

\$100,000

Mann Film Laboratories
740 Chatham Rd.
Winston-Salem, N. C. 7/20/Comp.

Suit Filed Against Durham Sheriffs In Brutal Beating Case

Dr. HUBERT A. EATON FOUND "NOT GUILTY"

Three Claims Listed In Charges Brought By Bahama Citizen

Edward D. Evans filed a suit for \$100,000 Friday in U. S. Middle District Court naming Deputies Melvin Jones, Isaac Jacobs, Sheriff Jennis Mangum, a bonding company and its agent as defendants.

A resident of Bahama, Evans charges the deputies came to his residence last Jan. 25, forced him into their official car, took him to Jacobs' home, struck him in the stomach, and broke him arm. In the suit Evans states he was never charged with any crime, and he was deprived of his rights as specified in the Constitution.

The suit alleges that after the officers took Evans to Jacobs' home, they went to the back yard of the house and a white woman came to the door and said, "He had on glasses and a cap, and went back into the house. It was then, Evans claims, that Jacobs struck him in the stomach with the night stick and again on the left forearm. The blow on the arm broke the bone in that arm, the suit states.

Immediately after the incident, Evans was examined by a physician at Duke Hospital who confirmed that the arm was broken. Evans who is 43, told the Carolina Times shortly after the incident that after he was struck by Jacobs, Jacobs said to him, "You damn nigger, if you run I will kill you. I have a great mind to kill you and put a knife in



EVANS

your hands." Evans also said he had known Jones 14 or 15 years but had never seen Jacobs before.

One claim of the lawsuit asks a judgment of \$20,000 plus and \$20,000 punitive damages. A second claim, stating the law officers sought to deprive Evans of his rights asks \$20,000; and the final claim requests \$20,000 general damages and \$20,000 punitive damages from Jones and Jacobs as a separate action.

Evans says that after the incident the deputies drove him back to his own residence.

The Carolina Times

THE TRUTH UNBRIDLED

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Miss. Negro Freed On Charges Of Possessing Two Cans Beer

Serves 2 Months Of Ninety-Day Jail Sentence

NEW YORK—Jack Greenberg, director counsel of the NAACP Legal Defense Fund Friday announced that Clyde Harvey, Mississippi Civil Rights supporter, has been freed from jail.

Harvey had served two months of a 90-day term for possession of two cans of beer, Mississippi is a "dry" state.

Pending decision of the case, Chief Judge Elbert P. Tuttle of the U. S. Court of Appeals for the 5th Circuit ordered Harvey's release on bail. Federal District Judge Sidney Mize had denied Legal Defense Fund motions on Harvey's behalf on October 14.

Harvey, an illiterate farmer and father of 6, was arrested on July 10, released on bond, and told by a local judge he would be informed of further proceedings. Then on September 9, he was re-arrested and told he had been convicted on July 3 and sentenced. See **NEWS**, page 4A



NCC Moot Court Team Semi-Finals Winner at Duke

The moot court team of North Carolina College's Law School defeated the University of Richmond in the second round of the Southeastern Regional Moot Court Competitions held at Duke University Friday and Saturday of last week.

The NCC team, consisting of Frank W. Ballance, John Harmon, and Eric Michaux, lost in the fourth round semi-finals Saturday to the University of Virginia team. NCC's Ballance, however, received the judges' award for the best individual presentation in the fourth round of arguments.

Duke University, first place winner, and the University of Virginia, second place winner, will represent the Southeastern Region, which includes law schools in North Carolina, South Carolina and Virginia, at the fifteenth annual competitions in New York in December.

Lemarquis DeJarmon, associate professor of law, is advisor to the NCC group.

"MISS A. AND T. ALUMNI"—Mrs. Margaret H. Pennix, a Greensboro homemaker, is crowned "Miss A. and T. Alumni," the winner in the national fund-raising project sponsored by the A. and T. College General Alumni Association for the benefit of its scholarship program.

Mrs. Mary Bragg, also of Greensboro, retiring "Miss A. and T. Alumni," places the crown.

The event was the annual homecoming ball, a part of A. and T.'s homecoming celebration last week.

Wilmington Physician Cleared of Charges In Alleged Abortion Case

By T. C. JERVAY
WILMINGTON—Dr. Hubert A. Eaton, prominent physician and surgeon of this coastal community and nationally-known civil rights leader, won complete vindication of the second-degree murder charges, for which he was being tried, when Thursday Superior Court Judge William J. Bundy dismissed the charges as he ruled the state's evidence against Dr. Eaton was insufficient to send the case to the jury.

Dr. Eaton was being tried for the death of Miss Alma Jenita Frederick, 30-year-old Kenansville, librarian who died in the doctor's office July 30, 1963. The body was exhumed five months later in December, 1963, but it was not until August of this year that Dr. Eaton was indicted by a New Hanover County jury, without benefit of a defense of himself.

Dr. Eaton had listed cause of Miss Frederick's death as anaphylactic shock from penicillin. The state, however, sought to prove that death resulted from pulmonary embolism as a result of a foreign substance being inserted into the uterus in an attempt to cause an abortion.

The state based its case mainly on the testimony of Dr. George Lumb, pathologist at James Walker Memorial Hospital, which is under Federal Court order to integrate its facilities and admit Negro physicians. Dr. Eaton and a group of two fellow-physicians initiated the suit which has set a legal precedent which influenced major changes in the interpretation of the Hill-Burton Act.

Dr. Eaton's legal battery of three, had one prospective juror disqualified when the man said that he formerly held membership in the KKK, and that Dr. Eaton's civil rights activities would pre-

Continued 2B, Second Sec.



DR. EATON

REV. MOSBY'S SON GETS \$17,000 JOB IN HARYOU PLAN

NEW YORK—Milledge Mosby, a retired Air Force major, has been appointed controller of the HARYOU-ACT program effective Nov. 1. Mosby, 42, is the son of the Rev. Tallye Mosby of Durham, and will receive a salary of \$17,500 per year.

A former chief procurement officer for the Air Force for the entire Eastern Seaboard area, Mosby will oversee the agency's funds which are expected to top \$117 million over the next several years. The HARYOU-ACT program works with poverty-stricken families and youths with problems in Harlem.

Mosby is considered a top-flight fiscal officer and was working in that capacity in New York before joining the agency. He retired in January of this year after 22 years' military service.

Mrs. E. D. Koontz Founder's Day Speaker For Tau Gamma Delta

Plans are being formulated for the annual Founder's Day observance of Tau Gamma Delta Sorority. At this time, the sorors are anticipating the interest of the Durham citizenry as they present Mrs. Elizabeth D. Koontz, newly elected president of the National Education Association of Classroom Teachers. Mrs. Koontz will be featured at the Founder's Day Banquet which will be held at the Holiday Inn at 7:30 p.m., December 2.

Prior to becoming president-elect of the NEA Department of Classroom Teachers, Mrs. Koontz served two terms as the Department's Secretary and one term as its Vice President. She is a former member of the National Commission on Professional Rights and Responsibilities, NEA. She is a NEA life member and is currently serving as Secretary of the investment corporation for the newly launched NEA Mutual Fund, Inc.

Mrs. Koontz's husband is a teacher. Her parents were both educators. One brother is a commissioner of the District of Columbia, a brother and sister are respectively president and registrar of Livingstone College; two brothers are elementary school principals; and another is on the staff of the



MRS. KOONTZ

Veterans Hospital in Salisbury. Lambda Chapter of Tau Gamma Delta is requesting that all interested persons please make reservations to attend the banquet by calling the home of Soror Evelyn M. Thorpe, 2524 Fayetteville Street, telephone 682-4731 no later than November 23. Sorors Thorpe and Elizabeth Tate are serving as chairmen of the Founder's Day observance and Soror DeNina S. Austin is publicity chairman.

5,000 Hear Dr. King In Plea For Continuance Non-Violence Program

Dr. Martin Luther King, Jr., president of the Southern Christian Leadership Conference, told a North Carolina College audience Friday evening that in a real sense, "the old order of segregation is passing away. The new order of freedom and human dignity is coming into being."

Addressing an overflow crowd of some 5,000 people at the public appearance in the college's gymnasium, the civil rights leader and 1964 Nobel Peace Prize winner spoke on the subject, "Remaining Awake Through a Great Revolution."

After the address, King was nearly mobbed by hundreds of wildly enthusiastic well-wishers—some who offered congratulations; some who sought autographs; and others who wanted to "just touch him."

Asserting in the speech that a great social revolution is taking place throughout the world, sweeping away an old order and bringing into being a new order, King discussed the emergence of new, independent nations of the world. A great social revolution, he said is taking place also in the United States. "The new order of freedom and human dignity is coming into being, and I have no doubt tonight about the fact that the system of racial segregation is on its death bed. The only thing that's uncertain about it is how costly the segregationists will make the funeral," he declared.

He suggested our things to be done by persons who would "remain awake through a great revolution."

(1)—"We must achieve a world perspective," he said, adding that



McKISSICK AT COVENANT



DALTON AT NEW BETHEL

McKissick and Dalton Men's Day Speakers at Local Churches Sun.

Attorney Floyd B. McKissick, National Chairman of the Congress of Racial Equality (CORE) will be the Men's Day speaker at Covenant United Presbyterian Church on Sunday, November 22, at 11:00 a.m. The Church is located at the corner of Lincoln and Massey Streets.

In announcing the program Dr. Elwood Boulware, an Elder at Covenant, stated, that Donald J. Dalton will preside at the morning services, Arthur Spears, Jr., will introduce Attorney McKissick. See **McKISSICK**, page 4A

R. W. Dalton, president of the Lott Carey Layman's League of the Lott Carey Baptist Foreign Mission Convention, will be the principal speaker on the annual Men's Day program at New Bethel Baptist Church, Sunday, Nov. 22 at 11 a.m.

A native of Statesville, Dalton holds a B.S. degree in commerce from North Carolina College, and prior to moving to Durham in 1948 was an ordained deacon at Central Baptist Church, Wilmington. He is presently manager of the

U. S. Supreme Court Gets Death Sentences Cases

Attorneys for Thomas Wansley have appealed his case to the U. S. Supreme Court even though Wansley's two death sentences have been voided by the Virginia Supreme Court of Appeals.

The Negro youth had been convicted here of raping a white woman who could not identify him and a Japanese woman with whom he said he had previous sexual relations.

One of his convictions was based on a confession which police said they obtained from Wansley after he was arrested as a suspect in the rape of the white woman.

The youth's attorneys are not satisfied with the basis on which Virginia's highest court granted him new trials and set aside the death sentences. Their aim is to set him free entirely instead of simply winning new trials.

"We are completely dissatisfied with the reversals handed down by the state court because they were granted on small technicalities," said William M. Kunstler, New York, one of Wansley's attorneys. He is working with attorney Kinoy and Len Holt, a member of the legal committee of the Southern Conference Educational Fund (SCEF), New Orleans.

"We are going to ask the U. S. Supreme Court to review complaints which were ignored by the state court," Kunstler explained. "In our appeal to the U. S. Supreme Court, we are contending that Wansley's confessions are not admissible in court because the woman who was assaulted was not even able to identify Wansley in court."

"The next time I come to Lynchburg it will be to get Wansley out of that jail. If the U. S. Supreme Court agrees to review the cases, I am sure that we will ask that Wansley be allowed bond."

The attorneys' unusual action— See **SENTENCE**, page 4A

\$50,000 Goal Set In Financial Campaign For Colored Orphanage

OXFORD—The annual statewide campaign for funds for the Colored Orphanage of North Carolina began on Nov. 15 and will continue until the holiday season. The goal has been set at \$50,000.

According to the Rev. T. H. Brooks, superintendent, the local phase of the drive will end with a program Sunday, Dec. 13 in the auditorium of the institution.

The orphanage, which at present has 146 children enrolled, receives a grant-in-aid of \$86,000 a year from the state and has an annual operating cost of \$150,000. The institution must therefore raise money with which to make permanent improvements, and to supplement its operating cost. One of the major needs at present, the superintendent states, is a recreation building.

During the past 13 years more than \$500,000 was raised from public contributions and spent to upgrade the orphanage's facilities. During this same period 11 students from the institution were assisted by the orphanage to complete courses of study above the high school level. At present five students are being aided under this program.

Campaign leaders in the local phase of the drive are: (Oxford and Granville County); the Rev. W. R. Walls, chairman; Roy Tyler, Edward Gregory, Rev. I. A. Friend, Dr. H. V. Hicks, Mrs. C. H. McGhee, Mrs. Florence P. Wil son, Rev. Frank Smith, Rev. L. M. Gooch, G. R. King, A. R. Dees, Mrs. Zethro Downey, Nathaniel Kinton, Mrs. Janie Green and Mrs. Annie Mae Jones.

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Church of God In Christ to Meet In Holy Convocation In Memphis

MEMPHIS, Tenn. — All plans have been completed for the Holy Convocation of the Church of God in Christ, which will convene here in Memphis, November 25 thru December 11 at Mason Temple, on Mason Street, which was named for our late founder, Bishop Charles H. Mason; Senior Bishop A. B. McEwen, Chairman of the Executive Board.

Senior Bishop O. T. Jones has requested all members of the Church to go into Special Consecration, of Fasting and Prayer, beginning Sunday, November 22 to Tuesday, November 24. The purpose of this consecration is to beseech the Lord for His help and guidance for the National Convocation, and for the Nation and the World at Large.

The high light of the meeting will be the consecration of Mrs. Annie L. Bailey who has been appointed to succeed the late Mother Lillian B. Coffey, and Dr. O. T.

Jones, Jr., President of the Youth Congress. Specially featured on Public Relations Night, December 5, will be the Massed Choirs of Illinois, and outstanding singers of the Nation. Speaker for the night will be Bishop A. B. McEwen, of Memphis. Also at 2 p.m. Saturday, December 5 — Memorial Service for the late founder, Bishop C. H. Mason and all the Saints who have gone to be with God.

Sunday, December 6 is Official Day; Message by Senior Bishop O. T. Jones. This day was originally known as Mason Day.

Monday night, December 7, Education night, Address by Dr. Arenia C. Mallory. Bishop J. O. Patterson, General Secretary of the International Body; Bishop L. H. Ford, Director of Public Relations; Bishop A. B. McEwen have met twice here in Memphis, working out special details. See **CONVOCAION**, page 4A

Asa T. Spaulding, Jr. Has Paper Published in Professional Volume

Asa T. Spaulding, Jr., Assistant Planning Director, North Carolina Mutual Life Insurance Company attended the 17th International Meeting of the Systems and Procedures Association held in Philadelphia, October 12-14, 1964. He delivered a paper at this conference which has been published in the organization's book: IDEAS FOR MANAGEMENT.

The aim of the association in publishing the volume is to present to the systems profession the most modern technique and practices, latest concepts, philosophies and innovations in the field.

The theme of the meeting was "Systems: The Soul of Business." "The SPA believes," states the manual's introduction, "the papers contained herein exemplify this theme and will provide a reference source for years to come to readers who want thought-pro-

voicing ideas in administrative, management and systems work. The subject of Spaulding's paper was: "Total Systems for the Insurance Company." Spaulding received his Bachelor's Degree in Business Administration from Morehouse College and has done advanced study at North Carolina College, Atlanta University and New York University. He has also completed training in systems and programming for several large and medium scale electronic computers. His professional experience includes assignments at Metropolitan and New York Life Insurance Company; United States Trust Co., and RCA, in its Electronic Data Processing Division. He also participated in the Signal Corps initial tactical ADP effort at the Army Electronic Proving Ground as chief of administrative services.

See **PAPER**, page 4A