

WHITES, NEGROES

Jury Convicts Seven Of Trespass Charges

DURHAM, July 1 (UPI)—An all-white Durham County Superior Court jury convicted seven Negro and white students Friday on charges of trespassing during a sitdown protest against segregated lunch counters.

The jury deliberated less than 45 minutes before returning its verdict in the case which arose last May.

Attorneys for the defendants had argued that the state's trespass law was unconstitutional.

Judge Raymond Mallard refused, however, to throw the trespass charges out of court during lengthy arguments by a battery of Negro attorneys.

The attorneys represented five Negroes and two whites, including a Duke University co-ed who testified under cross-examination

that her husband was half-Indian and half-Negro.

District Solicitor William Murdock argued to the all-white male jury that the state's trespass laws were valid and properly applied in the case. He called store manager K. M. Dozier and a police officer to the stand to describe events leading to the arrest of the seven.

Murdock questioned Joan Harris Nelson, a white student from Duke University, about her friends at Howard University and drew a statement from her that her husband was not white.

Dozier testified he asked each of the students to leave and called officers when they refused.

Several of the students said,

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however, Dozier did not identify himself as the manager of the Kress Store and others said they were not given an opportunity to leave after his warning. They said they were arrested immediately.

The U.S. Supreme Court upheld the state's trespass law earlier this week in a case involving a group of Negroes at a Greensboro golf course. The case had been upheld by the state Supreme Court and the Negroes' appeal was denied by the U.S. Supreme Court.

In another case stemming from the sitdown protests against segregated lunch counters, Superior Court Judge Jack Hooks sentenced two Negroes to suspended jail sentences for their demonstrations in a Raleigh dime store. Testimony in the trial showed the Negroes refused a request to leave the store's lunch counter.