

Negro Leaders To File Appeal Of Convictions

RALEIGH, March 15 (AP)—Higher courts will be asked to overturn the trespass convictions of two Negro college students who were arrested outside a variety store where they were denied lunch counter service.

Lawyers for the pair, including a white attorney on the staff of the National Assn. for the Advancement of Colored People, gave notice of appeal Monday after the trial in Raleigh City Court. The two were among 43 Negro students arrested here Feb. 12 and 13 as a result of lunch counter protests.

Jack Greenberg of New York, the NAACP lawyer, said the cases will be pursued all the way to the U. S. Supreme Court, if necessary.

Judge Albert Doub, who said he hoped for a peaceful solution to the lunch counter demonstrations, fined George Samuels Jr. and Thomas Alexander Halston \$10 each and costs. Both are freshmen at Shaw University here.

He did so after lawyers requested a judgment, in order to make an appeal. Although he said he could not escape convictions, based on the trespass law, Judge Doub said he was prepared to order prayer for judgment—impose no sentence—if there were no appeals.

"I think all good purposes would be served if this was the end of it, but I don't guess it will be," he said.

Fred J. Carnage, Raleigh Negro lawyer and a member of the city school board, said the situation of Negroes being denied lunch counter service in stores should be corrected.

"When you are limited because you are a Negro, I tell you, your honor, you are fighting all the time to free yourself from the shackles," Carnage asserted.

William H. Worth, vice president of Cameron Village Shopping Center, was the chief witness for the prosecution.

Worth denied the arrests had any connection with demonstrations for lunch counter service at the F. W. Woolworth variety store. He said Samuels and Hairston were in a group congregated on the canopied sidewalk in the area near the store. They refused to leave the area, owned by the Cameron Village Corporation, and he called an officer who arrested them, Worth testified.

Both Samuels and Hairston said they went to the village to join a student movement for equal lunch counter service. Both said they had been at the Woolworth store two days earlier when a group of Negro students asked for service and the lunch counter was closed.

On the day they were arrested, they said, the doors to the store were closed. Other witnesses said white customers were admitted and Negroes barred, although there was a "closed" sign on the door.