

MALINDA MAYNOR: Interview with Henry Ward Oxendine for the Southern Oral History Program Series the Long Civil Rights Movement on Tuesday, September 23<sup>rd</sup>, 2003 at his home in Pembroke, North Carolina. The interviewer is Malinda Maynor. The tape number is 92303/HWO.

HENRY OXENDINE: ( ) the noise around there that this baby we had anticipated that they would have picked her up and probably during the interview. Her mother would come and if you want to cut it off during that period of time that will be okay.

MM: So why don't we start with when you were in high school for example going to an Indian only school, what did you feel like? How would you describe that experience?

HO: Well, at that point in time that's all we had ever known. It was sort of like being poor. Everybody that I knew and everybody that I associated with was poor, and so we just thought that that was basically the only way of life that existed and that was about all we knew. Going to school I went to Union Chapel eight years in elementary school and it was all-Indian, all eight years. Then when the other schools consolidated in I believe it was 1953 there were high schools at Union Chapel, Deep Branch. A lot of other places had high schools, but they consolidated them into four Indian high schools and Union Chapel, Deep Branch and Union Elementary started sending their students who were high school aged, started sending them to Pembroke. That's when we moved to Pembroke and we joined up there with students from Pembroke Elementary, Union Elementary, Deep Branch and it was still an all-Indian environment. That's all we knew. There were some white teachers. There were two or three teachers that we had in high

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school that were white, but we just never had any contact with them and I guess up to that point in my life nobody had ever raised the issue. We just thought that that was the way it was supposed to be. Whites go to their schools; the blacks to their schools and we go to our schools. Really it's just something that I had never thought about during that period of time in my life because that's the way it was.

MM: What did you think, or looking back on it what do you think are some of the benefits and the drawbacks of that, of an Indian-only school system?

HO: Well, I guess the obvious advantages for us were that we were around people that we knew, and we were around teachers that we knew and that knew us. For instance when we moved to Pembroke from Union Chapel, it was probably about twenty-five of us that were in the eighth grade at that point in time. Of course we went to Pembroke and I knew all of those students, and it wasn't long before we intermingled with the students from Pembroke, and we got to feeling comfortable with each other. Of course there was no racial tension. At that point in time we didn't even know the term. We were all the same race, and we were all pretty much about in the same socio-economic class and so there was no conflicts there. It was just, that would be an advantage.

I guess the disadvantage as I look back on it now we probably the equipment that we were using, the books, we really didn't have that broad of a curriculum at the school at the time. I guess as I look back on it now probably Indians and blacks were probably not receiving the same level of education that the whites were. We weren't aware of it, and we just accepted it and moved on.

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MM: Describe a little bit for me the involvement of parents in the school for example. Would you say that parents were more or less involved in an Indian only school than perhaps they were after the schools were integrated? Did you see any difference then?

HO: I don't know that I saw any difference. Of course my reference point is my parents' involvement, and my parents neither one of them were educated, but they did see the need for education. They wanted me to go to school for instance. I lived within a quarter of a mile of the school and I walked to school. Out of eight years that I was at Union Chapel, out of that entire eight years of school, I probably missed four or five days out of eight years because I went to school every day. It was important to them. If there was any kind of a disciplinary problem at school, the schools took care of it. They didn't worry too much about what the parents were going to say because they knew the parents would be supportive of them. For instance if the teachers felt the need to use corporal punishment, and they used it quite a bit back in those days, they knew that the parents wouldn't be out there on them criticizing them and threatening them with lawsuits and so forth. In fact probably most students that they received some kind of corporal punishment at school they didn't even report it at home because they felt like they might get additional punishment. But I observed that most parents unless there was some reason for them to get involved in their child's education, they really, there was not a lot of problem from my observation.

MM: Do you think that's because the parents themselves perhaps were less educated, had less education than the students were receiving or—

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HO: That's part of it, and a lot of the parents, one of the reasons I was able to go to school every day was because I didn't have to stay out and pick cotton and so forth. We had, my whole school period especially in elementary school, it was not uncommon in the fall of the year students would stay out until the corn was gathered, until the cotton was picked. The parents it was able just for some families, it was unheard of that the children would go to school. They would want to go to school, but the parents would keep them out to pick the cotton and gather the crops. Then when all that was done, then they would send them to school, but a lot of times they were way behind. I think it was a factor that a lot of the parents, they felt that they had somehow made it and got along without an education and they really, education was not that important to them. They didn't see the necessity of doing what was necessary for their kids to succeed in school.

MM: Well, when you, let's see you graduated from high school in 1957.

HO: '57.

MM: And could you describe for me your sort of first experiences outside of here when you kind of became aware of racial tensions in a different way or the way those sorts of issues were handled away from here.

HO: Of course my first contact outside the Indian community was probably during the times that I was eleven and twelve when my uncle, he would take us to the theater on Saturdays and we would go, and of course we went upstairs. That's where Indians went at that point in time. It was accepted. Nobody questioned it. That's where Indians went, but we had some interaction, and I can recall the all-white restaurants and black restrooms, Indian restrooms and so forth and so on. I was in the boy scouts during the time from about fourteen until I finished high school. One of the things that there was

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some integration back then was in boy scouts and other similar activities. From time to time we would go to camporees and other weekend trips, and we would interact with the white kids. We would have contests with them, and I never grew up really with any kind of inferiority complex because I just wasn't in that many situations. Then the situations that we were in those of other races we competed and we held our own. So I felt like I could do anything that anybody could.

When I finished high school then, it was a tradition in my family to go in the military. My mother had eight boys, and six of them had been in service before me. My brother that was older than me, he went to be examined for the service and he had bad eyes and he was not able to get in. But I just felt it was my duty and to continue a family tradition to go in service, and so I didn't think about college when I finished high school. I joined service in September of '57 two days after I turned seventeen. I couldn't get in before I was seventeen. But I went to San Antonio, Texas, and that's when I first my first experiences with black people. I had never really had, other than seeing blacks at a store or something of this nature, I just had had no contact with them at all. I saw some racial tensions down there as it relates to the whites. That was when the military was beginning to become integrated. You could see some racial tensions and racial animosity at that point in time, but none of it was directed towards me because I never made it known that I was an Indian, and nobody knew that I was an Indian. So I just, I didn't consider or it didn't dawn on me that I should make people aware that I was an Indian. I was down there to go through basic training and so forth. So I didn't have any problems with it myself, but I was able to see some racial tensions. One of the things I learned down there, just like in the boy scouts, that among the blacks there were some that were good

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and smart and some that weren't and among the whites the same thing. I was able to compete with them and I came out of basic training feeling that I could hold my own in any kind of situation that I was placed in.

MM: So when you were in college then, what made you decide to go into school teaching?

HO: It was about the only thing to do at the time. You didn't even, when I was in high school, we didn't have guidance counselors. Nobody came to us and said would you like to consider a medical profession. Would you like to consider engineering or would you like to consider some other field? It just didn't exist. That's why when I finished high school, I wasn't even college oriented. I knew I had, I went into service. But it was during the time that I was in college when I made up my mind that I was going, or the time that I was in service I made up my mind I was going to college as soon as I got out of service and I did. I got out of service like on the twentieth of August and I was enrolled in college within a week. At that point in time I still didn't think of in terms of doing anything but teaching because that's basically what Indian college graduates did during that period of time. If I had had somebody for instance when I was in the military, I was a medical service technician. I worked around hospitals and emergency rooms and on wards and stuff like that. We had, I remember we had a male nurse who was a first lieutenant, and I thought that was really great. I said that's something—I had never seen a male nurse. I said I could do that. It didn't even dawn on me why not try to be a doctor or something like that. That was just something that we didn't—Indians for the most part during that period of time did not think in those terms.

MM: Why not do you think?

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HO: Well, we didn't have any examples. There were no, Dr. Brooks, Dr. Martin Brooks was the first Indian doctor that I ever recall, and he came back to Pembroke I believe in 1958. Of course I was in service at the time. He had of course he got his education in Michigan. So we just, we didn't have any examples, and well, we had lots of examples of schoolteachers and farmers. So that's basically, that was the extent of my thinking during college that I would be a schoolteacher.

MM: So you got out. You started teaching school. Tell me a little bit about that experience getting a job and where you taught and things like that.

HO: I majored in history and my minor was in social studies, and so I had wanted to teach at the high school level, and I made contacts with, but one of the strange things I never did go to the board of education and fill out an application. I knew that if I was going to work it would be at an Indian school. There were only four Indian high schools at the time. It was unheard of at that period of time for an Indian to teach in a white school or a black school or blacks teach in an Indian or a white school. So—

MM: And this is 1964.

HO: '64. '64. To my knowledge there were no interracial teachers that I knew of. Now there may have been that I didn't know but I made contact. I knew Mr. Barto Clark out of Union Chapel, and he told me that he would give me a job. He wanted me to work there. But that was eighth grade. I made contact, I tried to get a job at the high school level, but that didn't work out. So I went to Chapel. That was my first work experience as a teacher in an eighth grade all Indian kids, all Indian faculty, all Indian staff. We had absolutely no contact with any white whatsoever. Let me take that back now. There may have been during the about the third year that I was there, it seemed like

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there was a lady that came to the county. Her husband was a professor at the university and she got a job in the county. She may have worked out there for a period of time. There might have been a couple of teachers that were associated with the people that worked at the university. But for the most part it was all-Indian.

MM: Thinking back on 1964 do you remember any awareness of the struggles that African Americans were having in the South to kind of break apart school segregation or voting or any of those issues that they were involved with?

HO: Well, there were some. There were some. People like Dr. Brooks and some others that I can, Tommy Dial and maybe Mr. Harbert Moore and some others like that were. They were beginning to get a little politically active. I remember Dr. Brooks, he ran for the board of education, and at that point in time of course double voting existed, and he ran a good campaign, he ran hard but he just, there was not enough Indian voters to put him in office. But people like him, they were beginning to get active in some things.

MM: Well, how do you think this freedom of choice, explain for the microphone what the freedom of choice system was and tell us a little bit about how you feel like it came about, your sense of that?

HO: Well, after the *Brown versus the Board of Education* decision when the Supreme Court basically outlawed segregated schools, there was still, that was in '54 I believe. I believe it was along in that time. Well, there was still some foot dragging, and for the next seven or eight years or maybe almost ten years there was really nothing that changed in Robeson County. The Indians didn't push it. The blacks didn't push it, but starting probably in the early '60s there was an effort made on the part of some parents in

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Lumberton and the dates that I'm going to give you, I'm not exactly sure about these. They're approximates. But I remember being in college, and there was some activity on the part of some Indian parents in Lumberton that they said we're tired of our children having to get up early in the morning and get on the bus and go to Fairgrove School. That's where Indians basically, if they lived in the south side of Lumberton, they went to Fairgrove. If they lived in the north side of Lumberton, they went to Magnolia. They said we shouldn't have to do this. We should be able to send our kids to high schools here locally. I think there was some activity in that part, and Lumberton did start admitting Indian students because at that point in time there were about six different districts in the county school districts. Maxton, St. Pauls Red Springs, Fairmont, Lumberton, all of these had their own school systems. They all had white---. For instance in the town of Lumberton there was a white high school. There was a black high school. There were white elementary schools, black elementary schools. There were no Indian schools at that period of time. I think in Lumberton there may have been an elementary school in West Lumberton. I think that existed during that period of time. But the Indian kids for the most part even in Red Springs, St. Paul all of these towns, the Indian kids came out of the town districts into the county schools, but nobody complained about it. That's just the way it was. That's the way it was set up and had been going on like that for years and years and years. But I do remember in early '60s some Indian parents in Lumberton started making some noises, and Lumberton started admitting Indians to their school system down there, the high school in particular. I believe there was an elementary school for Indians in Lumberton. But there was no high school. So that started early '60s. I'm not sure in exact years. I remember when I was teaching school

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they came up with something. One of the solutions was well, instead of forcing parents to send their kids to the nearest school to them or we're going to have freedom of choice, and we're going to give parents the opportunity to send their kids to whatever school they want to. That was in my opinion that was an effort to avoid doing what should've been done. In my opinion what should have happened, they should've, they had school district lines even back in the '40s and '50s. For instance there were Indians that lived on one side of a particular road might have to send their kids to Union Chapel and if they lived on the other side they might go to Piney Grove. So there were district lines, but what they should've done when they started desegregating and trying to integrate the schools is said well, if you live within the Piney Grove Elementary School district, then regardless of your race you go to Piney Grove. But that would've been unacceptable, and it would've created a lot of problems because during that period of time, whites did not want to go to Indian schools. Indians didn't want to go to black schools. So they came up with this thing called freedom of choice. It sounds good, but it was an effort to get around closing district lines and the way that it worked--. For instance I have family members that lived right here across the road in Stanley Heights and they wanted to go to Red Springs High School. In fact within my own family I had two sisters in laws. One of them wanted to go to Red Springs High School. The other one wanted to go to Pembroke. So they came out every morning and stand at the road and the bus that was going to Red Springs would come by and pick up one of the girls. The bus going to Pembroke would come by and pick up the other. At Union Chapel there was a family that lived within hollering distance of the school. They had been sending their children to Union Chapel all the years, but once they started freedom of choice they decided well, I

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believe we want our kids to go to Philadelphus. So they would, the bus would come by. Sometimes wouldn't be maybe in the afternoons we'd be on the playground doing something and the bus would come by and drop these kids off. But that's the way freedom of choice was. That you could go to other schools. Now you couldn't go for instance if you lived in Union Chapel and you wanted to go to Littlefield, you couldn't do that. But you could go to schools that were close by your home, other schools. That existed I don't know probably until 1970, or into the '70s. I'm not sure when it ended.

MM: Well, so that was basically the rule as it were while you were teaching at Union Chapel.

HO: Right.

MM: Did you experience much of that in your own classroom?

HO: No, it didn't happen a lot. There weren't that many Indian families that wanted their kids. The example I cited you of these children living near to the school that wanted to go to Philadelphus. Philadelphus up to that point in time it was an all white school. I think they just wanted to go there because they could. There was nothing superior about their teaching. In fact it was a very small elementary school. It probably had less than six or seven teachers. In my opinion the level of instruction was not as great there as it was at Union Chapel. Most of these parents as a matter of fact, most of these parents they did it a year and they changed back. I know some others that went to Red Springs that lived right here near where we're sitting, and they wanted to go to Red Springs, and they went there the whole year and graduated. I know one individual in particular that went to Red Springs and graduated from Red Springs High School.

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MM: Well, a couple of my, well, my uncle and some of his younger brothers and sisters I believe went to Red Springs, graduated from there and my sister Cherry went to Red Springs too.

HO: That was a part of it—

MM: Around that same time period. Well, what looking back on it then, what do you feel like, well, maybe we should talk about your decision to go to law school because it seems like there's some things kind of happening there at the same time. People are maybe getting dissatisfied with the freedom of choice option.

HO: There was some movement during that period of time to end that and to try to equalize the schools, and of course there was the rumblings about double voting had started, and that became a really big issue during that period of time. But I taught school for four years at Union Chapel, eighth grade, and then in 1968 I had been teaching four years that we had basically elementary schools and a high school. So they decided they would establish a junior high school. They built a new high school over on the Deep Branch Road, and then they what had been the high school became the junior high school, and that was, the junior high school consisted of seventh graders and eighth graders. So what they did, no, I'm sorry. Consisted of eighth graders and ninth graders. So all of, then all of the eighth grade students that had been going to Chapel and all these other places moved to Pembroke, and I moved along with that. So I worked at Pembroke at the junior high school for two years during that period of time, and I think during that two years, we had a couple of white students. I don't recall any black students at all during that period of time but even at Pembroke during that period of time. We had some white faculty members, and everybody got along good in my opinion, but I was in the

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Jaycees during that period of time. This was another opportunity that we had. The Jaycees was established in Robeson County maybe, I mean Pembroke in the early '60s, maybe '65 or so, but I became a member and we interacted with other Jaycee clubs throughout the state, and here again, I've never had a self-esteem problem. My interaction with white folks, I looked at them like I did everybody else. Some of them were dumb; some of them were smart just like everybody else. So I interacted with them and got along well but I had a friend Horace Locklear. Horace went to law school in 1979, and he went to North Carolina Central in Durham, and I knew he was going there, but it never had crossed my mind to go to law school. But at a Jaycee meeting in Raleigh I believe it was I was talking to Horace, and I was asking him what he was doing and well, he told me what he was doing. I said well, I might like to try that. He said well, you need to apply and I said I believe I will. So when I got back home I think he got me an application. I filled out the application and I sent it off on like Monday, and I got a letter back on Wednesday telling me you are in law school. I had not taken any kind of test. I had done nothing. I just got a letter back saying you have been accepted to law school. This was probably about January of 1970. I talked it over with my wife and some other family members and Mr. Newman who was principal at the junior high at the time. I was satisfied as a teacher. I felt like I was doing a good job as a teacher. I was satisfied as a teacher. But this was just an opportunity for me, and I had been in the service and I had not used my GI bill. I had that available for me. There was a scholarship available for Indian law students at that period of time. I said well, I believe I'll go for it. I started making my preparations to go to law school. I resigned from teaching. I had been teaching six years. So I went to law school in the fall.

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MM: What did you find when you got there? Was it different?

HO: Well, it was. It was different. Of course, I was more mature. I was thirty years old when I started law school and having been in service and I knew it was going to be competitive and I knew what I would have to do to do it and I just buckled down. The same year I started Eyrle Knox Chavis and Arnold Locklear started law school. As circumstances would have it, I don't really know how it turned out that way but we rented a duplex on Greene Street in Durham and Eyrle Knox and Arnold lived on one side of it, and I lived on one side of it with Sandra and my two boys. Eyrle Knox and Arnold and myself rode to classes together. We spent a lot of time socializing, just visiting with each other, and that was probably good, a good experience because we could talk about how things were going and support each other in our efforts there. Horace was one year ahead of all of us. We went to law school. I went to law school two years, and he was there the first two years I was there but he graduated in '72 and he moved on. Of course Arnold and myself and Knox graduated in '73. There was another Indian student from down here named Betty Jo Hunt. Betty Jo had graduated from Pembroke College in '70. She was a very smart girl, and she went to Duke University and she graduated law school in '73 also. So there were four of us that graduated that year.

MM: You were going to school with African American students, right?

HO: Just the three of us. Well, when Horace was there, there were four of us. Four Indians going to North Carolina Central. It was mostly a black student body. There were probably twenty percent of the class may have been white. Yeah, that's the way that happened, and I don't recall, during the time we were there, I don't think anymore

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Indians enrolled during the years that it was there. I know after I left the first year some others did. But there's been a lot of Indians that graduated from North Carolina Central.

MM: Absolutely. Well, it's interesting, you all kind of found each other and established your—

HO: I knew Knox was going to law school, but I didn't, just us moving together there. In fact I may have, Horace may have told me about where they were living and that there was an apartment available next door to them and I checked on it. But that's the way it turned out that we were, we spent a lot of time together.

MM: Well, what was happening here in Robeson County when you were in law school in terms of these issues that we've been talking about school desegregation?

HO: Well, the big issue was double voting.

MM: Right and you'll need to explain that for us.

HO: That was, that had gone on forever. I mentioned that we had these other school systems. Lumberton had its own school system. Saint Pauls, Red Springs, Maxton and Fairmont. Then of course there was a Robeson County schools, and each one of these school systems had a board of education that was elected by the people. For instance Lumberton had a board of education that consisted of about six or seven members. The Robeson County School Board consisted of approximately seven or eight members. The voting what was happening in the county at that time everybody that lived in the county even including the people that lived in these cities were voting on the Robeson County Board of Education members. Even though the Robeson County Board of Education had no jurisdiction over these city schools. They were separate entities, but still the citizens of these towns were voting on the Robeson County Board of Education.

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But the citizens that lived in the county, such as myself in Pembroke. Pembroke didn't have a separate school system. But people such as myself and all of the people that lived out in the county, we had absolutely no authority or any kind of vote over what went on in the city school system. It was referred to as double voting because for instance the citizens in Lumberton, and there were thousands of them, they voted on their board of education and they voted on the county board of education. As a result of that process that had been going on for years and years, even though the majority of the students that went to the county school system were Indians, the majority of the board of education was not Indians. In fact there was only one member of the board of education that was an Indian for the most part that I can remember during that period of time. There might have been one black. The reason for that was that these city school districts and the people that lived in these cities they controlled the Robeson County Board of Education. I mentioned Dr. Brooks ran for the board of education, and Indians were overwhelming in their support of him. He ran very well in all of the Indian precincts, but when it would come to the white precincts particularly in these towns, they just did not vote for him. Of course he did not win. What it was you had a board of education that was really not elected by the parents or the citizens that they were supposed to serve.

MM: You remember what year it was that Dr. Brooks ran?

HO: It was probably either '66 or '68, one of those years, I'm not sure exactly which one. Yeah, he ran a good campaign, but he just, he couldn't win. Whites didn't vote for Indians at that period in time. It was a very frustrating thing to the citizens of the county that we were having, basically having people who really don't have anything to do

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with this board of education or shouldn't have anything to do with it. They're calling the shots and they're electing the people that are going to be on the board of education.

MM: Now let me just back up one second to ask whether the boards of education for all of these different districts controlled the schools of all races. So the county board would control white, black and Indian schools in the county.

HO: In the county. In the county. The county schools.

MM: Even though there were no or maybe one Indian and one black representative on that board.

HO: Right, they controlled. They made the decisions that affected the Robeson County schools, the Robeson County schools. That's why I mentioned there were four Indian high schools in the county at that point in time. Magnolia, which Indians from the northern part of the county to Magnolia. Prospect, Indians from the sort of northwest that area went to Prospect High School. Then there was Pembroke and then there was Fairgrove. If you were an Indian in Robeson County in 1960, you went one of those Indian schools regardless of where you lived. It was a very unfair system. It was very frustrating. The people at the main office were not really responsive to the needs of the Indian people in my opinion.

MM: So when do you feel like or can you pinpoint a time, maybe you can't. That's okay that that consciousness took off.

HO: It started in about the '70s. Then of course that's when, well Martin Luther King when he started, when he became active in the '60s, there was some activity here on the part of Indians. When blacks started becoming politically active, we sort of followed behind, and this is my assessment of it. I remember some Indians would go to meetings

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that blacks would hold, and when they would bring in speakers, national speakers and so forth, and that's when it started probably in the mid '60s, and it just kept snowballing.

MM: Well, then take us to then the events that led up to your appointment to the state legislature. You're in law school right.

HO: Right. I'm in law school and I had been involved in as much as I could in political activity out at my precinct. I was a Democrat and each precinct had its own chairman of the Democratic precinct out there. I was chairman at Union Chapel, and I remember the election of 1970 for judges and the sheriff and so forth. We were hauling voters and so forth and trying to make some changes, but it was almost an exercise in futility to tell you the truth. But although I would say this, the Indians were instrumental in electing Ben Floyd the clerk of the court. That's the first time that I can remember Indians playing a major part in electing somebody. I think it was 1962, Ben Floyd ran for clerk of court, and I don't even know who he ran against. I didn't know Ben Floyd at that time. But he came out in the Indian communities, and he said basically his message to us was if you all will help elect me, I'll put an Indian in the clerk of court's office. There hadn't been no Indians employed in the clerk of court's office up at that point in time and no blacks. With the help of Indian voters he won because he ran against another white man out of Lumberton, and of course most of the whites in the county did not support Ben Floyd. A lot of them did. But he was able to get most of the Indian vote, and I think a lot of the black vote because he told them he would do the same thing. So that's the first time I remember Indians uniting for a common cause. I'm sure there may have been other times, but that's the first time I remember. But I had been active in my

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precinct and even when I was in law school and so forth, I was still active because I felt at that point in time the way to bring change was through the political process.

The Democratic party, within the structure of the Democratic party you've got a chairman, vice chairman and so forth, but you also have various committees whose job it is to make recommendations in the event that there become vacancies in offices. For instance if there had become a vacancy in the state senate at any point in time, there was a committee within the Democratic party that was to make recommendations on the state level to fill that position. Well, as it just happened when the Democratic convention was held in 1972, the House of Representatives committee, the appointees to that was Brenda Brooks and a black lady and I can't recall her name at the present time. But they were appointed to that position. Of course nobody really thought they'd do anything. There hadn't ever been a situation in my lifetime where they had ever had to make any recommendations. But they were appointed to that committee, and so in 1973, about March, Representative Frank White who had been elected during the election of 1972. He was in Raleigh. He started his term in the General Assembly. He had cancer, and he died I think sometime in March. Well, that's when that committee that was comprised of Brenda Brooks and the black lady. Of course Robeson was in a district with Hoke County and Scotland County. Each of these other counties also have a similar committee, and all of these people met, and Robeson County had the most votes because they had, yeah, they had the most votes on that committee because they had more voters that voted in the election. So really it was Brenda's call and this black lady whoever they suggested would be the person who would get appointed to the House of Representatives. Herman Dial was instrumental in recommending to them that I get the appointment. So

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my name was submitted to the state board of elections and through the political processes and that's how I got appointed. I didn't win that election. I got appointed to it.

MM: Now who was Mr. Herman Dial?

HO: Herman Dial was a county commissioner. He was very active and he was from Prospect. He was, his father was, I can't think of his name, but his mother was a very politically connected. It was Adolph's brother. You know Adolph Dial. Adolph's brother, and Herman was a county commissioner during that period of time. So he recommended that Brenda and this other lady recommend me, and they did and of course I got the appointment in '73. I was in law school at the time. Sort of caught me by surprise. But anyway, that's how I got appointed to the House.

MM: What did you feel like you were, did you feel like you had a mission or a mandate or a charge to complete something? What was your—

HO: Well, I didn't, I felt very strongly about equality of opportunity for everybody. But as far as me having an Indian agenda, I didn't have an Indian agenda. I had an agenda for poor people, disadvantaged people, the lack of medical care and things of that nature that affected poor people. Of course that affected a whole lot of Indian folk because most of us were in that situation. Throughout the times that I've been in public office I've never felt that there needed to be any special treatment. If everybody was treated the same that would solve the problem. That was my philosophy then. I felt that government should be fair to everybody.

MM: What do you think made Mr. Herman Dial recommend you?

HO: Well, he knew me personally, and he knew some of my other family members. I was in law school at the time, and he knew I was active and involved in

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some politics and some political issues. Even though I was in law school, I came to Robeson County. I stayed in law school three years, and I came down here probably at least two weekends a month and I spent a lot of time in Robeson County. I never did soak my feet in Durham even though I was up there three years in law school. I was still a Robeson County boy. In fact I always had an address in Robeson County, always voted in Robeson County. I never changed any of that when I went up there.

MM: Well, part of the reason I asked about Mr. Herman was because we didn't really talk about Indians that were part of the county commissioners board, and other than him were there others who had been elected to that position?

HO: Bobby Dean Locklear was elected in, I want to say, 1972. I think that's when Bobby Dean got elected. He beat out the guy from Red Springs. But one of the reasons Bobby was able to do that was that district was comprised of a lot of Indian folks. It was Burnt Swamp and Philadelphus and some other precincts and then Bobby was able to get quite a bit of black support and he won that election, and I want to say it was '72. I'm almost positive it was. So Bobby Dean and Herman were the county commissioners, Indian, at that point in time. I'm not even sure there was a black member. I don't think there was a black. There may have been but I'm not sure.

MM: Had there been a county commissioner before Mr. Herman, an Indian?

HO: Yeah, there was I can't think of Mr. Sampson's name, but he was from the Deep Branch area I think. He was the commissioner. See the county was divided into districts, and this district what I would call the Pembroke, Prospect, Union district--.

END OF TAPE 1, SIDE A

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## START OF TAPE 1, SIDE B

MM: Okay. Well, then let's go back then to double voting. So you're in the state legislature and trace out for us the sort of events that led up to breaking double voting down, how it looked from your perspective.

HO: Even before I went to the General Assembly we had approached senators, Senator Britt and others and asked them to, tried to appeal to them that this is wrong. You can end it by legislation. You can introduce a bill. It had been done by legislation and it could be undone by legislation. The prevailing attitude at that point in time among the people particularly in Lumberton and these other towns, and the white voters in the county did not want double voting to end because they did not have enough votes on their own to elect the majority of the board of education for the county only. You need to understand at that period of time Indians lived in the county. There were very few Indians that lived in the towns. Blacks lived in town. So black voting in the county board was very small. It really didn't make a lot--. It didn't make a lot of difference. So the white voters in the county did not want double voting to end. So they basically told the politicians you're not going to do it. We don't want you to end double voting. So really you had Indians lobbying the legislature for it and whites lobbying against it, and if it had been a legislative thing, it probably would've never changed. But it was changed by the courts. Some individuals took their cases to court. That's when the ball got to rolling. The United States, the district court overturned double voting and they—

MM: That would be a federal—

HO: Federal district court overturned it, and I want to say it was in '74 maybe. Somewhere along in there. Then it was appealed to the court of appeals and they upheld

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that decision. So in effect the courts did what the Indians had been asking the legislature to do for all of this period of time.

MM: Do you remember who the individuals were that pushed it through the court system?

HO: I remember Barry Nakell may have been the lead lawyer for the county at that period of time. Dexter was in, Dexter Brooks, he started law school in '73. I graduated in '73. He started the year we graduated. Dexter had been very active in politics in various counties. I think Barry Nakell was the lead attorney, I think he was. Even though Dexter was only a freshman in college he worked with him on it and probably did a lot of research and so forth. I think that that was pretty much the lawyers that handled it, did that. It was a shock to the residents of the county as you can very well imagine. The Indians were happy. It was a glorious day for us when it was announced, but there was a lot of upset white folks in the county about it because there had been an election, I want to say in '74 there had been an election under the old system. Here again I'm not sure about all this, everything that was involved in it. But when the courts overturned double voting you had this board of education in place that had been elected as a result of the double voting process. Well, what the lawyers Barry Nakell and some others, they wanted the courts at that point in time to declare that the board of education that was sitting was illegally elected and call for a new election. Well, there were others of us that felt well, it's really not necessary to do that now. The next election will take care of the problem. It would be very disruptive to remove this board of education and hold a special election to get a new board. I was one of them that felt that way. I was in the legislature at the time. I got a lot of criticism for that decision because the blacks, that

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was their position. At least that was Joy Johnson's position, and he was in the House too. He felt that way that let's go ahead and let these members of the board stay in position. When the election occurs in 1976, it'll take care of the problem. I believe there had been some effort made to modify the system or add some additional Indians to the board before double voting was declared illegal. I think there was a couple of Indians that had been added that way. That was sort of a compromise of sorts. So I think at the actual time that double voting was declared illegal there were three Indians on the board and two blacks I believe that had been put there by the legislature. A lot of us felt there is some Indian representation on the board. There is some black representation. In 1976 these cities will not be allowed to vote in the election anymore. Let's just wait and let that take place. But there was a group that was rabble rousing to, I maybe shouldn't use that term, but they were activists for let's have this board thrown off and have a whole new election next week. But that didn't happen.

MM: So now were you involved in the decision to add those Indian and black board members?

HO: Yes, I was.

MM: Describe that for us, how that, whose idea that was and how that came about?

HO: Well, now here again that's been thirty-something years ago. But I think there was a bill that was drafted. Senator Britt led the effort to expand the board of education.

MM: For the county.

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HO: For the county. The county board to expand it. I'm thinking it was like seven members and this may have expanded it to ten or eleven. Those new members would be Indians and blacks, and at that point in time I think I'm right on this. The board of education for the county, there were no districts. You just ran for the board, and everybody in the county voted and the highest vote getters were the ones that won. There were no districts. That's one of the reasons that Indians were not able to because everybody in the county was voting and now one of the reasons there were county commissioners from Indian county commissioners was because there were county commissioner districts. So Herman Dial and Mr. Sampson that I mentioned, they were elected because they lived in an Indian district. But on the board there were no districts. So this legislation that as passed was sort of something to, this was before double voting was declared illegal. It was an effort to try to get more Indian representation on the board.

MM: So those particular seats on the board had to be reserved for Indians.

HO: Well, I think the legislation that was passed named who the individuals would be.

MM: I see. Okay.

HO: I think it named two Indians, maybe three Indians and two blacks. I'm not sure, but it increased the minority representation on the board.

MM: Did you encounter resistance to that plan in the General Assembly.

HO: No, it was generally supported. Keeping in mind now double voting had not been ruled on. There was pretty good support for that in fact that was, as a result of all the activities that had taken place and that Senator Britt probably felt a lot of heat and that

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was sort of his compromise to, well, we're not going to overturn double voting. I'm not going to introduce legislation to eliminate that, but we will change and add more seats to the board of education. In other words he was willing to allow for more Indians to be on the board.

MM: Well, it's interesting that that works in such a tradition of Indian education period in the 1880s the state General Assembly named the trustees for the Croatan Normal School and that was under control of that body too. So it's kind of a different way to get Indian education.

HO: Well, these members that, this legislation was passed during session, and it was after the election had taken place. It named the individuals that would serve in those positions, but now they had to stand for an election the next time. But I think before they got a chance to run, double voting was outlawed by the courts.

MM: I see. Did you encounter resistance to that plan to add board members here at home?

HO: No, most people were in support of that. They felt like that was something. I mean it wasn't, we still wanted double voting eliminated, but in the interim that was at least some progress. That would get more Indians on the board and more blacks.

MM: Did the federal government in this time period, did they get involved in these events in Robeson County?

HO: I don't recall that they did. Here again now this is an area that I don't know a lot about. I know the Voting Rights Act of 1965, I think I'm right on this, it specified that any time there was a change in the voting process in certain southern states approval had to be obtained from the Department of Justice. Now to what extent that played into

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this I'm not exactly sure. But they would have approved of this bill that added new members because basically what the Department of Justice was concerned about was any kind of changes that would diminish minority representation. Of course when Senator Britt introduced this legislation that increased minority representation.

MM: Do you remember how those particular individuals were chosen for those board positions?

HO: No, I don't because most of that had been done when I got—

MM: By the time you got up there.

HO: It was a political process. I'm sure some of the political people here in the county had met with the senator and some of the people that had run for it before was active in it and--

MM: What would you, looking back on it, what would you say was really the impact of breaking double voting?

HO: Well, it allowed the school board to be more responsive to Indian needs because basically 1976 was the first year that there had been a vote under the new ruling where the cities could not vote in the county board of education. I don't know the exact figures, but after that election was over there were Indians voted on the board than any race than I want to say it was something like five, four and three or something like that. But the Indians were in control of that board, and one of the things that existed under double voting the people that worked in the main office in the board of education, a lot of them lived in the city of Lumberton. A lot of them were family members of politicians in Lumberton. They lived in the city of Lumberton, but they sent their kids to the Lumberton City Schools, and they really in their heart were not in, at least from my

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perspective, their heart was not in working for the board. It was just a job, and after double voting was ended and the Indians took control of the board, Mr. Allen was superintendent and I forgot who was the assistant at that point in time. But Mr. Allen resigned in a few years, and I think that's when Purnell, Mr. Purnell Swett took over as superintendent. So it was within about three years that before double voting was ended if you walked in the board you might see an Indian sitting over here or over here. They had some Indian supervisors that basically their job was to supervise teachers in the Indian schools only. But after double voting ended you had Indians in the top job, the assistant superintendents were Indians. Indians were more participants in the process. The board was more responsive to the Indians in the county.

MM: Now what about the actual process of integration, getting students of different races going to the same schools. How was that sort of progressing at this time?

HO: Well, they had by then they had pretty much set up school boundary lines and you had to, you went to the school that was in your district. That brought about some integration, but society's unintegrated. For instance there's a school in Lumberton that I can think about right now, and everybody that lives within, that would attend that school is ninety percent white. Now you know you can talk all you want to about integration, and if they say we're going to let everybody that lives near this school, come to this school, well it's still going to be ninety percent white because your communities. For instance if you take over at South Lumberton, most of the people over there are black. So the schools over there are going to be black. I don't know what you can do about that situation. I know they tried bussing in Charlotte and all that kind of stuff. But I'm not sure that's the solution. But in Robeson County by this time this freedom of choice had

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ended so basically people were having to send their kids to the nearest school. One of the things you had happening at that point in time, there was a lot of movement to annex in and around Lumberton. There were a lot of, before double voting ended and the way schools were say in the '50s, like I say if you lived, if you were white or black and you lived on the edges of Lumberton or around the town, you sent your kids into the city schools. There were no problems and there were no questions asked about it because Lumberton for instance in 1960 there was a white high school and there was a black high school. If you lived around Lumberton, you sent your kids to the white high school if you were white and if you were black, you went to the black high school. Well, when they started closing district lines, a lot of these parents that were living on the outside of the city limits, they started asking to be annexed into the town so during that period of time Lumberton did a lot of annexing. It was basically to get people in that had built in these developments around the town. They wanted, they didn't want to send their kids to the county schools. For instance there in North Lumberton, those kids some of them were having to send their kids or would have had to send their kids to Piney Grove. They said well we're not going to have this. So they had themselves annexed into the town. Then they could be a part of the Lumberton City School system.

MM: So that was like another way of delaying—

HO: Right. Of getting around it. Getting around it.

MM: How long do you feel like those tactics continued to work?

HO: Well, probably up until the schools merged in '88. As a matter of fact that's one of the things that brought about the school merger. The federal government was starting to look at a lot of these annexations and all of these things, and they were starting

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to tighten down, and one of the individuals that was instrumental in that was Eric Prevatte. You might want to talk to him, but he lived in Clyburne Pines section and his kids went to Piney Grove. He instead of, I have a lot of respect for him, but he, I don't know, but he just started a movement and he was involved in it probably for six or seven years. The movement to merge the schools didn't just happen in '88. A lot of people tried to get it done by legislation. But the representatives and the senator, particularly the senator at the time, said there's just no way I'm going to vote for that because the people of this county, at least the ones that vote for me, don't want it. So it never would've been done through legislation. But Eric Prevatte I would say, he was responsible more than any other person I can think of for bringing this matter to the front. He convinced a lot of white people in the county that merger is your interests because if these school systems don't merge, we're not going to have the kind of school system we want. The vote took place in '88 to merge the schools. It was not supposed to pass. Nobody predicted, well, a lot of people predicted it would not pass. But there were more whites that voted for it than people realized. Giving credit where credit is due, there's a lot of people that lived in the towns they voted for it even though it would affect them probably adversely some of them, but they did it because they thought it was the right thing to do. The whites in the county that voted for merger basically they wanted to see one school system because then they felt that the overall quality of the schools would improve. It probably has. There was a general feeling that the cities sort of, now they did tax themselves for instance. Lumberton had a special school tax so people in the city of Lumberton did pay special tax for their schools. They had a good system. I got the impression that most of the people that lived in Lumberton said, we've got a good school system and we're going

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to take care of our kids. You folks out there in the county can do the best you can. But after school merger passed and there came the realization that we're all in the same boat now and we need as good a school systems as we can get because it affects all of us pretty much equally.

MM: Interesting that it took such a long time.

HO: Yeah.

MM: Do you have any thoughts about that?

HO: Well, these movements there were probably up until what Martin Luther King just like I mentioned to you about when I was going to the public schools I knew no other way. I thought that was the way. I thought it was God's order that we were supposed to be separated. Nobody really questioned it. Then after Martin Luther King started raising some issues and we started looking at it in another way and started realizing that we've been getting the short end of the stick like equipment in the schools. I taught school at Chapel for four years and sometimes we'd get new books. Most of the time we got books that were, they were books that had been used two or three years. They'd used them somewhere else and ship them to us. Indians and blacks were getting the short end of the stick. It just, these kinds of movements, at least in my observation, just they take a while. They don't happen overnight. They happen and we're where we're at now.

MM: What do you, did you think the American Indian movement here in the '70s and some of the things that Tuscaroras were doing at Prospect and different places had an impact on the movement generally?

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HO: Well, I'm not really qualified to speak a lot about the AIM movement nationwide.

MM: But just speaking of here.

HO: Well, in the county I remember at about the same time that I was appointed to the House of Representatives a guy by the name of Howard Brooks was forming a Tuscarora movement, and he had a lot of people scared. That could have been one of the factors that after that seemed like some people were more willing to sit down and let's sit down and talk. It might have led to the compromise that I mentioned to you where legislation was passed adding more minorities to the board of education. That could have been the result of some of that activity.

MM: In what way do you think? I mean, I remember Howard Brooks went up to Raleigh. I think I remember reading about that. Is that right?

HO: Yeah, I think he, they did. They went up to Raleigh, and they sort of camped out at the Commission of Indian Affairs and well, I think he got some people to thinking that we'd better, maybe we'd better do something here to sort of give these Indians some of what they're wanting. I think it may have had that affect to some degree, not a lot but to some degree.

MM: Do you feel like there's any way that it slowed down the process or made your work more difficult?

HO: No, I can't say that. I can't say that it did that. I think one of the things that's started happening in the '70s was that there were some white citizens of the county that decided if we don't step forward, this county could just go south in a hurry and we need to step up. Some people, there were some good white people that were involved in

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things in the '70s and that needs to be noted. I think there was probably some more that were doing some things behind the scenes maybe that were beneficial in a lot of ways.

MM: Are any of those folks still living that you feel like I should talk to?

HO: Well, right off I can't think of anybody. Of course I know you're going to talk to Bob Mangum. You need to talk to Bob. Bob's been involved a long time. Right off I can't think of anybody. One person that comes to my mind was Mayor Musselwhite in Lumberton. He was a good man in my opinion. He was the mayor probably from about '72 to '76 or '77. I think he was a friend of Indian people and we had a lot of friends in the white race.

MM: Well, good. I think that does it unless you feel like you have something else you want to add that we've left out.

HO: No, I don't think so.

MM: Okay. Well, we covered it very completely.

HO: Well, I may have not—

END OF INTERVIEW

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