

First War Dead

Kluxer Killed

Hearings End In Law Schools Case

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Man Shot Wearing Police Garb As KKK Marches



Durham citizens joined the Durham Press Club in honoring Attorneys M. Hugh Thompson and J. H. Wheeler at the Press Club's first annual "Page One Awards" program held Monday night at the local W. D. Hill Community Center. Attys. Thompson and Wheel-

er, counsels in the recently concluded local school discrimination case, were presented with twin gold plaques and a citation which praised the men for "meritorious community service."

Winifred Martin, one of the plaintiffs in the case, and also son of civic leader D. B. Martin, is shown above reading the citation to the two Attorneys, Wheeler at left and Thompson right. In the background is shown a portion of the crowd which came to applaud the attorneys for their unselfish community service.

Conway, S. C. — A Ku Klux Klan member who was also a member of this city's police force was shot and killed last Saturday night when the hooded riders of the night marched on the Negro community near the resorts of Atlantic and Myrtle Beach.

Conway police officer John D. Johnston was killed when a pitched battle, described by United Press reports as being "300 shot gun battle," erupted between about 25 car loads of Klansmen staged a parade on the Negro resort area referred to as "Nigger Hill" by some and "Happy Hill" by others.

Charlie Fitzgerald owner of the Negro night club, who when the Klan paraded earlier in the night, around 8 o'clock warned law enforcement officers and the Klan that violence might break out if the Klan marched on the area again, is being held at an open charge.

Conflicting reports as to the dead man's status also were circulated throughout the investigation of the affair. Johnston was recently elected magistrate, and was to have taken office next March.

Immediately after the fatal shooting of Johnston, one South Carolina patrolman, who remained unidentified, said that Johnston was slain "in a bout with robed and masked men." Although town officials refused to comment on Johnston's affiliations with the Klan, he was wearing a white robe over his police uniform when he was shot to death. Mayor A. C. Thompson would not discuss the situation and Police Chief H. D. Baker said that he was unaware that Johnston was a member of the Klan.

Coroner John S. Dix said that Johnston died from a .38 calibre pistol bullet which entered the left shoulder and passed out of the body through the right collar bone. Typical of the confusing reports coming out of the investigation of the affair was the one stating that Fitzgerald had been wounded in the foot in the gun battle and another (Please turn to Page Eight)

Dedicate New Church



Shown in the above photo are officers and a group of members of the Pleasant Grove Baptist Church of Wendell standing on the steps of the new church building which was dedicated last Sunday. The photo was taken directly after

the morning service at which Rev. W. E. Wimberly, retired minister of Tarboro, delivered the principal message.

Pleasant Grove's pastor, Rev. George S. Stokes is shown fifth from left in the front row.

Wendell Church In New Plant

Wendell — Formal dedication services for the new Pleasant Grove Church building were held here last Sunday.

Guest speaker for the morning services dedicating the opening of the new \$25,000 church building was Rev. W. E. Wimberly, retired minister of Tarboro.

Rev. C. H. Heath, pastor of New Bethel, Mt. Pleasant, Four Oaks and the Good Samaritan Churches, delivered the message at the afternoon service.

J. C. Cobb, principal of the Wendell high school, spoke briefly during the morning service, and C. W. Hinton, contractor for the new building, spoke during the afternoon service.

Special music for the morning service was rendered by the massed junior and senior choirs of Pleasant Grove. Choirs from New Bethel, Lee's Cross-Baptist Churches render music roads, Riley Hill and Wendell at the afternoon service.

Speaking on the subject: "My House Shall Be Called The House Of Prayer," Rev. Wimberly expressed admira-

tion for the progress which the church had made, and urged the members to continue to support their pastor.

Rev. Wimberly asserted that the church must grow by the Holy Ghost, and reminded the church to always put Jesus first.

Rev. Wimberly was introduced by Pleasant Grove's pastor, Rev. George S. Stokes, who has pastored at Pleasant Grove for three years. Rev. Stokes, entered the ministry in 1930, has pastored at the First Baptist Church at Bailey, Mt. Sinai at Murfreesboro, the First Baptist Church at Seaboard and he presently serves at the Riley Hill Baptist church of this city; Friendship Chapel, Wake Forest; and the First Baptist Church, Garner.

Rev. Stokes succeeded Rev. H. D. Eaton at Pleasant Grove. Rev. Eaton held the pastorate for ten years.

The history of Pleasant Grove, which now has a membership of approximately 500, dates back to the ante-bellum period when slaves held a secret prayer meetings. After the Emancipation, a former slave-

owner gave this prayer band a small plot of land of which was built a combination church-school building.

A new church building was erected which served as Pleasant Grove Baptist Church until 40 years ago when it was razed by fire. Then a wooden frame building, which until three weeks ago was the present Pleasant Grove Church building, was erected.

The church has had six pastors in its almost 80 years of existence. Rev. Andrew Pierce was the first pastor. In order after Rev. Pierce were Revs. Blake, A. T. Price, Henry Hoskins and H. D. Eaton.

Today Pleasant Grove boasts of nine auxiliaries including eight departments into which the church is divided. Morris Smith serves as chairman of the Deacon Board, while B. J. Bullock chairmans the Trustee Board.

Deacons board members are: B. J. Bullock, Rody Perry, Thomas Harris, J. E. Perry, Jake Harris, David Strickland, (Please turn to Page Eight)

Hearing Set For "Seven"

Richmond, Va. — September 5 was the date set for arguments on a petition for writs of habeas corpus for the "Martinsville Seven" to be heard by Judge Ray M. Doubles in Hastings Court, Part two.

The seven men were saved from death a few weeks ago by Attorney Martin A. Martin of this city who filed petitions for writs of habeas corpus a few scant hours before four of the men were scheduled to be executed.

The men have been convicted and sentenced to die for the rape of Mrs. Ruby Stroud Floyd, 32 year-old wife of a white Martinsville merchant.

Four stays of execution have been granted the men since their sentence.

The men were scheduled to die in the electric chair July 28 and the other three were to have been electrocuted August 1, but stays of execution were automatic when the NAACP lawyers filed petitions for writ of habeas corpus.



Principals in the history-making suit brought by a group of North Carolina College Law school students seeking admission to the University of North Carolina are shown in the above photos. Judge Johnson J. Hayes presided over hearings of the suit this week in Federal District Court. At top legal brains handling the defense for the State are shown in conference. Left to right they are former U. S. Senator William B. Umstead, State Attorney General

H. T. McMullan, L. P. McLendon, Harold Moody, W. F. Brinkley, and J. C. B. Ehringhaus.

Shown in the center photo are two of the plaintiffs' counsels talking with State Attorney General McMullan. At left is Robert Carter, Attorney of New York and center is Attorney C. O. Pearson.

In the bottom photo the two deans of the Law schools in question and North Carolina

College's president are shown looking over data presented in the case. Left to right are University of North Carolina's Law School dean H. F. Brandis, who testified during Monday's hearing; North Carolina College's President Alfonso Elder, who took the stand during Wednesday afternoon's session; and North Carolina College's Law school dean Albert A. Turner, who also testified during Monday's hearings.

Lt. Joyner Is Durham's First Killed In Action

The Korean war, heretofore something more or less a topic of conversation for folks to read about and discuss, struck closer here when news was received last week from the Defense department that First Lieutenant Theodore R. Joyner, 21 year-old lad of 806 1-2 Glendale Avenue died Aug. 20 from wounds received in battle a-

round Taegu.

Young Joyner is the first Durham native to be reported killed in action, although several men in this area have been listed as missing or wounded.

The young officers enlisted in the Army in 1947 upon graduation from Hillside high school where he left an enviable scholastic record. He had been

with the United Nations forces in Korea one month before his death. Young Joyner was assigned to the crack 24th Infantry Division which was reported engaged in bitter fighting around Taegu.

Lt. Joyner, well-liked among local circles, is survived by his parents, five sisters, one brother, one nephew and a niece.

Citizens Honor Lawyers In Equal Schools Case

A capacity audience of appreciative Durhamites enthusiastically applauded Attorneys John H. Wheeler and M. Hugh Thompson here at the W. D. Hill Recreation Center Monday night as they received the Durham Press Club's first annual "Page One Awards."

The local lawyers, who were plaintiffs attorneys in the Durham School Equality suit, were awarded citations and gold plaques "for meritorious community service."

Winifred Martin, young son of Dan Martin, well-known local political and business figure read the citations and L. E. Austin, president of the Press club, awarded the plaques.

Among the highlights of the night's program was the recognition of Fred Pratt, local labor leader, who contributed a week's salary to the campaign. Speeches by the honorees and

by the father of Mr. Wheeler followed.

N. B. White, Service Printing Company executive and a key figure in the planning and Mrs. Wheeler, were also given special recognition.

In setting the stage for the presentations, Press Club Secretary Charles A. Ray, who presided, pointed out the historic implications of the initial awards program. "At the middle of the 20th century we of present day Durham pay humble tribute to our heritage from our famed predecessors in this community. Our tribute, however, in deference to the vision of those whom we follow, makes it imperative that we interpret intelligently and on a community-wide basis the aspirations of our people now—all of our people."

"Tonight," Ray went on to say, "we honor two men who

in the past year have done most to symbolize the aspirations of those of us here and of the aspirations for equality of opportunity for our children of tomorrow."

Invocation for the ceremony was given by the Rev. D. A. Johnston, pastor of the Saint Joseph A. M. E. Church. Benediction was pronounced by the Rev. Harold Roland, Pastor of the Mount Gilead Baptist Church. Refreshments followed the services in the foyer of Recreation Center. Hostesses were Mrs. L. E. Austin, Mrs. C. R. Stanback and Mrs. A. M. Rivera, Jr.

Thompson and Wheeler in acceptance speeches praised the cooperative spirit of Durham's citizenry. As the local lawyer who initiated movement for equal salaries for Negro teachers, Thompson pledged himself

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Epps, Glass Out; Both Sides Finish

BY L. E. AUSTIN

With some of the best legal minds in the State to assist him, Attorney General Harry McMullan of North Carolina is fighting a grim battle here this week to hold the line of segregation against four Negro students, seeking admission to the University of North Carolina Law School at Chapel Hill.

The case is being heard before Judge Johnson J. Hayes in Middle District Court. Arrayed on the side of the State is Attorney-General Harry McMullan, Attorneys L. P. McLendon, William B. Umstead, Harold Moody and J. C. B. Ehringhaus, Jr.

Representing the plaintiffs are Thurgood Marshall, Robert A. Carter, New York; Spottswood Robinson, Richmond and C. O. Pearson, Durham.

An array of expert witnesses were presented Monday, Tuesday and Wednesday by both the plaintiffs and defense. Among those appearing for the plaintiffs were Dr. James Nabrit, Secretary and Professor of Law at Howard University in Washington, D. C.; Dr. Malcolm Pittman Sharp, well-known economist and Professor Chicago and Dr. Erwin N. of Law at the University of Griswood, Dean of the Harvard Law School. All three testified that the law school at the University of North Carolina was far superior to the law school at North Carolina College.

Appearing for the State was Dr. John G. Hervey, advisor to the Council on Legal Education of the American Bar Association. Dr. Hervey stated that the law schools were "substantially equal." He further stated that in some instances he found the law school at North Carolina College "superior" to that at the University of North Carolina.

President Elder Testifies Probably the most pathetic figure to appear as a witness during the entire trial was President Alfonso Elder of North Carolina College. Apparently attempting to make secure his job as president of N. C. College, President Elder, in answering questions directed at him by counsel for the plaintiffs, indulged in long extraneous diatribes in which he neither lied nor told the truth about the North Carolina College Law School. President Elder appeared to be a fit subject for J. Saunders Redding's recent book "Stranger And Alone."

Claims 100,000 N. C. C. Alumni When questioned by Attorney Marshall as to the number of alumni of N. C. College that might be scattered over the country, President Elder replied that there were about 100,000. When it was suggested by Attorney Marshall that the

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Ushers Keep Most Of Old Officers

Fayetteville — The 26th annual meeting of the Interdenominational Ushers Association closed here Sunday afternoon with the annual sermon being preached by the Rev. Marvin L. Williams pastor of Mount Sinai Baptist Church of Fayetteville.

According to reports from heads of all departments, this year's annual meeting was the largest and most successful in the history of the Association. Check Presented Orphanage Following the sermon Sunday morning the Association presented a check to the Oxford Colored Orphanage for \$1,328.82, and awarded a total of 16 scholarships to worthy students.

All of the sessions were presided over by President L. E. Austin of Durham and Vice-President C. A. Langston of Raleigh with the exception of (Please turn to Page Eight)