
CONRAD PEARSON: Yeah. And if you'll hand me that... "William H. Hasty and the Vindication of Civil Rights." He had better records than I have. You'll find it in here.

WW: Is that also by Kluger?

PEARSON: No. That's by somebody at the *Howard Law School Journal*.

WW: Jonathan Rush.

PEARSON: Put my name and address on it and you can take that with you.


PEARSON: He has better records than I have. I lost all of my records.

WW: He was working mostly out of the NAACP files?

PEARSON: Yeah.

WW: Well, I'm interested, and they're interested in this oral history program in kind of the background—and maybe there are some things that people don't know, particularly about the community. Do you know how the case began? Who made the first move?

PEARSON: Well, I conceived of the idea when I was in Howard Law School.

WW: And that would have been when?

PEARSON: 1932. I graduated in 1932, and I took the bar in December of '31, and passed it. So I was lawyer in law school. So I conceived of it, and came back to North Carolina and talked about it. I had an associate by the name of Cecil A. McCoy.

WW: Where was he from?

PEARSON: He was from Durham, but I think he finished Brooklyn Law School. Somewhere in Long Island.
WW: How long had he been here?

PEARSON: This was his home.

WW: But I mean, how long had he been in the law?

PEARSON: I don't think he finished law school. I think he did enough to comply with the requirements of the North Carolina bar at that time.

WW: But he was a practicing attorney in Durham when you got out of law school?

PEARSON: Yes. And I discussed it with him, and he was for it. The next thing we had to do was find a plaintiff. And we went to the high schools and talked with the principals and tried to find out who the brilliant students were. And we went to all of their houses and they turned it down. They were afraid of reprisals. And Hocutt had worked in the drugstore for years. I don't know what his background was. I don't think he had anybody to help him or anything. And in the meantime he was going to school down here at the North Carolina College, at that time—it's North Carolina Central now. So he wanted to be a pharmacist. So we interested him in it, and we drew the complaint. 'Course a complaint drawn back in those days, lawyers would probably laugh at it now. The law has progressed so, since from that time. And we made a cardinal mistake because we should never have brought him in state court. Because the state court, judicially at that time, was committed to the status quo, and Jesus Christ couldn't have won the case if he had been the lawyer on the case. Well, it was radical in that no one had ever challenged the system of discriminating on the base of race in state institutions. And we found out from this law suit that you aren't going to win anything in the state courts. Because they could tie you up, and they could write a decision, and keep it balled up, and keep it from ever getting to the Supreme Court, you know. So we went back to the drawing board, and we came up with the idea of bringing all these cases under the Fourteenth Amendment in the federal courts.
And, of course, the federal courts are all subject to review. In the district court, everything he does he has to put it in writing. In the state court, what the judge does on the local level is not in writing. He delivers his charge to the jury, which is in writing. Then the thing caught fire. It made the national press and it caught fire. And cases began to spring up all over the country. That was the start of the Civil Rights Movement and desegregating the state-controlled schools where Negroes had traditionally been barred.

WW: Had you thought about other state institutions or public schools? What made you focus on Chapel Hill?

PEARSON: Well, I looked at the Miche Statutes of North Carolina, and looked at the constitution. And there was nothing in the constitution that barred blacks from the University of North Carolina. It said that the legislature is hereby empowered to constitute one or more universities for the training of the youth of the land. It didn't say anything about race or anything. But traditionally no Negroes had ever applied. And that was the basis of it.

WW: So, in effect, there was no Jim Crow law for the University.

PEARSON: It was custom and usage.

WW: Now, you had thought of this when you were in law school at Howard. And then when you came to Durham you got in touch with Cecil McCoy?

PEARSON: Cecil McCoy and I had adjoining offices. And we talked it over and he was for it. None of the other lawyers in town had ever thought about it or dreamed about it. After we started it, then they all wanted to get into it. And, of course, we wouldn't let them in. And it divided the town, because, you see, we were just emerging out of the Reconstruction period. And there had been riots in this state. The Wilmington Riot is well known. And the Red Shirt Movement was run by Josephus Daniels
the elder and Governor Aycock. Now whether or not they intended it to go as far as it did, I really don't know. But anyway, they used that issue to get control of the Democratic Party—to get the Democratic Party in control. And the Negro citizenry, who were close to the Reconstruction period, figured it was going to end up in riots like they had in Wilmington. So they tried to prevail to let the matter drop.

WW: Do you think that fear was real on the part of someone like C.C. Spaulding? Do you think he was really frightened?

PEARSON: Yes.

WW: What about Shepard?

PEARSON: Shepard capitalized on it. We talked with Shepard about it in confidence, and told him what we were going to do. And we pledged him to confidentiality and silence. And the next morning we woke up and the Greensboro Daily News had broke the story. And it was a fellow that worked for the Daily News--I can't recall his name--but he worked for the Daily News back at that time. He was a special writer for the Greensboro Daily News. I think he was on Dr. Shepard's payroll--a P.R. man with him, dealing with the legislature. And after he broke it, then we went to the Morning Herald and told them if we were going to break the story, we would have told them about it. But Dr. Shepard had broken it without our knowledge. And the editor was enraged, not at the story being broke, but the fact that we were bringing the law suit. He said, "As far as I'm concerned" (as I recall, the editor said), "all of you can go back to Africa. It'd be better off for the country." He wrote an editorial: "Playing with Fire."

WW: What was this man's name? Was this Council?

PEARSON: I don't know what his name was. He was the Morning Herald editor.
had

I guess they've a half-dozen editors, or a dozen editors since that time.
I don't know who he was. I don't think it was the owners, the people who
owned the Morning Herald. I think they had these other people working
for them. And the case was filed.

WW: Now, this was when it was filed as a federal case, you're talking
about?

PEARSON: No, filed in the state. And the judge said he would hear it,
but he thought we were making a mistake, and that in his practice, he would
rather have a case where a Negro was suing a white man because, you know the
old Southern idea of an aristocrat looking after the well-being of a Negro.
His name was Barnhill. And we wrote to the NAACP and asked them for help;
and they sent Bill Hasty down. Bill Hasty had already graduated from
Harvard in the first tenth of his class, and was considered very brilliant,
a legal scholar. He'd gone back to Harvard to get his S.J.D., and he
was working on his S.J.D., and NAACP sent him down. He was really a
brilliant man, no question about it, a scholar. And he amazed... The courthouse was filled. And his performance just amazed the people;
they hadn't ever seen anybody as brilliant as he was. And his colloquy
with the judge and so forth, and how well-mannered he was, soft-spoken,
no anger. He made quite an impression. And, in fact, it was the start of
his career. He later became a solicitor in the Department of the Interior
under Ickes. And I think he became an aide to someone during the war.
And I think he went to the Virgin Islands as a district attorney, U.S. district
attorney, and later became governor of the Virgin Islands. After that I
don't know whether he became a district federal judge—I think he went directly
to the Second Circuit, which includes Philadelphia and New York and so forth.
And he had quite a career, made quite a reputation as a legal scholar.

WW: Did he see this as a case that could be won, do you think?
PEARSON: I doubt it, because he didn't think that we should appeal it. He didn't think that we had laid the proper groundwork, and didn't think that the Supreme Court was ready to hear a case of that sort. It would have been interesting if the case had gone to the Supreme Court of the United States, to see what they would have done. Because they had Plessy v. Ferguson before them, which grew out of whether a man could be segregated on a boat. And they had said that he could. Then they went into the field of education. It would've been interesting, historically, to know just how they would have acted on it. But after we got into the federal courts, we began to get relief, and cases sprang up all over the country. No one had ever thought about challenging the state. Maryland had a dual system, and Delaware, Texas, Kansas, North and South Carolina, Virginia—all had dual systems. And there was no black university in the whole South. It isn't to this day that is supported by the state. This doesn't speak well, does it, well of the separate but equal doctrine.

WW: This did not get beyond, then, the state level?

PEARSON: No. Now, the Hocutt Case, we didn't appeal it. We went back to the drawing board, and decided that all cases of this nature, we would bring to the federal court. And we began having some success in the federal court. Then some of the states started setting up separate law schools, to keep Negroes out of the white law schools. Texas set up one; North Carolina set up one; I don't think Virginia set up one. I think Texas set up an elaborate law school to keep Negroes out of the University of Texas.

WW: This was what, Texas Southern?

PEARSON: I forget the name of that school now. I don't know whether it's in operation now. South Carolina set up one; Florida set up one. But I think they eventually closed the school in South Carolina and Florida.
And I think the school in Texas has been closed. Then North Carolina Central. And there's another one called Southern, I think, in Louisiana that's still operating.

WW: Did you think that the NAACP, in part, had this in mind as a short-run gain? That is, if you couldn't integrate an institution like the University of North Carolina that you might get separate professional schools?

PEARSON: That was probably the idea at that time; they wouldn't support that idea now.

WW: Do you think Hasty was aware of that?

PEARSON: He wouldn't have supported that idea. I don't think, in my judgment.

WW: What about the NAACP in general, the office, Walter White?

PEARSON: I don't think they would have either. At the same time, suits began to spring up on two issues. On the Plessy v. Ferguson, the separate-but-equal doctrine, they started bringing in law suits to force the state to equalize the schools. And that went along for a long time. And the next thing was the salary schedule. They paid white teachers in the public school system one salary, and Negro teachers a lower salary. And then Virginia brought a suit and the courts forced the state of Virginia to pay the same salary. And North Carolina did so without a law suit, because they knew that they couldn't win, so they went on and equalized the school teachers' salary.

WW: You don't think that the NAACP might have used this threat to have integration when they didn't think, perhaps, it was possible to get these lesser demands, such as equal teacher salaries?

PEARSON: I don't think it was part of that policy then. Do you remember Judge Waring in South Carolina, who ruled in favor of the NAACP on a case
there in South Carolina? He was a federal district judge. I think he suggested to Thurgood Marshall that they should stop bringing these separate-but-equal equalization cases, and argue that discrimination is inherently wrong. And the NAACP changed its policy, and then they filed the suits, and that's where Brown was born. And this judge, when that case was brought in South Carolina—it was a three-judge court as I remember—and he voted that Plessy v. Ferguson should be overruled, and discrimination inherently was wrong. And you'd have to integrate the schools. I think it was two-to-one, or something like that. But he incurred the wrath of the people in South Carolina. And I think when he lost all of his friends he eventually, I think, left and went to New York to live. I think his name was Judge Waring.

WW: This was what, in the forties? This was long after the...
PEARSON: That was the forerunner of Brown.

WW: There was a time, then, after the Hocutt case, when the NAACP was arguing for equal salaries and that sort of thing?
PEARSON: Now, see, first you had the Hocutt case. It awakened people to the idea that state schools should be open to everybody. And you had a slew of cases on that issue. Then you had Plessy v. Ferguson that said you can have separate schools, but they had to be equal. And you had a slew of law suits to equalize the schools. Then you had Brown to come along next. But that idea was generated, as I understand it, by Judge Waring, who was a United States district judge. He planted the idea in Thurgood Marshall's head. And the NAACP changed its policy.

WW: What about the Gaines' case? Was there any relationship between Gaines and Hocutt?
PEARSON: Gaines grew out of the Hocutt case. Gaines came way after the Hocutt case.
WW: Yes, that was what, 1938?

PEARSON: Yes.

WW: Well now, to back up a moment, there's some interesting local history. We were talking about Dr. Shepard and his motivations. What do you think were his motivations?

PEARSON: He capitalized on it to get, I think, the state to pass a statute to allow him to have a school of pharmacy. And he also got a school of law out of it. He capitalized on it. He wasn't in sympathy with it at all. The weakness in the Hocutt case was, under the rules of the University of North Carolina—and I guess all the schools—is that when you apply, your record has to be sent up from the school that you last attended. Dr. Shepard wouldn't send his record over there. So we had Hocutt to go over to Dr. Shepard to get his record. And Hocutt sent it over there himself. But that didn't comply with the rules of the University, which left a hole in your law suit.

WW: Is that the technicality that it was thrown out of court on?

PEARSON: That was one of the reasons. And the next was that the judge said that he didn't think Hocutt was qualified. Yet, all you needed at that time to attend the School of Pharmacy at the University of North Carolina was be a high school graduate.

(telephone call for Mr. Pearson—break in interview)

WW: So you're saying that Shepard had these motivations to capitalize on it, and you think that he got a law school and a pharmacy school.

PEARSON: The pharmacy school never developed, but the law school did. And he got money for capitalization, new buildings and things of that sort.

(telephone call interruption)
PEARSON: is get one from Durham.

WW: That was the first report on the case, from the Greensboro Daily News?

PEARSON: Let's see if we can find out when the case was filed.

(break in tape)

PEARSON: ... to do some research for them. And as a result of this research, some fella that died left his son a large amount of money. His son was kind of eccentric and he turned the money over to the NAACP. I think his name was Garland(?). And they were using these funds to research the whole educational system, just to find out approaches to bring about change. And that's why Charlie Houston, who was the Dean at the Howard Law School—and Hasty was his cousin. They both went to Amherst, they both went to Harvard, and they both were brilliant people. And that's the way Hasty got involved. When the Hocutt case came into being, Charlie Houston was tied up. So Walter White sent Hasty down. That was the beginning of Hasty's career. But I'd be anxious to see if you get those articles from the Morning Herald and the Greensboro Daily News, I'd like to have a copy of it myself. You see, that would give whoever's going to write about it, the attitude of the status quo people. Because the newspapers would certainly reflect the opinion of the majority.

WW: You feel satisfied that it was Dr. Shepard who broke it to the Greensboro Daily News?

PEARSON: Oh, yes. He had an angle for doing it.

WW: Is it possible that the case could've gone any further had he not sabotaged it?

PEARSON: If Dr. Shepard hadn't sabotaged the case, we would have had a stronger case to carry to the Supreme Court. Supreme Court of the State of
North Carolina—they could easily say, "Well, you've met all of the requirements except one. You didn't follow the rules of the University of North Carolina, so you're not entitled to any relief."

WW: What was Hasty's advice on this?

PEARSON: That we not appeal. That we go ahead and start working out procedure to get these cases in federal court. Because you're not going to get any relief from the state court. It was like Brer Rabbit: don't throw him into the briar patch. They'd welcome all the cases into the state courts.

WW: What was Hocutt's feeling about this?

PEARSON: Hocutt would have done anything that we suggested that he do.

WW: You had actually selected him personally?

PEARSON: He was the only one we could get.

WW: But you and McCoy had gone to Hocutt and actually interviewed him and said, "Would you do this?"

PEARSON: Yes. We had tried a whole lot of students besides Holcutt, but Holcutt's the only one who would agree to be a plaintiff. And Dr. Shepard brought James T. Taylor, who was on his faculty but was studying at Ohio State University. He brought him back. And A.E. Elder, who later became President after Dr. Shepard. And they did all they could to get Holcutt to withdraw. But Hocutt wouldn't withdraw.

WW: Was Hocutt hopeful? Did he really think he might be admitted? Or did he see this as a kind of test?

PEARSON: I think he wanted to be a pharmacist, and I guess he figured if we could get him in, that we could raise the money to pay for his schooling over there, but he ended up going to New York and he became some sort of supervisor in the subway. He died about a couple of years ago.

WW: He never did go on to graduate school?

PEARSON: No. He was very proud of his contribution. Evrytime he'd come to North Carolina, he'd look me up. And he would come to the campus.
I had a picture of him standing on the campus pointing to one of the buildings, meaning that his attempt to get into the University of North Carolina resulted in Dr. Shepard getting this building.

WW: Did Kluger interview him, I wonder?

PEARSON: I don't know whether Kluger did or not. I doubt it.

WW: What about Hocutt's family? Did you know anything about his background?

PEARSON: No, I don't; I really don't.

WW: He had been an undergraduate major in science? He had a strong record, you said, and that should have got him admitted.

PEARSON: If he was a high school graduate at that time, the University of North Carolina—as I remember reading the catalogue. Because we wrote for a catalogue. Of course, they didn't know me from Adam's house cat. So they sent the catalogue, and we looked at the catalogue. And the only requirement at that time was to be a high school graduate to enter the School of Pharmacy. Of course, that has changed now.

BEGIN TAPE I, SIDE II

WW: ... degree there.

PEARSON: In pharmacy. All you had to do was to be a high school graduate, and he was supposed to be admitted.

WW: There's a story that Louis Austin used to tell about you and he actually carrying Hocutt over there.

PEARSON: We carried him over.

WW: Can you tell me that in as much detail as you remember?

PEARSON: As I remember it now, Dr. J. N.(?) Mills, who's now deceased, had an automobile, and we got in his car, Hocutt, Louis Austin, myself, and
Dr. Mills. And they were registering people on the campus. That was outside, people lined up going by the registrar. So we got in line, and when Hocutt got to the registrar he turned him down, and we told him that that's what we wanted him to do. Then we came back and filed a lawsuit.

WW: Was there any response in the meantime? Did word get out that you had tried this? Did the people of Chapel Hill react?

PEARSON: No. I do remember there was a law school professor there who was from Illinois. He went to school in Illinois with Negroes in his class and so forth. And he made a statement I never did forget. He said, "Of course you had a right to bring this case, and you had a right to bring it under mandamus, to make a state officer do what he is supposed to do." He said, "It's just like a child coming into the parlor and demanding his play toy to play before the guests." Then he said, "We kept our ears to the ground to see what the reaction would be, because we didn't want anything to happen to you." I forget that fellow's name. I think he was dean at one time. And the name of the attorney general at that time was Brummett. So they brought in Brummett, the person who was teaching constitutional law at the University, and Victor S. Bryant, a prominent lawyer here in town.

WW: Mr. Bryant is still alive?

PEARSON: He's still alive. [Died 1980] And it was amusing. When we got to the courthouse to try the case, the hearing, the attorney general said he wanted to talk to us. So we would go into this room, and all the Negro citizens stand out in the hall. We went in there to talk, and the attorney general said, "Well, now, I'll tell you what I'll do. If you fellows drop this suit, I'll get the state to appropriate money to pay your tuition outside the state." We asked for assurances. He said, "Well, all I can say is that I would probably do it," and when we come back and tell
the people what they said, they said, "Don't give in, don't give in."
The whites said "Give in," and the Negroes said to say not give in. They
were young people, see. Then, to our surprise, two lawyers came down, the
late C. J. Gates and the late M. Hugh Thompson. They said they represented
Mr. Spaulding and other people.

WW: These were black lawyers from Durham.

PEARSON: Yes. They felt that the suit should be dropped, and we should
follow the state's proposal to furnish tuition to Negroes who wanted to go
to state schools outside, to such jurisdictions that would admit them.
We wouldn't agree to it unless we got a firm commitment. Well, the attorney
general couldn't commit the legislature to do anything; all he could say
was he'd try. So we wouldn't accept. Then later on a bill was introduced
to that effect, but the legislature was mad; they wouldn't pass it.
Later on they did pass such a bill, and you know who had control of it:
Dr. Shepard. If you wanted to go to Chicago to study medicine or anything
of that sort, why, you had to go to Dr. Shepard. If he okayed it, then
you'd get your stipend. And several of the southern states then followed
that.

WW: Did Shepard have contacts in the legislature?

PEARSON: Oh, yes, because he was a clever politician. If he'd been white,
he would have been governor of this state.

WW: Tell me a little bit more about him. He was a Republican,
wasn't he?

PEARSON: Yes.

WW: That didn't make any difference?

PEARSON: No, no, because Shepard was a very, very clever. . . . He
was a highly educated man. He was clever. He finished in pharmacy.
He started to study law, but his mother didn't want him to study law. It was a very strong family connection. He held some office, I think the Collector of Revenue, during Reconstruction, as a young man. And he never gave up his Republican ties. But he knew how to handle the legislature. He had a fellow working for him by the name of Charlie Amey, who was a graduate of A & T College. And Charlie Amey would go around every year and meet every legislator and every senator as Dr. Shepard's emissary. And every year Dr. Shepard would send everybody in the legislature—the Senate and the House—a Christmas present. And whatever Dr. Shepard wanted, he got. I was talking to a man about five or six years ago who was running for governor, by the name of Taylor, and something came up about Dr. Shepard. And he said, "Yes, Dr. Shepard used to send my father a Christmas present every year." His daddy was a big man in the legislature.

**WW:** Was Bryant in the legislature at this time?

**PEARSON:** No. He had been in the legislature, but he wasn't a member at that time.

**WW:** You said that Bryant was one of the people who was trying to control this. Were Bryant and Shepard together on this?

**PEARSON:** No, I don't think so. I think Shepard's lawyer was Bob Gant, Sr., who was a member of the legislature at that time. He's now deceased. Bob Gant, Sr., was a lawyer and a politician. Dr. Shepard was working through him.

**WW:** Was there a clear division then in the black community over the Hocutt case, would you say, with the black citizens being on one side, and then the feeling that Shepard and a handful of others [were] on the other side?

**PEARSON:** Yes. The people who were closely related to the Reconstruction problems naturally were cautious, for fear that there might
be repercussions like they had in Wilmington and different places in
the state, where people were shot down at the polls and told to run,
be out of town and so forth. And then you had the younger generation,
who were far removed, who knew what the issue was, who saw the issue
clearly. And they didn’t care about any repercussions. And that was
the division in the Negro community.

WW: Was there any division at all among the whites?

PEARSON: I had letters from people from all over the state who
supported. I can’t remember receiving a letter from anyone that was
derogatory, who didn’t support it.

WW: What about in Durham? Any white citizens who were supportive?

PEARSON: No, I don’t remember anybody.

WW: Was there any division at all? Was there anybody who stood
out as the chief opponent, and then people who were more moderate?

PEARSON: No. Brummett was the attorney general. I guess the
people of the status quo figured that you wasn’t going to get anywhere
with it anyway. It was their ballpark, and you couldn’t win on the
home court. That was their home court. They didn’t think you could win
anyway. I don’t think they were disturbed at all.

WW: So among whites who might have had some voice, there was nobody
in Durham who spoke up in favor, who supported it?

PEARSON: No, not as I can recall it.

WW: Any younger white citizens who would . . .

PEARSON: No.

WW: Now this division between the citizens on the one hand and
those, you say, who remembered Reconstruction on the other, Shepard
had this extra motivation, you’re saying, of perhaps getting a law
school or something, now Spaulding’s motivation was pretty much fear,
you think?

PEARSON: I wouldn't call it fear. He was afraid that the repercussions might cause the same conditions that you had in the Wilmington riots.

WW: Did he ever talk to you about this?

PEARSON: I don't recall ever having a conversation, but I know what he was doing at that time. I knew he was opposed to it. He'd think that we ought to go ahead and compromise in the matter. And I can understand his feelings about it, because he had seen racial discord. As we spoke about earlier, in the Red Shirt Movement in the state, when Negroes were shot down at the polls and the race riot in Wilmington. That's the way Aycock and Josephus Daniels—the elder—were leading it. And after they got it under control, the legislature passed a law that would prohibit Negroes from participating in politics again, "to read and write the Constitution in the English language to the satisfaction of the registrar." Well, that last line there, "to the satisfaction of the registrar," he could be a fourth-grade student, and you could stand before him as a Ph.D., and all he had to do was say, "You don't satisfy me."

I went all over the state collecting affidavits and sent them to the FBI in Washington to be investigated. They came down and investigated, and that'd be all you'd get. The federal government was in sympathy with it at that time.

WW: There was a story about Spaulding actually trying to call maybe it was you, perhaps Louis Austin, kind of on the carpet up at the Mutual Building about this.

PEARSON: I remember we did have a meeting up there, and they were trying to get us to withdraw it. At that time, the Mutual had a kind of forum where all the employees would come in. We had a meeting up there,
and they tried to get us to withdraw, and we wouldn't. And Ed Merrick, who is dead now, I said something to him about being a "handkerchief head," and he said something about throwing me out a window. Of course, I wasn't afraid of him throwing me out any window, but it was very hot. Mr. Spaulding was a very kindly disposed man. He thought he was doing the right thing at that time. That was quite a meeting up there.

WW: I've looked into the NAACP records, just looking up something else, and there is a letter in there from Spaulding to the NAACP in which Spaulding says that "Some of our lawyers"—and he mentions you and McCoy—"are interested in a case that would do much good," or he says something like that. And he seemed to be actually inviting the NAACP. Do you ever remember him at the first being supportive, and then getting frightened? Do you ever remember going to him initially and asking . . .

PEARSON: The only person we consulted, talked with first, was Dr. Shepard. Of course, Dr. Shepard could control Mr. Spaulding. If Mr. Spaulding listened to Dr. Shepard, Dr. Shepard would have controlled him.

WW: To get back to Spaulding, if he hadn't been worried about the impact—that is, the possibility of race riots—do you think he would
have offered support? That is, what was his general philosophical-political outlook?

PEARSON: I would say Mr. Spaulding was a very cautious man. I don't think Mr. Spaulding had education beyond that of a high school graduate, but you never would have been able to tell it. By talking to him and so forth, you wouldn't have been able to tell it. He was a kind man, a gentle man, and he was really interested in advancing his race.

WW: You mentioned Merrick reacting to being called a "handkerchief-head." Would anybody have ever called Spaulding or Shepard that?

PEARSON: Probably somebody would have called Mr. Spaulding that, but they wouldn't call Shepard. Because Shepard went down there to the Capitol to see somebody, and they told him to get on the freight elevator. He refused. He was going down to see about getting money, and he refused. He told me of an incident. It was customary that if a white man came to your office, he wore his hat, wouldn't take his hat off. He said this white fellow came to his office to see him about something. He kept his hat on. So Dr. Shepard said, "Well, now, let's go outdoors and talk, because I don't want to embarrass you and ask you to take your hat off, and I think you'll be more comfortable on the outside."

WW: Did the fellow take his hat off?

PEARSON: Yes. And I think they went on outside to talk, but the fellow got the hint. He got the hint. And that's the reason why the North Carolina Mutual made its growth for us, that the insurance man come to your house keep his hat on in your house, and they capitalized on it. And that helped their insurance company grow.

WW: In looking at Spaulding, you see him as a different kind of person altogether than Shepard? Is it mostly a matter of education?
PEARSON: Shepard had a better education and a far better mind, but I think Mr. Spaulding was a kind, gentle man who had a deep concern for his fellow man.

WW: How do you think the black community saw the two people? Did they see Shepard or Spaulding as the leader, or both working together?

PEARSON: Shepard never left his office to attend any meetings or anything, yet he controlled everything through other people. He was a politician. You don't see no politician out there carrying nobody to the polls; he's sitting up in his office pushing buttons. That's the type of fellow Dr. Shepard was.

WW: So you might see Spaulding more out front, but Shepard was behind pulling the strings.

PEARSON: That's right, pulling the strings.

WW: To get to the other side of the community, that was offering the support in the Hocutt case, were the black workers in the tobacco factories organized this early?

PEARSON: No.

WW: Was there any kind of sentiment coming out of the workers?

PEARSON: I don't think that they were concerned, other than the sensational part about it. I don't think that anywhere in the country people had thought about it. And when they hit the national media, then that started people to thinking. Because everybody had the same problems. If you went to Maryland, Delaware, and come south, everybody knew about the problems, and some of the midwestern states like Kansas, Oklahoma, they had those problems. So that's when people started thinking about it.

WW: Did the word go out after the Hocutt case was dropped that it
was Shepard and Spaulding who had stood in opposition and perhaps kept it from going on?

PEARSON: No, I don't think... The only time I ever heard it discussed was, we were invited to Howard University Law School to lecture to the students about the case. When we were introduced—not introduced, because the fellows there knew us; I was just out a year ahead of them—Charlie Houston told them one of the weaknesses in the case was Dr. Shepard, his attitude toward it and what he did. Charlie Houston's words were very bitter toward Dr. Shepard. And Dr. Shepard's son-in-law who had married Dr. Shepard's daughter, by the name of Smith, was going to law school at that time. He was sitting right in there.

WW: But I detect from you no sense of bitterness at all towards Shepard.

PEARSON: No, Shepard and my uncle were very good friends for years, and I admired Dr. Shepard. He did more good than he did harm.

WW: Did you and he ever discuss this Hocutt case after it was dismissed?

PEARSON: The only time it came up was, they had a meeting over at the University in Chapel Hill, held under some kind of auspices of the Human Relations.

WW: The Commission on Interracial Cooperation?

PEARSON: That's right. I was invited. I don't know why, because Austin and myself were never invited to any of the meetings like that. I went over there, and the president of Johnson C. Smith was presiding. [Newbold] And there was a white fellow—I forget his name—who was in charge of... He was on some kind of a foundation to advise the state about Negro education. It irked me that he came in and handed the president of Johnson C. Smith, who was the chairman, a piece of paper. That was the
nomination for a committee. It made me angry. So when he announced the committee members, I got up and made a motion that the recommendation be rejected, and the committee be elected from the floor. And to my surprise, one of the professors from the University of North Carolina seconded the motion. [Laughter] Dr. Shepard was there, and Dr. Shepard and this white fellow didn't get along at all. I can't think of his name now, but if you wanted to succeed in Negro education, you had to come by him [Newbold].

WW: He was from North Carolina or where?

PEARSON: He was in Raleigh, but he was on a foundation. The Ford people or somebody sent him down here to help Negroes out in the field of education. You can find out what his name was; most anybody can tell you. [Laughter] And Dr. Shepard told me afterward, "Listen, I want you to stick with me, because if we get this law school or we get this school of pharmacy, you don't want it to go to A & T, do you? You'd rather see it in Durham, wouldn't you?" I said, "Of course, I would rather see it in Durham." He said, "Well, you stick with me on this." But the funny thing was that [chuckle] they were so surprised that I made a motion to put A.E. Elder on the committee. They were so surprised that anybody would have the nerve to challenge them, and I challenged them. It was funny to me [chuckle] how they had everything worked out. He hands over to the chairman the list of names to go on the committee, and then I move that it be rejected, and elect them from the floor, and they did. [Chuckle]

WW: And then nominated a black man, too. [Chuckle] Did you and Spaulding ever talk about the Hocutt case afterwards?

PEARSON: No, I don't think I did. I don't think it ever came up. Mr. Spaulding and I got along nicely together. I drew his will, and his daughter and I went to school together. And we never had any ill feeling.
And whenever I needed a favor or anything, I would go to Mr. Spaulding. He'd do anything he could for me. I remember when he died. I got on the bus one day going to town, and the bus driver, who was white, said to me, "You know, that was a good man." I said, "Mr. Spaulding was well thought of." He said, "You know, my bus broke down one day, one winter when the snow was on the ground, in front of his house. And I knocked on the door and asked him if I could use the telephone, and he told me yes. So I called in and asked for relief, and I started out, and Mr. Spaulding said, "It's cold. Don't go out there and sit in the cold. Sit down here by the fire and stay warm."" And this fellow was reciting this to me, because he was so human. He didn't let the man go back and stand out there in the cold when his bus was broken down. Spaulding was a good man. He wasn't clever and crafty like Dr. Shepard was.

WW: Would the white community see Spaulding as having quite a lot of power in the black community?

PEARSON: He got a good press. I think Mr. Spaulding was practically, due to the mass media, known all over the world. He got a better press than Dr. Shepard.

WW: I mentioned a while ago that some people might have seen both Spaulding and Shepard as "handkerchief-heads" because of the Hocutt case. But apparently the black community was not so divided that it turned out that way over the Hocutt case?

PEARSON: No. They soon forgot it. Shepard practically dominated the city of Durham in the white and black communities, because he just knew how. And Mr. Spaulding was liked because he never clashed with them. And secondly, it was to the [advantage of the] status quo people to have a C. C. Spaulding, because they could say, "Notwithstanding the handicaps, here's a man that succeeded." And they publicized him all over the world.
a great businessman, because he succeeded notwithstanding the handicaps, and if other Negroes were smart like Mr. Spaulding they also could succeed.

WW: Was he clever enough to use this image, though? That is, did the fact that he had this image and good press enable him to go to the white community and get certain things, perhaps?

PEARSON: I don't think that he ever entered that area. I know we tried to get him on the City Council once, and they turned him down. Then they wanted to put him on the Board of Education, and some of the people went to him and told him they didn't think he should serve, because they figured he was going to be used. And he turned them down, said on the advice of his physician; his health wouldn't allow him.

WW: You mean he rejected it because he thought they were seeing him as . . .

PEARSON: The fellows went to him and told him that they thought that they were trying to use him.

WW: And so Spaulding resented the whites seeing him so conservative that they thought they could use him?

PEARSON: Yes, and we convinced him that it was the best interests for him not to accept it, and he didn't accept it.

WW: Do you think they could have used him, had he been on?

PEARSON: You know, you can use a person knowingly and unknowingly. Without his knowledge, he could have been used.

WW: It wasn't too long after the Hocutt case that the Durham community became more and more active politically with the Durham Committee on Negro Affairs. I think that was formed in about 1935.

PEARSON: The way that started was this way. I was working with the
WPA, and James D. Taylor, whom I mentioned before, was in the Youth Administration on a leave from the North Carolina College. And we met an Episcopal minister over there in Raleigh named Bob[?] Fisher, and he was complaining about how few Negro people had set the policy in the Negro community, without any input from other people. He was talking about Mr. Spaulding and Dr. Shepard, and that you could duplicate it in every town; you had an undertaker or a physician and so forth. And so to offset it, he had organized some kind of community group. So we came back with the same idea, and we talked about it with the late R. L. MacDougald, who was a liberal-thinking Negro businessman, and he thought it was a good idea. And he sold it to Mr. Spaulding. So we called a meeting, organized a committee, and made Mr. Spaulding the first chairman. It was organized by James D. Taylor and myself, and it's been in existence ever since.

WW: Was it your thinking at the time that Spaulding would make a good chairman because of his image, or what?

PEARSON: I think that was done to get it started, because there was a lot of people from the North Carolina Mutual in it. And if Spaulding hadn't given his okay . . .

BEGIN TAPE II SIDE I

WW: I'm interested in him and trying to get some sense of what power he had in the community and to what extent he was used and to what extent he used his image to perhaps use others. You're suggesting that he wasn't nearly as clever as Shepard, but I'm wondering if he was clever enough, though, to sort of play off of his conservative image and then get some things done. There's some evidence that he worked with Louis
Austin, for example, Austin appearing very radical and Spaulding more conservative.

PEARSON: He would do Austin a favor and do me a favor. When Louis needed some money, he would loan it. He wasn't a man to carry any ill feeling. He was just a man who had succeeded with a country background. He'd been on a farm down in the eastern part of the state, Columbus County, and he was brought here by some of his kinsmen. And he started working with the North Carolina Mutual when it first got started, as their field representative. He eventually worked himself up the ladder; as others died out, he became president. And by the time he became president, he was a man in his middle age with flowing gray hair. He looked the part. When you said "President of the North Carolina Mutual," he just looked the part.

WW: Did that help him, too, in the political circles?

PEARSON: He never was interested in politics. He had a great deal of influence in town.

WW: In the black community.

PEARSON: And white.

WW: I guess that's what I mean by "politics," at that kind of informal level.

PEARSON: Yes.

WW: But you see him more as a figurehead in the DCNA, though, the Durham Committee.

PEARSON: Oh, yes, they made him president because that was the only way they could get it started. Of course, Dr. Shepard didn't care, because he figured he was going to control it anyway.

WW: But it would indicate, though, that he had some power, if people
figured that he had to be . . .

PEARSON: Oh, Mr. Spaulding had influence in both the white and black communities.

WW: So he was not one of these classic Uncle Tom figures who was just a white man's Negro.

PEARSON: No, I wouldn't picture him that type of a person.

WW: Was the community divided one more level, where there were people like that who would in fact be so under the control of white people that they had no voice of their own, no room to maneuver at all?

PEARSON: Durham is a peculiar town. You see, the Dukes started the tobacco thing, and started the American Tobacco thing. Then you had the Erwin Cotton Mill, which is now the Burlington Industries. So they had a mortal lock on common cheap labor, and it was to their advantage to keep peace in the community. So Durham never had the traumatic racial explosions you had in other counties. It was to the [advantage of the] Dukes and the American Tobacco Company people and the Burlington Mills to keep peace in the community. Never had any trouble racially in Durham.

WW: Were black leaders like Spaulding and Shepard sophisticated enough to understand that all they wanted was peace, and that if they could keep that racial peace they could ask for other things?

PEARSON: I don't think it ever crossed Dr. Shepard's mind.

WW: What would have been his stand, for example, on a tobacco workers' union. Shepard or Spaulding?

PEARSON: I think both would have been against it, because when the North Carolina Mutual was being organized in Philadelphia, the Mutual opposed it bitterly. Dr. Shepard had no sympathy for labor organizations
and things of that sort. He was ultra-conservative.

WW: Were you interested in the tobacco workers' movement?

PEARSON: I made speeches for them when they were trying to organize.

WW: So Shepard would support you up to a point, or Spaulding would support you up to a point, but . . .

PEARSON: Spaulding had nothing to do with it. He wasn't interested.

WW: I mean he wouldn't support you on the tobacco workers, but he would support you on other things, apparently.

PEARSON: Oh, yes, I remember a boy got into difficulty down here. What happened was this. We had what we called the county home, and if you were drunk, they'd give you thirty days and send you to the county home rather than send you to work on the road. And there was a fellow out there named Turner who'd been made a trustie, and somebody slipped off and went to town and bought a gallon of whiskey, and all of them got drunk. And the "captain"--the man that had charge of the prisoners out there--found out who did it, and he was punishing the people who brought the whiskey in. And they figured that Turner had told the captain who brought the whiskey in, so they sent word to him they were going to get him. And they were killing hogs at that time, and the captain told him, "If they bother you, you defend yourself." So Turner had a butcher knife in his waist. When he came out of the gate where they'd been to eat, a white fellow from Burlington, who was in there for being drunk and was serving thirty days, and some other fellows jumped Turner, and Turner disemboweled this fellow from Burlington. And he was charged with first degree murder. And Mr. Spaulding put up some money for me to go out there and investigate the case and so forth. And they brought the case to trial, and I raised the issue of the exclusion of Negroes from the jury(s). And the judge called me after he heard part of the testimony. He said, "This is not a first
degree murder case. If anything, it'd be (?) manslaughter." He said, "If you'll tender a plea to manslaughter, I'll see what I can do, but it's not any first degree murder thing." So I went back and told Turner what he'd said. He said, "Go ahead." So we tendered a plea of guilty of manslaughter, and the judge gave him two to four years. And he was out in about eighteen months.

Mr. Spaulding paid me to represent him.

WW: Were there other things like that you can remember, where he worked behind. . . .

PEARSON: He didn't do anything publicly; it was all private.

WW: Can you remember other private things like that?

PEARSON: That's the only one I can remember.

WW: But this was the way he saw himself working.

PEARSON: Yes, Mr. Spaulding was a decent sort of a fellow. But due to his rural background, his thinking was not as progressive or contemporary on issues as mine was during those times.

WW: What about your uncle? Where would he appear in this lineup of community leaders?

PEARSON: He and Dr. Shepard were just like twin brothers. He and Dr. Shepard were great friends. My uncle was well-to-do at one time and considered wealthy. If Shepard got into trouble financially, he'd let him have the money to keep his school going and so forth. They were just close, very close.

WW: Do you think there's much to the notion that Shepard, Spaulding, W. G. Pearson . . .

PEARSON: They pretty well ran the town.

WW: Do you think these were meaningful connections they had with the Dukes?

WW: Oh, yes. I don't think that Shepard was connected with the
Dukes. But my uncle had connections with the Dukes through St. Joseph's AME Church. It's a beautiful structure. I know the time that whenever they wanted anything, they would send Warren, Merrick, and W. E. Pearson to New York to see the Dukes. And the Dukes would ask them what they wanted and give it to them. I can remember the Dukes coming to St. Joseph's Church with their families, sitting on the front seat. And after they'd take up the collection, he'd call John Merrick over and ask him how much they took up, and he'd double what they got. The Dukes were very generous to St. Joseph's Church. And the peculiar thing about it was that the Dukes, I think they had a home in Charlotte, and old man Duke was getting ready to make his will where he was going to endow Duke. He asked his gardener, of all people, what he should do about the Negro schools. And the gardener was a Presbyterian, and he asked him to look after Johnson C. Smith. And Johnson C. Smith was endowed by the Duke Foundation. He just happened to be in the right place at the right time, because if he'd consulted my uncle or Mr. John Merrick—I don't know whether John Merrick was living at that time or not—or any of the others who had contact, they would have said, of course, it would have been Kittrell College. He did give Kittrell College something, and I think when they tore down Trinity College to create Duke, some of the lumber was taken to Kittrell and some was used in the buildings. He did leave Kittrell some stock, but it ended up with the bishop stealing all of it.

**WW:** Can you remember if you and McCoy and Austin were aware or conscious at the time of these whimsical relationships between the rich whites and, say, Shepard or Spaulding or your uncle, and that you wanted to change that relationship, or was that an issue at all?

**PEARSON:** That wasn't the issue.
WW: That that part could stay intact, but you wanted other things
to change.

PEARSON: Well, you see, it never occurred to us about--these are my
afterthoughts--why there was so much peace and tranquility in Durham
County when you had the opposite in other counties. I drew that conclusion
myself, that since they had this cheap labor, it was to their benefit to
keep things cool and quiet and peaceful.

WW: How would they do this, for the most part?

PEARSON: You never had any racial explosion. Racial explosions always
come from the white side, not from the Negro side.

WW: But how would they control the whites?

PEARSON: Well, if you're a multi-millionaire, you don't have to
control any people. [Chuckle] He controlled the police. I mean
suppose that Duke called the sheriff, chief of police. It would be done,
And, of course, they had their surrogates. Carmichael over at Carolina,
his daddy was the superintendent of the public schools at the time my
uncle was a principal. The Dukes carried old man Carmichael to New York
with them when they moved their offices to New York, and Carmichael's
daddy became a millionaire. And then Carmichael, Jr., who died, who
was vice-president over here, came back to the university. He became
a millionaire through his daddy, and he always used to tease me that I
could get more votes in North Carolina than he could, because he was a
Roman Catholic.

WW: [Chuckle] In the black community, how do you see the Dukes and
the white power structure controlling the black community, keeping that
racial peace?

PEARSON: I don't think it was obvious, like somebody was telling me
it was in Winston-Salem, where the Reynolds was always giving the pastors, putting roofings on the different churches. Anytime they wanted anything they'd go to the Reynolds's, and the Reynolds's would give it to them. And consequently, when the labor union went in there trying to organize, they didn't have any success; I think they were successful one time, and then the next time they were voted out. I would think it was just indirect influence, not any overt acts on their part. And I think it was just the recognition of the power that they had.

WW: Would it be through, then, Spaulding and Shepard that they had this indirect influence, perhaps?

PEARSON: On whom?

WW: On the black community. That is, are Shepard and Spaulding kind of intermediaries here in keeping peace in the black community?

PEARSON: Oh, I think so, yes.

WW: So this would mean that if Shepard and Spaulding are going to have any credibility in the black community, they in turn have to be getting something from that white power structure. What could they deliver?

PEARSON: Well, let me tell you, Dr. Shepard became the Worshipful Master of the Masons statewide. And every year he made a speech, like the President makes every year, the state of the nation. And in this speech he'd always praise the State of North Carolina, and he would name different personalities, white and so forth. Then when he ended his speech, he would make demands from the Negro community. And he used to say that the price of prejudice comes high. And consequently, he was just looked upon as a statewide leader. He had all these Masonic lodges in every large city and every county in the state, so he just
had the power, and he was recognized as having that power. The Dukes were not here; the Dukes were in New York at that time. And I don't know who owns the American Tobacco Company. But anyway, the two big employers in the Negro community were what they called "the Duke factory" and "the Bull factory." "Bull" is the American Tobacco Company, and the Dukes is the Liggett Group now. See, Trinity College was just a little college. Julian S. Carr and somebody else brought Trinity College here to Durham.

WW: I want to ask you about Carr in a minute. But in trying to figure out how Spaulding, for example, through this Durham Committee, might have some influence because of his influence in the white community. Could he go to the white power structure and ask for certain things and get them?

PEARSON: No, he wasn't that type. He was put in there to get the thing started, and after he came out then the younger group started putting people in the position to make demands. If he hadn't been there in the beginning, they never would have gotten the committee started. So during the time he was president, no demands were made, no political advances, except that Negroes started to register. Drives through the Citizens' Committee to register. Of course, there's nothing radical about that.

WW: So his function was to get it off the ground.

PEARSON: That's right. He was being used, but he didn't know it.

WW: You say it wasn't particularly radical to get people registered to vote.

PEARSON: Not in Durham County.

WW: Were they registering and voting, though, before 1935?

PEARSON: Yes, a small number. See, the people who would go down and register would be educated people, and they wouldn't have no trouble.
But the trouble came when you started registering the masses of people. And we were successful in breaking that down.

WW: Were Spaulding and Shepard in favor of registering the masses to vote?

PEARSON: Oh, yes, they were in favor of that, but they didn’t take no lead in it.

WW: Can you remember those who were taking the lead before?

PEARSON: I think the late R. L. MacDougald was the main factor behind it. He was Vice President of the North Carolina Mutual and Vice President of the Mechanics and Farmers Bank.

WW: Were there any other attorneys before you who were active in town?

PEARSON: I think they all could see the value of having people register; none of them opposed that.

WW: You mentioned Winston-Salem a moment ago, that the black community had more trouble there getting organized than it did in Durham.

WW: I was speaking about the labor union. Winston-Salem had a black bus company—they got a franchise out there—and I think it’s still going. I’m not sure.

WW: Safety Bus Company.

PEARSON: Yes. That grew out of the fact that you didn’t want whites and blacks on the same busses for fear you might have difficulty, and the Negroes capitalized on it, and I think it’s still going.

WW: I think it might have grown out of a boycott earlier(?)

PEARSON: Yes.

WW: But now Winston, with about the same-sized black population, I
think, working in tobacco factories, but without something like the North Carolina Mutual and North Carolina College, wasn't able to get people registered to vote or to organize the community, were they, in the same way that Durham was?

PEARSON: I think Durham was far more progressive in all lines, because you had Winston-Salem Teachers' College there. I don't know whether they had a bank over there that failed or not. But the Reynolds Tobacco Company was very progressive, because here in Durham they didn't allow Negroes to work in the cigarette side of the factories. And I went to Winston-Salem once and went through the Reynolds Tobacco Company. They made cigarettes in the whole building; they had one floor that was controlled by Negroes, who were making the cigarettes. And when you went through there, they gave you a package of cigarettes. Anytime you had a convention or a church convention there, you'd go through there and see it. It was good publicity for them. But they didn't have that in Durham. All the cigarette-making was done by whites.

WW: Did unionization begin to change that?

PEARSON: Yes, after they got unionized.

WW: Were the Winston workers unionized before the Durham workers?

PEARSON: No, I think Durham was organized before Winston-Salem. They didn't have any success there, I don't think, until after the War. And then that didn't last but about a year, and then they voted them out.

WW: Do you remember any overt conflict between the tobacco workers in Durham on the one hand trying to get organized, and the Negro leadership on the other hand, represented by Spaulding and Shepard?

PEARSON: Oh, they didn't have anything to do with the labor movement.

WW: Now in this Durham Committee, that did begin to get into the labor
union movement.

PEARSON: Yes, they supported the labor movement.

WW: Who in the Durham Committee would have been active in supporting the labor movement?

PEARSON: I think the Committee as a whole supported it, no particular personality.

WW: Is there anybody that stands out in your memory as the most active of the organizers? Were they outsiders or people in town? Did the International send in people from the outside?

PEARSON: Yes. One fellow started it, who was a local, and he left here. Then later on they did get a union started here. Then the International came here and hired several of the tobacco workers and sent them all over the country where they had these factories to organize.

WW: You don't remember that figure who started it here.

PEARSON: I can't remember the fellow's name. It was years ago.

WW: Was he a tobacco worker?

PEARSON: Yes, he started a private labor organization. And he started trying to get them organized, and they were meeting at the Wonderland Theater, and I spoke down there for them, white and black sitting in there. And the press was opposed to it. And eventually they did get organized. I imagine it was done through the International Workers. They tell me they had one man who was president, secretary, and treasurer of the International Tobacco Workers' Association back at that time. I don't know how true that was. But after they got the tobacco workers organized into separate locals, they came in and hired several people to go all over the country where they had tobacco unions, in Kentucky in the eastern part of the state, where they had what they called seasonal
work when they'd bring the tobacco in and they'd call people in, in the season, to take the stems out and put it in the hogshead and so forth. They'd work three or four months of the year, and they were organizing them, and they were in Kentucky where they have a lot of barley and tobacco, and probably in Maryland. Somewhere in Connecticut, I think, they raised tobacco for the cigars, under cloth.

WW: When does John Wheeler get active in this? Was he active this early?

PEARSON: He was in it when it first started, but he didn't have any position in it. Neither did I. I later became chairman of the political division. And then when J. S. Stewart, who was chairman, was elected to the City Council, that's when John Wheeler came in.

WW: Do you remember a man named Dan Martin?

PEARSON: Yes.

WW: Was he the political . . .

PEARSON: I was his assistant, and then he died and I was supposed to succeed him. But the Negro power structure knew that they couldn't control me, so, instead of me succeeding Dan Martin, they said that they'd have to have an election. So they had an election, and I won the election. [Chuckle] And I broadened the scope of the Political Division to bring in everybody, to let everybody have an input into it. And, of course, they didn't like that; they wanted a little structure that they could control. And they couldn't control me, and as soon as Wheeler got in, he had me put out of my position, because he knew he couldn't control me. And he stayed in there until his death. And the way he did it, he just wouldn't call no election meetings. You're supposed to meet in December and elect officers. But he didn't call any meetings, because at that time, you know, in the sixties, you had Ben Ruffin and
Howard Fuller. They could have taken the Citizens' Committee over, because technically everybody who was a Negro was a member automatically. And they could have walked in there with their following and just voted everybody out of office. Well, they were scared of that. And Wheeler continued not to call meetings and so forth, for fear that Ben Ruffin would outvote him and become Chairman of the Committee. Wheeler turned around then, and they put Ben on the Board of Directors of the bank, and then he started using Ben. After Ben got the job in Raleigh as an aide to the Governor, that gave John Wheeler a pipeline right into the Governor's office. I was just thinking the other night [chuckle], sometimes the radicals of today become the conservatives of tomorrow. Thinking of Ben Ruffin, they had to use all kinds of restraints to keep him in line— I mean, not doing anything rash that was irrational—and now his job is to go in a community where anything happens to keep the Negro community in line. [Chuckle] I don't know whether he was involved or not, but there was a group of them who went out to the Duke Forest; they were going to burn up the Duke Forest. And it happened that a white man passed along in his automobile and saw them and came back and reported it to the sheriff, and the sheriff got there in time to prevent them from burning up the Duke Forest, which was entirely stupid. That forest is worth $3 or $4 million or more, and it wouldn't have served any good purpose to burn it up.

WW: Would Wheeler not have had the following, say, as Ruffin or Fuller?

PEARSON: Not as large a following as Ruffin or Fuller. In the sixties, the leaders appealed to the masses. Wheeler was of another time period and class. Ruffin and Fuller [had?] people from the streets as followers, often young and not as seasoned.
seen by the black community as fairly radical, to use that term in maybe a broad sense, that is that he was certainly well ahead of other people in the North Carolina Mutual. Is this thing in the sixties a kind of exception in which people got too far ahead of Wheeler? His over-all image from, say, the nineteen-thirties to the time of his death is that he was out front. Is that not true from your point of view?

PEARSON: Yes. You might cut that off.

[Interruption]

PEARSON: You see, at the North Carolina Mutual, they had their employees. Then you had the Mechanics and Farmers Bank and the Mutual Savings and Loan. Stewart was working under R. L. MacDougald in the Mutual Savings and Loan. John Wheeler was working under R. L. MacDougald, who was Vice President of the Mechanics and Farmers Bank. And so you had two groups there. And as the older ones died out, the young ones filled their places and began to gather power in the community. People who handle the money in your community always have power, you know.

I know if an issue came up in the Citizens' Committee and I would take issue with some of the fellows down there, then when I'd get home the telephone would ring and say, "Man, I agree with everything you said. I certainly was proud of what you did," and so I'd say, "Why didn't you vote?" "Oh, if I'd stood up with you, I never would be able to get a note from the bank or the building and loan. I never would be able to get a loan from the building and loan."

WW: Getting back to this point about how, in fact, then somebody like Spaulding might have controlled the black community to the satisfaction of the white community, it could have been this economic control you're suggesting, then? Let's just say hypothetically that the white power
structure would want to keep you under control. If you had to go to the bank to get a loan, it's possible then that you could be controlled through . . .

WW: I never had any trouble getting any loans from the Mechanics and Farmers Bank or the Mutual. And Mr. Spaulding was particularly interested in seeing that the Negroes had money to build homes, and I think that's one of the selling points that made the Mutual great in the Negro community, is that they loaned them money to build homes. At that time in many cities in North Carolina, it was difficult for the Negro to get a loan from a white lending institution. So if the Mutual would loan money to its policyholders, it helped them in their business. I had no difficulty.

WW: Nonetheless, you expressed there was the feeling that if people got too far out of line, they might get themselves in trouble.

PEARSON: They could draw the line on it, and they could pull the strings anytime they wanted to.

WW: What about Louis Austin? What was his relationship with the black power structure?

PEARSON: He got along with them, because MacDougald and them would loan him money, and he had other people who would loan him money, George Logan and Champ Husband, who was a tobacco worker but had saved his money. He and Louis were very good friends. He was in a position to loan Louis $200 or $300 a week.

WW: Was his name Champ Husband?

PEARSON: James Husband. He used to play baseball, and they called him "Champ".

WW: Was he active in the Tobacco Workers?
PEARSON: Yes. He was one of the organizers for the International for a while.

WW: But this is not the man you were trying to think of a while ago.

PEARSON: No. This fellow I was trying to think of was a white fellow. He left here and went to Wilmington. I can't recall his name. It's been thirty years ago or more.

WW: So Austin generally got along with the black leaders. How long did McCoy stay here?

PEARSON: McCoy left during the Depression. He went to Chicago. He had a brother who lived in Chicago who was on the police force. And he left there and went to Indiana. And I think that at that time in Indiana, you did not have to pass a bar to practice law; all you had to do was exhibit your license from another state or your graduation from a law school, and you could open up your office. I think it's changed now. I imagine that they require you to pass a bar, now.

WW: Would you, Austin, and McCoy have been seen as the town radicals in the Hocutt case?

PEARSON: Yes, we were considered the town radicals.

WW: Was it mostly because of the Hocutt case?

PEARSON: And anything and everything else we opposed the status quo people on.

WW: Can you give me some more examples of the kinds of activities that would come up over which there would be conflict? Maybe in this Durham Committee, for example.

PEARSON: We would try to get things done. Mr. Spaulding opposed them; he thought they was too radical. I can't remember instances now. But I
remember once something came up at one meeting at Hillside High School. And I said something, and Mr. Spaulding said something to me very bluntly. And I said something right bluntly back to him. And he came out of the meeting when it was over with and threw his arm around my shoulder. He said, "I regret that I said that. My doctor told me that I should stop so many civic activities, because it was getting on my nerves. I really regret it." I forget now, something he said to me was harsh. And I liked Mr. Spaulding. Mr. Spaulding was very nice to me. Oh, we differed on different things, and he took that for granted. But he was a decent sort of a person.

WW: We were talking a while ago about whether he had real power in the community, or he was just a white man's version of what a Negro should be.

PEARSON: No, Mr. Spaulding had influence in the black community.

WW: Do you remember in 1937, there was what was called a race riot--I don't believe it was--in Durham when Joe Louis knocked out James Braddock?

PEARSON: Oh, yes, I remember that.

WW: And it was always said that Spaulding stopped a race riot there. Do you remember anything about that?

PEARSON: I remember. I don't know if Mr. Spaulding was involved in it. What happened was, when the fight was over some kids started going down the street beating pans and things. And the police were mad about it, and they beat up Ed Avon (?), who later became a lawyer, and a fellow named Lathrop Austin (?), who was promoting dances. They just happened to be coming down the street in an automobile, and the police stopped them and beat them up. There wasn't any riot.

WW: But do you think if Spaulding...
PEARSON: But we tried to push it, but Ed Merrick, who was a mentor of Lathrop Austin, didn't want it pushed, and we didn't push it.

WW: Pushing what?

PEARSON: Taking action against the police.

WW: If Spaulding had come out in the street and counseled the citizens to stop, do you think he would have had . . .

PEARSON: But it wasn't any riot. It was just these kids who were coming down the street, and the police didn't like the idea of Joe Louis knocking this fellow out, and they took it out on . . . I don't know but two people that were involved, and that was Ed Avon and Lathrop Austin. They were beaten up by the police for no reason in the world except that the police were mad. But I do believe if the Negroes had started a riot and Mr. Spaulding had come down the street and asked them to cool it, I believe they would have followed his advice.

WW: What about Shepard?

PEARSON: Shepard probably wouldn't come out. He would probably have sent somebody. [Laughter]

WW: But did he have the same kind of image as patriarch of the community as Spaulding did? As the two men walked down Pettigrew Street where there were a lot of common folks, which one would they have seen as the town leader? These are people completely outside of politics; they don't know anything about that.

PEARSON: I think probably Mr. Spaulding would have had the most influence, because Dr. Shepard was sheltered at the college. He didn't mix out in public life much.

WW: Would Spaulding go out amongst the people?

PEARSON: Oh, yes. Shepard, by the way, could tell you who the
Governor was going to be, four years in advance. He was in what they called the “Shelby gang”.

WW: What was that?

PEARSON: Hooey and all of his kinsmen up there were well...

WW: Was that Governor Hooey?

PEARSON: Yes, Governor Hooey. And what Shepard would do, he would invite the person who was next in line to be Governor and have him speak at North Carolina College. Then he'd have him to speak at the White Rock Baptist Church. And Shepard would get up and introduce him as the man most likely to be your next Governor. And he would be the next Governor.

WW: Is this after black citizens are voting in North Carolina much?

PEARSON: They didn't have that much strength. He was just in with the Hooey group over there. A very powerful politician, Governor Hooey, and his associates. And they were the ones that beat Frank Graham, you know, when he was running after Scott appointed Graham to the Senate. When he came back to run, he was defeated. That was the Hooey gang that defeated him.

WW: So this was personal politics with Shepard and these figures.

PEARSON: Oh, yes.

WW: But he couldn't deliver the vote.

PEARSON: No, the vote wasn't in it. Shepard was just in with them.

WW: Was there the feeling then that Spaulding, the Democrat and the head of the Committee, could deliver the vote? Did he have more power in that sense as this Committee developed?

PEARSON: I think by the time they developed some power, that Spaulding wasn't involved.

WW: But was there a feeling in any case that the Committee could
deliver the black vote?

PEARSON: We got to the place where we did develop that. What we would do, anyone who was a candidate who wanted to would come before the Committee and state his views, and they'd ask him questions and so forth. And then they would decide on whether or not they would support him. But they wouldn't make it public until the following day, to keep the backlash from organizing against the candidate.

WW: You mean a white backlash.

PEARSON: Yes. It got to the place where—I don't know whether it was a good thing or not—people just coming in the polls, if they were black you just handed them a slip of paper with the people that the Citizens' Committee were backing, and they would vote for it. I don't know whether now that's a good idea or not, because people get to the place where they just rely on... Like they rely on the television. Instead of making up your own mind, let somebody else make up your mind for you. I don't know whether it's a good idea now or not.

WW: Were they getting something in return? Would these white politicians have to...

PEARSON: They would put up the money to get people in and out of the polls, and indirectly that gave the Committee political clout to get appointments and so forth, and they started running their own candidates. And they've got four or five people on the City Council now, and the City Board of Education is ninety-nine percent black. I don't think much of them, but anyway they're ninety-six [sic] percent black. I think that the discharge of the present Superintendent was just a very, very bad thing. I think they discharged him because they wanted to put a black superintendent in, since the school system now is about eighty percent black. Racism is bad, I don't care who wields the sword, whether
the white people wield it or black people wield it. And they never would say why the man was discharged. He had an excellent record as far as the public was concerned.

WW: In the early days, what kind of things could the Committee ask of these white politicians who came before them?

PEARSON: Well, they got a whole lot of things. The first thing, you see, the way the Democratic Party operates is on a precinct level. If you get enough people at the precinct level, you can elect officers. As the population grew and the housing changed and so forth, you had a white precinct in a Negro neighborhood. So the Negroes would just go there and poke the whites out. So then they started dividing precincts up and giving them the precinct chairman and the registrar and so forth. I guess you’ve got four or five precincts in Durham that are controlled entirely by blacks. They got that out of the power structure. And then you’ve got two members of the County Commissioners, and you’ve got four or five people on the City Council, and you’ve got all of the City Board of Education are black except one person, Rodenhizer. I think there have been Negroes on the Board of Education in the County, but there are not now, not at this time. And then on a statewide basis, you see, if a politician could get the Durham vote, it’d help him and it gave the people who were heading up the Citizens’ Committee a lot of political clout.

WW: In these early days, were they asking for community things like street lights or paved streets or black policemen?

PEARSON: Yes, like fire department and police and things of that sort.

WW: Do you think it had some effect there?

PEARSON: Yes. Now Mr. Spaulding took part in that, in policemen and the fire department. When they built the fire department down here on
Fayetteville Street, they wouldn't admit Negroes to the white fire departments, which is tragic. Because when they had volunteer firemen, there was a squad called the Hook and Ladder that was controlled by Negroes, who fought fires all over the City of Durham. And then when the city started to pay the firemen, they fired just the black firemen and gave the jobs to whites, and I guess twenty-five or thirty years passed before ever a Negro got on the payroll. And I can remember when they were asking for policemen. Mr. Spaulding headed that up, because he went to the City Council about it and made a speech and asked them about a police. And I think the mayor was a relative of Julian S. Carr.

WW: Watts Carr?

PEARSON: No, it wasn't Watts Carr. Another Carr; he was mayor of the town. He said no white man would ever submit to a Negro making an arrest. And eventually some other city started hiring Negroes as policemen on the theory that it takes a thief to find a thief. [Laughter] And eventually we got Negro police; we got Negro firemen. So now the fire department is no longer segregated; it is integrated. Mr. Spaulding headed up that here.

WW: Initially, this was to get black policemen in the black neighborhoods.

PEARSON: Yes.

WW: That was what, the thirties, forties?

PEARSON: Yes. Now Negroes didn't ask for that. They just asked them to appoint a policeman. But when they did appoint him, they'd assign him to a Negro community. But they don't do that anymore now.

WW: And the fire department?

PEARSON: They built a separate fire department down here right in front of North Carolina Central, and that's integrated now.
WW: But initially that was not . . .
PEARSON: All black.

WW: And Spaulding had played a role in getting that built down here?
PEARSON: Yes.

WW: Could they get other things like street lights and more paved streets in the black community?
PEARSON: Yes, Mr. Spaulding was very much interested in paved streets. That wasn't considered radical, you know; there's nothing radical about that.

WW: What made you and Austin and McCoy stand out as radical then? What was that line you were pushing beyond that caused you trouble? Why would C. C. Spaulding say something harsh to you?

PEARSON: I forget now what it was. I probably was pushing something that he didn't think I should push, and I can't recall now what it was. But, you know, there wasn't any bad relationship between Mr. Spaulding and myself. Naturally, being younger and not having the same background and having had more education than he had, my ideas would be different from his. He would be cautious when I wouldn't be cautious. I had the same trouble with my uncle when I was saying that schoolteachers ought to be paid the same salary. He felt it was an assault on him, that I was repudiating his leadership in the community. Because he was looked upon as the assistant black superintendent; in fact, he was, but not in name. His influence was over all the black schools in the city and county; whatever he said went. If they needed a principal, you had to come by him. And I was saying that the schoolteachers ought to be paid the same as white schoolteachers. He felt that was a reflection on his leadership, and he was just as hard on me about that as Mr. Spaulding would have been.
WW: You mean your uncle, W. G. Pearson, thought you were casting aspersions on his leadership because they weren't already equal.

PEARSON: That's right. I wanted them equal.

WW: Now he wasn't opposed to them being equal.

PEARSON: No. But he had gotten the City of Durham to make concessions, and his teachers were drawing a better salary than most people.

WW: I see. After the Hocutt case, would you and Austin and McCoy continue to push for integration? Was that an issue?

PEARSON: That didn't come up till years later, much later. We never were able to find a plan to sue the University of North Carolina till fellows started going to the law school down here. And they became dissatisfied because they didn't think they were getting the same training they were getting at the University of North Carolina. So they applied to the University of North Carolina, a fellow named Epps and a fellow named Glass. And Epps graduated, and Glass was to graduate the following year while the case was pending. Glass was from Alabama. And so the people in Alabama wrote some people in North Carolina and told them that Glass was drawing a stipend from the State of Alabama to go to school up here, and therefore he was not a resident of the State of North Carolina, and he wasn't eligible to bring any lawsuit against the state because he wasn't a resident of the State of North Carolina. So that left us without any plaintiff at all. Then McKissick came along.

WW: Floyd McKissick.

PEARSON: Yes. And some other fellows, and they intervened in the case. And then we had a big lawsuit over it, and the court ruled in our favor. And Kenneth Lee from Greensboro and several fellows, Frye(?) who was a member of the legislature, went to school over there. Chambers
went to school over there. And they've got several Negro graduates holding responsible positions in the state. Chambers graduated with the highest honors and was the editor-in-chief of the journal over there. Chambers has a million-dollar building there in Charlotte, in an interracial firm, ten or twelve lawyers working in his firm over there. And that's the way with the Law School. The University of North Carolina has resisted, from the Hocutt time up until now with this HEW thing, any integration; they have opposed it. Everything that we've gotten, we had to get it through a court order.

WW: Was it you who began then the case to integrate the University of North Carolina Law School? This is what, after World War II, '47 or '48?

PEARSON: Yes. I integrated the Law School, the undergraduate school, and the Graduate School. The only school that I didn't integrate was, somebody applied to the Medical School, and they admitted him.

Let me have that red thing right there. I think, in the doctorate I got from the University of North Carolina [N.C. Central], I think they cite this. I think they cite this. Here. You can read that into your records, if you want.

WW: "Conrad Odell Pearson, graduate of the Durham public schools, Wilberforce University, Howard University of Law, practicing lawyer in this city and state since July, 1932, pioneer defender of the rights of the underprivileged, dauntless advocate of full citizenship and unqualified respect for black Americans, your contributions through the law to the desegregation of educational institutions in North Carolina and to the safeguarding of civil rights are unrivaled. The significance of your arguments in North Carolina v. Tucker, the Hocutt case, Epps v. Carmichael, McKissick v. Carmichael, and Frazier v. the University of North Carolina..."
has been fully noted and recorded in the records of American jurisprudence. Honored by the National Association for the Advancement of Colored People, with which you were intimately associated for long years, for noteworthy achievement in the field of law, cited by the Durham Press Club for your efforts in behalf of liberty and equality, widely admired by professional colleagues and beneficiaries of your courage, North Carolina Central University proudly joins these groups in recognizing and saluting you for these achievements and contributions, and is privileged to confer upon you its highest degree." This was in 1970, Honorary Doctor degree.

Now North Carolina v. Tucker, that's the Law School?

PEARSON: The state school. You know, I was telling you about the fellow disemboweling the man.

WW: Oh, yes. And then the Hocutt case, I see. And then Epps v. Carmichael is the Law School.

PEARSON: Yes.

WW: And McKissick v. . . .

PEARSON: That was the Law School.

WW: And Frazier . . .

PEARSON: The undergraduate school.

WW: And then the graduate then followed in the wake of the undergraduate?

PEARSON: Yes. Now the Frazier case, Friday was an aide to Gray. I think Gray was the President at that time, wasn't he? And Friday wanted the Frazier boys admitted. And after we filed the Frazier case and went to Greensboro and had the case, the three-judge court ruled with us. [Chuckle] Rodman was the Attorney General. And one day I got a call and asked me if I could come to Raleigh, that Rodman wanted to see me. And I went over there. And when I went there, there was a long table there,
and I saw all these coats and hats and so forth; the "Sanhedrin" was meeting, you know. So Mr. Rodman said he wanted to see me. He was going to talk to the Chief Judge of the Fourth Circuit, and he wanted me to be present. So I went back the next day, and they had applied for a stay of execution of the judgment, and the judge had declined the stay. So they noted an appeal. They were going to take it to the Supreme Court of the United States. Mr. Rodman wrote to all the southern states and asked them to join in his brief. In the meantime, we filed a motion before the United States Supreme Court to affirm, and the Supreme Court affirmed before the State of North Carolina could even [chuckle] file its appeal. Rodman called me over there and said, "What do you want out of this case, publicity?" I said, "No, I'm not interested in publicity. I just want these young men to have the right to go to school wherever they want." He said, "All right, they can go to school over there. If they have any trouble, you come to me. Don't go to the newspapers. My son is entering school over there, and they're going to be treated just like my son. If you have any difficulty, you come to me." And [chuckle] a lot of people fell out with me because I didn't. . . . I agreed that the boys didn't necessarily have to talk to any newspapers. So the boys went over to register.

BEGIN TAPE III SIDE I

PEARSON: . . . that there wouldn't be any picture-taking. So he wrote an article in the Pittsburgh Courier, gave me down the country.

WW: Gave you what?

PEARSON: Down the country. Blessed me out. So the white fellow
representing the local paper caught them coming out of the registrar's office and carried them to the Well and took pictures of them at the Well, and that hit the papers. But I didn't have anything to do with that. I lived up to my agreement that we weren't after publicity; we were just trying to create a legal right for these young men to go to school wherever they wanted to go to school. And the Frazier boys have done well. I think one is a vice president of a white bank. I don't know what the other boy's doing. I think one's a lawyer. They've all done exceptionally well. In fact, all the boys who've finished law school over there have done exceptionally well. Chambers is the most publicly known successful graduate of the University of North Carolina.

WW: He was your law partner for a while?

PEARSON: No, I was regional counsel for the Legal Defense Fund. And after he finished the University of North Carolina, I think he went to Columbia, and then he went to the home office of the Legal Defense Fund and worked in there for a year or two. Then he came to North Carolina and worked under me, and later on I turned everything over to him. And no ill feeling. I mean we had fine feeling; we worked together.

WW: There's this outside image of North Carolina as very liberal.

PEARSON: It's not deserved.

WW: That it's different than the rest of the South.

PEARSON: The way it started, way back there was a fellow named Odum, a sociologist over there.

WW: Howard W. Odum.

PEARSON: And they used to write articles about the South. And in it they would point out that holding the Negro back was holding the South
back and things of that sort. And Langston Hughes came over there and read his poems. And that created quite a stir, because it was the first time any Negro had ever been invited to the University of North Carolina to appear as an equal.

WW: Did Odum support that?

PEARSON: I don't know whether he did or not. Odum did a lot of research in the field of sociology, and he used to tell me, "If you just let me handle this, I can get things done in a way that you can't. You just let me handle it my way." And Paul Green's books, and wasn't there a fellow named Streeter?

WW: Yes, James Streeter.

PEARSON: Their novels and writings and so forth. They created this image. Frank Porter Graham, the President, had quite a reputation of being a liberal, but the University of North Carolina has never been liberal, in reality.

WW: There's this idea that they have the outside image, but internally . . .

PEARSON: That's right, they've been . . .

WW: How do they keep the image, other than people writing about it? That is, you don't get the violence, as a rule, here. Nobody stood in the schoolhouse door.

PEARSON: No. Like George Wallace did. No, they didn't go that far. But they've resisted legally, using the judiciary, and every concession made has never been, except in one instance, and that is the Medical School. They did admit a fellow in the Medical School. Well, they knew good and well they had no defense. But the undergraduate school, the Law School, and the Graduate School . . . I forget the girl's
name; I could find it in my records here. She had been to Mexico to study, and she was teaching. She had completed her master's and wanted to start working on her doctorate. When they turned her down, we filed a lawsuit. Then they called me one day and said, "Well, we're going to admit her. She's fully qualified, so you can just drop the lawsuit." And I dropped the lawsuit, and she was admitted. She was from Johnson C. Smith. But every concession they've made, they've been forced to do it, just as they're fighting HEW.

WW: Maybe this is the first time they've gotten so much publicity out of their resistance.

PEARSON: Yes, maybe so. The only thing the people outside of the state receive is probably something in there, "Lawsuit Filed Against the University of North Carolina," and that wouldn't damage their reputation at all.

WW: Much of your legal career, then, has been directing integration of public education in the state. What about accommodations . . .

PEARSON: Hospitals.

WW: That's been a part of your efforts as well.

PEARSON: Yes. Hospitals and . . . . You know, when they had the sit-in demonstration, they said it started in Greensboro, but in reality it started in Durham at the Royal Ice Cream Company. A fellow named Doug Moe, who was a minister at Asbury United Methodist, organized the first one, and it was over here at the Royal Ice Cream Company on Roxboro Road.

WW: Is this generally known?

PEARSON: Greensboro got the press, and it's always been referred to as the first one, but in reality Durham was the first place.

WW: Moe was a black minister?
PEARSON: Yes.

WW: At what church?

PEARSON: Asbury United Methodist. And he moved to Washington, and he was a member of the city council there. I think he lost out in the last election. He organized the first one, and we represented those people.

WW: And it was at an ice cream store?

PEARSON: Yes, called the Royal Ice Cream Company. He had a partition in the store, which was located in a Negro neighborhood, whites on this side and Negroes on the other side. And they went in and refused to move. The policemen told them to leave and they wouldn't leave, so then they were arrested, and then later we got to set bonds on them. And we had to bring another case before we could get the law straightened out. Because the City of Durham had passed an ordinance that where you served both races, you had to have a partition to separate white from black. And we neglected to put that ordinance in the record, and the court cannot take judicial notice of a city ordinance. It can take judicial notice of a statute, but not of a municipal ordinance. So we had to bring another one, and that was Streeter v. the City of Durham, and it went to the United States Supreme Court. It ruled in our favor. And I don't know how many people we represented. Greensboro, Durham; it was breaking out all over the state.

WW: How far ahead of the Greensboro sit-ins was this?

PEARSON: I think Greensboro came shortly after the Durham case. That's where they got the idea.

WW: It was 1960. Then are you saying this is '59 or still in '60? Is it a matter of months?

PEARSON: You remember when the demonstrations started about sitting in restaurants and so forth?

WW: That was in 1960 in Greensboro.
PEARSON: Well, it was 1960 in Durham, but Durham would just have to have been a month or so ahead of Greensboro. But Greensboro got the credit, because theirs was well publicized.

WW: Were there efforts before this to integrate public facilities in Durham?

PEARSON: No, it had never occurred to me. The idea, really, maybe [mainly?] was the Rev. Doug Moe's. He's in Washington now. It was his idea.

WW: What about efforts to get black people white jobs or jobs in white businesses, that sort of thing? Were there efforts going back?

PEARSON: That came along later. That started in New York with [Adam Clayton] Powell, and then I think in Richmond. "Don't work where... . . ."

WW: "Don't buy where you can't work."

PEARSON: And that spread over the country, but it started in New York with Powell, who later became a member of the City Council, and later a member of the Congress.

WW: Now there was some of this going on, though, in New York as early as the 1930's.

PEARSON: Yes. I remember Frank's Place, a famous restaurant right there in the Negro neighborhood. He had all white employees, and some of his clientele was white and some... . . . It had been a famous restaurant, but it was being engulfed. Eventually, with the whites moving out and the Negroes moving in, it had become a famous restaurant on the fringes of the Negro neighborhood.

WW: Did the Durham Committee get active, can you remember, in those old days about that issue?

PEARSON: Oh, yes, they were very active in the sit-in demonstrations.

WW: Was there a unity between the so-called "radicals" and the so-called "moderates" on that?
PEARSON: Yes, they all agreed with that. The white power structure started calling me, Walgreen's and these other chain people who had stores here in Durham and so forth. And overnight it just broke down. The power structure broke it down.

WW: The white power structure.

PEARSON: Yes.

WW: But this was because of the power of the Committee?

PEARSON: No, I guess they saw that economically it was hurting.

WW: Is that well ahead of what we call the civil rights movements of the fifties and sixties, or is that a part of it?

PEARSON: A part of it.

WW: So in the thirties and forties these efforts were not altogether successful.

PEARSON: No. I mean these ideas came after the thirties.

WW: Now back to the tobacco workers. A lot of people are interested in this. Everybody that you knew, that is, the people working with you in the Hocutt case, would have been involved in the organization of the tobacco workers. You . . .

PEARSON: Right.

WW: Austin. Was McCoy still here?

PEARSON: No, McCoy wasn't here.

WW: And you said you met, the first time you can recall, in the Wonderland Theater?

PEARSON: Yes.

WW: What happened after that?

PEARSON: After that, the International started coming in. This was a man who started to organize locally his own union. And he left here and
went down east. Then later on the International people came in, and they successfully organized separate labor unions.

WW: For blacks.

PEARSON: Yes. One for white, one for black.

WW: You mentioned, though, that there were some meetings where there were both blacks and whites.

PEARSON: That was in an organizational meeting, getting the idea propagated.

WW: But the union as it turned out was a separate union for blacks?

PEARSON: Yes, a separate one for black and a separate for white, and it went along that way until later on I think the Supreme Court or somebody passed a ruling that they couldn't have separate unions; they had to have one union. Then they combined.

WW: Was there great resistance from the white workers to having a united union, in the first instance?

PEARSON: I think they were following the pattern. The pattern was separate but equal in everything.

WW: Is there any direct evidence that you remember that the white power structure was trying to influence the white workers, using the race issue to keep them from uniting?

PEARSON: I don't recall any, but I'm sure they were opposed to the labor union movement. Because after the whites organized, they didn't want Negroes in their union, so the Negroes had to organize their own union.

WW: Do you recall any campaign through the press, though, a kind of whipping up of anti-Negro sentiment because of this labor union activity?

PEARSON: I can't recall any.
WW: After the Wonderland Theater and the organization got started, where would the black union meetings take place?

PEARSON: I don't know. I know it ended up with the black unions building their own building on Roxboro Street, which was Price Street then. And then they had what they called a Central Labor Union, with all of the labor unions being members; black and white and all the unions were members. That was a Political Club(?) project. And then they formed a coalition with the Citizens' Committee, the union and the Citizens' Committee, but it didn't pan out, because whenever a Negro ran for office the white unions would endorse him but wouldn't support him. So then the Negroes stopped supporting the labor candidates, until they finally got together. And now if you can get the endorsement of the Citizens' Committee and you have a base in the white community. . . . Now when I was Chairman of the Political Committee of the Citizens' Committee on the Affairs of Black People, if a man came to me, I didn't care how qualified he was, he had to have a base in his own community, because we couldn't elect him. We could be the difference in the election, but we couldn't elect him. We, in the City of Durham, can be the difference, but we can't elect anyone. And if a Negro runs for public office and he doesn't have a base in the white community, he can't get elected. Now Bulware had been very active in his church, the Presbyterian church, and in civic matters and had been before the public, and he had no difficulty getting elected to City Council.

WW: Before you became Political Chairman, we mentioned this man Dan Martin. He was a businessman, right?

PEARSON: He worked at North Carolina Mutual.

WW: How was he seen in the community? Was he seen in your group as a town radical?

PEARSON: No. All I can say is, Dan was after the money. And after
the election, Dan would usually come up with a brand-new car or something.

WW: So he might have been kind of a ward heeler.

PEARSON: A ward heeler, yes.

WW: But did he have a radical pose? Some people remember him as kind of a radical. Did he have a flourish?

PEARSON: I never considered Dan radical. He was smart and clever. He knew how to get along with whites and blacks. Dan Martin and J. S. Stewart and a fellow named Leslie Atkins (white), who's now deceased, and Brooks, who was a lawyer, controlled the City of Durham politics for years.

WW: In the black community.

PEARSON: And white. Oh, everybody. Controlled the whole thing. Leslie Atkins was the Chairman of the Democratic Party. So after a while the hierarchy got mad, and at one of the conventions Basil Watkins, Attorney, and Holloman led the fight against Leslie Atkins. And they ousted Leslie Atkins. I think he later became a member of the City Council. But they really had a mortal lock on the town. They would select the people to run in the primaries and so forth. And if anybody got out of line... I remember that somebody in the county wasn't going along with them, and they got Governor Scott, who was then Senator Scott, to give him a ring, you know. They really had it tied up; they ran the town politically.

WW: The Durham Committee, then, could work with that machine.

PEARSON: Yes. Stewart was in it; Dan Martin was in it.

WW: So when they sent up a candidate to you, you knew that he had a base.

PEARSON: Though I remember when Brooks was going to run against the fellow who was Secretary of the Security Savings and Loan, now deceased. And I was called to a meeting, and Brooks was telling them about his father...
having been President of North Carolina State in Raleigh and how he understood the problems of education and so forth. When they came out, Stewart said, "That's our man, That's our man." I thought that was mighty quick. So I went over and talked to this Secretary of the Security—I forget his name now—and I couldn't see any difference in their philosophy of government, except one man wanted to take another man's job. So I wouldn't go along with them. So they had a meeting of what was called the Coalition, with all the labor leaders. Mr. Brooks had represented the Central Carolina Farmers outfit out there when the Negroes were striking about wages, some of them who were cleaning chickens and so forth. So the organized labor was opposed. I opposed him. And we stayed there, I guess, till three or four o'clock in the morning.

WW: About what year are we talking about?

PEARSON: I can't recall now whether it was before or after the War. But anyway, we were strong. It split the labor union enough so that it was a long time before they could ever get back together, but we went right on together. So I wouldn't support Brooks. And one of the Committee members brought in a minority report. And, of course, Stewart and his crowd had the votes, so they voted to support Brooks, and Brooks lost. And when the Democratic Party met the next time, they put Leslie Atkins out, who was a decent sort of a fellow. He had set up several black precincts, split the precincts and so forth. And I think they made Alton Knight the next Chairman of the Party, and then he became Clerk of Superior Court. And I don't recall who followed him. But they had a mortal lock on Durham. They'd select who they wanted to run in the primary. With their backing, they could get the Duke liberals and get the labor people. Of course, there was a lot of labor people you had to pay off, you know, for their support and so forth. But they controlled it for a long time,
until Basil Watkins, who's now deceased—he was a lawyer—and Holloman,
who's a lawyer—he's still living—opposed Leslie Atkins at the Democratic
convention, and they put him out. And it tickled me, because all of the
leading Democrats were sitting up in the gallery, and Basil Watkins and
Holloman was leading the fight on the floor downstairs.

WW: You mentioned the split in the labor union. Was there a time
when black and white workers were together politically, then the split
came?

PEARSON: Yes, the split came when the white labor part of them were
against Brooks, because he had opposed these Negroes who were striking
at the Central Carolina Farmers' Exchange. It was a labor issue there.

WW: Now let me get this straight. White labor was opposed to Brooks?

PEARSON: Yes. Not all; part of them were.

WW: Because Brooks had opposed the black workers.

PEARSON: That's right. He'd helped break up the strike as the
lawyer for the Farmers' Exchange. He was a lawyer; that was his job.
But the white labor didn't like it because he was breaking up the workers
contrary to the principles of labor, and some of them opposed him on that
issue, and I opposed him on it.

WW: Do you think the white workers were sympathetic to the black
workers?

PEARSON: Yes. Not because they were black or white, but because
of the labor issue.

WW: That's not a black-white split in the labor movement here, is it?

PEARSON: Not now. That's healed. That's gone.

WW: No, what I'm asking is, if white and black workers were together
for a while, working in the DCNA, and then they fell out over race, and
then they come back together?
PEARSON: It took them a long time. No, they never did get back together. The whites never did. We healed over. It split us, too. It split our Citizens' Committee. But we came together afterwards and forgot about it. But there was a division in labor over that for a long time.

WW: But this is in the thirties, that you're trying to put this coalition together, black and white tobacco workers.

PEARSON: That's right.

WW: What about textile workers?

PEARSON: They had the Central Labor Union, which took in all the little(?) . . .

WW: I see. A grand coalition of all of those.

PEARSON: Yes.

WW: Is there a time as early as the thirties when all of that is together, working with the DCNA?

PEARSON: I don't know when the labor unions were organized. I doubt whether it was in the early thirties, or if it had been in the mid-thirties.

WW: Or the late thirties, I'm thinking.

PEARSON: Yes.

WW: That there was this time when you had black workers, white workers, even textile workers forming a political coalition in connection with the Durham Committee on Negro Affairs.

PEARSON: Yes. We furnished the votes, and whenever there was a white person involved, he would probably get elected. But whenever we ran a candidate, we would get the endorsement but wouldn't get the votes.

WW: So it's over this issue that you began to fall out.

PEARSON: That's right.

WW: And it's not put back together again until . . .
PEARSON: I don't think the labor endorsement helps anybody now. It probably is a hindrance.

WW: So this is kind of a brief honeymoon in the thirties...

PEARSON: Yes.

WW: ... that fell out. Did Wheeler have a role in getting that together?

PEARSON: No. Wilbur Hobby is head of the Federation of Labor in this state, but it looks like to me that everything he endorses, that he stands for, loses, fails. Of course, North Carolina's a very poor labor state anyway, as you know. They got the Right to Work law. And I have always supported a right to work law, because I know that the history of the labor movement has been to keep Negroes out. And back in those days, if they had got a union shop, it would have been difficult for any Negro to get in there. Probably if the Right to Work law was withdrawn now, it might be a different situation. And then I don't like the idea of a labor union collecting your dues, and a few people getting together and saying, "Well, we're going to support John Doe politically." Well, you and John Doe's political philosophy could be just as far as night from day. But you've got to go along. You don't have to vote for him, of course, but your money is promoting that man. A lot of people have that view, and some say if the Right to Work law is withdrawn that it will aid the labor unions. I don't think it would, not in North Carolina, in the South. They just oppose the labor union, because they figure that the labor union is going to be strong politically and be able to challenge them. And if you notice the pendulum over the time... I know when I was going to college, we used to debate collective bargaining, and everybody was sympathetic toward the labor union. But after President Roosevelt came
into power and passed 7A—they had the right to organize without the
interference of management—they have done exactly what management has
done, and the pendulum has swung. Where management used to control, the
labor union is controlling. The labor union can tell management what to
do. They look at your profit and loss and say, "Man, you made a billion
dollars this year. We want our share." And they strike and get their
share. Well, who ends up paying for it? The consumer pays. They don't
pay it out of their profits. They just raise the price of their materials,
So the pendulum has swung now. Where management was in power then, the labor union
is in power now. Had you ever thought about that?

WW: [Laughter] Yes, that's what a lot of people are saying,
particularly like the Teamsters, how powerful they've gotten. Is it
possible that somebody like Spaulding. . . . We mentioned the Wilmington
race riot as a way of. . . . This matter of fear. Do you think that
there was a fear of labor violence in this . . .

BEGIN TAPE III SIDE II

WW: Let's see, that's what, the late 1920's.
PEARSON: Yes, I remember that, mostly.

WW: The white power structure here was, obviously, aware of that,
and would Spaulding and Shepard have been astute enough to use that as
a kind of tactic, so that they might have said, "Well, now, we won't
be for unions, but we're going to have this Committee here, and we're
going to try to get the vote . . . ."

PEARSON: I don't think that issue was ever raised. As I said in
the beginning, I think that the Dukes and the American Tobacco Company
and the Erwin Cotton Mill people used their influence to keep the town
peaceful, so they could keep this flow of cheap labor who weren't making
but a dollar a day, six days a week. And they were making enormous
profits. It was to their benefit. So we never had any racial flares up
here in Durham. Because I remember when they had the sit-in demonstrations,
the sheriff [chuckle] would just say, "Go and talk to them people and
ask them to get out of the road and let the people get in and so forth
with their automobiles." You know, the people were beating them over the
head and so forth in other places.

WW: So the whites had control of the white workers, and to a certain
extent the blacks had control of the black workers?

PEARSON: That's right. And the Dukes and the Duke Fac . . .

[Interruption]

WW: We talked about the Dukes, but we haven't mentioned Julian
Shakespeare Carr and the influence he had. He was close to your uncle,
was he not?

PEARSON: Yes.

WW: His connection was a very close one there historically?

PEARSON: Yes, it was. Right after or during Reconstruction, my
uncle was making a stump speech for the Republican Party, and Julian
Carr heard him. He took him and a fellow named Husband and another named
Sowell, and he sent them all to Shaw University and educated them. And
my uncle came back, and the Negro principal died. I think his name was
Whitted. And the question was, who was going to succeed Whitted? And
the Negro leadership at the time was supporting Mr. Husband, and Mr.
Carr supported my uncle, and of course my uncle won [chuckle], was elected
the principal of the school. And he later became quite prominent and had
control de facto of all the Negro schools in the county. Mr. Carr was
a very intriguing fellow. He was well dressed, morning coat, striped
trousers, and I remember a gold chain he used to wear, and of course he
had a gold walking stick, with the handle at the top of the stick being gold.
And he had a mansion there near the bus station, took in a whole block.
And he had a flower house where he grew flowers the year round. Oh, he
had everything.

WW: This is what they called Oconeechee Farm?

PEARSON: That was in Hillsborough. And he had a mill here that made
flour, called Oconeechee Flour. He was in textiles; he had two mills.
He had a mill for all black labor, and he had another mill, all white labor.
You better cut this off, because it's the truth but I don't know, I don't
want to get you in . . .

WW: Is this about the two families?

PEARSON: Yes.

WW: Well. . . .

PEARSON: You already know about it.

WW: I think that's widely known, and I'd like to hear your version.

PEARSON: Julian S. Carr and John O'Daniel had the same father but
different mothers, and John O'Daniel was his handyman. When John O'Daniel
died, Julian Carr's son and John O'Daniel's son was his pallbearers.
And the O'Daniels looked like white, and you couldn't tell them. Of
course, the Carrs were white.

WW: Did the O'Daniel sons look like the Carr side, do you remember?
Was it that close that people . . .

PEARSON: I didn't know many of Julian Carr's sons, except by
reputation. There wasn't any question about John O'Daniel and Julian
S. Carr having the same father.
WW: They were half-brothers.
PEARSON: Yes.

WW: Does anybody know the black woman who would have been O'Daniel's...
PEARSON: I think her name was Shaw, but I'm not sure about that.

WW: Had she been a servant or something for Carr's father, or does anybody know?
PEARSON: I don't know how their relationship sprung up. Probably I would have asked now, but at the time everybody just took it for granted.

WW: Everybody seems to know about this, so it was open. It was no great secret, I guess.
PEARSON: Julian S. Carr was very nice to the O'Daniels.

WW: Do you think that the sons on both sides knew that they were cousins?
PEARSON: I'm quite sure they did. The South has a whole lot of peculiarities.

WW: Do you know any more cases like that? There's a man working on a book, trying to deal with these families throughout the South.
PEARSON: The Dukes are supposed to have some kinfolk here in Durham.

WW: From Buck Duke, James Buchanan Duke?
PEARSON: I don't know which one of them. I know that when I was practicing law, a fellow came [chuckle] to see me, and he wanted to see if the Dukes had mentioned him in his will. I said, "Why would they mention you in the will?" He said, "My mama told me that" one of the Dukes--now I forget which one it was; I think the one that gave the money to Duke--was his daddy.

WW: That's James Buchanan.
PEARSON: So he went to New York, and the Dukes gave him a job in the
office there as office boy. And Carmichael, that I was telling you about, came by there and saw him, and Carmichael told him it was best for him to go home and gave him his salary and gave him a ticket and sent him home. And he had written to Mr. Sands—I think Mr. Sands was Duke's secretary—and wanted to know if he was mentioned in the will. And Sands wrote him back and told him no, but he never did come back. He came to my office and asked me to loan him a quarter, and I loaned him a quarter, and he said he went to see a root doctor. [Chuckle] He looked just like the Dukes. Spitting image. You go up there and look at the old man Duke's statue and look at this fellow, and you'd know they'd either have to be kinsmen or what they call in moving pictures "lookalikes."

WW: And this fellow left Durham?

PEARSON: I don't know what became of him. He was living in Hillsborough. I don't know whether he's dead or living now.

WW: He was light-colored?

PEARSON: No, he was fair, just as fair as Doris Duke. What I was going to do, I was going to write a letter to the man and not threaten them or anything like that but let them know that this fellow claimed to be their kinsman, and they ought to do something for him. Rather than have a whole lot of newspaper publicity about it, probably they might have made this concession. But he never did come back.

WW: But if this is true, Duke never acknowledged it to the extent that Carr did.

PEARSON: No. See, Mr. Duke had a servant by the name of Sid Sims, and they lived about two doors from me on Fayetteville Street. Whenever old man Duke would come to town, these children he had by these different people, he would give Sid the money and send Sid around, and Sid
would carry the money and give them to the people. When the Dukes died, that cut that off.

WW: This fellow Sims has been long since dead, I assume.

PEARSON: That was common during slavery. Of course, the master had children by any woman who attracted him who was a slave. And after the Civil War, many families maintained two families, one in the white community and one in the black community. That was common. I was told once that a prominent senator in South Carolina used to go to a Negro school in South Carolina to see his daughter.

WW: There is a story about Strom Thurmond.

PEARSON: [Laughter] You said it; I didn't. If Strom sues, he'll have to sue you.

WW: I know that there's somebody else, a woman in Columbia, South Carolina, who knows this and I think has recorded on tape, giving a lot of detailed information on it, so these secrets are bound to...

PEARSON: Surface sometime.

WW: This man who came to you who claimed to be Duke's son, you say he lived in Hillsborough?

PEARSON: Yes.

WW: Would he be too old to be alive now? Was he younger than you?

PEARSON: He might be living, but I had lost. He never came back to my office, and this was in the thirties.

WW: Do you remember his name?

PEARSON: I don't remember his name.

WW: This mill for blacks only that Julian Shakespeare Carr began, do you remember anything about the origins of that? Was it called the O'Daniel Mill?
PEARSON: Yes, I think he named it after O'Daniel. And there was some of the most beautiful music you ever heard in your life, if you could pass by there and hear those girls in there working those machines and singing.

WW: Was it mostly black women who worked there?
PEARSON: Yes.

WW: What did they make?
PEARSON: I don’t know. I don’t have any idea about it. Whether the salaries were equal, I do not know.

WW: I was wondering what they manufactured. I heard that they made . . .
PEARSON: Stockings.

WW: . . . mostly cheaper stockings.
PEARSON: Yes. Those gray-looking socks they used to make.

WW: And they made the better textiles over at the other mill, is what I heard.
PEARSON: Yes. They made stockings for females, I think.

WW: What do you think about Carr’s motivation in that, given his role with your uncle? Do you think that he was just interested in cheap labor, or was he interested in doing something?
PEARSON: They tell me that Carr really did have a concern for people less fortunate than himself. A fellow told me once that when they would have depression conditions that Carr would fill up his wagons and send them down with his servants and carry flour and meat to the needy families in the Negro community.

WW: What about the issue of voting, though, or getting the franchise for blacks?
PEARSON: I imagine he would have been opposed to that. He called himself “General” [Julian] S. Carr. I don’t think he was ever a general
in the Army in the Civil War; I think he was a self-styled... Another fellow did an article on that, and he said that Julian S. Carr beat some Negro woman in the streets of Chapel Hill.

WW: Yes, I've read that. He might have been quoting something I found. I quote that in the book on the Mutual.

PEARSON: I forget this fellow's name. He came to me, and he gave me a copy of his book. He was interested in slavery, and Carr's name came up some way, and he told me that Carr allegedly whipped a Negro woman in the streets of Chapel Hill.

WW: Carr gave a speech when they erected the Confederate Memorial on the lawn of the University at Chapel Hill, in which he said that that's what this memorial meant, that it was dedicated to those Confederate soldiers who, despite the loss, their loyalty to an idea of white supremacy, along with the Ku Klux Klan, made it possible that there would not be black domination. And then he went on to tell this story about how he whipped this black woman because she had insulted a southern lady; he meant a white lady. Now whether he did or not, or whether he was just, you know...

PEARSON: Anyway, that's rumor.

WW: ... giving the speech to... This was in 1913 he gave the speech. What else do you remember about some of these early figures? You were born when, 19...

PEARSON: Two.

WW: 1902. Well, you can remember Carr; you can remember the Dukes.

PEARSON: See, the Dukes had gone to New York when I came along. And all I can remember about the Dukes is that they would come at least once a year to St. Joseph's AME Church.
[Interruption]

PEARSON: ... Dukes, they'd give it to you. They were very generous to the people in ... John O'Daniel was a prominent member in St. Joseph's AME Church, and the Dukes just gave St. Joseph's ... Have you ever been in St. Joseph's and seen the picture of the Dukes up there, that big picture in the window? There's a beautiful picture there. You can't find that kind of stained glass anymore.

WW: Yes, they're trying to preserve that.

PEARSON: Right. It's been preserved as a historical thing.

WW: What Duke was to St. Joseph's, then Carr was to ... Then, he didn't have any connection with ...

PEARSON: Carr was a United Methodist. I think they have a church named for him. You've got the Trinity Methodist Church here. That's one of the older United Methodist churches.

WW: Do you suppose that people like Merrick and your uncle, were they both ... 

PEARSON: Merrick was very close to the Dukes, because he used to shave them. He was a barber. Now they've got the rumor out that John Merrick organized the North Carolina Mutual, and he went to the Dukes and the Dukes told him it was a good idea. I doubt that seriously. I think that what happened is probably John Merrick said, "Mr. Duke, I've been asked to join in with a group who are going to organize an insurance company. Do you think it's a good idea?" And I imagine Mr. Duke said, "Yes, that's a good idea." But I don't think he went to Mr. Duke and said, "I'm getting ready to organize an insurance company. Do you think it's a good idea?"

WW: Do you suppose that Merrick and your uncle voted in those early days?
PEARSON: Oh, yes, they voted, too. They were the crown princes of Durham; they didn't have any difficulty voting.

WW: But they had to do this under the supervision or sanction of the Dukes or Carr.

PEARSON: Yes.

WW: How do you explain your "radicalism"? Was it your education?

PEARSON: Maybe I'd put it like Billy Mays put it: he was born to be a rebel-rouser. Born to be a rebel. I went to a church school, and naturally their attitude was different from that of a state school. Most of your leaders have come from church schools.

WW: You mean college undergraduate?

PEARSON: Yes.

WW: Which one was this?

PEARSON: Wilberforce. That was the AME church school they organized before the Civil War. And most students who went to a state school had rigid discipline. For instance, if you finished at Tuskegee and you applied for a job and I applied for it, you, being from Tuskegee, would get the job, because they knew you were orientated to letting things stay as they are. But the church schools were different—they weren't getting any money from the state—and I guess that's where I got my radicalism from, if I had any.

WW: Do you remember anybody there who influenced you?

PEARSON: I had one college professor named George David. He was way out, and maybe that influenced me some.

WW: What did he teach?

PEARSON: Sociology.

WW: Do you remember things that you read at that time that influenced you as well? Did you read *Soul of a Black Folk* by DuBois?

PEARSON: Oh, yes. I think that's beautiful. Yes, I read that.
Frankly, I can't put my finger on anything that shaped my attitude. I guess I just put it down like Benny Mays put his down, "Born to be a Rebel."

WW: Did you go directly from Wilberforce to Howard Law School?
PEARSON: No, I came out and worked for years before I went to Howard Law School.

WW: What kind of work?
PEARSON: My uncle was interested in a fraternal organization, and I was going around setting up lodges. I went to South Carolina, Georgia, Florida. I saw a lot of conditions.

WW: Was this the Royal Knights of King David?
PEARSON: Yes, I saw a lot of conditions, and I've been in towns where they just had a lynching, and the fears that the people were under. Maybe that shaped my attitude.

WW: Your uncle was not seen as a radical. Did you and he fall out over anything, though? Did he smile on your going to law school?
PEARSON: Oh, yes, he sent me to law school. I had gotten some books and started reading law, and he heard about it, and then he sent me to law school. I think he was proud of me, but when people get to the point where they are in control, they don't like to share that control even with a kinsman. I guess he looked upon me as somewhat of a rival.

WW: Was there anybody in Howard Law School that influenced you, as you look back on it?
PEARSON: No, I don't think so. Just my own reading.

WW: Was Ralph Bunche teaching when you were there, or Frazier?
PEARSON: The Law School was downtown near the Capitol, and Howard was on what they called "the hill" several miles from there. So what was
going on on the hill, we didn't know about.

WW: So you wouldn't have come into contact with Bunche or Frazier or Abram(?) Harris.

PEARSON: No. There was another fellow named Sterling Brown, a poet.

WW: There was a kind of movement in the thirties, though . . .

PEARSON: Yes, called the Renaissance, wasn't it?

WW: Well, in the twenties more of a literary movement, but then in the thirties you get more and more people kind of moving toward the left.

PEARSON: Yes.

WW: And I'm just wondering if that appealed to you, if that was in the air. Lacey Philip Randolph gets involved with the . . .

PEARSON: Pullman porters.

WW: The Pullman porters, but I'm thinking of the National Negro Congress now, which was more of a leftist organization.

PEARSON: That grew out of the NAACP, because Farmer didn't think the NAACP was radical enough, so he went out and organized the CORE.

WW: In the forties, yes.

PEARSON: Yes.

WW: That was established in '42, I think. But I'm wondering if back in the thirties, when you were maturing, getting into the Hocutt case and other things, if there was this larger climate of black intellectuals being radical on the left, if any of that had any influence on you, if you were aware. It was mostly in the North, but . . .

PEARSON: I read about it. How much influence it had on me, I don't know.

WW: You weren't in personal contact with . . .

PEARSON: No. All I knew about it is what Will Rogers used to say:

"All I know about it is what I
saw in the newspapers." But, you see, you had the Pittsburgh Courier and
the Chicago Defender, and they were widely circulated, so you had a pretty
good view of what was going on in the Negro community all over the United
States.

WW: Since we're just reminiscing, tell me a little bit about Louis
Austin, speaking of newspaper men.

PEARSON: Louis Austin was a well read fellow. He knew the Bible and
Shakespeare. A splendid public speaker and a brilliant writer of editorials
from a Negro point of view. And I think his editorials sold his newspaper,
because all the news in his paper was a week old. And he was a dedicated
churchman. He said his father told him never to take a drink of whiskey,
and he never did. The only thing he drank was gin and wine.

WW: [Laughter] Did he have any influence over you, or you over him?

PEARSON: No, I don't think we influenced each other. We probably
were comrades-in-arms, to a certain extent, I guess, at places where he
differed with me and I differed with him.

WW: Would he have been your closest ally in these early days?

PEARSON: Yes, it got to the place where the people downtown in
ivory towers like the North Carolina Mutual could put the brakes on him.

WW: Just because of advertising in the newspaper?

PEARSON: Yes, and he was borrowing money to keep his paper going and
so forth. But I'd give him a clean bill of health as far as his inner
feelings were concerned.

WW: Were you all alone there for a while, or was there always somebody
kind of working with you, supporting you in these unpopular causes? Could
you depend on somebody?

PEARSON: R. L. MacDougald would support, until it conflicted with his
interest in the North Carolina Mutual and the bank, and between them and what we were doing, he'd go along with us. But otherwise he would encourage you, help you financially and things of that sort.

When did R. MeCance Andrews leave? Was he here when you came?

He died shortly after I came back to practice law.

Was he any influence on you?

No. He was the first Negro lawyer to start going into court. He went to Harvard—I don't think he finished—and he came here and opened up his office and started practicing, and he went into court and won several cases. He was unique, because most of the Negro lawyers back in those days just did office work, didn't take any cases to court. And there was two of them here. Both of them were named Cannaday(?); they were brothers. They left here finally and went to Washington, and I lost track of them.

What about Miles Mark Fisher? Did you have connections with him?

Yes.

Was he your supporter?

To a certain extent, yes. He was like me. I got all the business out of his church. But I came to the parting of ways when they had a superintendent here, and the teachers went to him and told him that they were having difficulty. My uncle had just come out of the school system, and they had brought in a new principal, and this fellow brought in another principal. And this other principal had a mental condition. And if the teachers would go to the bathroom, he would go to the door and stand and listen to see if they were talking against him. He had a paranoia that somebody was organizing against him. And they went
to the superintendent about it, and the superintendent fired all these teachers. And they said Mark Fisher supported the superintendent. I don't know. But I know that after that, anybody who wanted a job in the school system, if they got Miles Mark Fisher's approval, they got the job. Now whether or not it was true that he went to the superintendent and supported him, I don't know. And unfortunately, this principal that I'm talking about eventually killed himself and his son, just went berserk. So the teachers really did have a legitimate gripe about him. And the other principal they brought here to take the place of my uncle, eventually they put him out.

WW: So this contributed to a split between you and Fisher?

PEARSON: We never had a split. Fisher was one of my best clients. I did all the business for the White Rock Baptist Church. And any people that came to him for legal advice, he always sent them to me. We never had a split.

WW: You said something about a parting of the ways.

PEARSON: No, no, we didn't.

WW: We mentioned that the tobacco workers met in the Wonderland Theater. Did they ever meet in the White Rock Baptist Church?

PEARSON: Not that I know of.

WW: Would Fisher have been in favor of that?

PEARSON: I'm quite sure he would have.

WW: How do you explain that somebody like Fisher, being certainly more radical than Spaulding but maybe yet under Spaulding's control, how did he get along as pastor of White Rock?

PEARSON: When he came here, the North Carolina Mutual controlled White Rock Baptist Church. They called him, and he saw what the picture
was, so he bided his time. Every time somebody would die on the deacon board, he'd go in the factory and get some poorly-educated Negro who'd be proud of the position to be on his deacon board, and he'd put him on the deacon board. He did that until he got a majority.

BEGIN TAPE IV SIDE I

WW: You were saying he and Spaulding did what?

PEARSON: They couldn't get along together, because Spaulding, and North Carolina Mutual, ruled and ran White Rock. So after Mark Fisher got his structure, there wasn't anything that Spaulding could do. So Spaulding had a fellow by the name of Husband make a motion to declare the pulpit vacant, and he couldn't even get a second. I said, "Reverend Fisher, what did you do?" He said, "I didn't do a thing. I didn't open my mouth. But when he died, I preached him a nice funeral." [Chuckle]

WW: So you think Spaulding would have gotten rid of him if he could.

PEARSON: If he could have, yes, because the Mutual had controlled White Rock from the days of Dr. Aaron Moore right on up through Spaulding.

WW: Do you remember Dr. Moore?

PEARSON: Yes.

WW: What was your impression of him?

PEARSON: I think he was the first Negro doctor in Durham. He was the only doctor I knew until I got to be grown and left town.

WW: Did he doctor you?

PEARSON: Yes. I had typhoid fever when I was a little boy. How I lived, I don't know, because all I can remember they did, they got the well water and put some ice in it and bathed me in there. You could have heard me hollering to Duke University. [Laughter] And then I went to the hospital,
and they didn't feed me. I think the only thing they did was to give me some quinine. That's all. And I stayed there for a month or so. And I amazed doctors when I'd tell them that that was the only illness I had as a child. Of course, you seldom survived typhoid back in those days. The old saying was "Feed a cold and starve a fever." Well, that's what they did. They got water out of the well which was already cold, put ice in it, and put me in there, trying to break the fever. Then I went to the hospital, and they gave me quinine. Didn't have any ambulances. They had stretchers like the Army used to use. They were taking me to the hospital through the streets. We were going down the street, and people would say, "What's wrong?" Said, "He's got typhoid fever. We're going to the 'hospitai'." Said, "Poor child, he'll never come out alive.(?) [Laughter] He'll never come back from the 'hospitai'."

WW: This was Lincoln Hospital?

PEARSON: Yes. But I did, and I survived the thing. Very few people survived it, but I did.

WW: Was Dr. Moore seen as a community . . .

PEARSON: Dr. Moore was considered a radical. He couldn't get along with white people, so that's why John Merrick came in. And Dr. Moore, of course, was the only educated person in the group that finally got control of the Mutual. He was the only one that had any education. He brought his kinsmen in. Spaulding was kin to John Merrick and Dr. Moore.(?) That's where Merrick came in, because Merrick had the connections with the Dukes and so forth. So Dr. Moore handled the Negro community; John Merrick handled the white community.

WW: When you were travelling around for your uncle organizing, you said you saw some terrible conditions. Was Durham really different than
other communities?

PEARSON: Oh, yes, Durham was a haven compared to some of the towns I saw in South Carolina. Yes, indeed.

WW: To what do you attribute the difference?

PEARSON: I guess agriculture was the main income in many places in South Carolina, just plain agriculture and tenant farming and so forth. You see, you did have your factories here in Durham to go along with your agriculture.

WW: So there was more income?

PEARSON: Yes.

WW: But there were bad housing conditions, I would think.

PEARSON: Oh, their housing would be about the same all over the South. It might have been better here in Durham, because you had a bank, a building and loan, and the North Carolina Mutual where you could borrow money. It would be very difficult to borrow money in some places in the South at that time from the regular established lending concerns, unless you knew somebody.

WW: You mentioned race relations, you thought, were better in Durham.

PEARSON: Oh, yes. We never had any difficulty along race relations. The status quo people wanted to stay status quo, but as far as having riots and that sort, we didn't have any.

WW: Were there things that you might be able as a black person to do in Durham you couldn't do elsewhere as far as crossing the color line, or was that about the same?

PEARSON: I doubt it. I think the same rigid lines you had were throughout the South, and subtly in the North and the Midwest.

WW: Sometimes not so subtle. You told me a story once before that
I've never forgotten. I believe you came into a courtroom, and you sat down beside a man. Do you remember the story I'm talking about?

PEARSON: Yes.

WW: I thought that was interesting, how it said something about race relations. You had sat down beside a white man?

PEARSON: Yes. It was in the courtroom. He was not in the right place. He was sitting where lawyers sit.

WW: The white man was.

PEARSON: Yes. And another one said, "There's a nigger sitting beside you." He ignored him. "There's a nigger sitting beside you." "Yes, but he's a lawyer." [Laughter]

WW: You knew the white man you sat down beside?

PEARSON: No, I didn't know either one of them. I had seen them; I didn't know them by name.

WW: He knew you were a lawyer.

PEARSON: Yes.

WW: You know, they say that generally there'd be no distinctions made on the basis of class or education and all people would be treated alike. But from what you say about your uncle, he could vote. Could he ride a Pullman car?

PEARSON: Oh, yes, he, Spaulding, and Shepard could ride the Pullman, and they could get a Pullman for you. Dr. Shepard, I think, opened it up by going down there and buying up the people who sold the tickets. I think he greased them, and by greasing them. . . . If you wanted to go to New York on a Pullman car, you'd go down and the man wouldn't sell you a ticket. If Dr. Shepard sent you down there, you could get a ticket.

WW: Your uncle could do the same thing if he sent you down?
PEARSON: Yes.

WW: Could you get a ticket?

PEARSON: I never had any difficulty getting a Pullman.

WW: It didn't make any difference who you were; it was just who sent you.

PEARSON: That's right, who sent you.

WW: What about voting before the Durham Committee? Would that work through that kind of connection, too?

PEARSON: They had a certain group that they had no difficulty in voting. Most of them were registered as Republicans anyway, and they didn't have any Republican Party; they only had a skeleton crew that handled the patronage.

WW: So if they voted in the primary, it didn't make . . .

PEARSON: They couldn't vote in the primary, because they didn't have any primary, so it didn't make any difference to the Democrats how many Negro Republicans you had.

WW: They couldn't vote in the Democratic primary, and the election was decided then.

PEARSON: That's right.

WW: When you got out of Wilberforce, then you came back here and worked with your uncle.

PEARSON: That's right.

WW: You would have been old enough to vote well before the 1930's, so were you able to vote in the twenties?

PEARSON: I registered, yes.

WW: But generally speaking, a person would have trouble without these connections.
PEARSON: You'd have difficulty getting registered.

[Interruption] from Roxboro,

PEARSON: Long was a prominent lawyer, and we were down in the Supreme Court of the State of North Carolina and got to talking. And I mentioned the fact that a lynching occurred years ago in Roxboro. He said, "Yes, my daddy stood on the courthouse door and tried to prevent it." And I kidded him about it. I said, "Well, if your daddy stood on the courthouse door and tried to prevent it, he knew who committed the lynching." [Chuckle]

WW: Precisely. But you don't remember much overt violence in Durham itself.

PEARSON: No. I never heard of a lynching in Durham.

WW: Was the NAACP active before you got out of Howard?

PEARSON: No. When I came here from Wilberforce, Mr. John M. Avery, who was Vice President of the North Carolina Mutual, would go around every year with a slip of paper and put your name down, and you gave a dollar, and he would send it up to New York. They didn't even have a branch here. They didn't get a branch here till Miles Mark Fisher came. Then we organized a branch around Miles Mark Fisher.

WW: Now that's about the same time as the Hocutt case.

PEARSON: That's right. That's the same time.

WW: So a lot was happening there, '32, '33.

PEARSON: Miles Mark Fisher was in it. He was president of the branch at that time.

WW: Do you think the Hocutt case had some influence in the NAACP getting established here and elsewhere in the South? Did it have any of that kind of impact?

PEARSON: Yes, I'm quite sure it did. Like it started a lot of people
thinking. Walter White capitalized on it. He started up in Asheville and came right on down from Asheville, stopping in all of the large cities. He had a reputation, you know, of his own, and he established a lot of branches in North Carolina.

WW: Out of the Hocutt case, did you get to meet White and Houston and obviously Hasty and others like . . .

PEARSON: Oh, yes. I got to know them all. Oh, I can tell you.

Hasty spent the night with my uncle. [Laughter] Let's see, Walter White, Thurgood Marshall, Jack Greenberg, Robinson, Constance Mohey(?), Bob Carter. He's a judge. In fact, all of them have been here. Walter White was here about a year before he died(?).

WW: James Weldon Johnson had pretty much gotten out of the NAACP by the time you got active?

PEARSON: Oh, he was quite a character.

WW: Do you remember him ever coming to Durham?

PEARSON: I don't think James Weldon Johnson ever came to Durham. I can't recall him.

WW: He was Field Secretary before White, I believe.

PEARSON: Yes. But he was a writer, God's Trombones, and what was the other, something about Manhattan?

WW: Black Manhattan, Along This Way.

PEARSON: Yes. I used to have all those books. When you loan them to people, then you never get them back. He got killed in an automobile wreck, didn't he? That was tragic, and he was in the foreign service for the government, wasn't he?

WW: Yes, he was Consul in Panama and Costa Rica, I think, or something
like that?

PEARSON: Yes.

WW: That was before he got into the NAACP. So there was some activity in the twenties in the NAACP, but it was mostly just to send in the dues.

PEARSON: "Don't mention my name," yes.

WW: I see. Now what about Avery, though? Was he out front on this?

PEARSON: No, he was just doing it because he didn't run any risk at all, didn't have any branch; he was just collecting money for the NAACP. Nobody knew anything about that but him and the people he approached.

WW: Would he collect it then mostly out of the Mutual and the people . . .

PEARSON: Mutual and other well-to-do Negroes. All of them were sympathetic to the objectives of the NAACP.

WW: Did they fear, though, that if they went any further they'd have been in trouble with somebody?

PEARSON: I know they didn't have an active branch, and that would probably indicate that they felt it was best for them not to have an active branch.

WW: And to the best of your memory, it's the Rev. Miles Mark Fisher who began . . .

PEARSON: We organized the branch around him.

WW: Who else would have been the leaders, you, Fisher? Prof.

PEARSON: Fisher, McCoy, and myself, and E. D. Mickels(?) He was the principal of one of the schools. He was instrumental in getting the branch, he and Miles Mark Fisher.

WW: Was there any heat from anybody on this?

PEARSON: Oh, no. Nobody paid any attention to it.

WW: Now was this before or . . . I'm trying to get this in sequence.
PEARSON: This was before the Hocutt case. About 1933.

WW: When Hasty came to town, you mentioned this impact that he had on the citizenry. Do you think that that was kind of the lasting legacy of the Hocutt case for the black people of Durham, the courtroom appearance?

PEARSON: He made quite an impact on the community. Hasty was a very brilliant fellow, and he was mild-mannered. He knew how to get a point over without making people mad. You know, some lawyers are very aggressive and make everybody mad. He knew how to get his points over without making people angry. And they hadn’t seen a lawyer of his polish and of his brilliance before. And there were one or two lawyers who were Harvard graduates at the time, and you know there’s a feeling between Harvard graduates. And Hasty made quite an impact on both communities.

WW: When he went back, then, to the NAACP, did they keep up any kind of communication after the Hocutt case with you and McCoy?

PEARSON: Oh, yes. I went to Howard University and spoke, and Walter White was bragging. You know how much money I made out of the Hocutt case? I made fifty dollars.

WW: From the NAACP?

PEARSON: That’s what they sent me. They sent me a card and fifty dollars.

WW: When you initiated this, had you written White?

PEARSON: No, we didn’t consult anybody.

WW: You just went ahead.

PEARSON: Just went ahead and asked for their assistance later on.

WW: As they began to develop these other cases in the South, was it built on the experience of the Hocutt case in any way?

PEARSON: I had built a reputation because of the Hocutt case.
They organized what was called the North Carolina Conference, all of the branches of the NAACP, and that was all of the branches coming together. And then I became legal counsel for them, and that's the way I got involved in litigation that followed.

WW: It wasn't long after that that there was this fight for equal teachers' salaries in the public schools. Did that come out of the Hocutt case? Did that have anything to do with it at all?

PEARSON: I think so.

WW: Were you involved in that?

PEARSON: No, we didn't have to do it in this state. A suit was brought in Virginia, and the Supreme Court ruled with the Virginia people. Then North Carolina just went on and equalized the salaries without a lawsuit.

WW: Wasn't that quite a bit later, though?

PEARSON: After that suit, I don't know how many years later. But they didn't have a leg to stand on; once the Supreme Court had ruled that you had to equalize the salary, there wasn't no need to fight.

[End of interview]