

The Carolinian  
Raleigh, NC  
July 19, 1958

CAROLINIAN  
**State, South  
Could Feel  
Holt Impact**

19 July 58

By MARCUS H. BOULWARE

This reporter sat in an air-conditioned U. S. Eastern District Court Monday and Tuesday and saw the legal machinery at work in behalf of Joseph Hiram Holt, Jr., local Raleigh youth and it may set the precedent for all similar cases in North Carolina and the South.

Young Holt, 15, came before a Federal judge the first two days of this week for the purpose of gaining entrance to the all-white Needham Broughton High School.

The trial was heard before Judge Edwin M. Stanley, of Greensboro, who stated early in the trial that the two issues seem to be:

(1) Whether or not the plaintiff exhausted administrative remedies before resorting to court action; and

(2) Was the action of the Raleigh School Board in rejecting Holt's application based on race as

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a factor, or was it the sole factor.

At the completion of the two days' hearing Tuesday afternoon, Judge Stanley made statements which would indicate that he would render a decision in the school in the fall.

Judge Stanley said he would study the case following the presentation of oral arguments scheduled on August 8 at a place to be designated later.

The judge apparently realizes that since Holt will be a senior next school year, he must render his decision no later than early August.

OFTEN DURING THE proceedings, Attorney General's assistant, Ralph Moody made remarks and once said that the State was 'highly interested in whether administrative remedies had been exhausted because the same question would arise in the Durham and Caswell County School cases.

The Tuesday morning court session began with young Holt taking the stand and being questioned by his attorney, Samuel S. Mitchell.

It was the plaintiff's strategy to prove that young Holt had been denied admission to Needham Broughton High School because of his race.

Witnesses taking the stand for the School Board were Superintendent Jese O. Sanderson, Mayor William G. Enloe, Herbert Brown, principal of Ligon High School, and

members of the School Board, Leroy Martin, Fred J. Carnage, and Willie York.

Examination of the witnesses, and especially of young Holt, revealed that he sought admittance to the all-white Needham Broughton because it is only eight blocks from his home while the Ligon School which he now attends is three miles from his home.

According to Superintendent Sanderson, Mayor Enloe, Martin, and York, race was admitted as a factor but not the compelling one. This position led the School to twice deny Holt's reassignment request.

THE TESTIMONY OF York was especially interesting to Negro spectators, since he said that he didn't think the assignment of Holt to the white high school was in the "best interest" of Holt.

This led Attorney Mitchell to ask York, "Why do you think it would not be in his best interest?"

York replied, "Many reasons, and the chief one is he would be the only Negro attending Broughton High School."

When School Board member, F. J. Carnage, took the stand, he stated that he thought that Holt, Jr. should have been admitted to the Broughton High School and voted in the affirmative when the question was put to test.

MAYOR ENLOE testified that he doubted if young Holt's application for reassignment was sincere.

"I didn't expect physical harm to the youth, but there was the possibility of emotional and mental strain had the youth been admitted to Broughton," added the Mayor, chairman of the School Board.

Representing the School Board  
Attorney Tom Ellis and J. C.

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The first hearings were held  
on Monday and Tuesday,  
July 14<sup>th</sup> and 15<sup>th</sup>, 1958.

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Representing the School Board were Attorney Tom Ellis and J. C. B. Ehringhaus. The Mitchell and Taylor Law Firm represented young Holt, the plaintiff.