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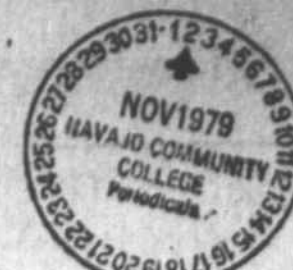
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PEMBROKE, N.C.

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ROBESON COUNTY

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PEMBROKE SEEMINGLY ON DEFENSIVE IN ALFRED COOK LAWSUIT

Cummings Ordered to Answer Questions

by Bruce Barton

Lumberton-The town seemingly went on the defensive Wednesday afternoon when Judge Robert Farmer ruled on motions argued before him in Robeson County's Superior Court Monday morning.

The motions were made in legal moves related to the \$3 million lawsuit filed against the town of Pembroke by Alfred Cook, a property owner, and a counter \$100,000 suit filed by the town's attorney against Cook for causing libelous statements to be printed in *The Robesonian*, the county's daily newspaper. According to sources within the courthouse, Osborne Lee, Jr., Cook's attorney, also represents *The Robesonian* as company attorney.

Cook has sued the town for, as he sees it, falsely arresting him and charging him with injury to real and personal property and resisting arrest. The town's police car was struck by Cook's tractor during the incident.

The charges against Cook were later thrown out of court because of snafu in the courtroom of District Court Judge Craig Ellis. Ellis, in effect, threw out the case against Cook because he considered it a civil matter and not a criminal one. One observer intimated

that Ellis was in error in dismissing the charges against Cook summarily without a trial or court proceedings.

When the charges against Cook were thrown out by Ellis the town dropped its pursuit of a temporary restraining order

against Cook which attempted to forbid him to barricade the property in question.

Earl Britt.

Cook's attorney also asked Judge Farmer to instruct town Manager McDuffie Cummings to answer questions concerning what allegedly was said in Arnold Locklear's office in regard to the matter. Police Chief Oxendine visited Locklear's office to ask his advise when Cook refused to stop plowing up the disputed property. Locklear is the senior member of Brooks and Jacobs law firm which represents the town. Cummings was also present on personal business at the time in question.

Cooks lawyers argued that Cummings presence abridged the lawyer-client relationship, voiding it in this instance.

Also, before Judge Farmer is a question concerning executive sessions which allegedly occurred concerning the matter. Records reportedly show that executive sessions were properly called for in the matter by town officials. Pembroke Town Councilman Bob Brewington reportedly has insisted in a telephone conversation with *The Robesonian* that the executive meetings never occurred. He also contends that he was not notified that the town was counter suing Cook in the matter.

On Wednesday Judge Farmer ruled that Cummings must answer the questions concerning what took place in Arnold Locklear's office, insisting that he was acting as a private citizen, "on personal business, not in an official capacity."

Unless Judge Farmer throws the suit out, it is expected to be tried some time in early spring or summer, in 1980.

Judge Farmer upheld the town's right to hold properly executed sessions to discuss the matter but he ruled adversely against the town that Cook does not have to answer whether, in fact, he did say that his attorney thought "the police officers acted in good faith."

Judge Farmer is the same judge who dismissed the Terry Locke suit against Highway Patrolman R.L. Davis because of his interpretation of civil procedure rules which say, in effect, that you cannot sue an employee of a governmental unit acting in their official capacity.

Osborne Lee, Jr. was, according to information we were able to obtain, Patrolman Davis' lawyer of record in the suit dismissed by Farmer.

Farmer seemingly has ruled against himself, if the same civil procedure rules were to be applied in the case of Pembroke governmental officials now before him.

Brewington Assertions Prompt Emergency Council Meeting

Pembroke- Reacting to statements released by Bob Brewington, Pembroke Town Councilman, to *The Robesonian*, appearing in Wednesday evening's edition, Mayor Reggie Strickland called for an emergency session of the pembroke Town Council late Wednesday night.

Angry voices could be overheard in the mostly executive session held behind closed doors.

Brewington had asserted in *The Robesonian* that he had heard nothing about a counter claim against Alfred Cook, the plaintiff in the \$3 million lawsuit against Pembroke officials and the town. Brewington also took issue with statements saying that executive sessions had been held to discuss the property that is the focal point of the lawsuit now in litigation.

After a lengthy session behind closed doors the Pembroke Town Council appeared in open session and Councilman Sam Dial made a motion that the

council release the following statement to the press:

"The Town Council of the Town of Pembroke authorized each and every one of the counterclaims filed by the Town attorneys, and verified by the Mayor, against one Alfred W. Cook. Such authorization occurred at duly held executive sessions entered into by motion, second, and proper vote taken as the official minute book reflects."

Voting in favor of the motion were Councilman Sam Dial, Milton Hunt and Larry Brooks. Councilman Bob Brewington voted "no," repeating earlier assertions that "I have never heard of the counter suit being brought against Alfred Cook....furthermore, I have never been in executive session concerning any discussion of a map of the alley way in question."

Brewington noted, after the meeting, that the discussion concerning the map plotting the disputed alleyway probably was held before he became a councilman.

Oxendine Named Director of Indian Services



Ronald Oxendine

Chapel Hill- The University of North Carolina at Chapel Hill School of Public Health recently named Ronald Oxendine of Raleigh as director of American Indian Recruitment Services.

Oxendine, former counselor for the Talent Search Program of the NC Commission of Indian Affairs, will coordinate and develop recruitment and retention program activities.

"Our main objective is to recruit American Indian students with graduate level potential," Oxendine said. "Of course, we also will work with undergraduates, but we'll focus on candidates for graduate degrees."

Oxendine said the recruitment program will provide numerous support services, including tutorial aides, to help the students throughout their programs.

"We want to help increase awareness

Ruth Woods to be Sworn In As Member of Indian Commission

Recently elected from the Smiths and Pembroke Township to the North Carolina State Commission of Indian Affairs, Ms. Ruth Dial Woods of Pembroke has been notified of her appointment by Governor James B.



Ruth Dial Woods

Hunt, Jr. and will participate in swearing in ceremonies at Pembroke Town Hall on Saturday, October 27th, at 11 o'clock in the morning. The Honorable Reggie Strickland, Mayor of the Town of Pembroke, will officiate at the ceremony in the Pembroke Town Hall.

The Ceremony has been scheduled in conjunction with other special activities during National Business Women's Week, a week sponsored by the National Federation of Business and Professional Women and observed by Business and Professional Women's Clubs across the nation. Ms. Woods is a member of the Pembroke Business and Professional Women's Club and has served as Club President, Southern Area Vice-President, Chairperson of the State Spotlight on Women's Conference and on several committees of the North Carolina Federation.

Ms. Woods would like to extend an open invitation to all members of the Indian Community to attend the swearing in ceremony which will be the first ceremony of its kind to be held in the Indian community for an Indian agency appointment. According to Ms. Woods, "I believe that the times has come for Indian people to recognize their own strengths and abilities for self-government, and if we can continue to amass our efforts socially, economically and politically for the benefit of each other, then we should also seek to conduct our own activities and special observances within our Indian communities, utilizing the offices and elected officials whom we have entrusted our interests and welfare as Indian people. It is for this expressed reason that I have chosen to schedule this ceremony in the Indian community, utilizing an Indian elected official to render the oath of office to an appointment which is mandated by law to provide for meeting the needs and addressing the issues affecting Indian people. I also hope that it will serve to create a renewed interest in the NC State Commission of Indian Affairs and as an Indian agency created and legislated by and for Indian people of this State."

The Ceremony will be open to the public and it is hoped that all Indian communities will be represented at this special occasion.

MOTIONS HEARD BY FARMER...

On Monday Pembroke Town attorney Dexter Brooks and Lumberton lawyer Dickson McLean, representing the town officials McDuffie Cummings, Police Chief Vernon Oxendine and then Pembroke Policeman Harvey Bullard appeared before Judge Robert Farmer and asked him to dismiss Cook's lawsuit because the statute of limitations had expired in the assault and battery and false imprisonment phase of his complaint.

They also presented another motion asking Judge Farmer to compel Alfred Cook to answer in open court that his attorney Earl Britt stated in a previous court proceeding, that he felt the officers acted in good faith in arresting him.

Cooks attorneys have instructed him not to answer the question. Cook is represented by Osborne Lee, Jr. and

Pembroke Elementary Open House Informs Parents

A "Parents -Night Open House," Monday night at Pembroke Elementary School, attended by over 800 parents and patrons, was highly successful according to Principal James C. Dial.

The Open House was from 7-9 p.m. with parents free to go to individual classrooms to discuss the school's curriculum with teachers. Students' individual work was on display for parents to see.

Parents had an opportunity to talk with teachers and staff to learn more about the school. Pembroke Elementary is the largest elementary school in Robeson County. It has a current enrollment of nearly 1,300 students in grades 1-7. It also has four classes for

exceptional children, with one of these for the gifted and talented. Pembroke Elementary is staffed with approximately 100 professional and support personnel.

Because of its proximity to PSU, a large number of college students serve as interns in the school, learning and helping with the instructional program. This program provides the prospective teacher with less educational theory and more real life school experience.

The new Pembroke Elementary School is nearing completion and is expected to be ready and open for the 1980-81 school year. The new facility is a 3.4 million dollar school plant located on River Road, Pembroke.

PEOPLE AND THINGS

VFW NEWS

Locklear-Lowry Memorial Post 28 of Pembroke, NC held their October meeting on Oct. 15 at the Post Home with a delicious ham meal being served. The annual Turkey-Ham Shoot will begin October 26 at the Post Home on the Union Chapel Road each Friday night until Christmas at 7:30 p.m. The annual Veterans Day Parade will be held in Pembroke, NC on November 10, 1979 to begin at 11:00 a.m. with the annual VFW fish fry being held at the Post Home from 11:00 a.m. until.

Membership dues for 1980 are now being collected by the Post members. Annual dues are \$15.00.

WHY BUDDY POPPY SALES?

"In flanders fields the poppies blow..." so went the immortal words of Col. John McCrae's poem. Little did he realize when he penned those lines that some day the very poppies of which he wrote would be the true symbol of all those who gave their lives in our nation's wars. But that is the case today. Annually, the Veterans of Foreign Wars sponsors the Buddy Poppy Sales in the Pembroke area to raise money for needy and disabled veterans. This is their way of "honoring the dead by helping the living." You, too, can pay your respects on Memorial Day when the Buddy Poppies will be on sale in this community. Do your part-buy a Buddy Poppy and wear it proudly.

Harold B. Locklear
Post Commander
Daisy Dimery
Auxiliary President

SADDLETREE HORSE CLUB TO SPONSOR BARREL SHOW

The Saddletree Horse Club will sponsor a Barrel Show on Saturday, November 17, 1979 at 12:00 noon on the club grounds. Interested persons are urged to attend. There will be no admission charge.

DAV CHAPTER 47 TO MEET

Pembroke's DAV Chapter 47 will have a combination meeting and fish supper on Monday evening, October 29, 1979 at 6:30 p.m. The event will be held at the Locklear-Lowry VFW Post Home in Pembroke. All members are urged to attend.

BREATH OF LIFE BIKE A THON TO BE HELD

Frances Chavis, a member of the Pembroke Jayettes, has been named the chairperson of the Breath of Life Bike-A-Thon to be held on October 28, 1979 in Pembroke, according to Dr. Louis J. Marchetti, President, NC Chapter, Cystic Fibrosis Foundation.

Pembroke Jayettes will lead local volunteers in organizing the Bike-A-Thon, the proceeds of which will support research, care and education programs for children affected by lung damaging diseases like cystic fibrosis, severe asthma, chronic bronchitis, re current pneumonia and bronchitis

Cystic Fibrosis, the most serious children's lung-damaging disease, is inherited and presently incurable. Affecting one in every 1600 children born in the United States, CF can occur when both parents carry the CF gene. It is estimated that 10 million Americans are symptomless carriers of the CF gene. Through research and care programs funded by the Cystic Fibrosis Foundation, a test to identify these carriers is being sought, along with a cure for CF and better methods of treatment for all lung-damaged children.

The Bike-A-Thon will help support this research and care in more than 100 Cystic Fibrosis Centers in this country.

Donations will be accepted by any member of the Pembroke Jayettes.

WEEKEND REVIVAL PLANNED AT NEW PHILADELPHUS CHURCH

New Philadelphus United Methodist Church announces the weekend revival October 26-Oct. 28, 1979. The speaker for Friday night at 7:30p.m. will be the Rev. Grady Cummings. On Saturday night at 7:00 p.m. the Rev. Ted Brooks will speak. Sunday morning the Rev. Wilton Cummings, pastor of New Philadelphus United Methodist Church will speak. Sunday night at 7:00 p.m. Rev. Johnnie Bullard will bring the final message. The pastor and congregation extends a cordial invitation to attend.

HALLOWEEN CARNIVAL PLANNED

A Halloween Carnival will be held at 7 p.m. October 30, 1979 at Evans Crossing Fire Department. The carnival is sponsored by the Adult Education Class of Lumbee Regional Development Association. Proceeds will be used to defray costs of a trip planned for the class.

FAYETTEVILLE NEWSPAPERS HISTORICAL EXHIBIT TO BE AT PSU

The "Many Worlds of News," a traveling historical exhibit of the Fayetteville Observer and Times newspapers, will be located at PSU's Mary Livermore Library Monday and Tuesday, Oct. 29-30.

The display will feature reproductions of news items, stories, advertisements and front pages over the years since the Fayetteville Observer began publishing in 1816. Attendants will be on hand to answer questions and pass out free "World of News" shopping bags and balloons.

FLEA MARKET PLANNED

The Saddletree Jayettes will hold a flea market on Saturday, Oct. 27 from 8 a.m. until 4 p.m. on 301 North. The location is the 4th brick house on left, past Mt. Moriah Baptist Church. There will be bargains galore! All items after 1 p.m. will go for 10¢.

Revival Services Planned

Revival services will be held at the Branch Street United Methodist Church Sunday, Oct. 28 through Friday, Nov. 2. Services will be held each evening throughout the week at 7:30 p.m. Guest evangelist will be the Rev. Robert L. Mangum, pastor of Prospect United Methodist Church. Rev. Mangum is a former pastor of Branch Street United Methodist Church and former director of Robeson County Church and Community Center. The pastor, Simon F. Cummings, and congregation extend a cordial invitation to the public to attend.

Pancake Supper Planned

Invest in youth! Attend the Pancake Supper and Revival services at the Branch Street United Methodist Church, Sunday, Nov. 2, 7:30 p.m. Tickets are on sale for \$2.50. All you need is a good appetite and other youth.