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In A Tri-Racial Setting"

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JUDGE McKINNON ASKED TO "THROW OUT" COOK COMPLAINT AGAINST PEMBROKE OFFICIALS

HEARING SET TODAY AT 4 P.M.

by Bruce Barton

LUMBERTON--Dexter Brooks, the attorney for the Town of Pembroke; and Dickson McLean, Jr., the attorney of record for Pembroke officials Vernon Oxendine, police chief, McDuffie Cummings, Town Manager, and Harvey Bullard, a former sergeant with the Pembroke Police Force, are expected to ask Judge Henry A. McKinnon, Jr., to "throw out" the Cook complaint against them today in a hearing in Lumberton's Superior Court.

The hearing is set for 4 p.m. today before Robeson County's resident judge after being postponed March 17 at the request of Obbie Lee, Jr., one of the attorneys for Alfred Cook, who is suing the officials for \$5 million dollars. Lee requested the postponement for an unexplained "due to health reasons." Earl Britt is Cook's other attorney.

The town officials, in turn, have sued Cook for \$100,000, in part, for causing, as they see it, libelous statements to be printed in the *Robesonian*, the county's daily newspaper. Lee is the attorney of record for the *Robesonian* also.

Cook brought his suit against the town and officials one year and two months following charges lodged against him for malicious damage to real and personal property and resisting arrest on May 28, 1978.

The town officials had stopped Cook from plowing up a parcel of property in Pembroke belonging to his wife (now deceased) that had been used as an alley way by the town "as long as I can remember" according to a long time Pembroke resident.

The charges against Cook were later dismissed by District Judge Craig Ellis because, as a court observer put it, "the judge thought the matter should have been handled in a civil suit rather than in his court." According to the same

observer Judge Ellis's ruling did not, as noted in the local press, find Cook not guilty.

Motions as for dismissal on grounds the statute of limitations has run out

Brooks and McLean are asking Judge McKinnon to "throw out" the complaint for specific reasons; the most obvious one being that the statute of limitations has run out on the matter of the assault and battery phase of Cook's complaint as well as the charge of false imprisonment. Cook is asking for \$5 million because, as he put it, the town and officials (1) trespassed upon his personal property; (2) assaulted and lodged battery against him; (3) falsely arrested and imprisoned him; (4) and caused the criminal process to be issued against him; (5) and another later charge of trespass.

The incident occurred May 28, 1978, according to Cook's complaint. His suit was not filed until July 20, 1979, some 1 year and 2 months after the incident occurred. The statute of limitations is 1 year in the matter.

Cummings goes under Court order...

On October 24, 1979 a headline in the *Robesonian* blared: "Cummings goes under court order." In a hearing before Judge Robert Farmer, Cummings had been demanded to answer certain questions surrounding a meeting that occurred in the office of Locklear, Brooks and Jacobs, attorneys for the town.

Farmer demanded that Cummings answer questions concerning a meeting between Police Chief Vernon Oxendine and Arnold Locklear, a member of the town's law firm of Locklear, Brooks and Jacobs.

The meeting supposedly took place on the same day the incident involving Cook occurred; namely, May 28, 1978.

According to Farmer, Cummings was

ordered to answer the questions posed by Cook's attorneys because he was not in Locklear's office in his official capacity of town manager when Oxendine came in for legal advice concerning his arrest of Alfred Cook for refusing to cease plowing up the parcel of land in question.

A number of courtroom buffs say that Lee erred greatly when he asked Judge Farmer to demand that Cummings answer his questions as to what occurred between Oxendine and Locklear.

Since Judge Farmer ruled that Cummings must answer the questions the ruling in itself would tend to rule out Cummings as a plaintiff in the matter because Farmer said he was not acting in his official capacity while in Locklear's office.

That might explain why Cummings has never been asked the questions that Judge Farmer ruled he must answer. Approximately five months have rolled by since Judge Farmer ruled that Cummings must answer the questions. Cook's attorneys have not asked Cummings what occurred in Locklear's office.

His attorneys are expected to ask Judge McKinnon to close the period of discovery in the matter since the five months have passed since Cummings was ordered by Judge Farmer to answer.

Knowledgeable court room observers expect Judge McKinnon to "throw out" the case. If so, it will bring the Town of Pembroke from underneath the cloud of suspicion that has hovered over it since the matter began in 1978.

PEMBROKE TAKES STEPS TO COUNTER RASH OF BREAK-INS

PEMBROKE--Pembroke has been plagued by a rash of break ins in the last few weeks, the most recent one being a break in at Town and Country Restaurant where an undisclosed amount of money was taken.

In the recent past the post office has been broken into also (3 times), as well as a number of other businesses. The problem has intensified and prompted action to counter it by town officials.

According to McDuffie Cummings, town manager, a new program began last weekend whereby police officers will leave a card noting the time they checked the business and pick it up the next day so they can confer with the merchant. Cummings hopes this will stem the tide of break-ins.

Too, Cummings said that vehicle patrolling would be curtailed in favor of more foot patrolling. But he noted that the problem of break-ins was not confined to Pembroke calling it "a

county wide phenomenon." Cummings says he believes the increased break-ins are a direct result of the economy.

He asks merchants and townspeople to be "more security conscious," securing the businesses as well as possible and calling the police department with reports of suspicion.

He also extolled the chamber of commerce for showing an interest in the Community Watch program calling it "an excellent deterrent to crime."

Pembroke has a police force of seven with three shifts, mostly with two men to a shift. When a man is sick it sometimes results in one officer having to patrol the town by himself, especially in the early morning hours.

Cummings said, "the break-ins have got to stop...It's going to take a major effort by all of us. But I believe the steps we have taken will help curb the problem."

The PEMBROKE POLICE DEPARTMENT Checked Your Business:

TIME: _____ a.m. _____ p.m.

OFFICER _____

BUSINESS _____

PLEASE KEEP THIS CARD FOR PICKUP!

Here is a copy of the card being left at Pembroke businesses by Pembroke policemen as they make their rounds.

It is hoped by town officials that the new procedure will help stop the rash of break-ins that has plagued Pembroke recently.

Springtime seems to be the time when bees begin to work their hardest. This was true of one member of a "Spelling Beehive" that swarmed around the Robeson County Board of Education Tuesday, March 18, 1980. The "Spelling Beehive" was composed of local school spelling champions from the Robeson County School System. Miss Jamie Lee Sattenfield, a fifth grade student of Miss Rose Marie Lowry from Pembroke Elementary was the most successful worker of this particular "Spelling Beehive." Jamie is the daughter of Mr. and Mrs. Richard Oxendine of Pembroke.

Jamie has won three times: first, as the spelling champion of Pembroke Elementary School's 5th grade; second, as spelling champion of Pembroke Elementary School; and third, as Robeson County Spelling Champion. Instead of wearing out, as hard worker bees do, Jamie is still pressing forward. It seems as though she thrives on the work and dedication her new awarded titles have required. She will go into battle for the regional title in Charlotte, N.C., on April 18, 1980.

In honor of their classmate, the fifth grade at Pembroke Elementary honored Jamie with a party. She was presented a pair of gold star pierced earrings and a scrapbook. In the scrapbook she can keep memorable events and items relative to her spelling adventures.

Jamie Lee Sattenfield, shown with Principal James Dial.

OUTSTANDING YOUNG EDUCATOR AWARD WINNER



Rose Marie Lowry is shown with James Dial, Principal of Pembroke

The administration and staff of Pembroke Elementary School relishes with pride having the winner of the Outstanding Young Educator Award, Miss Rose Marie Lowry on the staff. This award was given to her by the Pembroke Jaycees.

On March 13, an afternoon tea was given by the faculty and staff of Pembroke Elementary in the school cafeteria to honor Miss Lowry. She was presented with a plaque and bouquet of flowers as a token of admiration and appreciation.

Miss Lowry graduated from Pembroke State University in 1975 with a B.S. Degree in Elementary Education. One year later she received a Master's Degree in Education at UNC-Greensboro. In 1979 she received certification as a Curriculum Specialist I from UNC-Greensboro. She will complete her certification in administration this

Elementary.

summer at Pembroke State University.

The educational goals have been achieved with the same vigor and vitality that is displayed in her work on the school campus. Miss Lowry is an example to the school and community of one that rises above circumstances that ordinarily would cause defeat. She has pressed her way to many scholastic victories over the recent years.

The Pembroke Elementary School pledges to support the Outstanding Young Educator in every possible way. We at Pembroke Elementary School cherish her contributions and future intentions for our school and community.

We appreciate the Jaycees for making available the opportunity for Miss Lowry to receive such an honorable title as Outstanding Young Educator of 1980.



Jamie Lee Sattenfield, shown with Principal James Dial.

PEOPLE AND L AND THINGS... C E S

Special Bond Exists Between Brother and Sister



Willie Oxendine

by Connie Brayboy

How strong is the bond between a brother and sister? In some cases the bond is so strong that one would do anything possible to relieve the suffering of the other. When you love someone, there can be no limits on giving. That is how it is for Willie Oxendine and his younger sister, Fay Oxendine Dial.

Things were relatively "normal" for 30-year-old Willie Oxendine until Sept. of 1979. During that month he noticed that he felt run-down all the time, as if he had no energy. He was very pale and members of his family urged him to see a doctor. After an examination by a local physician he was hospitalized at Scotland Memorial Hospital, Laurinburg. He was there for two days and on September 17, 1979 he entered North Carolina Memorial Hospital where it was diagnosed that he had uraemic poisoning which was caused by high blood pressure. He remained in the Chapel Hill Hospital until November 3, 1979. Following his release from the hospital, he was required to return once a week for a 36-hour treatment called Peritoneal Dialysis. This was a process whereby poison was drawn off his kidneys through his stomach. This treatment continued for six weeks.

In January 1980 Oxendine began another form of dialysis (artificial kidney) called Hemo-Dialysis. This process involved drawing out his blood and removing impurities prior to replacing it. This was done every Monday, Wednesday and Friday. On these days he was connected to what is commonly called a "kidney machine."

While Oxendine was traveling back and forth to Chapel Hill for treatment, his three brothers and three sisters were being tested to see if one of them had kidneys that matched his. It was determined through various tests that his sister's, (Faye Dial) kidneys were a perfect match. Without hesitation she agreed to become a donor for her brother.

On February 25, 1980 they both entered North Carolina Memorial Hospital where surgery was performed by a father-son team, the Mondales. The father was the surgeon for Oxendine and the son was Ms. Dial's surgeon. The surgery lasted from 7:30 a.m. until 1:30 p.m.

Both patients are doing remarkably well. According to family members, hospital personnel said that it was the smoothest kidney transplant they'd had in quite a while. After approximately two weeks in the hospital, brother and sister returned to their Pembroke area homes. Ms. Dial, 28, resides near White Hill Free Will Baptist Church with her daughter, Melissa. Oxendine

makes his home with another sister, Margaret Revels, at Strickland Heights in Pembroke.

Oxendine apparently was more fortunate than many patients who must wait for long periods of time for a donor. When asked if she would do it again, Ms. Dial smiled sweetly and said, "Of course I would. That's what sisters are for."

Both Oxendine and Ms. Dial are the children of Mrs. Evie Hammons of the Lake View, SC area.



Faye Dial

OXENDINE SCHOOL HOLDS BOOK FAIR

There will be a Book fair at Oxendine School April 1-4, 1980. The children can buy books to read and games that will help them in reading and other areas in school.

There will be over \$3,000 worth of books and games that the children can look at. After looking at the books and games on Tuesday, the children will be given a list with the title and prices of the books and games. The children will have to bring their money to school to pay for the games and books that they select. If a child wants a book or game that is sold out, the school will order the game or book for them. This is one of the best ways for you to buy books and educational games for your children. We are asking all parents to come by school on Tuesday, April 1, 1980, from 9 a.m. to 6 p.m. and look at the books and games. Parents may come during school hours the rest of the week. You can select books for your child. The children are very excited about "The Book Fair," come and enjoy the fair with us! We will be looking forward to seeing you April 1-4, 1980 at the Book Fair.

RUN THAT BACK BY ME!

The Carolina Indian Voice is establishing this weekly column for the purpose of making corrections of material which appeared in the previous issue. All periodicals publish under the pressure of deadlines and other pressing circumstances. Therefore, a certain number of grammatical and typographical errors are inevitable. We sincerely wish to reduce our errors, and request that our readers call our attention to any and all errors noticed. Please call 521-2525.