

BIAS SUIT IS FILED IN WESTCHESTER

Blacks Challenge U.S. Aid to Town of New Castle

By JAMES FERON Special to The New York Times
WHITE PLAINS, Aug. 8—Four black residents of Westchester went to Federal Court today to challenge the legality of Government grants in the Town of New Castle on the grounds of discrimination.

The suit, a class action "on behalf of others similarly situated," was filed in United States District Court, Southern District of New York, by attorneys of the Suburban Action Institute, a nonprofit organization that seeks to open suburban housing to low-income groups.

One of the grants is from the Department of Housing and Urban Development for construction of a sewer system. The other is from the Department of the Interior for the development of a public recreational facility at Turner Swamp.

Suit First of Its Kind
Paul Davidoff, one of the institute's directors, said the plaintiffs allege that these Federal grants violate the Civil Rights Act of 1964 and 1969 as well as Federal regulations governing the review of grants-in-aid to local communities.

He said the suit was the first of its kind in the United States. Similar legal action based on discriminatory zoning practices have been taken against communities, but not against the Federal grants to the communities, he said.

"In this case, attempts were made on the administrative level to convince the government that these grants were discriminatory because they perpetuated exclusionary zoning," Mr. Davidoff said, "but we were told that Federal laws were upheld if the facilities themselves were nondiscriminatory."

"We say that as long as the town is engaged in exclusionary zoning the effect is to exclude racially and economically," Mr. Davidoff said.

Chris Jensen, an institute lawyer, said, however, that "by building a sewer that only serves the existing population you lock in the pace of development and perpetuate the discriminatory practice."

Development of a new park had the same effect, Mr. Jensen said. "There is only so much land available in the suburbs. Turning it over to recreational use forever precludes it being made available for housing."

Mr. Davidoff said that the institute was not opposed to sewers or parks. "We're just saying the town must build these projects itself and not ask for Federal funds if it seeks to limit their use."

The plaintiffs are Rachel Evans, who lives in the Urban Renewal section of Peekskill with her five children; Steven R. Kidd, a Yonkers student who has a wife and daughter; Fernel Patterson, a white Plains science teacher with a wife and two children; and Walter B. Brooks Jr., an Ossining barber with a wife and two children.

These families, according to the complaint, are seeking to move to New Castle or to surrounding areas in Westchester for better housing, open space and pleasant living environment.

Dr. David Brotman, Head of General Health Services
Special to The New York Times
LOS ANGELES, Aug. 8—Dr. David M. Brotman, founder, president, chief executive officer and principal shareholder of General Health Services, Inc., died, apparently of a heart attack, in his office today. He was 66 years old and lived in Beverly Hills.

Dr. Brotman graduated from Northwestern University and earned an M.D. degree at the University of Illinois School of Medicine. In World War II, he was a Navy flight surgeon.

His company, organized in 1968 to take over the assets of two earlier concerns, operates seven hospitals in cities in the West and Southwest and a chemical laboratory and ambulance company in Seattle.

He leaves his wife, Alix; a daughter, Mrs. Toni Roven; two brothers, and two sisters.

JOHN H. LYONS
John H. Lyons of 41-20 53d Street, Woodside, Queens, an insurance broker for 45 years, died Tuesday night in St. Charles Hospital, Port Jefferson, L. I. His age was 73.

A retired vice president of the Despard Company, now Fred S. James & Co., insurance brokers and underwriters, Mr. Lyons had been the youngest person to have been admitted to the United States Association of Average Adjusters, a trade organization.

He is survived by his widow, Josephine; two sons, John Jr. and Donald; three daughters, Mrs. Bernadette Alter, Mrs. Lorraine Olsen, and Mrs. Johanna McDermott; a sister, and 13 grandchildren.

Richard Boyer, 70, Biographer And New Yorker Writer, Dies

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Richard O. Boyer, biographer of John Brown and a former profile writer for The New Yorker, died of cardiovascular disease Tuesday at University Hospital. He was 70 years old and lived in Croton-on-Hudson, N.Y.

Mr. Boyer's "The Legend of John Brown: A Biography and a History" was published last spring by Alfred A. Knopf and received critical acclaim. "[The] book is more than a life of John Brown—it is a tapestry of the whole of American life in the generation that slid into the Civil War," said Godfrey Hodgson in The New York Times Book Review.

Other reviewers also noted that Mr. Boyer's narrative depicted the abolitionist leader as very much a man of his time rather than as a solitary fanatic.

Began as Reporter
Mr. Boyer's book stopped short of Brown's raid on Harper's Ferry, for which the abolitionist was executed in 1859. These circumstances were to be described in a second volume, the draft of which was completed shortly before the writer's death. He had been working on the project for 15 years.

Mr. Boyer, who was born in Chicago Jan. 10, 1903, began his literary career as a reporter. He worked for newspapers in St. Louis, Dallas and Boston before joining the staff of the now defunct New York Herald Tribune in 1929. Subsequently he wrote for PM, also defunct, as a correspondent in Germany.

Between 1931 and 1950 Mr. Boyer wrote 24 profiles for The New Yorker, sketching such personalities as Samuel Seabury, the corruption investigator; George Grosz, the German anti-Fascist artist; Lou Lit-ler, the Columbia football coach; Dizzy Gillespie, the jazz musician; Joseph Curran, the labor leader, and Dmitri Mitropoulos, the conductor. His profile of Mr. Curran, a found-

er of the National Maritime Union, became a book, "The Dark Ship," which recounted the rise of the seamen's organization.

His other books included "Max Steuer, Magician of the Law" and, with Herbert M. Morais, "Labor's Untold Story." Mr. Boyer was one of a number of witnesses called in 1956 by the Senate Internal Security Subcommittee in an inquiry into the New York City press. To questions on whether he was a Communist or had known others as Communists, the writer invoked both the First and the Fifth Amendments.

Privately, however, Mr. Boyer identified himself as an American Communist, saying that he had been a party member from the nineteen-thirties until 1956, when Nikita S. Khrushchev, the then Soviet leader, disclosed the secrets of the Stalin regime.

Mr. Boyer is survived by a son, Alexander, and a sister, Barbara Dunne of Falls Church, Va. His wife, the former Sophia Ames, died last December.

EDWIN TUNIS DIES; CHILDREN'S AUTHOR
Special to The New York Times
BALTIMORE, Aug. 8—Edwin Tunis, an author and illustrator of children's books, died yesterday at the Greater Baltimore General Hospital. He was 75 years old and lived in suburban Reisterstown. He was 44 years old.

Mr. Tunis received a gold medal in 1956 from the Boys Club of America for his book "Wheels" and two years later received the Alva Edison Foundation children's book award for "Colonial Living." In 1970 he was nominated for the National Book Award for "The Young United States."

Mr. Tunis, who attended the Maryland Institute of Arts, illustrated all of his books and also created murals for public buildings.

He wrote his first book, "Oars, Sails and Steam" in 1952 while doing research for a mural. Other books included "Indians" (1959); "Frontier Living" (1961); "Colonial Craftsman" (1965), and Shaw's "Fortune" (1966). They were published by World Publishing Company along with all his other works except "Chippmunk on the Doorstep," published in 1971 by Thomas Y. Crowell Company, and "Tavern at the Ferry," due for release from Crowell.

Mr. Tunis leaves his wife, the former Elizabeth Hutton. He wrote his first book, "Oars, Sails and Steam" in 1952 while doing research for a mural. Other books included "Indians" (1959); "Frontier Living" (1961); "Colonial Craftsman" (1965), and Shaw's "Fortune" (1966). They were published by World Publishing Company along with all his other works except "Chippmunk on the Doorstep," published in 1971 by Thomas Y. Crowell Company, and "Tavern at the Ferry," due for release from Crowell.

George W. Jaques, 86, Law Partner Here, Dies
George W. Jaques, a consulting partner in the law firm of Milbank, Tweed, Hadley & McCloy, died Tuesday at his home, 2829 Bronson Road, Fairfield, Conn. He was 86 years old.

Mr. Jaques graduated in 1908 from Columbia University and in 1910 from its law school, where he was on the Law Review. He joined Masten & Nichols, becoming a partner in 1917. When it was merged with Milbank, Tweed in 1932 he became a partner in the successor firm.

VILHELM MOBERG, SWEDISH NOVELIST

Author of 'Immigrants' and 'Emigrants' Dies at 74

STOCKHOLM, Aug. 8 (UPI)—Vilhelm Moberg, the novelist, was found dead near his summer home outside Stockholm today. He was 74 years old.

His wife reported him missing earlier in the day, and the police found him, apparently drowned, in a dressing gown in the water.

His home was on the island of Vaeddoe.

Acclaimed for Play
Mr. Moberg was as much of a success as a writer in this and other countries as in his native Sweden, where he was considered the greatest of living Swedish writers.

His two major works, "The Emigrants" and "The Immigrants," were best sellers in Sweden and in the United States and were made into films.

The first Moberg novel to be translated into English in 1938, was "Memory of Youth," the first of a trilogy, the fictional autobiography of one Knut Toring up to the age of 35.

Percy Hutchinson, writing in The New York Times Book Review, called it "an exceptionally fine novel, with the promise of even better things to follow."

Other books were "Ride This Night," "The Earth Is Ours," "Unto a Good Land," "When I Was a Child," "The Last Letter Home" and "A Time on Earth."

Mr. Moberg was also the author of "Kyskhat" ("Chastity"), a play that was put on at the Royal Dramatic Theater in Stockholm in 1939.

Surviving are his widow, the former Virginia Biles; a daughter, Susan; a son, John; and a sister, Mrs. F. M. Cooper Jr.

Richard Kisonak, Wrote Of His Terminal Illness
LEWISTON, Maine, Aug. 8 (AP)—Richard Kisonak, former newspaper reporter, whose story of living with the knowledge of his terminal illness brought him wide attention last winter, died yesterday at a Lewiston hospital. He was 44 years old.

Mr. Kisonak had been suffering from amyotrophic lateral sclerosis, a muscular disease known as Lou Gehrig's disease, named for the baseball star who died of it.

His account of his struggle for life, written in his own words, was carried nationally by The Associated Press. It brought him thousands of books and letters from well-wishers, many of them from families of victims of the fatal disease.

A reporter for nearly two decades, Mr. Kisonak learned of his condition shortly before Thanksgiving in 1971.

He is survived by his widow, Beverly; two sons, and a daughter.

Dr. Joseph Garland, Editor Of Medical Journal, Dead
Special to The New York Times
BOSTON, Aug. 8—Dr. Joseph Garland, physician and former editor of The New England Journal of Medicine, died Saturday at his home in suburban Chestnut Hill. He was 80 years old.

He edited the journal for 20 years until his retirement in 1967 and also wrote eight books, including "The Story of Medicine," published in 1949.

Dr. Garland was graduated from Harvard in 1915 and cum laude from Harvard Medical School in 1919. He practiced pediatrics in Boston for some 25 years and was visiting physician at Boston City Hospital and Massachusetts General Hospital.

He leaves his wife, the former Mira W. Crowell; a son, Joseph E., a daughter, Anne K. Garland, two sisters and two grandchildren.

W. SPRAGUE HOLDEN
DETROIT, Aug. 8 (AP)—W. Sprague Holden, chairman of the Wayne State University department of journalism, died today of a heart attack. He was 64 years old.

Abraham Pletman Dead at 73; Founded Lafayette Radio in '20

Author of 'Immigrants' and 'Emigrants' Dies at 74

Abraham Pletman, founder and chairman of the board of the Lafayette Radio Electronics Corporation of Syosset, L.I., died yesterday at his home, 2 Fifth Avenue, after a brief illness. He was 73 years old.

Mr. Pletman's company is one of the country's largest developers and distributors of consumer electronic products, including stereo hi-fi electronic equipment, tape recorders and cassettes, amateur operators' gear and two-way radios.

Lafayette has 86 company-owned stores and more than 360 franchise operations and also sells extensively by mail order.

Mr. Pletman, who was born in Poland, was brought to this country as a child. He studied electronics at Cooper Union, before founding the concern in 1920. He guided its growth to a listing on the American Stock Exchange and sales in fiscal 1972 of \$73,870,574 and a net income of \$4,299,883.

Mr. Pletman was president of Lafayette from its beginning at 6 Church Street until August of 1970, when he became chairman of the board of directors, then a new post. The current president is Leonard D. Pearlman.

Mr. Pletman leaves two daughters, a sister, a brother, and five grandchildren.

A funeral service will be held at 1 P.M. tomorrow at the Riverside Memorial Chapel, Amsterdam Avenue at 76th Street.

JOHN J. H. TULLY
Special to The New York Times
BELLPORT, L. I., Aug. 8—John J. H. Tully, purchasing agent for Brookhaven National Laboratory, died yesterday in Brookhaven Memorial Hospital. He was 60 years old and lived at 84 North Howells Point Road.

Mr. Tully attended the Universities of Pennsylvania and Maryland. He had been with Brookhaven since 1955 except for service as Suffolk County's first director of purchases from 1957 to 1960.

Surviving are his widow, the former Virginia Biles; a daughter, Susan; a son, John; and a sister, Mrs. F. M. Cooper Jr.

BECK—Hermine, loving mother of Rita Ray and Ladislas Beck, cherished grandmother of Ladislas, Schmeider, Beck, and Michael Ray, Great-grandmother of Ladislas, Schmeider, Beck, and Michael Ray, died yesterday at her home, 76 St. Nicholas Avenue, New York City. She was 82 years old.

BEJAMIN—Edwina Furchert, 1883-1973, beloved wife of the late Herbert, well-loved mother of Edwina, Joseph, and Benjamin, died yesterday at her home, 101 West 10th Street, New York City. She was 90 years old.

BERGHOFF—Her Johnson, on Aug. 6, 1973, of 549 Mallard Ave., Teaneck, N. J., devoted husband of Mrs. Gertrude E. Berghoff, died yesterday at her home, 549 Mallard Ave., Teaneck, N. J. He was 68 years old.

BORAKOV—Jack, devoted husband of Rebecca, died yesterday at his home, 101 West 10th Street, New York City. He was 68 years old.

BRENNAN—Mary R., on Aug. 7, 1973, devoted wife of the late James F. Brennan, died yesterday at her home, 101 West 10th Street, New York City. She was 82 years old.

BRICKNER—Elsie, the Officers and members of Beth El Temple Synagogue extend condolences to the family of the late Mrs. Brickner, who passed away peacefully at her home, 101 West 10th Street, New York City. She was 82 years old.

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