

The Raleigh Times  
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## Joe Holt Due for Day in Court: Integration Case Starts Monday

By MOTTE V. GRIFFITH JR.  
Times Staff Writer.

A mild-mannered Negro youth of 15 will get his day in court soon. Raleigh's first school integration case is scheduled to go before a federal jurist—almost a year after the suit was filed.

Joseph Hiram Holt Jr. will come into U. S. Eastern District Court at 2 p.m., Monday, to find out if a federal judge will allow him to attend all-white Needham Broughton High School.

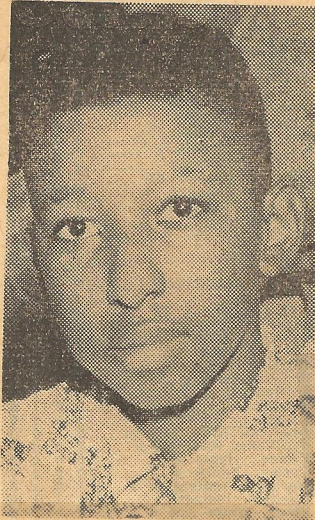
Judge Edwin Stanley of the U. S. Middle District will conduct the hearing—already postponed on several occasions—which will either override or uphold the Raleigh School Board's decision to forbid the entrance of the youth.

Twice the school board has turned down the youth's application to attend the Raleigh high school. On both occasions, the vote was five to one.

The board refused young Holt's application "in the interest of the public and in the interest of the boy."

Following the board's action, the Holt family, through the law firm of Taylor and Mitchell, filed suit in Federal Court.

The civil suit was filed in the late summer of 1957 and has been pending since that date.



JOE HOLT  
... twice rejected ...

The school board followed up the suit with a motion for dismissal, which was denied by Judge Don Gilliam.

After a period of inactivity, attorneys representing both the Holts and the school board got together with Judge Gilliam and set the trial date for May 12.

Attorney J. C. B. Ehringhaus is serving as counsel for the school board. He is being as-

sisted by his law partner, Tom Ellis.

At the pre-trial hearing on Feb. 5, Judge Gilliam denied the school board's motion for a jury trial. He said that trial by jury "in a matter such as this would be unfair to the plaintiff."

During the period between the pre-trial hearing and the actual trial date, Judge Gilliam was taken ill and postponement was ordered.

Attorneys for Holt contend that the matter is a point of law on which the judge will have to rule with the plaintiff or against him.

Judge Gilliam has stated that the heart of the matter is whether or not admission was denied because of race.

School board attorneys have stated that the matter should have gone through the State courts before being filed in Federal Court.

Even after Judge Stanley hands down his decision, the case may not be completed. It is expected that an appeal to the U. S. Fourth Circuit Court of Appeals will be forthcoming—no matter what Judge Stanley rules.

Before his illness, Judge Gilliam estimated it would take two days to hear the pleadings of both parties in the action.

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Court proceedings

began on July 14, 1958.

Also in court on July 15, 1958

and August 8, 1958.