



"Building Communicative Bridges
in A Tri-Racial Setting"

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LUMBERTON CITY SCHOOLS FOUND "IN VIOLATION" OF 1965 VOTING RIGHTS ACT

...but Judge Earl Britt and Co.
gives them until December 31
to straighten it out

by Bruce Barton

RALEIGH--Now get this. In a decision made public Monday a three judge panel of federal judges (including Robeson County's own Earl Britt and Dickson Phillips and Franklin Dupree) found the Lumberton Schools System "in violation of the 1965 Voting Rights Act" for illegal annexations into the jurisdiction of the Lumberton City Schools. But, on the other side of the legal coin, they decided not to do anything about it except to gently admonish them (the school system) to clear it (the illegal act) with the U.S. Justice Department before "December 31."

Some Background

The suit was brought by Lumbee River Legal Services, Inc. (quartered in Pembroke) and the American Civil Liberties Union in behalf of a number of citizens who filed their complaint in federal court last December.

They claimed that the annexations known as Lakewood Estates, Barker Ten Mile, Clyburn Pines and Country Club into the Lumberton City Schools in 1967 and 1969 were in violation of the Voting Rights Act and had been formally objected to by the U.S. Attorney General in 1975. Since 1975, the Lumberton City School Board has sought on three separate occasions to have the objections removed. The U.S. Attorney General has steadfastly refused to remove his objections, the latest refusal being in April, 1981.

Julian Pierce, representing Legal Services, and Laughlin McDonald, representing the Civil Liberties Union, had argued that the U.S. Attorney General had found that these annexations had a discriminatory purpose in that the school boundary lines were drawn in a convoluted and meandering fashion to exclude Indians and Blacks in order to permit white students in these annexed areas to attend predominantly white Lumberton City Schools. The defendants, the Lumberton City School Board,

represented by John Campbell and Osborne Lee, conceded that the U.S. Attorney General had objected to the annexations as discriminatory. Judge Phillips stated that the defendants, the Lumberton City School Board, should have received approval from the United States Department of Justice before annexing these areas. The Lumberton City School Board, instead, went ahead and annexed these areas in violation of federal law.

Lumbee River Legal Services and the American Civil Liberties Union argued that the annexations should be decreed null and void and that voters residing in the Lakewood Estates, Barker Ten Mile, Clyburn Pines, Country Club areas not be permitted to vote in the Lumberton City School Board elections.

Alas, the federal judges (political appointees for life) simply decreed that the Lumberton City Schools had until December 31 to "pre clear" the illegal annexations with the justice department or they would, at some unspecified time, take some unspecified further action. In the mean time Lumberton will be allowed to hold the school board elections in November as planned. However, the judges did spell out provisions for a special election if the Lumberton Schools do not come into compliance with the 1965 Voting Rights Act by December 31.

The reaction of the attorneys in the case seemed to indicate who really won. Osborne Lee, Jr., one of the attorneys for the Lumberton Schools, was quoted in the *Fayetteville Observer* as saying, "We think they took the proposition that was put forward by the school board and reacted favorably to it."

Julian Pierce, one of the attorneys representing the plaintiffs, simply expressed "disappointment" at the ruling and indicated that it would be appealed.

An Indian punster had the last word on the matter. "It's like it's always been. The law is written and interpreted to uphold the rights of the 'big boys' over the little folk every time."

An analogy is, I suppose, like the story of the thief who takes something from his

neighbor and is patted on the back for it if he will return it in due course... after he gets all the good out of it.

And, finally, a number of people have questioned the propriety of W. Earl Britt, one of the federal judges, participating and, seemingly from a reading of the transcript, taking an active role in the case. Britt, a Robeson County native, was intimately involved in both the infamous "double vote" suit and "Prospect" suit, both forerunners of this one. Britt represented Robeson County as a defender of double voting and also was party to questionable annexations by the Fairmont Schools when he served as attorney for that body in the late '60s.



Ronnie E. Hunt

Ronnie Hunt named Assistant General manager at LREMC

RED SPRINGS--Ronnie E. Hunt of Pembroke has been named Assistant General Manager of Lumbee River Electric Membership Corporation based in Red Springs.

An employee of LREMC for just under five years, Hunt assumed his new responsibilities in September. Prior to the change, Hunt had been Manager of Office and Staff Services.

A 1973 graduate of Pembroke State University, Hunt completed the requirements for a B.S. degree in Business Administration with emphasis on accounting, business and management. He

graduated from Fairgrove High School in 1965.

Before coming to LREMC, Hunt worked for Southern National Bank in Lumberton as Operations Officer. He joined LREMC on January 27, 1977 and assumed the position of Manager of Office and Staff Services early in 1979.

In his new position, Hunt will assume additional liaison, administrative and executive duties.

Ronnie is married to the former Catherine Loretta Hunt of Lumberton and they have two sons: Corey, 2 and Chad, 6 months.

DEMOCRACY ASSERTS ITSELF AT LREMC ANNUAL MEETING



Bruce Barton shown addressing the members of LREMC at their annual meeting Tuesday night.

meetings of the quasi-public co-op to any consumer who wishes to attend. The question is: will they? It is obvious by the enthusiastic response Tuesday night that the consumers wish to know more about what is happening at "their" co-op.

Presently board policy denies the members who "own" the co-op the right to attend meetings of the board of directors except that "up to three" members may request to appear on the agenda to discuss specific complaints or concerns. At the present time no member is allowed to attend a meeting of the co-op even though they presumably "own" it.

What precipitated the motion?

Approximately a year ago the Lumbee River Electric Membership Corporation dropped trespassing charges against Bruce Barton (this writer), editor of the *Carolina Indian Voice*, who refused to leave an October 21, 1980 meeting.

Red Springs District Court Judge Charles McLean granted a request by LREMC general manager Derl Hinson to dismiss the charge against Barton. Barton arrived at the closed LREMC board meeting hoping to obtain information on an alleged discrimination complaint against the co-op. When he refused to leave, he was removed by Red Springs police and charged with trespassing.

Hinson said later that the co-op does not wish to press criminal charges on a matter that can be resolved through "a civil action."

He added that the LREMC board has "for years chosen to hold its deliberations in private."

Barton maintains that the LREMC is a public organization because it has received federal loans. He says he also has a right to attend board meetings because he is a member of the co-op who pays for its electric services.

"The question or issue that was raised by this had to do with the open meetings law," Hinson said. "That can be pursued very easily through a civil action. The co-op doesn't have any interest in pursuing something criminal if it can be handled by a civil action."

Hinson added, "We don't have any interest in pursuing the matter that way at all."

Hinson said that if Barton attempts to attend another board meeting, "We'll cross that bridge when we get to it." He said, however, that any further decisions to bar the editor from meetings would be decisions of the board members.

The question is sure to come up at the next meeting of the LREMC board. I sincerely hope that the members will be allowed to attend meetings of the co-op, especially since they own it and have always conducted themselves in an orderly fashion. But who can foretell the future? Certainly not this writer.

Incumbents returned to LREMC Board of Directors

RED SPRINGS--Four incumbent directors of Lumbee River Electric Membership Corporation were re-elected at the 41st Annual Meeting of Members held in Pembroke on Tuesday night, Oct. 20.

Elected by acclamation when no challengers registered their opposition were At-Large director Rev. Elias Rogers and District 7 representative Harold Dean Brewer.

Winners in the two contested elections were Bradford Oxendine and Marcia Lowery. In the District 3 race, Oxendine defeated challenger R.D. Locklear 270-258. Mrs. Lowery gathered 288 votes to 241 for Frank Jacobs, Jr. to retain her seat representing all of Scotland County.

In an organizational meeting immediately following the elections, J.W. Hunt of Fairmont was elected President of the Board for next year. Bradford Oxendine will be Vice President, Marcia Lowery will serve as Secretary and John Paul Jones is the new treasurer.

Some 730 members and more than 1,100 persons attended the meeting, held at the Pembroke State University Performing Arts Center. Lillie Mae Brewington of Route 6, Lumberton won the grand prize of a \$200 credit on her power bill.

Lumbee River EMC holds its Annual Meeting each year in October as required by the Bylaws of the rural electric cooperative.

by Bruce Barton
PEMBROKE--Said an annual observer, "Finally, I saw a little bit of democracy in action." He was referring to a motion presented by this writer and adopted by the membership at the annual meeting of the Lumbee River Electric Membership Corporation Tuesday night at PSU's Performing Arts Center.

The motion read, "that the membership go on record recommending that the board of directors of Lumbee River Electric Membership Corporation open the meetings of the rural electrification co-op to any member who chooses to attend... subject to the provisions of the Open Meetings Laws of North Carolina."

After initial resistance from Bill Crisp, the lawyer representing the co-op and chairing the meeting, the resolution was passed unanimously by the membership. What it means is that the board of directors, if they listen to the consumers who elect them each year, will, at their next meeting probably, vote to open the

P.S.H.S. WARRIOR OF THE WEEK

by Steve Tynor

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The "Warrior of the Week" for the West Columbus game was Kenny Chavis. Kenny played a superb game offensively and defensively. Kenny caught 3 passes for 31 yards including one touchdown and a two-point conversion. On defense, Kenny had five solo tackles, four assists, and two interceptions.

wasted no time striking back. Four plays following the Viking kickoff (including a 37 yard pass completion to Steve Jacobs), Greg Smith dashed 19 yards for the Warriors' fourth touchdown and a 27-15 half time lead.

Continued Page 2

a Letter from a Pembroke 'Citizen'

The Town of Pembroke is caught up in the midst of an interesting and sometimes acrimonious municipal election.

Vying for mayor is incumbent Mayor James A. "Pete" Jacobs, former mayor Reggie Strickland, and Sam Dial.

Contesting for two seats on the council are incumbents Milton Hunt, Larry T. Brooks and challengers Harry Oxendine and Henry Smith.

In this issue of the *Carolina Indian Voice* we are printing a letter from Joel Garth Locklear who signs his letter, "a citizen."

It's a good letter and one useful for all Pembroke citizens to read and consider as they prepare to go to the polls to elect those who will represent them for the next few years. See the letter on Page 4.



Lillie Mae Brewington, left, shown receiving grand prize of a \$200 credit on her power bill from an LREMC staffer.