

# CIVIL RIGHTS ACT GETS FIRST N. CAROLINA TEST

## Victim Blasted Over Own Wife:

# Jail Two In Shooting Here

## Jurist Ponders Charges

NEW BERN — North Carolina received its first test of the 1964 Civil Rights Act Tuesday, Nov. 10, in U. S. District Court here.

NAACP Legal Defense Fund attorneys asked for injunctions to end discrimination at Moore's Barbecue in New Bern and at the Villa Vicki Hotel Court and Restaurant in Elizabeth City.

The two suits ask the Court to enforce Title II of the new law, which is currently under review in the U. S. Supreme Court. Legal Defense Fund lawyers charged in their complaints that North Carolina supports the discriminatory policy of these establishments by state action and that operators of the restaurants affect interstate commerce.

Negro plaintiffs represented by the Legal Defense Fund sought and were denied services at Moore's Barbecue on July 13, and at the Villa Vicki on August 12, October 2, and October 21.

The owners of these establishments turned them away, saying that Negroes would not be served.

(CONTINUED ON PAGE 2)

## Church Feud Remanded By Court

TARBORO — An abrupt halt was called Tuesday at noon (at least temporarily) in the prosecution of the trial of the Rev. George W. Dudley, charged with illegally occupying the pulpit and serving as pastor of the Mt. Zion Baptist Church of Rocky Mount since an August 31, 1962 conference allegedly dismissed him (pending a 90-days notice) by a 15 to three vote.

Subsequently, church records produced as evidence show, at another meeting, Dudley is alleged to have summarily dismissed some sixty-five members including the 14 plaintiffs who signed the court order against him, the case having been put off several times before coming before Judge Rudolph I. Mintz of Wilmington Nov. 8.

Judge Mintz had suggested the return of all litigants to their church conference to seek an amicable settlement during pre-trial conference and as the trial jury was organized Monday. Reportedly, the plaintiffs—prominent among whom were Richard Gay, a fifty-year official of the church who had been dismissed; James E. Davis, a member for 38 years; Alexander H. Bryant, former trustee; Mack Wilson, Sam A. Gilliam, Allen Wimberly, James Hilliard, Joseph Bonner, Station Hyman and Keyser Person—accepted the court's decision.

(CONTINUED ON PAGE 2)

# THE CAROLINIAN

North Carolina's Leading Weekly

VOL. 24, NO. 2 RALEIGH, N. C., SATURDAY, NOVEMBER 14, 1964 PRICE 15c

## Masons Set 94th Meet



SENATOR KENNEDY ALMOST MOBBED—Newly-elected Democratic Senator Robert F. Kennedy of New York is shown last week as he was almost mobbed by some of his joyful supporters. While the child (upper right) is justifiably overwhelmed with it all, Kennedy had just emerged from a hard-fought Senatorial seat battle with incumbent Republican Senator Kenneth Keating, who had held the post for 18 years. Kennedy is best known for his work as U. S. Attorney General. (UPI PHOTO).

## Race Relations, Rights Seen As Key Drives In LBJ's Administration

CHICAGO (UPI)—The mandate given President Lyndon Baines Johnson by the voters throughout the nation during last Tuesday's balloting, to put his "Great Society"—building into operation during the next four years, bids are to be a hefty boost to the civil rights and race relations drives to nail down the gains thus far made toward first class citizenship, and go even further toward making "real" the Negro's place in the "sun" of American life.

## Barnes Comments On His Defeat; Blames Goldwater

DURHAM — Alexander Barnes, defeated candidate for the N. C. State Senate in an exclusive interview with THE CAROLINIAN attributed his defeat to the fact that there were too many voters who wanted no part of any Re-

publican, due to Goldwater's policies.

He was happy over the fact that even though he was spurred by the Durham County Republican Executive Committee, of which he is a member, for his stand against Goldwater and that the Committee on Negro Affairs failed to endorse him, after a motion was lost that the committee vote the straight Democrat ticket, many of the members of the committee not only voted for him, but worked in his interest at the polls.

According to Mr. Barnes, the action of the committee is being discussed in many quarters. The manner in which the motion was overruled after being passed and the reason given for not voting for him, "Due to the fact that Negroes are not intelligent enough to split their vote," have boomeranged in some instances. There are those who alleged that this has come down through the ages, "Negroes do not have enough sense to vote."

Another happy note Barnes sees in the unsuccessful campaign is the fact that a local group, The Coepridge Urologic Group, working on the problem of unwed mothers and their children, as the result of one of planks in his platform, invited

(CONTINUED ON PAGE 2)

## 'Twin City' Will Host Delegation

WINSTON-SALEM — The Prince Hall Grand Lodge, Free and Accepted Masons, Jurisdiction of North Carolina, will convene in the ninety-fourth annual communication in Winston-Salem, Tuesday, December 8, at noon. Headquarters for the sessions will be the First Baptist Church, corner of Highland Avenue and Seventh Street. Dr. T. H. Hedgley is pastor.

Headed by the most worshipful Grand Master, the Honorable Clark S. Brown, prominent business and civic leader of the Twin City, hundreds of masons, representing the more than twenty thousand members of the Craft, will converge on this western North Carolina metropolis for a busy and impressive two-day schedule of activities. Indications are that this annual meeting will top all previous records, both in attendance and in the quality of the various features on the agenda.

The highlights of the first day's session will be the annual address by Grand Master Brown, which, in characteristic manner, is sure to set the stage for a great and memorable grand communication. He will review the "state of the order," speak pointedly to the issues of the hour and challenge the craft to the "unfinished tasks" in the areas of education, human relations and civic endeavors.

(CONTINUED ON PAGE 2)

## Dr. Lyons To Speak Here For NAACP

The regular monthly meeting of the Raleigh NAACP Branch will be held on Sunday, November 15 at the Maple Temple Christian Church, corner Camden and East Martin Streets. The meeting will get underway at 3 p. m.

Highlighting the program will be the main address by Dr. Charles A. Lyons, Jr., director of admissions at Howard University, Washington.

(CONTINUED ON PAGE 2)

## Man Shot In Both His Arms

BY CHARLES R. JONES

An argument that began at 16-10 Cross Street over a man's wife, and spread to the front door of Wake Memorial Hospital last Thursday morning that a fight was taking place in front of the facility and one of the participants had a shotgun.

Upon arrival to the entrance of the hospital, the officers immediately arrested Lonnie Atwater, 30, of 739 1/2 Quarry Street, who had a loaded .12 gauge shotgun concealed and was entering New Bern Avenue with his auto lights turned off.

Inside the hospital, the cops talked to Louis Fowell, of 1735 Poole Road, Apt. 9, who had been shot in both his left and right arms with a .22 calibre pistol.

Ernest Lamont Massenburg, 34, of 1616 Cross Street, where the

(CONTINUED ON PAGE 2)

## 'Citizenship Not Earned,' Rev. Daly

EMPIRIA, Va. — "Citizenship is not earned," stated The Rev. Samuel F. Daly, a former Raleigh, N. C. minister, in a major address in the hometown of Attorney Samuel W. Tucker, Virginia's only candidate for the U. S. Congress.



REV. SAMUEL F. DALY

"James J. Kilpatrick, editor of a year ago told the Virginia Teachers Association, 'The Negro must prove his equality,'" and John Bibbs, Birmingham's leader for a

(CONTINUED ON PAGE 2)

## Man Jailed In Death Of Youth, 18

RAEFORD — Robert Arthur Billinger, 27, has been charged with murder in a fatal Friday night juke joint slaying after a free-for-all fight here.

Shot to death was William Zeller McLean, 18, as others were being knifed.

Sheriff David Barrington said he had information that 25 to 30 persons took part in the fighting. He also indicated more charges may be filed.

Bullinger, of Route 1, seford, will be held for grand jury action in Hoke County.

Facing a charge of assault with intent to kill is Henry L. Jones, 20,

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COMMUNISTS LEAVE FOR MOSCOW CELEBRATIONS — Mr. and Mrs. William Taylor of Los Angeles, California, are shown as they prepare to board a plane for Moscow, Russia last week to attend the 47th celebrations of the Bolshevik Revolution. They were accompanied by Mr. and Mrs. Burt Nelson of Seattle, Washington. Nelson is chairman of the Washington State Communist Party. This photo was made at Kennedy International Airport, New York City. (UPI PHOTO).

## Over 600 Teachers Cheer Shaw's Head

TARBORO — Speaking to more than six hundred teachers of the three-year-old North Central District North Carolina Teachers Association annual assembly in the Tarboro High School gymnasium (6th), Dr. James E. Cheek, the youthful, but dynamic president of Shaw University, Raleigh, said: "the Negro's contribution to the business world must no longer be limited to just fun, food and funerals," but he must of necessity enter into all areas of business and economic competition to prove himself worthy of consideration as a world citizen.

In a power-packed message which left his audience gasping for more, the 32-year-old Korean Army veteran from Roanoke Rapids, said that after more than two hundred years of slavery and a century of post-slavery servitude the Negro should be finished with acting with deceit and "scratching where it doesn't itch" before his white overlords stand up and be counted for education and freedom. Not having gotten his freedom through the old methods, Dr. Cheek said, "the Negro should retreat and restudy his plight with an eye to adopting better techniques" in obtaining his complete freedom.

## Mrs. Keck Gets NCTA Position

Dr. S. E. Duncan, president of the North Carolina Teachers Association, has announced the appointment of Mrs. Thelma M. Keck to the position of coordinator of research, public relations and publications for the NCTA, effective Monday, November 16. She will replace Mrs. Barbara

## How Leaders Viewed '64 Prexy Results

CHICAGO (UPI)—When the election returns began rolling in last Tuesday night, and it became evident that President Johnson and the Democratic party would again be in the saddle for the ensuing 4 years, Negroes throughout the nation who played their part in getting out the vote and backing the Democratic party, were jubilant because their contribution to the effort meant a mandate for the implementation of the "Great Society" which President Johnson had pictured.

Among the many comments on the outcome of the election were these:

Dr. Martin Luther King, presi-

(CONTINUED ON PAGE 2)

### WEATHER

Temperatures for the next five days, Thursday through Monday, will average 8 to 13 degrees above normal, with continued mild weather throughout the week-end, becoming a little cooler by Monday. The expected high 65, and low 35.

### CAROLINIAN ADVERTISERS

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PAGE 16: Budweiser Beer.

PAGE 18: Dunn's Shoe Service.

PAGE 18: Larsons, Gem Watch Shop, Jeffrey's Seafood Store, Taylor Radio and Electrical Co., King Cole Hotel, Stephens Appliance Co.

## From Raleigh's Police Files: THE CRIME BEAT

BY CHARLES R. JONES

### Clock 'Swiper' Now Has Time On Hands

Claude M. Breeden, manager of McElean's Five and Ten Cent Store on Fayetteville Street, reported to Officer O. C. Pratt at 6:50 p. m. Monday, that he saw Billy Sledge, of 313 Fugh Street, take two clocks and hide them under his coat.

Breeden signed a warrant, charging shoplifting, and Sledge was arrested by Patrolman A. G. Lorbacher and placed under a bond of \$100.

### Seek Woman In Child Neglect

Mrs. Mary Jones, 30, of 1016 Nassau Street, told Officers Nor-

man Artis and James E. (Bobby) Daye at 6 p. m. Monday, that Miss Ariel Marie Porter, 19, left her two children at the Jones home early Monday and did not return for them or to see about their care, as promised.

The complainant said the Porter woman does not have an address. Her sisters, Mrs. Geneva Mitchell, 27, and Miss Betty Porter, both of 708 Briggs Alley, refused to take the children into their home.

The officers then called Mrs. Josephine Kirk at the Wake County Welfare Department. She asked the policemen to take the child to a Rock Quarry Road address, where they are now.



FOR NEW BAND UNIFORM — Mrs. Mamie Holt, president of the Raleigh Woman's Club No. 3, is shown presenting check to Joseph L. Edwards, director of the J. W. Ligon High School band. The money is to be used to purchase a new uniform for the band. Edwards said \$3,500 is still needed to complete this project.