DOUBLE VOTING BROKEN!

APPEARING MAY 1, 1975

The question "Have you heard from the suit to break double voting?" had become a form of greeting between Indians and friends of Robeson County. Instead of saying "How are you?". you heard from the suit to break double voting?" And from January 9, 1975 decided the answer was "no."

for the Fourth Circuit sitting in Richmond. Virginia has changed all that. The court ruled April 23, 1975 in a unanimous decision that Double Voting as it has been practiced in Robeson County is unconstitutional because it dilutes the vote of the county residents of the Robeson County School Administrative Unit.

The three judges (Winter, Craven and Butzner) with Judge Harrison L. Winner writing the decision declared that. . . "the votes of the residents of the county school board geographic area are unconstitutionally diluted in the election of the seven members of the county school board which the law directs to be elected on the combined votes of county and city voters. . ."

matter back to the district court with the Robeson County Board of Education

instructions to enter . . . "a declaratory judgment in accordance with the views expressed herein. We leave to the district court, in the exercise of its sound discretion, the fashioning of Indians would say, in greeting, "Have other relief, Ultimately the formulation of a constitutional method of electing members of the Robeson County School until April 23. 1975 when the suit was Board is the perogative of North Carolina. That opportunity should be afforded. The district court may well But the United States Court of Appeals conclude to withhold further relief at the present time if an election is not i mminent and if there is a likelihood that exercise of North Carolina's perogative will be forthcoming.

> "Double voting" is the practice in Robeson County whereby residents of Robeson County's five city units may vote for the membership of their own respective boards of education as well as for the make up of the Robeson County Board of Education. City residents have a "double vote." Conversely, until the appeals court ruled on the matter, residents within the geographic confines of the Robeson County Administrative School Unit (mostly Indian) could not vote in the election of the city school boards.

The nefarious practice, in times past, The court of appeals remanded the had meant that the membership of the

seldom forthcoming for an Indian or ing of other appropriate relief." Black candidate for the Robeson County Board of Education.

The Robeson County Board of Eduation has never had an Indian chairman those who sued the Robeson County of the board of education and/or an Board of Elections in the matter ex-Indian superintendent of the county pressed pleasure at the ruling of the Assembly passed a law in 1973 all Indians in the county on a class and the board of elections in defending declaring that four members of the county residents only few Indians or Blacks could be elected to the board of education. To our knowledge, until the Indian Organization and the Task Force county residents only. . .two Indians in assistance from Adam Stein. The suit the history of Robeson County had been was sponsored by the North Carolina elected to the school board in the history Civil Liberties Union. And the N.C. of the county.

Judge Algernon Butler, in the Eastern District Federal Court in Fayetteville, where the double vote suit was originally

was made up of mostly White mem- "We reverse the district court and the fortitude to see the suit through." bers. Indians and Blacks could not be remand the case for the entry of elected without the city vote which was declaratory judgment and the fashion-

The Indians were happy indeed! All school system. Until the N.C. General appeals court. The Indians who sued for action suit were: Janle Maynor Lockboard of education would be elected by lear, James Earl Brooks, Marie Locklear, Curley Locklear, Kever Locklear, Brenda Brooks, The Eastern Carolina general assembly ruled on the matter of to Break Double Voting. The principle the four members to be elected by attorney was Barry Nakell, with able League of Women Voters filed an affadavit as a friend of the suit.

filed had declared in a ruling that . . "a Said Barry Nakell, in a telephone compelling state interest justified par conversation, "above all else we ought ticipation of city board residents in the to give credit to Dexter Brooks. a election of certain board members. . ." Lumbee Indian who is attending law That ruling was appealed. But the school at the University of North appeals court ruled emphatically that Carolina in Chapel Hill. He did out-"WE DISAGREE." And further said standing work in the litigation and had

DAVID R.

GREEN

Nakell also said, "I think the decision opens up the exciting prospect of giving the Indians of Robeson County fuil opportunity to participate in the running of their own schools."

In area news reports local officials in Robeson County have been quoted as saying no challenge has been decided on concerning the outcome of the suit. W. Earl Britt represented the county the suit. Reports have it that a test of the suit might be discussed at the next meeting of the Robeson County Board of Elections. Said one prominent Indian. 'I am sick and tired of paying the bills for kicking my own self in the rear end. The taxpayers have been taxed enough. Every time they defend one of their racial schemes like double voting, the Indian and Black have to help pay for it. I think the suit has been tested enough. It is time now to get on with the business of providing an education for all the children of Robeson County."



SIMEON OXENDINE



ROBERT (BOB) MANGUM

August 19, 1976



LILLIAN FAYE LOCKLEAR



HARBERT MOORE









LAYMON P. LOCKLEAR

Indians Capture Voting Majority on County School Board

The new political game in town is crazy or simply new to the area. Waiting third and two Blacks and a white were named "Waiting on Pembroke," Pembroke was the last precinct to report in balloting Tuesday. They reported at approximately 6 a.m. Wednesday morning. The radio broadcasters groused and one said, apparently in a fit of pique, "Seemingly Pembroke is inscri-bing its ballots in mortar and sending them to Lumberton via donkey back... Later the same broadcaster, who was unidentified said, "Well, we'll go ahead and give the totals...the figures should not change appreciably. We're not oing to wait on a few stragglers."

for Pembroke made all the difference in the world. Before Pembroke's totals new totals showed 6 Indians, 2 whites were announced, the Robeson County and 1 Black on the list of nine. School Board race showed incumbant Shirley Britt leading the ticket and a possible three whites, three Blacks and three Indians on the top of the electoral list. It was not to be.

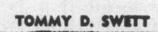
When Pembroke's totals were announced, the school board tally was shuffled considerably. Adding Pembroke's totals, Ralph Hunt, formerly a principal at Fairgrove School, was Either the radio broadcaster was sitting atop the list. Britt had fell to

nudged out of the top nine slots. The

Leading the ticket with an unofficial 3655 was Ralph Hunt. Tommy D. Swett was second with 3589. Following in positions of 3-9 were Shirely Britt 3314; Sim Oxendine 3249; Harbert Moore 3043; Lillian Faye Locklear 2986; Bob Mangum 2958; Laymon Poe Locklear 2986; David Green 2855. Said one punster, "What a difference a precinct



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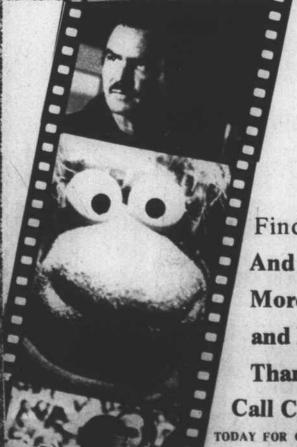
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