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EARL BRITT'S COURTROOM POSSIBLY SITE OF COOK- PEMBROKE LEGAL SHOOTOUT

by Bruce Barton

PEMBROKE--Earl Britt, who was recently appointed to a federal judgeship in the Eastern District Court in Fayetteville by President Jimmy Carter, has tendered his resignation as vice-president of the Lumbee River Legal Services in Pembroke, North Carolina. Britt was the representative from the Robeson County Bar Association. No replacement has been named for Britt.

Dexter Brooks, Pembroke attorney, is president of the board of directors of Lumbee River Legal Services.

Britt and Brooks were protagonists in the celebrated property dispute case between the town of Pembroke and Alfred Cook, now a property owner. Cook has sued the town for more than \$1.5 million in the dispute and has now lodged a federal complaint in Britt's courtroom rehashing the charges but claiming constitutional violations of his civil rights. Britt was Cook's co-counsel with Osborne Lee, Jr. until he was removed from the case, at his request, by Judge Henry A. McKinnon, Jr. on April 28, 1980. Brooks represents the town along with Lumberton attorney Dickson McLean, Jr.

Lee filed his federal complaint in Britt's court even though trespassing complaints remain in state civil court. McKinnon has thrown out charges of malicious prosecution, false arrest and assault and battery brought by Cook against the town and officials McDuffie Cummings, Town Manager; Police Chief Vernon Oxendine and former policeman Harvey Bullard.

The town has countersued Cook claiming that libelous statements have been printed in the *Robesonian*, the county daily newspaper. Osborne Lee, Jr. is listed as the newspaper's attorney of record explaining to many how the original complaint appeared in the *Robesonian* on the same day it was filed some two years ago.

Britt was confirmed as a federal judge on May 20 by the senate judiciary committee and was sworn in at the Robeson County Courthouse on May 30, 1980. He resigned his position with the legal services on May 26. His co-counsel in the Cook case, Osborne Lee, Jr., filed his federal complaint on May 19. The complaint remained a secret until the complaint was aired in the *Robesonian* on June 3, 1980. Federal marshals served their complaint on principals in the matter a day later.

Interestingly enough, Earl Britt participated in oral arguments before Judge McKinnon on April 28 and asked for permission to resign from the case later in the afternoon.

Judge McKinnon has now resigned effective October 31 as the 16th Judicial

Robeson Youth attend Nutrition Course at Camp Millstone

August 18, 19 and 20 was exciting for twelve Robeson County youth as they began their first camping experience. Camp was learning about health and nutrition as well as responsibility and recreation. There was swimming, canoeing, land sports, games, crafts, dancing and classes in health and nutrition. These youth are from families that are enrolled in the Extended Food and Nutrition Program which is taught by six nutrition aides employed by the Robeson County Agricultural Extension Service in Lumberton, NC.

The two supervising leaders participating from Robeson County were Judy

ALSO RESIGNS AS VP OF LUMBEE LEGAL SERVICES

District Resident Superior Judge. It seems that he will be replaced by Special Superior Court Judge Sam Britt.

Judge McKinnon has not indicated whether or not he will settle the dangling trespass charges still remaining before him in the matter.

The complaint in superior court is seemingly "on hold," according to a courtroom source, until McKinnon's replacement is named and "it is doubtful" Britt would hear arguments in the case in his courtroom since he has been a participant prior to resigning.

The Town of Pembroke has paid out approximately \$20,000 on legal fees so far, prompting a town cynic to exclaim, "That's quite a price to pay to plead 'Not Guilty.'"

NOTICE

The regular Monthly Meeting of the Mayor and Council of the Town of Pembroke scheduled for September 1, 1980 has been changed to September 2, 1980.
Ruby N. Smith
Town Clerk

Hyatt, nutrition aide, and Vernon McHam, associate Extension agent, 4-H.

The Robeson County campers that were given awards were: Eric Woods from Red Springs who was honored for making the most improvement, and Sadie Mitchell from Lumberton who was honored for most outstanding camper. Other campers attending were: Tyrone Battle, Keith McDaniel, and Rodney Lewis from Rowland; Antonio Faulk and Jennifer Mitchell from Lumberton; Leslie Bullard from Red Springs; and Marlies Jones, Victor Walker, Steven L. Walker and David Walker from Fairmont.

RALPH HUNT AND ASSOCIATES RESPOND IN STOLEN TOBACCO CASE

AREA NEWS REPORTS

The chairman of the Robeson County Board of Education and two other men are on trial in U.S. District Court in Fayetteville for allegedly fraudulent marketing 3,226 pounds of tobacco in 1979.

School board chairman Ralph Hunt and his partner in the operation of the Lumbee Warehouse in Lumberton, Charles Oxendine, and a warehouse employee, Charles Hunt, were indicted in early May by a federal grand jury meeting in Fayetteville.

The three are also under indictment in Robeson County on charges of receiving stolen tobacco.

The trial may last as long as two weeks, defense attorney Carl Barrington said Thursday. Approximately 100 witnesses have been subpoenaed by the government and the defense.

Bank records introduced Tuesday in U.S. District Court indicated that the Lumbee Warehouse cashed two checks totaling \$1,496.12 on the same day that Ralph Hunt and two associates allegedly purchased and resold 3,226 pounds of stolen tobacco.

Hunt and his co-defendants, Howard Oxendine and Charles Hunt, are charged with falsely identifying and selling stolen tobacco.

Three government witnesses testified earlier in the trial that they stole 15 sheets of tobacco and sold it to Ralph Hunt for \$1,480 in cash Aug. 2, 1979. The three witnesses have pleaded guilty in Robeson County Superior Court to felony charges of larceny of tobacco.

Ralph Hunt, chairman of the Robeson County Board of Education, operates the Lumbee Warehouse in partnership with Oxendine. Charles Hunt is an employee of the warehouse.

U.S. Attorney Wallace Dickson earlier presented evidence showing that the

amount of tobacco in question was sold Aug. 2, 1979, on a marketing card issued to Ralph Hunt.

The bank records were introduced by the government in an attempt to show that the warehouse operators had obtained cash in approximately the amount the prosecuting witnesses claimed they were paid for the tobacco.

The government rested its case Tuesday afternoon. Defense attorney Carl Barrington of Fayetteville said in an opening statement that all three defendants would testify in their own behalf.

Howard Oxendine, in his testimony Tuesday, said, "I have never seen any of them before...until I got to the courthouse."

Oxendine was referring to Hayden Hunt, Ricky Hunt and Willie Jacobson--the three young men who have testified that they stole 15 sheets of tobacco from area farmers and then resold the leaf to Hunt and his associates at Lumbee

Warehouse in Lumberton.

Oxendine's denial followed opening remarks from Carl Barrington, defense attorney, who described the government's case as "a foxhunt...to convict these men of something they are not guilty of..."

Barrington, in his opening remarks to the jury, said that each of the defendants would deny that they had ever seen the three men whose testimony is the basis for the government's case. Barrington's has, according to news reports, concentrated on hitting the truthfulness of the young men, attempting to show that they are not telling the truth. One example is Barrington concentrating on attempting to show that the 15 sheets of tobacco--weighing about 250 lbs. a piece--were placed on a bed of a pickup truck and brought to the warehouse.

Barrington is expected to bring forth some 60 witnesses in behalf of his clients. The case is expected to take up the rest of the week.



Ralph Hunt and Howard Oxendine are shown during happier moments in front of Lumbee Warehouse. Their case is continuing in federal court in Fayetteville this week.

JUDGE MCKINNON TO RETIRE

Lumberton-Superior Court Judge Henry A. McKinnon, Jr. has told attorneys in his home district that he plans to retire as an active judge Oct. 31.

In a letter to attorneys in the 16th Judicial District, he said he will continue to serve as an "emergency judge."

The 57-year-old judge has served as one of a special group of judges assigned to handle problem trials in recent years.

Among those he presided over was a series of pretrial hearings for Joan Little, a black woman who was acquitted on a charge of murdering a white jailer in Beaufort County.

Lumbee River Legal Services EXPANDS INTO CUMBERLAND COUNTY

Lumbee River Legal Services, according to Mr. Julian T. Pierce, the executive director, will be expanding its services into Cumberland County. The expansion is a result of a recent decision of the Legal Services Corporation, the federal agency that funds legal service programs. According to Mr. Pierce, the decision of the Legal Services Corporation ends a highly controversial issue between the Cumberland County Bar Association and Legal Services of North Carolina (LSNC). The Bar Association had earlier protested the initial decision of the Legal Services Corporation to fund LSNC for Cumberland County legal services.

LSNC is a confederation of various legal service programs throughout the State. Lumbee River Legal Services, a member of the confederation, will be responsible for the administration of legal services in Cumberland County. The expansion efforts will require, according to Mr. Pierce, the opening of an additional office within Cumberland County. Mr. Pierce states this new office, expected to open within the next three to four months, will require the hiring of an additional staff which will include attorneys, paralegals, and support staff. Central administration, however, will be under the direction of the Pembroke office.

Presently, Lumbee River Legal Services serves the counties of Richmond, Scotland, Hoke and Robeson. The Corporation provides free legal services in the area of civil law for low income persons unable to afford an attorney.

BOARD MEMBER DAVID GREEN CHANGES VOTE

by Connie Brayboy

Things got interesting at the Robeson County Board of Education Monday night where they met to consider delaying school and other matters.

Board members listened as one parent approached them about re-assignment of his child. They went along with the recommendations of the re-assignment committee.

They responded to a Red Springs System request for any funds which had not been allocated from School Bond Issue monies. It was decided that there was no monies which were not allocated. Lillian Paye Locklear moved that Supt. Purnell Swett respond to the local system in that manner. Her motion was seconded by David Green and carried unanimously.

They changed the board policy on the length of the

workdays for vocational education teachers, as well as secretaries and guidance counselors. They will not work from 8 a.m. to 3:30 p.m. Once again, Lillian Locklear, expressed her dislike of the idea of guidance counselors and secretaries having to work an extra 30 minutes per day with no additional pay. She is married to the guidance counselor at Pembroke Senior High School.

Tommy D. Swett had some comments on guidance counselor. He stressed that some of them were not doing what they were supposed to do in relation to preparing students to enter college. To this Mrs. Locklear replied, "...I would say, let's deal with it...on the administrative level."

And Swett responded, "...I just don't like the idea of favoritism among our guidance counselors. Some guidance counselors work with special

students, instead of the entire student body." He suggested that the superintendent check into the matter.

In response to a comment from a member at the last meeting that he did not see any farmers at the meeting, several farmers attended Monday night's meeting. Also attending were Herman Dial, chairman of the Robeson Co. Board of Commissioners and J.W. Hunt and H.T. Taylor, commissioners.

All three commissioners addressed the board and requested a delay in the opening of school. They stated that there was much tobacco in the field and that four or five days would help tremendously in the harvesting.

J.W. Hunt spoke on behalf of his neighbors, he said. Hunt stated that if a day was missed a day of school would be missed.

5 G's Antique and Classic Car Museum Opens Saturday

LUMBERTON--North Carolina's newest tourist attraction opens its doors Saturday as the 5-G's Antique and Classic Car Museum presents one of the finest automotive collections in the Southeastern United States.

A grand opening and ribbon cutting ceremony will be held at 10 a.m. Saturday, as the owner and operator of 5-G's Robeson business-man and entrepreneur Gene E. Locklear, fulfills one of his life's ambitions.

"Robeson County has many things to offer the tourist

trade," Locklear says. "I believe that, with the natural attractions we have, we just need something to get the peoples' attention. I hope to do that with the museum."

The new facility will certainly be an attention-getter, including more than 20 classic and antique autos from an immaculate 1929 Ford to a special limited edition 1980 Rolls-Royce Silver Shadow II, one of only 75 in existence.

The collection includes a classic '56 Thunderbird, '59 Corvette, one of the few remaining 12-cylinder Jaguar

XK-E convertibles, and some of the modern classics such as the Cadillac Eldorado and Cartier Lincoln Continental.

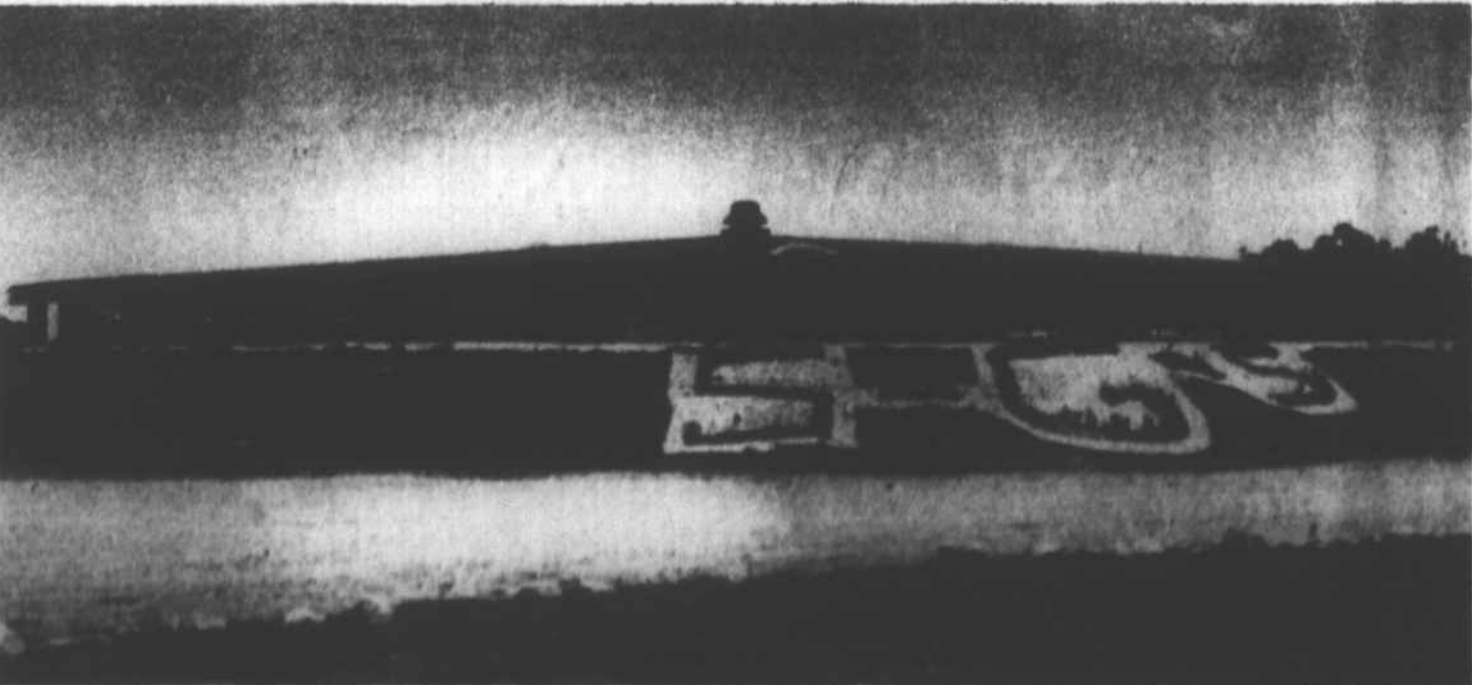
The vehicles will be housed in a unique circular building of Locklear's own design, located on Carthage Road Extension a few miles west of Interstate 95 between Lumberton and Pembroke.

Locklear has included other artifacts inside the museum, such as a rare arrowhead collection, antique firearms and other historic memorabilia "to give a general historic picture of Robeson County."

"I'm certainly very proud of the museum," said Locklear. "And I hope that pride will be shared by the people of the county."

Saturday's grand opening ceremony will include a ribbon-cutting attended by Miss Lumbee and several local and state dignitaries.

Other open house activity will be held Saturday through Monday, including the awarding of door prizes daily, followed by the museum being open throughout the week of Labor Day.



UNIQUE--The 5-G's Antique and Classic Car Museum in Lumberton formally opens its doors Saturday. The unique circular building will house more than 20 original and rare automobiles, along with a "mini-museum" of historic artifacts. (DMA Photo)