions have been refunded.

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Also on July , 1978, the Commission found reasonable cause to believe that the Committee violated 2 U.S.C. § 441a (f) by accepting contributions in excess of \$1000 from Irene Capel and from Joan and Glenn Gann. Having made this determination the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct this violation of Section 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g (a) (5) (A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a) (5) (B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of the Committee's violation of 2 U.S.C. § 441a(f) involving acceptance of excessive loans. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

cc: The Honorable Billy L. Evans

7901017203



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Billy L. Evans  
U.S. House of Representatives  
Cannon House Office Building  
Washington, D.C. 20515

Re: MUR 551(78)

Dear Mr. Evans,

This letter is to inform you that the Federal Election Commission, on July , 1978, found reason to believe that you violated 2 U.S.C. §441a(f) by accepting an excessive contribution from Mr. Eugene Evans. This contribution took the form of a pledge by Mr. Evans of his savings account as collateral fro a \$15,000 loan obtained by the Committee and by yourself from The Farmers Bank of Tifton on May 18, 1976. This pledge of collateral remained in force until July 14, 1976, at which time you substituted personal collateral for the pledge made by Mr. Evans. Such a pledge of collateral constitutes a contribution pursuant to 2 U.S.C. §431(e) and appears to have been of value in excess of the \$1000 per election limitation placed on individual contributions by 2 U.S.C. §441a(a) (1) (A).

Please submit any factual or legal materials which you believe would be relevant to the Commission's consideration of the issues raised by this pledge of collateral. Such materials should be submitted within ten days of your receipt of this notification.

Also on July , 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §441a(f) by accepting contributions in excess of \$1000 from Irene Capel and from Joan and Glenn Gann. Having made this determination the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct this violation of Section 441a(f) by informal methods of conference, conciliation, and persuasion and to enter into a conciliation agreement. 2 U.S.C. §437g(a) (5) (A). If we are unable to reach agreement during that period, the Commission may, upon a finding

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of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of your violation of 2 U.S.C. §441a(f) involving acceptance of excessive loans. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Also enclosed are copies of letters being sent to other respondents involved with the violations of the Act covered by MUR 551(78).

Sincerely,

William C. Oldaker  
General Counsel

Enclosures

79010172205



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Eugene Evans  
c/o Mr. John E. James, Treasurer  
Evans for Congress Campaign Fund Committee  
2034 Vineville Avenue  
Macon, Georgia 31208

Re: MUR 551(78)

Dear Mr. Evans:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you made an excessive contribution to Mr. Billy L. Evans and to the Evans for Congress Campaign Fund Committee by pledging your savings account as collateral for a \$15,000 loan obtained by Mr. Billy L. Evans from The Farmer Bank of Tifton on May 18, 1976.

2 U.S.C. §431(e) includes in its definition of "contribution" to a Federal campaign a "loan, advance, a deposit of money or anything of value made for the purpose of influencing the nomination for election, or election, of any person to federal office." A pledge of collateral is deemed something of value.

Because the savings account you pledged was in support of a \$15,000 loan, it is assumed that the account contained a sum in excess of \$1000, thus placing the pledge in excess of the contribution limitation for individuals set forth in 2 U.S.C. §441 a(a)(1)(A). We understand that Mr. Billy Evans substituted his own collateral for your savings account on July 14, 1976.

Under the act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's investigation of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
John E. James, Treasurer  
Evans for Congress  
Campaign Fund Committee

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Irene Capel  
P.O. Box 508  
Leeds, Alabama

Re: MUR 551(78)

Dear Ms. Capel:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution in the form of a \$10,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Enclosed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please

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sign it and return it to the Commission within ten days of your receipt of this letter. If you have any questions, please contact the attorney handling this matter, Anne A. Weissenborn, at (202) 523-4039.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

79010172202



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Glenn Gann  
Ms. Joan Gann  
Route 2, Box 1175  
Hampton, GA 30228

Re: MUR 551(78)

Dear Mr. Gann and Ms. Gann:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution in the form of a \$5,000 loan to Mr. Billy L. Evans and the Evans for Congress Campaign Fund Committee.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than 30 days to correct such a violation by informal methods of conference, conciliation and persuasion and to enter into a conciliation agreement. 2 U.S.C. § 437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

Endorsed please find a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten

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-2-

days of your receipt of this letter. If you have any questions, please contact the attorney handling this matter, Anne A. Weissenborn, at (202) 523-4039.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. B. G. Hudson, Jr.  
Hudson and Marshall, Inc.  
One Baconsfield Park  
Macon, GA 31211

Re: MUR 551(78)

Dear Mr. Hudson:

On July , 1978, the Federal Election Commission found no reasonable cause to believe that Hudson and Marshall Properties violated Section 441b(a) of the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution to the Evans for Congress Campaign Fund Committee ("the Committee") on October 14, 1976. The file has now been closed as to this matter.

The Commission did, however, find reason to believe that Hudson and Marshall, Inc., made a corporate contribution of \$500 to the Committee on March 18, 1977, in violation of Section 441b(a). As was explained in our letter of April 18, 1978, you have an opportunity to demonstrate why no action should be taken against your company. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

Because the Commission is under a duty to investigate this matter expeditiously, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

-2-

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
Mr. John James, Treasurer  
Evans for Congress  
Campaign Fund Committee

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The President  
Flowers Industries  
Douglas, Georgia

Re: MUR 551 (78)

Dear Sir:

This letter is to inform you that the Federal Election Commission has found reason to believe that your company violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making corporate contributions to the Evans for Congress Campaign Fund Committee in the sums of \$200 and \$50. These contributions were made on March 31, 1977 and April 2, 1977, respectively. We have numbered this matter MUR 551(78).

Under the Act you have an opportunity to demonstrate that no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you intend to be represented

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by counsel in this matter, please have such counsel  
so notify us in writing.

Sincerely,

William C. Oldaker  
General Counsel

cc: The Honorable Billy L. Evans  
Mr. John James, Treasurer  
Evans for Congress  
Campaign Fund Committee

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. James T. Shaheen  
International Realty Company  
2116 Riverside Drive.  
Macon, Georgia

Re: MUR 551(78)

Dear Mr. Shaheen:

On July , 1978, the Federal Election Commission found no reasonable cause to believe that the International Realty Company violated 2 U.S.C. § 441b(a) by making a corporate contribution to the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

79010172215



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Henry H. Claussen  
Claussen Paving Company  
P.O. Drawer  
Macon, GA 31202

Re: MUR 551(78)

Dear Mr. Claussen:

On July , 1978, the Federal Election Commission decided to take no further action with regard to the violation by the Claussen Paving Company of 2 U.S.C. § 441b(a) in view of the fact that the \$100 corporate contribution involved has been refunded by the Evans for Congress Campaign Fund Committee.

The file is now closed in this matter. We thank you for your cooperation.

Sincerely,

William C. Oldaker  
General Counsel

cc: Patrick J. Rice, Esquire  
Hall, Towill, Norman, Barrett and Johnson  
P.O. Box 1564  
Augusta, GA 30903

79010172217



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 551

Date Filmed 12/10/79 Camera No. --- 2

Cameraman BPC

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ES&M RECORDS AND INFORMATION SYSTEMS