

SUIT MAY COST STATE 200 MILLION

Beaten By Fifty Mobbists



Mrs. Evergreen Flowers, who was beaten by a band of 50 "brave and courageous" white men at her home near Chadbourn on the night of January 18 while her husband escaped out the back door. Mrs. Flowers was unable to identify any of the men but it is believed that they were members of the Ku Klux Klan.

Judge Hayes Rules Discrimination In Durham Schools

A Middle District Federal Court judge ruled here last week that every observing citizen in Durham has known for years.

Discrimination in facilities for whites and Negroes exist in this city. Negro citizens are not afforded equality of opportunity according to the provisions of the State's Constitution, and in violation on the fourteenth amendment of the U. S. Constitution.

Federal Judge Johnson J. Hayes, who the News and Observer describes as one of the State's most conservative judges, handed down the decision in favor of Carolyn Blue and 80 other Durham plaintiffs.

Point 9 in the judge's findings of fact highlight the situation that for many Durham citizens simply underlines what was "common but unacceptable knowledge." Judge Hayes said: "Educational opportunity is not accorded to Negro children in the City of Durham School District in that:

"A. The school buildings for Negro pupils are unequal to those furnished white children.

"B. The inadequacy of buildings results in the overcrowding of Negro children and a heavier load of pupils per teacher.

"C. The facilities for Music, Art, and Library are unequal." State Not Responsible

Action against the State of North Carolina was dismissed by the Court. Included among State Board of Education officials named in the action was Dr. Harold T. Trigg, president of St. Augustine's College, who is the board's first and only Negro member.

Judge Hayes' surprise and unprecedented action has caused widespread speculation on the meaning of his ruling in this State and throughout the South. Local school officials and their lawyers as well as lawyers for the plaintiffs have consistently declined to comment on the case.

A TIMES' survey of downtown opinion points strongly to a belief in "pigheaded and stubborn leadership on the Board of Education."

A highly placed Durham white citizen with close contacts on the Durham City Board of Education said a "split existed in the board on whether to heed Negroes' suggestion or to make arbitrary decisions regardless of Negroes' attitude." According to this source, a strong "anti-Negro attitude has long existed with a key members of the board." Basil M. Watkins, veteran board chairman and Durham lawyer, has been identified by one well informed white observer "as undoubtedly the source of much of the trouble here."

Reviewing the circumstances leading up to the filing of the complaint by M. Hugh Thompson, J. H. Wheeler and others in the name of Carolyn J. Blue and others, another white informant said the Durham school officials "allowed the suit to

Boycott Forces Ellington To Cancel Concert

Richmond, Va. — Because the Richmond chapter of the National Association for the Advancement of Colored People threatened to boycott his scheduled concert here last Sunday night, Duke Ellington noted band leader canceled the engagement.

Ellington stated that he decided not to come to Richmond because the boycott hurt his "pride." The famous composer, band leader and pianist was a member of the NAACP. He recently played a benefit for the organization in New York at which a sum of more than \$14,000 was realized, less the expenses.

A concert held here by Miss Marian Anderson recently was also boycotted by the local NAACP on January 18 with only 1,100 spectators showing up. The auditorium has a seating capacity of 4,800.

Although he cancelled the engagement Ellington inquired as to why the local branch waits until artists have made commitments to start its boycott.

NCC Students May Ban Local J C Theatres

A source close to the situation informed the CAROLINA TIMES here Tuesday that student leaders at North Carolina College are seriously considering calling a boycott on all local Jim Crow theaters in Durham.

The question is expected to be brought before the next meeting of the Council on Thursday, February 8th, at which time a definite decision is expected to be made.

The CAROLINA TIMES was also informed that along with the anticipated stand against further attendance at segregated theaters, the students will discuss the probability of picketing them.

Said one student, "While the segregated theaters in Durham probably can run indefinitely without our financial support I do not see why we should continue to pay them to insult us while our boys are fighting and dying on foreign battlefields to uphold democracy. Even the people who are engaged in war against our country would be admitted on an equal basis and I cannot see why loyal Negro American citizens have got to be asked to go around to a side or back door."

White Citizens Of Whiteville Pushing Case Against Man Who Attacked Negro Woman

The Carolina Times

Univ of N C Library

THE TRUTH UNBRIDLED

Class Matter at the Post Office at Durham, North Carolina, under Act of March 3, 1879.

FOR 28 YEARS THE OUTSTANDING NEGRO WEEKLY OF THE CAROLINAS

VOLUME 29—NUMBER 5

DURHAM, N. C., SATURDAY, FEB. 3rd, 1951

PRICE: TEN CENTS

U. S. Court Blasts ACL Discrimination

Richmond—The U. S. Fourth Circuit Court declared invalid here last Saturday a regulation of the Atlantic Coast Line that required the segregation of Negro and white passengers.

The Court said the regulation "unlawfully burdens interstate commerce," and is contrary to that section of the Constitution of the United States which empowers Congress only to regulate Interstate Commerce. The A. C. L. regulation "adds to the burden upon the traffic by increasing confusion and discomfort of the passengers," stated Judge Morris A. Soper of Baltimore. The rule "must be declared invalid."

Judge Soper called attention to the fact that the rule is not enforced all over the road of the A. C. L. It is not applied in Pullman, dining cars and in coaches between Richmond and Washington.

Officials of the company had no comment to make concerning the decision, but indicated it would be appealed.

The ruling of the Circuit Court overrode a decision of a U. S. District Court here recently which declared the rule to be a reasonable regulation.

The action was brought by W. C. Chance, principal of the Parmele Institute at Parmele, North Carolina. Chance was ejected from a Southbound A. C. L. train in Emporia, Virginia on June 25, 1948 while traveling from Philadelphia to Rocky Mount, N. C.

Rejects Pleas For "Martinsville 7"

Richmond — Desperate and frantic efforts to save the lives of seven condemned Negroes of Martinsville appeared to be a losing battle here Wednesday when a second U. S. Circuit Court of Appeals judge refused, after a hearing at Charlottesville, to hold up the execution by issuing a certificate of probable cause for an appeal.

The governor told the committee of seven representing some 40 persons that talks of pardon was "a waste of breath." The men are charged with (Please turn to Page Eight)



Mrs. Margaret Blue, Durham citizen, in whose name the recent equalization school suit was brought. Mrs. Blue is the mother of five children and expressed herself as being very proud that Judge Hayes rendered the decision in favor of the plaintiffs. The case is recorded and will be known as the Blue Case.

Honored



Mrs. Nell Baldwin, Durham resident and former teacher in the Durham Public School system, who has been recommended for inclusion in the 1951-52 edition of "Who's Who in American Education." Mrs. Baldwin is at present supervisor of schools in Wayne County. Prior to accepting her present position she was a member of the faculty of Livingstone College at Salisbury.

Spaulding Lauds "Y" Program In Greensboro

Greensboro — At the twelfth anniversary celebration of the Hayes-Taylor YMCA last Sunday, January 28th, Dr. C. C. Spaulding, president of the North Carolina Mutual Life Insurance Company, Durham, praised the organization for its part in building character among Negro youths.

In his speech, Mr. Spaulding stated that this country is now undergoing "its greatest dilemma," and "when misunderstandings are understood, we are going to have a great America."

Dr. Spaulding then urged our college graduates not to expect something for nothing. He stated that "the latch is on the inside of the door to opportunity. If my race and America are to overcome their difficulties, it must be done in our own souls."

Presiding over the program was J. A. Tarpley, principal of Dudley High School. Dr. Spaulding was introduced by N. L. Greig, district manager of the N. C. Mutual.

Vice Chairman



R. C. W. Perry, assistant to the comptroller of the North Carolina Mutual Life Insurance Company has been appointed Vice Chairman of the Heart Fund raising campaign in Durham. The Campaign will be sponsored by the Durham-Orange County Heart Association, as part of a nationwide campaign to raise funds for treatment and research on heart disease.

Perry states that the funds obtained from the Nationwide Campaign will be used in a three way program of research, education and community cardiac service.

Two Small Children Die In Fire

Roanoke Rapids—Two small children were the victims of a fire which swept through their small frame house in the Henrico community, about 13 miles northwest of here, completely destroying it. They were Katie Owens, 4, and Alphonso Owens, one-year-old; the children of an employee of the Halifax paper plant here.

Mrs. Owens, the mother, said that she had walked about 100 yards away from the house and looked back to see it in flames. She rushed back and tried to open the front door, only to find it locked. By the time she had summoned help, flames had enveloped the house, forcing back would-be rescuers.

By the time firemen arrived from Roanoke Rapids, the house and all its contents were in ashes. Origin of the fire was undetermined, but the parents seemed to have thought an oil stove may have exploded.

There are two other Owen children who were away from home at the time; one in school and the other visiting at the home of a neighbor.

These deaths mark the third and fourth by fire in this section of the state in the last two weeks. A small girl and her younger brother were burned to death in Brinkley Community of Halifax County last week.

LEAVES FOR CHICAGO
The Reverend J. A. Cannon, Minister of the Covenant Presbyterian Church and Collee Minister of North Carolina College, left the city Wednesday for Chicago where he will attend a three-day meeting of the National Council of Presbyterian Men.

Editorially Speaking THE BOSS OF DURHAM HAS SPOKEN

Old man John Sprunt Hill, 80-year-old tycoon, who controls or dictates the policy of about everything in Durham, with the exception of the B. C. Remedy Company and this newspaper, needs to be pitied rather than condemned for his vituperative utterances against the attempt of Negroes to enter the University of North Carolina. John Sprunt Hill has about as much business out on the main avenue of the world's affairs today as an oxcart or an old fashioned water closet with its bucket of corncocks in one corner and an old Sears-Roebuck catalog in the other.

Mr. Hill, like the average human being who was born poor and suddenly finds himself possessed of a little of the world's goods, is evidently so drunk with power that he cannot understand what is going on around him beyond the realm of finance. He probably has never read the Declaration of Human Rights as set forth in the United Nation's charter and probably could not bring himself around to believing that it included Negroes, if he did.

Durham's big boss does not even know that it isn't fashionable any more to accuse Negroes of seeking social equality when opposing their fight for their rights. Someone should inform him that the latest thing is to call them communists.

In spite of the many underpaid poor whites and Negroes who work on John Sprunt's farms, in his businesses and home to make him rich, he has lived in Durham with a kind of halo around his head, protected by his Negro and white stooges who dance to his music merely to win his favor, get his endorsement on a note or touch him for a personal loan. This counterfeit admiration has caused the old man to develop an over abundance of self "esteem" which rose to the bursting point and just had to escape somewhere, when he learned that Negroes were seeking admittance to the University of North Carolina.

Mr. Hill must know that it is getting late in his life, probably later than he thinks. He must know that his house has already been condemned and that in a short, short while he must move out. The wrecking crew is now knocking at his door. Wisdom would dictate that he start packing up and that he put some love, sympathy, faith and respect for human personality in his suitcase without regard to race, color or creed.

To be exposed to the teachings of Jesus Christ for more than 80 years and to absorb no more of the real meaning of His truths than Mr. Hill gives evidence of, is not so much an indictment on this poor man as it is on the teachers and ministers of his race who have not had the courage to tell him that God Almighty

White Taxi Driver Slaps School Teacher For Resenting Advances

Dr. Bunche Hits Race Bias In N. Y. Address

New York — Approximately 1,500 persons from all parts of the United States gathered at a dinner held at the Hotel Commodore here last Wednesday night to pay tribute to Dr. Ralph J. Bunche, 1950 Nobel Peace Prize Winner and Director of the United Nations Trusteeship Division, heard the distinguished UN official tell America that she must put her "interracial" house in order if she is to be the leading influence in the world for freedom.

Dr. Bunche directed a stinging attack at segregation in the armed forces now fighting in Korea and told his audience that "we cannot convert the vast masses of Asia and Africa to a democracy qualified by color."

The dinner was held under the auspices of the Legal Defense Fund of the National Association for the Advancement of Colored People and was sponsored by a committee of prominent persons of both races. Judge Robert P. Patterson, former Secretary of War and Judge of the United States Circuit Court of Appeals was chairman of the sponsoring committee and presided at the dinner.

Judge William H. Hastie, also of the U. S. Circuit Court of Appeals and Ralph E. Samuel, president of the Federation of Jewish Philanthropies of New York were vice chairmen.

Judge Patterson announced that although no money was going to be asked for at the dinner that a drive for \$250,000 was being launched and that \$30,000 of the amount had already been raised.

(Please turn to Page Eight)

Whiteville — Incensed over the brutal beating of a Negro woman at her home near here with sticks and a gun by a band of 50 "brave and courageous white men" and the recent slapping of a Negro school teacher by a white taxi driver because she resented his advances, white citizens here have become aroused to the extent that they have employed a lawyer to assist in the prosecution of the taxi driver.

The teacher, Miss Edythe Spaulding, supervisor of senools at Tabor City and niece of C. C. Spaulding, prominent Durham business man, informed a representative of the CAROLINA TIMES that while she was standing at the bus station waiting for a friend to come in, a white man walked up to her and insisted that she get in a cab with him. When Miss Spaulding became indignant at the man, whose name she later discovered to be a local taxi driver, Eton Ward, he deliberately slapped her.

Arrested a short time afterwards, a hearing in the case was (Please turn to Page Eight)

To Observe 164th Year Of Church

The 164th celebration of the founding of the African Methodist Episcopal Church by Richard Allen will be observed at Saint Joseph A. M. E. Church on Sunday, February 11 with special morning and evening services.

February 11 is also Women's Day at St. Joseph and will mark the close of the current Building Fund rally.

Reverend D. A. Johnston, pastor of St. Joseph will deliver the morning message. Dr. Helen G. Edmonds, professor of history at North Carolina College will be the main speaker for the evening service. Mrs. LuSybil Taylor will also appear on the evening program along with several other local persons.

Explosion Over Sanford School Principal Expected

Sanford — An explosion that is predicted will blow the lid off the Negro schools of Sanford and rock Lee County is expected momentarily, a representative of the CAROLINA TIMES was informed here Monday.

Center around which all of the trouble revolves is W. B. Wicker, principal of the Negro Lee County Training School. Wicker is charged by a group of patrons of the school with being unfit in every capacity to head the school.

Hoping to avoid bringing definite charges against the principal, some of which they declare will involve those of a serious nature, a coordinating committee addressed a letter to Mr. Wicker on January 12, requesting his resignation. A copy of the letter was presented to the Sanford Herald, local newspaper, but publication of same was refused. Also copies of the letter were sent to J. J. Lentz, Superintendent of Lee County Schools, Board of Education and Lee County Commissioners.

The letter is as follows:
Lee County Coordinating Committee
Sanford, North Carolina
January 15, 1951
Mr. W. B. Wicker, Principal
Lee County Training School
Dear Sir:

We saw in the Sanford Herald where Mrs. Ozora R. Wisinger has resigned as Supervisor of the Lee County Negro Schools. Apparently you aren't interested in keeping anybody in this community who will mix with the residents and do a good job at the same time.

For the past 15 years, we as

citizens have put up with your method and manner of doing things and we shan't tolerate your tactics further. Therefore, we as parents and citizens are asking you to kindly tender your resignation and keep the harmony in our race in tact.

We think that it is high time that Mr. Lentz, County Superintendent, should know the facts about the situation that exists in this community between you as principal and the multitude of patrons and parents throughout Lee County. We are recommending that Mr. Lentz look for a principal of Lee County Training School, as well as a Supervisor of Negro Schools of Lee County. We are voicing the sentiment of more than 200 tax paying citizens and patrons of Lee County.

Very truly yours
M. S. Stewart, Chairman of Coordinating Committee, James Jackson, A. L. Thompson, Mrs. Viola Hadley, Robert Byrd.

When contacted by the Times, Mr. Wicker stated that he did not wish to comment.

BOY SCOUTS TO APPEAR ON RADIO

R. Kelly Bryant, Durham Divisional Chairman, has arranged for four radio programs during Boy Scout week. Cubs, Scouts, Explorers and Scouters will take part on each program.

The program schedule is as follows: Station WSSB, Feb. 6, 4 o'clock; Station WTK, Feb. 7, 3:15 o'clock; Station WDNC, Feb. 10, 9:30 a. m.; Station WTK, Feb. 10, 10:30 a. m.