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JUDGE McLEAN FINDS OXENDINE **GUILTY IN ALTERCATION WITH TROOPERS**

BRUTALITY ISSUE AGAINST TROOPERS NOT ALLOWED TO BE PRESENTED IN COURT

Judge Charles G. McLean, in his summary, got right down to the nitty gritty. Who do you believe? Pembroke Town Manager McDuffie Cummings or the two highway patrolmen involved? Judge Mclean opted to believe T.J. Evelyn and Hubert Covington, two N.C. Highway Patrolmen, who Cummings said in sworn testimony brutally assaulted O'Neil Oxendine, the defendant in the case.

On the witness stand, McDuffie Cummings stated what he saw on the evening of April 22 on Union Chapel Road across from his home. Said Cummings, "I was out in the yard cutting grass (or I was until I ran out of gas for my lawn mower) and I saw Troopers Evelyn and Covington maintaining a traffic check across the road from my home."

Cummings related further that he saw "O'Neil Oxendine, the defendant in, the cas drive into a driveway near his home." The action began shortly thereafter whe Troopers Evelyn and Covington approached Oxendine's car and ordered him to go will them to their patrol car parked nearby on the shoulder of the road.

Despite persistent questioning from assistant attorney William A. Hough, Cummings insisted that he saw what he saw, and said, in an anguished outburst, "I screamed out when I saw Evelyn strike Oxendine in the back of the head with his black jack... 2 can never forget it as long as I live. I hollered out, "Hey! I'm looking hoping that they would stop..." But according to all participants in the case, the beating continued as Oxendine received 31 stitches in his face and the back of his head before he was transported to Lumberton to be given a breathalyzer test.

Judge Charles G. McLean would not allow further delving into the case of brutality against the troopers saying, "that has nothing to do with this case. That (a charge of brutality lodged by Cummings against the two troopers) will be taken up at another time. The only thing before us is the charges against the defendant, Driving Under the fuffuence, driving with a revoked license and resisting arrest."

McLean, in passing sentence, said that he was of the opinion that Cummings was an bonest and reliable citizen but that he did not believe Cummings was able to see the entire fracas because of an opened car door on the patrol car. McLean said, "Oxendine was "angry and half drunk" at the time of arrest and "I believe Oxendine struck the officer first." Mclean also said, "I do not believe that the officers would jeopardize their careers...they would be foolish to risk their careers by striking him (Oxendine)

Under intense questioning from assistant attorney Hough Oxendine said, "I don't remember hitting the officer." But Oxendine did affirm that he refused to give the patrolmen his name and that he remonstrated with Trooper Evelyn about getting in the front seat. Oxendine explained conflicting parts in his testimony by saying, "I can't think right... I was hit on the head."

ne also said that he only drank one beer of a six pack found in his car after the

Oxendine also denied that he refused to take a breathalyzer test. Both Oxendine and the attending breathalyzer operator affirmed that "he (Oxendine) put the apparatus to his mouth three different times." Oxendine testified that he was too weak to breathe into the machine in order to give a sample for testing, Oxendine was detained at the Sheriff's Office approximately 2 hours before he was taken to the hospital for treatment

Attorney Henry Ward Oxendine, who represented Oxendine in the case, contended hat his client did not resist arrest and called the charge of resisting arrest "mere emonstrances or criticism and not the same as resisting... Attorney Oxendine also said hat his client was not drunk as charged and that the only charge with merit was the harge of driving with an expired license.

Judge Charles G. McLean did not agree and found Oxendine guilty on all charges. Oxendine was fined \$300 and court costs and given a sentence of nine months, suspended for four years on the drunk driving and driving without a license. For the resisting arest charge, Oxendine was given a 90 day sentence, suspended for two years plus a \$50 fine and court costs.

of appeal was given in all three cases to a future term of superior court

Citizens Take The Matter To Raleigh

Tuesday, Pembroke Town Manager, McDuffie Cummings, Pembroke Councilman, Milton Hunt, and County Commissioner, Herman Dial, traveled to Raleigh to meet with the Commander of the N.C. Patrol, Colonel John Jenkins, The meeting was arranged by Representatives Joy J. Johnson and Horace Locklear. Both Locklear and Johnson sat in on the session.

Cummings repeated his charges to Jenkins personally and asked Jenkins to investigate the matter. Jenkins, according to Cummings, agreed to have minorities represented in the next class for patrolmen and to look into the matter fully.

District Attorney Joe Freeman Britt is also investigating the matter. He has refused to allow Cummings to take out a warrant against the two troopers saying that he did not allow warrants to be issued against law enforcement officials without an investigation by his office. To date, Britt has not indicated what his investigation has uncovered.

Approximately 50 Indians attended Friday's session and many were appalled at some of the proceedings. A number of on lookers questioned a recess called for by Judge McLean following the testimony of Cummings and Oxendine. According to one of the court observes. "McLean, four or five troopers and Hough went into a conference room during the recess."

Since the trial one of Home Florist's trucks (the floral business operated by McDuffie Cummings's wife) has been given a questionable speeding ticket and the truck has been followed menaceingly on at least one occasion. Too, there have been additional traffic checks in the vicinity of Cummings' home on Union Chapel Road.

The civil liberties Union has shown some interest in the case although no firm commitment has been given to date.

PSU To Receive Special Salute on WECT-TV's "Carolina at Noon"



Jim Burns, TV personality from WECT-TV, Interviews Dr. Arthur McDonald, director of the outdoor drama, "Strike at the Wind!" while bactor rehease in the background. The filming segment is part of a documentary colled "A Visit to Pembroke," which will be aired June 6, at noon, on WECT-TV channel 6.

PEMBROKE--The opening remarks in a special salute to Pembroke State University on "Carolina at Noon" Tuesday, June 7, on WECT-TV Channel 6, in Wilmington,

magnificent pieces of architectur anywhere in America on a college campus It is truly a masterpiece in architecture.

The comments are by Jim Burns, hos "Carolina at Noon," as he interviews English E. Jones, chancellor of Pembro



DR. GABE PAXTON TO BE PSHS **COMMENCEMENT SPEAKER**

SPE.

Dr. S. Gabe Paxton will be the principal speaker for the graduation exercise at Pembroke Senior High School on June 9, 1977 at 6:30 p.m. Dr. Paxton, a Chocataw Indian from Oklahoma, is the newly designated Associate Deputy Commissioner for Indian Education, U.S. Office of Education. He was formerly the Director of the Division of Special Projects and Programs for the Office of Indian Education. In addition, he has been Acting Deputy Commissioner for Indian Education since July, 1976.

In hiw new post Dr. Paxton serves as the number two man in the Office of Indian Education, sharing the Deputy's responsibility for administering the Indian Education Act authorized under Title IV, Public Law 92-318, Education Amendments of 1972. This legislation provides funds for the development of

programs to improve the quality of education to Indian students and to enlarge the scope of assistance to meet the previously unmet needs of Indian youth and adults. The law authorizes grants totaling fifty seven million dollars to schools and educational agencies yearly under the Indian Education Act.

Dr. Paxton has had twenty four years of experience in Indian education serving as a teacher, counselor, principal, supervisor, and administrator in Arixona, Culifornia, and Oklahoma. He began his career as a classroom teacher at the Colorado River Indian Day School, Parker, Arizona in 1953. Moving to an increasingly responsible position, he became, in 1974. Chief, Division of Professional Relations, Office of Indian Education Programs,

State University, They stand in front of Pembroke State's \$1.8 million Performing Arts Center, which was completed in 1975

Burns introduced Dr. Jones on the program as "the man who is responsible" for not only this building but the other amazing progress on the campus. In reference to the Performing Arts Center, Dr. Jones says: "It has done not only for this campus but for the larger Pembroke-Robeson community something that was impossible prior to its construction. It has brough performances to our campus that were absolutely impossible to attract prior to that."

In reference to Old Main, the first brick building on the PSU campus whose wooden portion was destroyed by fire in '73, Dr. Jones comments: '1 think I've signed the final paper (for the \$1.6 million restoration). I think everything is in order—and certainly we ought to be ready to go. We are designing the new building now.''

Dr. Jones, who became head of the institution in 1962, reflects on how there "were only 32 faculty members when I took over as compared to 116 full-time professors now.

The chancellor praises the "terrific" faculty-recruiting skills of Dr. Howard Dean, vice chancellor, for the fact that of all faculty hired during the last 2 1/2 years at PSU, "82.5 per cent have their deterrorse."

Dr. Jones also points out that PSU, which

Burns salutes Dr. Jones on the television special as "quite a go-getter -- an educator's educator."

Dr. Jones replies: "It's all been fun. I've enjoyed every minute of it. I wouldn't exchange my position for any in the

The chancellor goes on to tell of the unique position Pembroke State University enjoys as an educational institution. "I don't know of another campus in the country that could really mean as much to a group of people as this campus has meant to the people of this county (Robeson) and the surrounding areas."

Dr. Jones says the geographical location of Pembroke State University means a great deal because of its proximity to both the ocean and the mountains: "We always claim the honor of having a campus located so that any person who wants to go down to the beach this weekend can drive down in two hours—or in a couple of hours or so be in the mountains." Burns quips: "The ocean and mountains are suburbs to Pembroke."

The filming for the special was done by WECT-TV's Mobile Color Studio which also tooks films of buildings on the PSU campus like the English E. Jones Health and Physical Education Center, the Mary Irwin Belk Hall and the braced walls of Old Main, which will soon be restored.

Interviews on the program will also concern "Strike at the Wind!", the outdoor drama about Lumbee Indian hero Henry Berry Lowrie, and the Lumbee Regional Development Association (LRDA), also located at Pembroke.

people and places and things

There will be a gospel sing at Smyrna Baptist Church on Saturday night, June 4, at 7:30 p.m. Featured singers will be the Simpson Quartet, the Glory Bound Gospel Singers, the Gospel Singing Quartet, The McNeill Trio, Bor Felix Deal and Family and others. The church is located on Highway 211. The public is cordially invited to attend.

FERTILIZER LEACHES IN CORN TOO

Excessive rains have leached nitrogen fertilizer from sandy soils for all crops including corn. Gardens, commercial vegetables and other crops requiring nitrogen fertilizer will need to have some of the nitrogen replaced, especially if the crop is on sandy soil. Specialists at North Carolina State University also recommend that a deep shank cultivation be done between rows where practical to allow water to filter out of the soil faster.

Although some forms of nitrogen are more leachable than others, they all leach on light, sandy soil when excess rain comes. If farmers can get into com and other crops with equipment without excessive damage to crops, it is recommended that nitrogen be replaced at the rate of one-half pound for each pound recommended for that particular crop on sandy soils and proportionately less on heavier soils.

The guide used for correcting fertilizer loss in flue cured tobacco will also apply to fertilizer loss in other crops. Copies of the guide (Extension Folder #212) and additional information on leaching may be obtained from the County Agricultural Extension Office, Owens Agriculture Building in Lumberton.

Southside Middle School will sponsor a Gospel Concert on Sunday, June 5, 1977 at 7 p. m. in the school gymnasium. Featured groups will be: The Sensational Swainienires, The Southern Six, The Chandler Children, all of Royland, and The Royal Lights of Dillon, SC. Admission is \$1.50 for adults and \$1.00 for students. The public is cordially invited.

CORRECTION AND AMPLIFICATION

In last week's edition of The Carolina Indian Voice an article on the monthly board of directors meeting of Lumbee Regional Development Association incorrectly stated that Helen Sheirbeck and James Albert Sampson had been selected to serve on the National Advisory Council on Indian Education. Actually, these people were nominated by the LRDA Board of Directors for consideration on that council.

Radio Station WTSB, Lumberton, was honored by the North Carolina Heart

WTSB won the Willard G. Cole Award, named in honor of the late Pulitzer Prize-winning newspaper editor of Robeson County. The award is given to selected news media for their support of the program and fund-raising efforts of the Heart Association. The station was cited for its support of the Robeson County Heart Unit, particularly the local Heart Fund campaign.

Over a thousand physicians, nurses, allied health professionals and non-medical volunteers attended the Winston-Salem meeting.

Damage to a bridge over Hog Swamp Creek has caused Department of Transportation (DOT) officials to close the NC-130 Bypass near Fairmont. Heavy rains and local flooding have necessitated the Bypass closing from NC-130 Business to NC-41.

Earlier this week. DOT officials closed four other bridges in Robeson County. They were: a bridge over Aaron Swamp on Davis Road, 4 miles southwest of Fairmont; a bridge over Horse Swamp on Rowland City Limits Road (Secondary Road 2435); and two bridges on Pleasant Hope Road (Secondary Road 2426) located north of Fairmont.

water recedes and DOT bridge maintenance crews have an opportunity to examine the structures for any damage.

How is your blood pressure? ... Do you know? ... Over 165 Robesonians do. On Sunday, May 29 a blood pressure and breast clinic was held at Prospect School. In addition to the blood pressure check, an estimated 90 women were given breast

Clinicians were: Dr. Frank Worriax, Dr. Ben Hardin, Ms. Judy Hunt (RN), Ms. Barbars McMillian (RN), Ms. Charlona Strickland (RN), Ms. Ann Juren (RN) and Ms. Maxine Deese, nursing student (UNC).

The clinic was sponsored by the Prospect Career Club. Career Club members participating in the clinic were: Fred Jones (President). Mary Bullard (Secretary), Lorna Chavis (Parliamentarian), Phyllis Bryant, Naomi Dial, Tara Dial, Lisa Harris, Luvine Leviner, Daris Locklear, Miriam Locklear, Maxine Locklear, Reba Locklear, Stephanie Moore, Beverly Oxendine, Naomi Oxendine, Linda Gail Locklear, and Mrs. Aggie G. Deese, Club Advisor.

PSHS SPANISH DEPARTMENT CELEBRATES FOREIGN LANGUAGE WEEK

The Spanish department recently celebrated Foreign Language Week at Pembroke Senior High School with several activities. Monday was "Name Tag Day" and all Spanish students wore name tags designed especially for that day. A Tea was held on Tuesday after school for the staff and faculty in honor of the exchange student from Mexico, Ana Maria Castillo Wednesday was Spanish Color Day which emphasized the colors of red, black, and white. Thursday was Taco Day and a Mexican meal was served to the entire student body.

On Saturday the week was concluded with a Bike-A-Thon to help raise money for the International Exchange Program. The group biked 25 miles and returned to the home of their advisor, Mrs. Steve Jones and finished the day with a weiner roast.

ROBESON COUNTY HAIRDRESSERS ASSOCIATION MEETS

ASSOCIATION MEETS

The regular monthly meeting of the Robeson County Hardressers Association was held at R.T.I. May 23, 1977 at 8:00 p.m. The meeting was called to order by Betty Oxendine, President Polly Floyd, Secretary, called the roll. John Melton was chosen to serve as Vice President until January, Business was completed on the Parade of Salons. Thirteen salons were presenting models the dinner and dance held at Holiday Inn, North, Jean Vick, advisor for Robeson County, will present the Model Miss Davie Mitchell as the new member for May. Others attending the meeting was special guest, Jean Booth from Roux Hair Color, Annie Mac McLeon, Flecia Butler, Betty Biggs, Evelyn Hunt, Velma Locklear, Virginia Locklear, Prenda Maynor, Stylists are asked to have their models at the Holiday Inn by 7:15 June 11, 1977.

ROBESON JURY CHARGES 16

LUMBERTON-The Robeson County Grand Jury Tuesddy returned 16 sealed indictments in an investigation of the Lumberton Housing Authority, and District Attorney Joe Freeman Britt said it was only the beginning.

"Within 10 days we'll have more SBI agents in here and the investigation will really heat up," Britt said.

The State Bureau of Investigation began its inquiry in January after Britt was given evidence of financial irregularities. Agents reviewed financial records at the housing authority and interviewed businessmen who had contracted for services with the

The FBI investigated the authority in 1974, and Elma Gray Storms, finance director at the time, was convicted of imbezzling \$20,000 in agency funds.

Road 24:5); and two bridges on Pleasant Hope Road (Secondary Road 2426) located north of Fairmont.

The names of those indicted and the charges against them will not be revealed until their arraignment, for which no date has been set, Britt said.