

Judge Finds 22 Guilty Of Sitdown Trespass

[More than 50 arrested in Nashville, Tenn., Page A3.]

WINSTON-SALEM, March 2 (AP)—Twenty-two white and Negro demonstrators were convicted today of trespassing at a store lunch counter. The judge, who withheld sentences, said he thought they did not intend to violate the law in protesting segregated service.

Nevertheless, Municipal Court Judge Leroy Sams added, in the words of Abraham Lincoln:

"No community can exist without proper respect for law and order."

The defendants included 10 white students from Wake Forest College, nine Negro students from Winston-Salem Teachers College and three other Negroes. The Negroes appealed to Superior Court, but lawyers for the whites did not immediately give notice of appeal.

At Lunch Counter

The 22 were convicted of trespassing Feb. 23 at a lunch counter in the F. W. Woolworth Co. store here. The lunch counter had been designed for the private use of employes and their guests after earlier demonstrations.

Fred S. Hutchins, a lawyer for Woolworth's, asked that the

charges be not prosecuted. He said he made the request on instructions from the national variety store chain's Southern headquarters in Atlanta, and from its general counsel in New York City.

Solicitor (prosecutor) C. F. Burns not only would not agree to not pros (not prosecute, but also successfully moved to have the warrants amended to read that each defendant "unlawfully and wilfully trespassed upon the property of the F. W. Woolworth Co. and unlawfully refused to leave and vacate the premises when ordered to do so by the general manager of the company, namely Herman A. Warren."

Case Of Coed

The solicitor used only the case of Margaret Ann Dutton, a 21-year-old Wake Forest coed from Greensboro, to get the evidence into the record.

Testimony indicated Miss Dutton, a white girl, was used as a decoy to get the group into the lunch counter area.

Solicitor Burns drew testimony

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22 Persons Convicted In Sitdown

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from Miss Dutton about her travels last summer and a trip to Austria at the time of the Communist-sponsored World Youth Festival. However, she denied attending or registering for the festival, or participating in it in any way. In response to a question from her lawyer, Miss Dutton said she was not a member of the Communist Party.

RESTAURANT SERVICE ASKED BY WHITE, NEGRO GROUP

CHAPEL HILL, March 2 (AP)—A group of about 50 Negroes and whites demanded service today at a Howard Johnson restaurant near Chapel Hill but left after being threatened with possible arrest.

The group was about equally divided between whites and Negroes. The building housing the restaurant is owned by Gov. Hodges and Sen. Everett Jordan but is leased to Harold Makepeace, the governor's private secretary, and three associates.

Makepeace said a "no trespass" sign was on display in the restaurant when the group entered about noon. He said he understood the whites were students from Duke and the University of North Carolina.

As the group left, one of the Negroes, a student at North Carolina College in Durham, said "we'll be back."