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MORE ABOUT THE ROZELL HUNT STORY

A News Analysis

by Rich Groux

Rozell Oxendine Hunt is a fifty year old Lumbee woman who has eleven children. She has been in prison for more than four years.

Rozell was indicted by a grand jury on June 10, 1974, and her trial for first-degree murder began on the same day. She was sentenced to die in the gas chamber.

Because of the unfairness of her trial, however, a new trial was ordered. The N.C. Court of Appeals recently has upheld the order for a new trial, and it is scheduled for September.

Bail has been set at \$30,000, but Rozell still sits in Women's Prison in Raleigh because neither she, nor anyone in her family has enough money to pay for a bond.

It is interesting to contrast Rozell Hunt's situation with the events surrounding the death of Dr. Archie Johnson in Raleigh on Monday, July 10, 1978. Mrs. Betty Lou Johnson was charged with first-degree murder early Tuesday and was released under \$25,000 bond that afternoon.

Certainly, Betty Lou Johnson has a right, a constitutional right, to be free on bail once a judge determines that bail should be set. There is, however, something wrong with a system of justice which dictates that a well-known, educated, wealthy woman charged with first-degree murder has bail set at \$25,000 and is released without having spent as much as one night in jail, while an unknown, uneducated, indigent woman charged with first-degree murder has bail set at \$30,000 and still sits in prison after already having spent four years in jail.

Rozell Hunt is from Rowland, N.C., in Robeson County. She moved to Anson County with her common law husband Joe Hunt about 14 years ago.

Rozell Hunt Amplification

Last week our newspaper reported that the North Carolina Commissioner of Indian Affairs had begun fund raising for Rozell Hunt. It was also reported that contributions should be sent c/o the North Carolina Commissioner of Indian Affairs. These statements were in error. The Commission of Indian Affairs is not conducting this fund raising. Contributions may be sent instead to:

THE ROZELL HUNT FUND
c/o Elizabeth Robinson
The Agreement Hour Praise Ministry
4201 Pearl Road
Raleigh, N.C. 27610

Editor's Note: Rich Groux is a Vista Volunteer assigned to the N.C. Commission of Indian Affairs. We received the following letter from Mr. Groux.

Dear Bruce,

Here is the article (see accompanying article) we put together about Rozell Hunt. I hope that I will have talked to you by phone before you receive this (about the article you ran last week).

Perhaps you have heard about the controversy. You printed the article exactly as I read it (over the telephone) and the mistake was not yours. I was wrong, however, in associating the name of the Commission of Indian Affairs with a fund raising effort for a criminal defendant. The article I'm sending you, therefore, contains no mention of the Commission.

We might need to make some kind of retraction.

Yours truly,
Rich Groux

Rozell was arrested on May 16, 1974, and charged with the murder of Joe Hunt, whose death certificate stated that death was caused by Ethyl-Methyl-Parathion, an insecticide. The arrest came about when a routine examination of death certificates indicated that Joe Hunt did not die in the manner in which death from Ethyl-Methyl-Parathion could occur. Joe Hunt's body was exhumed, an autopsy was performed, and it was determined that death was caused by arsenic poisoning.

A preliminary hearing was scheduled for June 19, 1974, but it was never held. On Monday, June 10, court-appointed counsel, F. O'Neil Jones, appeared in court not expecting to have to try Rozell's case until the following week. To his surprise, however, the District Attorney for Anson County submitted a bill of indictment to the Grand Jury, the Grand Jury returned an indictment for first-degree murder, and Rozell's trial began on that same day.

Rozell did not take the stand at the trial, no witnesses testified on her behalf, and no motive for Rozell to have committed the alleged crime was ever established.

A young lady testified for the State that she was eighteen years of age, and that she resided with Joe Hunt and Rozell Hunt and their children on a farm in Anson County in August and September of 1973. She testified that she observed, through a crack in the door, Rozell Hunt pour poison into some tea later consumed by Joe Hunt. She further testified that at dinner that day she watched Joe Hunt drink the tea but said nothing to him about any poison; that she went with Joe Hunt, later that day or early the next morning, to the hospital in Anson County, and said nothing to the doctor or nurses about Joe Hunt having consumed any poison; and that she continued to live in the residence after the death of Joe Hunt and that she mentioned the poisoning to no one until approached by the SBI in May of 1974.

Rozell maintained her innocence and said that she had witnesses to contradict the testimony of the young lady and that she wanted to testify. On the advice of counsel, however, no evidence was presented by the defense on the reasoning that, without presenting any evidence, the defendant would have the closing argument to the jury. Rozell was found guilty by the jury and was sentenced to death.

F. O'Neil Jones, trial counsel, was also appointed as counsel to file the appeal. The appeal was not completed, however, and in September, 1975, Jones was removed as counsel by order of the Supreme Court of North Carolina, and Henry T. Drake was appointed to replace Jones in carrying out the

appeal. The Supreme Court ruled in January, 1976 that certain objections and assignments of error, since they were not made at the trial, could not be raised on appeal, and affirmed the conviction. In December, 1976, as a result of a decision by the U.S. Supreme Court, Rozell Hunt was re-sentenced to a term of life in prison.

On January 12, 1977, application for post-conviction hearing was filed. The post-conviction hearing was held on April 15, 1977. On June 21, 1977, an order for a new trial was signed by Judge Ronald Barbee, who determined that Rozell Hunt was "denied her constitutional right of effective assistance of counsel" at the original trial.

The State appealed the order for a new trial, but the N.C. Court of Appeals refused to overturn the lower court ruling. In its opinion, the appeals court quoted at length from Judge Barbee's decision. The court noted Barbee's findings about Rozell Hunt's inadequate legal representation. Her trial lawyer, F. O'Neil Jones, "made no investigation of the case. He at no time talked or discussed the case with any potential witnesses which the petitioner (Rozell Hunt) could use in her defense," the appeals court noted.

In addition, Jones "did not investigate the scene of the alleged poisoning," and, the court said, Jones "was not prepared to represent (Rozell Hunt) when the case was called for trial. The record of the trial reflects that trial counsel (Jones) did not make a motion to continue the trial of the case." The opinion also noted that Jones "offered no evidence for the petitioner (Rozell Hunt)."

Rozell continues to insist upon her innocence. The new trial has been set for September, 1978. On June 6, 1978, bail was set at \$30,000.

Rozell's eleven children are scattered around the state. Both she and they are under great stress. Like any mother, Rozell needs to get out and see about her children.

Also, Rozell needs to be released so that she can return to Wadesboro to help in her own defense. She steadily maintains that she is not guilty.

Neither Rozell, nor any member of her family, has sufficient resources to raise the amount needed to free her. A fund has been set up. It is called the Rozell Hunt Fund. Contributions may be sent c/o Elizabeth Robinson, The Agreement Hour Praise Ministry, 4201 Pearl Road, Raleigh, N.C. 27610.

Editor's Note: The above article contains opinions expressed by the writer, therefore the article is labeled "A News Analysis."

Joins Chancellor's Club



John Radcliffe of Charlotte (left) of Segs Food Service becomes the 12th member of the Pembroke State University Chancellor's Club. His company will donate \$1,000 each year to the

PSU Foundation, Inc. Presenting Radcliffe his certificate is Walter Radcliffe, director of resource development at PSU.

Respects Paid to Senator Luther J. Britt, Jr.

LUMBERTON-Despite sweltering heat caused by an out-of-order air conditioner, an overflowing crowd of about 1,200 paid its last respects to state Senator Luther J. Britt, Jr. at the First Baptist Church here Monday.

Britt, 46, died at Southeastern General Hospital Saturday afternoon, five days after he had suffered a heart attack.

"North Carolina will always be a better state" because of Britt's leadership, Gov. James B. Hunt, Jr. said at the funeral. He described Britt as a true friend of the people.

"Robeson County and North Carolina have lost a great public servant and I have lost a close personal friend," he said. "I will miss him, and the Senate is poorer for his loss, but I am thankful and rejoice that he was given to us."

Britt was chairman of a senate judiciary committee during the past session. He was unopposed for re-election.

A lawyer, Britt served as Lumberton city attorney for 12 years and was past president of Robeson County and the 16th Judicial District Bar associations.

He was a past state president of the

Jaycees and was judged one of the five top Jaycee state presidents in the nation in 1967.

In addition to the governor, the funeral was attended by Lt. Gov. James C. Green, state Senators McNeill Smith, D-Guilford, and William G. Smith, D-New Hanover.

The service was led by Dr. Russell T. Cherry, Jr.

"Forty-six years is not really a life of any length," Cherry said. But Britt, "filled up all his days to capacity. His monument is literally all about you," Cherry added, referring to the standing-room-only crowd.

Britt first ran for the senate in 1971. He was chairman of a judiciary committee during the past session and was unopposed for re-election in the primary last May.

Surviving are his wife, Mrs. Sarah Williams Britt; his father, Luther Johnson Britt; three sons, Luther Britt II, Hewitt Britt and Lee Britt, all of the home; a daughter, Miss Sarah Veta Britt of the home; and two sisters, Miss Mary Britt of Fayetteville and Dr. Marie Rhyne of Cincinnati, Ohio.

Pembroke Magazine Receives Grant

PEMBROKE-The "Pembroke Magazine," a literary publication which **WHO WILL REPLACE NOBLE?**

Names are flitting about like flies: J.P. Powers, President of Progressive Savings and Loan; Sammy Cox, who was defeated by Noble in the last election; David Thompson, funeral home director and a close political associate of Rev. E.B. Turner, Lumberton City Councilman and vice president of the state democratic party etc. etc. etc.

Who will replace Sam Noble as Lumberton District Councilman and county chairman? Vice-chairman of the county commissioners is Herman Dial, the Indian commissioner from the Pembroke-Maxton-Smiths District. There are no Blacks presently serving on the present board of commissioners.

Noble has resigned to take over Senator Luther Britt's senate seat after Britt died suddenly earlier in the week from a heart attack.

Noble was named to the seat by the senatorial committee comprised of two members from Robeson and two from Hoke County. The four have the responsibility of making a recommendation to fill a vacancy if and when one occurs in the 12th senatorial district. The nomination is subject to Gov. Jim Hunt's confirmation.

Party officials acted hurriedly. The committee, at the urging of Betty McCain, head of the state democratic party, met Monday night to name Britt's replacement. They met the night following the funeral although McCain said, "I hated to see us have to meet because I loved Luther Britt but Brock (state elections head) said we had to have the replacement notarized and in Raleigh by 5 p.m. Tuesday so that Luther's replacement could be on the ballot..." Seemingly the printer, according to Ms. McCain was pushing the elections board to get the ballots to the printing house.

Anyway, the committee, last Monday night, met at the home of Professor Gibson Gray of Lumberton and chose Noble. Media was not notified and no notice of the meeting was given.

has published 10 issues in the last decade, has received a \$2,500 grant from the National Endowment of the Arts in Washington, D.C.

"This is the first time the magazine has received a grant from the National Endowment of the Arts," said Victor Dalmas, who is serving as magazine editor since the retirement of Norman Macleod, professor emeritus at PSU and magazine founder.

Word of the grant came to Dalmas through the office of U.S. Rep. Charlie Rose (D-N.C.).

Dalmas cited the forthcoming Erskine Caldwell issue of "Pembroke Magazine" as a reason for the grant. Guy Owen, professor of English at N.C. State University and author of several novels himself, wrote recently in the Fayetteville Observer-Times: "I genuinely hope that this (Dalmas) choosing a Caldwell issue will be a symbolic gesture, one marking a truce between Mr. Caldwell and critics of Academe. For no other serious American writer has suffered more at the hands of the academics than Caldwell, not even Thomas Wolfe, who is no longer fashionable either."

Other factors for the grant, said Dalmas, have been the influence of retired editor Macleod, who is still a tribute to the Georgian, now 76 years old, who wrote such books as "Tobacco Road" and "God's Little Acre" (both of which were made into movies), "Journeyman," "Trouble in July" and "Tragic Ground," "Tobacco Road," written in 1932, ran seven and a half years on Broadway. Caldwell's books told of the depleted, impoverished life of sharecroppers in the South and outraged his fellow Georgians, observed Owen.

However, Caldwell's stature among American writers has remained high, and Owen pointed out that William Faulkner ranked Caldwell among the five greatest modern American novelists.

people and places and things

PSHS FOOTBALL PHYSICAL SLATED FOR AUGUST 3RD

Physical examinations for all boys who wish to play football at Pembroke Senior High, varsity and junior varsity, will be given Thursday, August 3, 1978 at 8:00 p.m. at the office of Dr. Martin L. Brooks. The price will be \$8.00 per person.

Terry Locke Trial Begins Today

The case involving Terry Locke is set to begin today in a Lumberton courtroom. Locke is being tried on charges stemming from an incident last May 20 when he was arrested by Highway Patrolman, R.L. Davis.

Locke, who is to be tried on charges of drunken driving, resisting arrest and assaulting an officer has recently refused comment on the case on the advice of his attorneys.

Davis, claiming that he was acting in self defense, clubbed Locke repeatedly with a long flashlight while attempting to arrest him; consequently Locke spent a number of days in a Fayetteville hospital with extensive head injuries that many contend will follow him the rest of his life.

The latest incident has intensified feeling in the Lumbee community against excessive force used by the highway patrol in making arrests. Many Lumbee Indian leaders have objected strenuously and an investigation is now underway, too. Phil Carlton, after meeting with representatives from the Lumbee Indian community, has initiated an inquiry separate from that of an internal investigation by the patrol itself. Carlton is head of the state's crime control and public safety department.

Pembroke Town Manager McDuffie Cummings and Bobby Chavis, a field representative for the N.C. Commission of Indian Affairs, have been eloquent spokesmen for the outrage expressed in the Indian community against, as they see it, the excessive force used by the highway patrol in making arrests.

DEEP BRANCH FIRE DEPARTMENT PLANS PLATE SALE

The Deep Branch Volunteer Fire Department is planning a plate sale Friday, August 4, 1978 beginning at 11 a.m. until... Billy Burns is fire chief, and cordially invites everyone to come out and meet and eat with the Deep Branch firemen.

THE GOVERNOR'S COMING

Governor Jim Hunt will be in Robeson County Friday for two special occasions; one is the dedication of Mohr Plaza in Lumberton at 5 p.m.

At 8 p.m. he will be a special guest of 'Strike at the Wind!' He will offer some remarks before enjoying the outdoor drama.

DR. D.E. BROOKS OPENS VETERINARY PRACTICE IN PEMBROKE

Dr. D.E. Brooks has opened a veterinary practice in Pembroke. A recent graduate of Tuskegee Institute in Alabama, Brooks' practice is located on Highway 711 approximately 1 mile east of Pembroke. The practice will include the Pembroke Veterinary Hospital and will feature a mobile field service unit for the benefit of the farmers in the area.

Dr. Brooks is the son of the late Peter Brooks and Mrs. Mattie Bell Brooks of Pembroke.



Dr. H.L. "Lindy" Martin

MARTIN SELECTED TOP SPEAKER IN THE WORLD

Dr. H.L. "Lindy" Martin is the son of Mrs. R.M. Martin of Pembroke. He has been chosen as one of the top fifty best speakers in the world by the Toastmasters International. Martin was given the International Award for communication and leadership by their group. He was recognized for his leadership in Indian affairs, education, and the church.

THE LATE AND BELOVED A.G. DIAL EULOGIZED BY THE PEMBROKE CHAMBER OF COMMERCE

The late and beloved A.G. Dial was recently eulogized at a meeting of the Pembroke Chamber of Commerce. Chamber president, Jim Paul, said, "A.G. Dial was a man you could depend upon. He was one of the original members of the Pembroke Chamber of Commerce. He gave a lot to the town; and we are all better for having known him."

A.G. Dial was a retired educator and businessman, but he was still active in the chamber of commerce when he died earlier this year.

Ms. Bonnie Gail Sampson, executive director of the chamber of commerce, was directed by the chamber to prepare a resolution in memory of A.G. Dial and send it to his family as a small expression of the Chamber's appreciation of his talents that he used in behalf of the greater Pembroke community.

WATCH FOR IMPORTANT ANNOUNCEMENT NEXT WEEK!