

Court Kills Free Choice

The Franklin County Board of Education, meeting in a six-hour session here Saturday, directed its attorneys to appeal the order of U. S. Eastern District Judge Algernon Butler, which, among other things, called for an end to freedom of choice in the county school system.

The ruling, received here Saturday morning by mail, ordered the Board to place at least two Negro teachers in every predominantly white school and two white teachers in all Negro schools for the coming school term. The Board was also ordered to assign

10 percent of the Negro school population to predominantly white schools for the coming year.

In the matter of pupil assignment, the order directed "The defendants shall prepare and submit to the court, on or before October 15, 1967, a plan for the assignment, at the earliest practicable date, of all students upon the basis of a unitary system of non-racial geographic attendance zones, or a plan for consolidation of grades, or schools, or both".

Also included in the order was the requirement that "The defendants shall

Violence Blamed, Board Appeals To Fourth Circuit

make a provision in the plan for the period of time over which the conversion to a desegregated school system shall be accomplished and shall set forth a schedule of steps to be taken to effect this conversion".

A statement, released by the Board late Saturday, set forth these requirements of the order, announced that the ruling would be appealed and said, "Pending further study of the Court Order, the Board of Education has no

further comment".

In his Findings of Fact, Judge Butler said, "There is marked hostility to school desegregation in Franklin County, and wide publicity has been given to the acts of intimidation, threats and reprisals against Negro parents who have requested reassignment of their children to previously all-white schools. . . . Community attitudes and pressures in the Franklin County School system have effectively inhibited the exercise of free choice of schools by Negro pupils, and their parents".

In his Conclusions of Law, Judge Butler ruled "During the thirteen years since *Brown* (1954 Supreme Court ruling on School Desegregation) and during three years under the so-called "freedom of choice" plan . . . reasonable progress toward the elimination of the dual system of schools in Franklin County based on race or color has not resulted. A more specific and more comprehensive order is therefore necessary and appropriate".

The Conclusions continued, "Every freedom of choice plan must be judged on a case by case basis. The plan must be tested not only by its provisions, but by the manner in which it operates to provide opportunities for a desegregated education . . . It is constitutionally impermissible and, indeed, a misnomer when the choice is not free in fact".

"This court has found that community attitudes and pressures in the Franklin County School system have effectively inhibited the exercise of free choice of schools by Negro pupils, and their parents. So-called "freedom of choice" under such circumstances is an illusion", the Order concluded.

An appeal by the Board of Education to have the case reviewed by the U. S. Fourth Circuit Court, headquartered in Richmond, Va. could delay some or all of the provisions of the Saturday order. Normal legal procedures indicate that attorneys for the Board will ask for a "stay" of the order while the appeal is pending. If such a "stay" is granted, the provisions of Judge Butler's order would not go into effect until after the appeal is heard. Should a "stay" not be granted, the Board must act immediately to bring to ten percent, the number of Negro students in the predominantly white schools.

The Board must also assign teachers across racial lines to gain at least two of a minority race in every school. The Order states, "Defendants shall take immediate affirmative steps to accomplish substantial faculty desegregation . . . notwithstanding that teacher contracts for 1967-68 school year may have already been signed and approved".

The Court approved the Board's Objective Standards for the Employment of Teachers as filed last August. The Board was also ordered to "take prompt steps necessary to provide physical facilities . . . of quality equal to that provided in schools previously maintained for white students" for schools heretofore maintained for Negro students.

In reference to members of the Board of Education, Judge Butler stated, "Following the Interim Order of July 27, 1966, counsel for all parties and the defendant School Board met with representative groups of the white and Negro community and made good faith efforts to eliminate the pressures that inhibited a free choice of schools. The fact that they failed cannot be attributed on this record to the defendants".

Judge Butler also referred to his ruling of February 21, 1966 when he " . . . found that the defendants have acted in good faith". The Court also noted that "The defendants deny that they are operating a racially discriminatory school system. They assert that they have complied with every provision of the Interim Order conscientiously and in good faith, and that all Negro students requesting as-

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Board Burns Midnight Oil

282 Negro Pupils To Be Reassigned

The Board of Education, burning the midnight oil in a special meeting here Monday night in search for 282 Negro students scheduled to be reassigned to predominantly white schools, reiterated its intentions to fight for its freedom of choice plan of school desegregation.

Board attorneys Edward F. Yarbrough and Charles Davis said the appeal to the Fourth Circuit Court in Richmond, ordered Saturday by the Board, would be made within the week. Such an appeal could not be heard, they said, for at least 120 days. Board members expressed a determination to take every legal means to save the freedom of choice plan in the county system.

Meeting with principals of all county schools, the Board paired off into groups with each Board member handling his own district, to search for 282 Negro children to be reassigned under the court order to predominantly white schools. No details were announced, but it was reported when the meeting ended near midnight, that considerable progress had been made. The court order calls for the transfer

of 10 percent of the Negro school population into white schools. This represents 328 total, with 46 having already been assigned under the freedom of choice plan.

The breakdown, according to schools is as follows: Bunn, 89; Louisburg, 87; Gold Sand, 44; Youngsville High School, 40; Epsom, 28; Edward Best High School 22 and Edward Best Elementary School 17. The Board acted Saturday in deciding that the 328 would be equally divided among all schools with each having the same ratio.

Teacher vacancies and the pending transfer of some teachers across racial

lines were discussed, although no announcements are expected on teachers until sometime after a general teachers meeting called for next Monday. The court ordered that at least two teachers of the minority race be placed in each school. Some such placements have already been made with others being worked on.

In other actions, Monday night, the Board ordered four mobile classrooms, three of which were already on standby. These are expected to be stationed at Louisburg and Bunn, where the heaviest load of new students will be assigned.

Ruling Delays Opening Of Schools Until Sept. 7

Requirements of the U. S. Eastern District court order, received here Saturday, have forced the Board of Education to delay the opening of schools. Originally slated for August 31 to be the first full day of the coming session, the Board moved the opening to September 7.

Teachers will report as originally scheduled on Monday, August 28 for a general teachers meeting. Much of the general business originally slated for the session however will be eliminated. It is expected that teachers will be told the provisions of the court order and asked to volunteer to cross racial lines where needed to comply with the order. The scheduled Reading Workshop was canceled by the Board Saturday and teachers will report to their respective schools following the general meeting on Monday.

Teacher-Principal and Teacher-Parent Orientation as well as Teacher-Pupil Orientation, originally scheduled for Tuesday and Wednesday, August 29 and 30th have been changed to Tuesday and Wednesday, September 5 and 6th. Pupils will attend school on Wednesday, September 6 from 1:30 p.m. until 3:30 p.m. for assignments, etc. as originally planned. School buses will operate on that day.

Union, NLRB At Work Here

Unconfirmed reports have it that a representative of the National Labor Relations Board will hold some type of hearing here Wednesday morning at 10 a.m. in the county courthouse. Plant officials, workers, and industry officials are all holding to a no comment attitude.

Reports, also unconfirmed, say that a representative of the Amalgamated Clothing Workers of America has been in the area for the past six weeks attempting to organize workers at the Louisburg Sportswear plant here. There has been no confirmation of this, although it appears to be general knowledge among local citizens.

Details are almost impossible to come by, as officials continue mum on all questions.

Also reported by reliable sources is that the union representative made some attempts to obtain use of the Louisburg armory and/or the county courthouse for a general meeting. The meeting, however, has not as yet materialized.



Saturday Accident Scene

Six Hurt In Wrecks

Members of the Louisburg Rescue Service are shown above around 8 p.m. Saturday aiding Raeford Horton, w/m/21, following an accident on State Rural Road 1103 near Clifton's Pond. Bobby Young, w/m/24, reportedly the driver of the car was trapped inside the overturned vehicle and Rescuers had to free him. Both men were taken to Franklin Memorial Hospital and later transferred to Wake Memorial.

Willie Perry, c/m/38, of Newport News, Va. was transferred from Franklin Memorial Hospital to Duke Saturday night after a freak accident at Centerville. Perry, accidentally hit the accelerator of a car in which he was a passenger after the driver had gotten out at Pleasant's Garage. The vehicle took off, striking a road sign, a parked car, the side of L. S. Ward's store and finally coming to rest at the Lancaster Stables building. Perry suffered an eye injury.

A two-car collision at the Bickett Blvd.-Bunn road intersection Monday night around 6 p.m. sent three persons to the local hospital for treatment although none were believed to be seriously injured. Sylvester Bryant of New York was charged with failure

to yield the right of way, when the car he was driving struck a vehicle driven by James H. Gilliam, w/m/29, Rt. 2, Louisburg. Two Negro women, passengers in the Bryant car were reported injured.

C. Ray Pruette Installed As Lion's District Governor

C. Ray Pruette of Franklinton, Chairman of the Science Department of Louisburg College and a member of the Franklinton Lions Club was installed District Governor of Lions District 31-G in ceremonies here last Friday night.

The gathering of Lions and guests from 26 of the near-forty clubs in the district, heard past International president John L. (Jack) Stickley, principle speaker, refer to the popular Pruette as a "great man in the true significance of the word".

College Dean John York, substituting for an ailing Dr. Cecil Robbins, told

the near-300 present, "You have made a wonderful choice (in the selection of Mr. Pruette)". He spoke of the College's pride in having him as member of the faculty. In reference to Mr. Stickley, who is widely publicized as a Republican gubernatorial possibility, York said, "He may be--I don't know--but he may be living within commuting distance soon". Stickley now resides in Charlotte.

Later, Stickley in an obvious reference to the speculation, told of a statement he made to his wife as she

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Lions Installation Principals

Principals at Friday night's Lions installation banquet here are shown above. Left to right, John L. (Jack) Stickley of Charlotte, past International president; Dr. Amos Abrams, Toastmaster; newly installed District Governor, C. Ray Pruette; immediate past District Governor, W. Monroe Gardner of Warrenton and Bill Johnson, President of the Franklinton Lions the home club of Mr. Pruette. Photo by Clint Fuller.

Missing County Man Found

Artis Marshall, believed about 55 years old, of Route 1, Castalia in Franklin County, was found this morning around 9 a.m. by searchers in a wooded area near Pearce's Crossroads. Centerville Rescue Service brought the man to Franklin Memorial Hospital suffering from what was termed a paralyzing stroke. Marshall, missing since Sunday morning, was the object of a search by Sheriff's officers, Centerville Rescuers and neighbors which lasted until late Monday night. Called off around 11 p.m., the searchers resumed work this morning. It was reported that Marshall was first sighted by his son. The location where he was found is

about a mile and a half from his home. Sheriff's deputies reported that the ailing man was able to "sit up" and to mumble some words. They said, however, no attempt was made to question him at this time due to his condition.

He was last seen at a neighborhood store around 9 a.m. Sunday and is believed to have followed an old railroad bed through the woods as a shortcut home. Rain hampered rescue efforts Monday night, although hundreds continued to search into the night. Sheriff William T. Dement was high in praise of the splendid cooperation rendered by the people helping in the search.