

# CIVIL RIGHTS BILL "LEAN SHADOW"



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HEARING SCHEDULED NEXT WEEK

### U.S. Judge Nominee Hit

#### "Afraid To Trust Him In Court," Barnes Declares

"I am afraid to trust the fate of my people in the hands of Mr. Butler in a courtroom."

This was the comment of a leading Negro Republican this week on the nomination of Algernon Butler to become federal judge for the eastern district of North Carolina.

Hearings on Butler's nomination by the Senate Judiciary Committee are expected to be held next week.

Butler was picked by President Eisenhower to succeed the ailing Don Gilliam who sat on the federal bench in North Carolina's eastern district for the past several years.

Barnes said Eisenhower's choice of Butler "is not only unfortunate but a moral monstrosity and a political blunder."

"It is another case," Barnes said, of "the President being misinformed."

A Raleigh newspaperman, Barnes said Butler has "not proved on his ability to deal impartially with matters pertaining to Negroes."

"I am a Republican but a Negro first, and I shudder to think what will happen when a question of Negro rights has to be decided by Mr. Butler. I am afraid to trust the fate of my people in the hands of Mr. Butler in a courtroom."

Barnes declared that he will appear before the Senate Judiciary Committee to protest the appointment. He said he will ask the National Association for the Advancement of Colored People "if necessary" to fight the appointment.

North Carolina's two Senators, Everett Jordan and Sam Ervin both expressed their intention to refrain from opposing Butler's nomination.

The appointment to the federal bench is for life and carries a \$22,500 salary per year.



MRS. SMITH

#### Funeral Rites For Mrs. Smith Held Wednesday

Mrs. Maggie Jeanette Smith, one of Durham's most well-known citizens, died at Lincoln hospital Sunday after a brief illness. She was 87.

Funeral services were scheduled to be held at White Rock Baptist Church on Wednesday afternoon, August 12, at three p.m. The Rev. Miles Mark Fisher, White Rock pastor, was to officiate. Burial services were set for Beechwood cemetery.

Mrs. Smith had been admitted to the hospital on Friday.

Born in August 14, 1871 in Hillsboro, daughter of the late Mrs. Sallie Pine Bailey, Mrs. Smith moved to Durham with her family at an early age.

She joined White Rock Baptist Church when she was 12 and later became a pioneer in many of the Church activities.

During her years of young womanhood, she was a practical nurse and a seamstress.

In 1887, she was married to the Payton H. Smith, of Spanish American War fame. Smith was (See MRS. SMITH, Page 8)

#### Mrs. Mary Shepard Succumbs In Atlanta; Funeral Thursday

The last rites for Mrs. Mary Holbrook Shepard, widow of Dr. Charles H. Shepard, will be held at St. Joseph's A. M. E. Church, Thursday, August 13, at 3:00 P.M. The Rev. Melvin Chester Swann, pastor, will officiate.

Mrs. Shepard died at the home of her daughter, Mrs. Dorothy Shepard Manley, of Atlanta, Georgia, Tuesday, August 11. The body will be shipped here and will lie in state at St. Joseph's from noon Thursday until the time of the funeral.

She was born in Spray, North Carolina, but at an early age moved to Danville, Virginia. She attended the Inclusive Seminary of Burkesville, Va. The school was later merged with Scotia Seminary at Concord.

In 1905 she married to Dr. George Adams, who at the time was a member of the faculty of Kittrell College. The couple moved to Durham in 1908 when her husband became cashier of the Mechanics and Farmers Bank. Dr. Adams died in 1918.

She was married to Dr. Shepard in 1921. He succumbed in 1935.

For a long number of years Mrs. Shepard was a member of St. Joseph's A.M.E. Church where she held the position of president of the Senior Stewardess Board until her health failed. Up to the time of her illness she had also held the position of treasurer of the Women's Missionary Society of the Western North Carolina Conference of the A. M. E. Church, later serving as its president, which position she held until her health failed.

Surviving are one daughter, Mrs. Dorothy Manley and one son-in-law, Dr. Albert E. Manley, president of Spellman College, Atlanta, Georgia.

Interment will be at Beechwood Cemetery.



MRS. SHEPARD

#### Platters Pinched In Cincinnati On Vice Charge

CINCINNATI—Four members of "The Platters," a rock and roll vocal ensemble whose arrangement of an old popular standard sold over a million copies, were arrested here Monday on a vice charge.

They were charged with aiding and abetting prostitution.

Four 19-year-old girls, three white and one Negro, were also arrested along with the musicians in a raid by vice squad police on the downtown Sheraton-Gibson hotel.

Members of the "Platters" booked, according to police, were David Lynch Jr., 30, and Tony Williams, 31, of Hollywood, Calif.; Herbert A. Reed, 31, of Los Angeles, and Irving Robi, 26, of El Centro, Calif.

The "Platters" recorded an arrangement of "Smoke Gets in Your Eyes," which sold over a million copies this spring.

The entire group consists of five singers, four men and one woman.

They had been appearing at the Copa Club in nearby Newport, Ky. when the arrest was made.

#### NO SCHOOL: SEND PUPILS 40 MILES

BURNSVILLE—There is no Negro school in Yancey County, so county authorities have completed another arrangement to ship each day Negro school children of the county 40 miles away to Asheville to school.

There are some 33 Negro pupils of school age in the county. They have received their formal training in this manner in the past several years.

However, this year parents of 27 of the children have made a protest to the policy and have asked for admission of their children to the white—and only—school in the county.

The Yancey Board did not act on the request, but instead completed the usual arrangement with the Asheville system.

Attorney Ruben Daly, representing the 27 parents, declared that the parents will not allow their children to go to the Asheville school this year, and will, instead, seek admission to the white school.



MRS. JENKINS



MRS. AMEY

#### Dies in Cave in

RALEIGH—Eugene Rogers, 30-year-old laborer of 1411 Pender Street, was suffocated to death Tuesday when he was buried alive in a cave-in of an 18-foot sewer ditch in which he was working.

Two others, trapped inside the ditch with Rogers when the cave-in occurred, were rescued. (See CAVEIN, Page 8)

#### ST. JOSEPH'S SETS NEW OPENING Principal In Chapel Hill School Controversy Taught In Durham

Stanley Vickers, 11 year old Carboro student who has become the center of a broiling controversy in the Chapel Hill school board received his first formal instruction at St. Joseph's A.M.E. Church Nursery.

The rejection of an application by Vickers' parents to have him reassigned to a white school in Chapel Hill this year precipitated a split in the board and the resignation of one of the board's most influential members, Dean Henry Brandis of the University of North Carolina Law School.

At the beginning of this week, negotiations appeared under way to heal the split and prepare for Dean Brandis' return to the board.

The UNC Law School Dean had termed the board's action "legally and morally indefensible."

According to Dr. Melvin C. Swann, pastor of St. Joseph's and supervisor of the Nursery school, young Vickers appeared to have an "I.Q." well above normal during his training at the church nursery school.

#### MOTHER OF NINE Awakens To Find Son Dead

A Durham mother on nine awoke Tuesday morning to find her seven month old son, Ronnie Lee Burnette, dead.

Mrs. Zella Burnette, of 308 Red Oak Drive, said her son, who slept with her, was a very active child and had appeared in good health on the previous night.

She said he displayed no signs of illness and could not discover immediately what had caused his death.

The infant was rushed to Lincoln hospital early Tuesday, but was pronounced dead on arrival.

Funeral arrangements were not complete at press time.

The youngster is survived by his mother, five sisters, Barbara, Lois, Peggy, Iris, and Phyllis; and four brothers: Kelly, Andrew, Harold and Darrell.

#### LITTLE ROCK MOB IS DISPERSED

LITTLE ROCK, Ark.—Police coped with a mob of pro-segregationists who moved on Central high school today where one Negro was scheduled to enroll in the all-white school.

#### Way The Wind Is Blowing

Last week saw two intelligent, highly respected and respectable white citizens of North Carolina resign from posts they held because apparently they could not square their consciences with policies of segregation practiced in the positions they held. The first was Dean Henry Brandis of the University of North Carolina Law School who handed in his resignation as a member of the Chapel Hill School Board when it refused to assign to a white school a Negro pupil who had more than met all the requirements. Dean Brandis charged that the action of the Board was both "legally and morally indefensible."

The second involved that of a lifeguard of Macon State Park at Morehead City who resigned his job when the park's Ranger told an elderly white woman not to bring her Negro maid back to the beach. The white woman and her husband had been sitting with the maid under one of the sun shelters on the beach. She and her husband are reported to have (See THE WAY, page 8)

#### President of Baptists Criticizes NAACP For Action In Little Rock

CHICAGO—Dr. Joseph H. Jackson, president of the National Baptists, delivered a rebuke of the NAACP for its action in the Little Rock School segregation issue this week.

He sharply criticized the NAACP for its "meticulous contention for the letter of the law" in the situation.

"The struggle for democracy in education is not only a legal question but a question of achieving constructive human relations and goodwill," Dr. Jackson was quoted as saying here this week.

"We must not sacrifice the latter in a meticulous contention for the letter of the law," he reportedly said in a telegram to NAACP Secretary Roy Wilkins.

The NAACP has filed a lawsuit challenging the Little Rock school board's placement of no more than six Negroes in high schools which were previously all-white.

Perry and Burt were notified of their records on the examination by mail early this week.

Perry is the son of Mrs. E. W. Harris of 512 Umstead Street. He received his undergraduate degree from North Carolina College in 1952 and finished the NCC Law School in 1955.

He began working for North Carolina Mutual Life Insurance company in 1955 and is currently employed in the company's Claims department. He said he intends to continue with the firm.

Perry is married to the former Miss Patsy Brewington, and they (See PASS, Page 8)



A PRIZED CATCH — MISS Theresa Gibson, right, Canton, N.C., appears genuinely thrilled as she demonstrates her fishing skill to Miss Priscilla Lutze, Hickory, both students at AAT College.

The scene is from one of the two recreation lakes at the modern AAT College farm. The lakes were developed as projects of the Biology Department for study of marine life.

#### Congress Deserts Race On Issue, Wilkins Claims

NEW YORK—The civil rights bill which has come out of the House judiciary committee was called "a lean shadow of the legislation Congress should enact" by the NAACP this week.

In a telegram to Rep. Emanuel Celler, chairman of the House judiciary committee, NAACP Executive Secretary Roy Wilkins urged that sections deleted from the bill by committee action be restored on the floor and thanked Rep. Celler for his promise to try to strengthen the bill by reintroducing the omitted sections as amendments.

The NAACP Executive Secretary characterized the racial situation in the country as "deteriorating" and asserted: "under the clear notification that they are being abandoned by the Congress, Negro citizens have grown cynical and are more restive than at any time in the past decade."

They believe that if our country wants justice and peace in the world it should begin with justice and racial peace at home.

The striking out of the section giving the Attorney General additional civil authority in civil rights cases "means that the Congress is leaving Negro citizens who seek their ordinary citizenship rights to the mercy of the states which have denied these rights (See LEAN, Page 8)



MRS. GANT

#### Business School To Hold Finals Program Sunday

The annual Commencement exercise for Southeastern Business College will be held at 3:00 p.m., Sunday, August 16 at Covenant Presbyterian Church.

Guest speaker for the occasion will be Mrs. Mary W. Gant, General Supervisor of Oxford City Schools, and outstanding Civic, Social and Religious leader.

Mrs. Gant received her Bachelor Degree from Shaw University and her Master of Education Degree from Atlanta University, she has done post graduate work at Northwestern University, Colorado University; Duke University; and is currently enrolled at the University of North Carolina.

Others scheduled to appear on the program are J. W. Smith, pastor of the host church; J. L. Lassiter, Director of Educational Division, Winston-Mutual Life Insurance Company; Mrs. L. J. Stith, Dean of the College; D. W. Stith, President of Southeastern; and Mrs. Shirley J. Lyons, President of Student Body.

#### Prosecutor of Integrationists Commits Suicide

LOUISVILLE, Ky.—State's Attorney A. Scott Hamilton, 48, who gained fame by prosecuting white integration advocates on sedition charges, is dead. He shot himself in the heart with a pistol at his suburban home here.

Hamilton's death followed a series of professional and political reverses which began with his prosecution of the integrationists in 1954.

He obtained the conviction of Carl Braden on a sedition charge after Braden and his wife Anne helped a Negro family purchase a house in a so-called white neighborhood. However, Braden's 15-year sentence was set aside by Kentucky's highest court after Braden had served eight months in jail and prison.

Hamilton was then forced to ask for dismissal of all charges against the Bradens and five other white persons who had defeated the right of the Negroes, Mr. and Mrs. Andrew E. Wade IV, to occupy the house. This was in late 1956.

One of the persons harassed was L. O. Ford, 80, who was kept in jail for six months. Ford died last year in California, and friends were convinced that his death was hastened by the long confinement at his advanced age.

#### Advertisers Digest

BY ALBERT E. HART

FREE PASSES PETER PAN SUPER MARKETS are offering FREE PASSES to the exciting fantasy movie TOM THUMB showing this coming Friday and Saturday at the REGAL THEATRE in Durham. To get free passes for your kiddie or for a present to a neighbor's child, all you have to do is shop at PETER PAN SUPER MARKETS, for each dollar you spend you'll get a free-kiddie pass.

LUZIANNE COFFEE is fast becoming the most popular brand in the South? The reason for this is its delicious flavor and economic price. Pick up a pound of this delicious coffee at WILLIARD'S CUT RATE MARKET, PETER PAN MARKETS, QUALITY FOOD SUPER MARKET, CITY RATE SUPER MARKET and KEELER'S FOOD STORE. You'll be glad you did.

COKE BARGAIN You can get six bottles of coke at WINN DIXIE SUPER MARKETS (See DIGEST, Page 8)