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COLLECTION**

INTERVIEWEE: John Kenneth

INTERVIEWER: Kathy Hoke

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[Begin Tape 1, Side A]

KATHY HOKE: It's June 6, 1990, and this is Kathy Hoke interviewing Mr. J. Kenneth Lee in his office here on Market Street in Greensboro. I guess we could start--maybe you could tell me a little bit about where you were born, and when you moved to Greensboro, and a little bit about your job experience.

J. KENNETH LEE: Well, I was born in Charlotte, November 1, 1923. And I guess I must have been four or five years old when the family moved to a little town in Richmond County--Hamlet, North Carolina. And that's where I grew up, until I--that's where I finished high school, elementary school, and then came to Greensboro to go to college at A&T [North Carolina A&T State University] in 1941. And I've been here ever since.

KH: And at--you received a degree in engineering at A&T, is that right?

KL: I received a degree in electrical engineering, a bachelor of science degree in electrical engineering at A&T. Then went to a few other schools and came back and taught at A&T for three years in electrical engineering.

KH: Tell me about your experience after graduating from A&T. By the way, what year was that?

KL: Well, I--you know, that was during World War II. And I got drafted in the service and so I actually finished in 1946. I was drafted, I believe, on March ninth--it was in March of 1944. I was to graduate in June. When I went to A&T I went year-round, and I had completed the requirements of an engineering degree in three years, because I stayed there twelve months a year. But just a couple of months before graduation I was inducted into the armed forces, so I didn't--I came back and I got--they let me out the same day that they took me in [two years later], because the war was over then. And A&T

permitted me to come right in and just finish the two months and get a degree, because we had practically finished everything before I left. So I got a degree in 1946.

KH: And when you were job hunting, what was the experience you came across after graduating from A&T in 1946?

KL: Well, in 1946 Western Electric--some of the big companies were just moving into the area. Western Electric had moved to Burlington. They had taken over an old army base or air force base or something there. And I believe it was also Western Electric that--anyway, it was another big electronics firm that moved into Winston-Salem. And when I graduated they were all running full-page ads in the paper, wanting engineers.

And I went to both places. Not only to both places, but to every other place around, and they never would permit me to fill out an application. They said they just didn't, didn't hire black engineers. So I never filled out an application, they never interviewed me. When I showed up and they saw me, they said, "No way." So I went to all of the--and engineers were kind of hard to come by then. But I never got a chance to fill out an application or have an interview.

KH: What did you do at that point?

KL: I had been in school the whole time I was in service. I went to Pacific University. I went to the University of Hawaii. I was stationed over there. And the Navy had permitted me to attend classes. Most of them were night classes, but I had had some advanced courses because, for all practical purposes, I had finished my engineering work at A&T before I left.

And then I started--got a job teaching at A&T. The veterans were coming back in from the G.I. Bill in great numbers. During that time black engineers were hard to find, and so I got a job teaching some of the beginning courses, engineering courses, at A&T. And after that, I established a school of my own in Winston-Salem, Dellwatch Radio and Electronics. And I trained veterans over there for--until about '49. At one time I had about three hundred students there.

KH: Training them to repair TVs and radios?

KL: Training them, yes. It was a technical course, wasn't a degree course. We were training them, technicians, to repair televisions, radios, and any kind of electronic equipment. And we got to, I think our highest enrollment was around 297 students.

KH: I believe for a while you considered a career with the FBI?

KL: That was in law school, after I went to law school.

KH: Oh. Maybe you can tell me a little bit about why you decided to go to law school?

KL: Okay, to tie it into law school--I really didn't go to engineering school to teach. I wanted to work in the industry, and there was no work in the industry. Now, I was offered many jobs if I had, if I'd left home--in Chicago, New York, on the west coast. But I didn't want to leave home. And after I--the engineering didn't--I found out that the only thing I could do if I stayed in North Carolina in the engineering field was to teach. I decided I'd go back to law school, and I went to law school. And when I tried to get in law school, I found out that they didn't let you in there either. So--

KH: That was what year?

KL: That was--well, I started, I first enrolled in law school in 1949, but that was after two trips to the United States Supreme Court. I started early trying to get in. They had a law school at North Carolina [Central University]--it was North Carolina College for Negroes then. And they had a law--they had just established a law school there to try to keep blacks from entering the University of North Carolina.

I went down and looked at that, and they had--the library was one room, not as big as the room we're sitting in. The books were stacked on the floor as high as you could see. And there was no way to, you know, if you wanted to get a book--of course, they were old books to start with, and law books can't--you know, law changes every day. And I didn't want to go there. So they already had a lawsuit. Floyd McKissick and Robert Glass and Richard Epton and a few of the others had already instituted a lawsuit against the University of North Carolina that had been pending for some time, and they were all about to graduate.

Thurgood Marshall was the lawyer for them--well, Thurgood, they had about six lawyers and all of them now--Spotswood Robinson [III] who is, I believe, the chief judge of the, of one of the federal appeals courts. Constance Baker Motley, who is the Chief Judge in New York, that circuit, and Thurgood Marshall, who is now on the Supreme Court. All those six lawyers had represented us are now probably the most--Bob [Robert L.] Carter--all of them are federal judges now.

And they were running out of plaintiffs because they had been trying to get in. And it was getting to the place all of these fellows were supposed to graduate in 1949 and 1950. It didn't look like we were going to get it resolved by that. So they persuaded me--I was just trying to get in--they persuaded me to come in as a plaintiff in that lawsuit, and I did. And the rest of it's history. We subsequently won the lawsuit and I was one of the first to enroll as a result of that lawsuit against University of North Carolina.

KH: So what--was going to law school at the forefront of your thinking, or--

KL: No. To tell you the truth, the reason I went to begin with, when I opened the school in Winston-Salem we were negotiating contracts with the government, because we were training all veterans. And I had to hire a lawyer over there, and actually made him a part of the corporation because so much of the work was legal work. And I really decided to go to law school to begin with so that I could learn enough to kind of represent myself. And after I got started, I liked it. And about 1949 the veterans started draining off the school in Winston-Salem and the enrollment started dropping, and I just decided that I'd go full time and complete a course in law school.

KH: What was your initial experience at law school? I believe there was a lot of media attention on you and--I've forgotten the other man's name.

KL: Yeah, Harvey Beech from Kinston. Incidentally, I talked to him yesterday. We talk two or three times a week. We were roommates and--I met Harvey--I started the law school, I went the first semester at North Carolina Central because I started--I mean the first, my first semester, it was the second semester of law school. And Harvey was in the law school there, he had started the first semester. I went in in January, I believe, the second semester I went on and started. And we've been together ever since. We were the first two to graduate. But what happened there is a [laughs], is a long story. And it's an interesting story, but I don't know whether you want to hear all that or not.

KH: Oh, yeah, sure.

KL: Well, we started off--I'll just skip and then hit some of the highlights. The first day we went--as I said, we had to go to Supreme Court a couple of times. The judge, Johnson J. Hayes, who was the only federal judge we had at the time, ruled against us to start with. I've always had a lot of respect for Judge Hayes, and I did until he died. But when he ruled against us, I never will forget. He made the statement, you know, from the bench right down here at the courthouse in Greensboro, that he thought that our contentions were right, but that--Judge Hayes was an older man. I guess he was in his eighties then or close to it--but that he was born in North Wilkesboro, he lived in the South, he was brought up in the South, and somebody other than him was going to have to sign the order to admit us. And that's, you know--and so he, he turned it down.

The Supreme Court, of course, later did sign. Well, we won it in the court of appeals and the Supreme Court did affirm that. And we had to go back a couple of times because of what happened up there.

But the first day we went in, we went in, I believe it was in January. But the first day I went over--I knew Harvey then. Actually, five of us went in to begin with. There

were five of us. Billy Marsh, a fellow named James Walker, and Lassiter, James Lassiter. There were five of us who went, who eventually ended up being first year law students. Beech and I were the only two that graduated. The rest of them transferred.

But I went to Durham. Beech was living in Durham, because he was going to school there. So we left going to Chapel Hill from Durham. We got right about along there where the, that new hotel is--I can't think of the name of that hotel now, it changed hands recently. And we were stopped by--as we turned the corner, we saw a contingent of highway patrolmen. Looked like there must have been a dozen cars there. I didn't know what was going on. So they stopped us. Now how they knew, you know, who we were, what we were driving and that sort of thing--and anyway, they escorted us on the campus. And for the first several weeks and months they stayed with us--not that many--but we always were surrounded by highway patrolmen, presumably for our own safety.

And we got registered, and that was another incident. The--Robert House was the chancellor then. Mr. House was an arch segregationist in my opinion. Of course, he has written several articles since then where he admitted that. And I've got some of his articles somewhere. But he said, he said that that was the greatest mistake he ever made.

But anyway, when we went in, we registered. The first thing we did, we wanted a dormitory room. Well, you know, it was unheard of for black and white people to attend the same classes in North Carolina, and to live together was just simply ridiculous. So they put us in Steele Hall and they gave us the entire top floor of Steele Hall, just two of us. And that was after the war and I--you know, students were trying, you know, they were breaking their necks trying to get in school and into the dormitory. But they gave us the entire top floor. Nobody was on that floor but us. So we didn't, didn't have any, really any gripe about that, because we had everything the rest of them had. But we were still segregated up there.

They gave us tickets to the athletic events, and when we looked at the tickets we didn't notice it at first. When time came for the first game--first game was Tennessee Volunteers, I never will forget it--and we looked on there and our tickets had "colored" written on them. And the colored section was a little section behind the goalpost down there.

Well, we wrote to the governor. We went back and got the lawyers and we had to go back, you know, to the judges. And we finally got a, got an order where they had to give us tickets in the student section. They did. And before--Mr. House gave them to us personally, and I think I've got some pictures where he was handing them to us. But he gave us a little lecture to start with. He said, "Now, I'm giving you these tickets, but I hope you got sense enough not to use them."

And then he went on to explain to us that at Carolina, athletic events were not a college, they weren't college events, they were, you know, people from all over the state. And that we wouldn't be dealing with just students. We were going to be dealing with the total population of North Carolina, because that's who most, you know, most of the

people who attended were North Carolina businessmen, people who supported--so he said he couldn't be responsible for what they did. And he was giving us these tickets and he was hoping that we were just trying to get a moral victory and that we had sense enough not to use them.

I think if he hadn't have said that, we might not have gone. [laughs] But we felt that we had to go after that. And when we did, we got into the game, and we had escorts to the game. By that time, we had built up a following of a lot of students who were sympathetic. The students--we never had any problems out of the students at Carolina, but all kinds of problems out of the administration, particularly the trustees. And so we got there to find that they had a whole section right on the fifty yard line, and nobody but us was sitting in the middle of it. And, you know, and those were the--I mean they were the prime tickets for the whole, you know, the whole thing.

So we sat there for a while and when the game was about to start, and everybody saw that those tickets just hadn't been issued to anybody, then a lot of students who were sitting there would finally would come down and fill in around us. And after that, you know, everybody who wanted a good seat and didn't have one knew these weren't taken. So we had, we had people all around us after that. But we were, we were given a group of seats there that were, you know, solely reserved for us.

We had incident after incident. I went to Carolina and finished. I still got one teacher down there who hasn't spoken to me until this day. I mean, [when] he'd call on me, he'd point at [me]. He called everybody else's name. And he was a good teacher. But that was, you know, that was the kind of stuff we were up against.

And coming from a little high school--see, I graduated in Hamlet. We graduated in a Baptist Church. And we had, you know, didn't have twelfth grade then, had eleventh grade then. And in that church the eighth grade was in this corner, the ninth grade here, and the tenth grade, and the eleventh grade here. And you had an eighth grade teacher and she taught you everything you learned in eighth grade. You had a ninth grade teacher. You know, Hamlet's got two thousand-something people, I guess, at that time.

And then you're put into this kind of situation where you've got to compete under these odds against, you know, the people from the very best schools in the state. It wasn't easy, because you go up there and you try to study and you had a lot of--there were always newsmen every[where]--there was no such thing as studying. We had to go back to Durham to study most of the time if we had an examination. We didn't go to the--because you were kind of a freak, and everybody was coming just to see what you looked like. A lot of them--

KH: Did you say newsmen?

KL: A lot of newsmen, we always had newsmen. But they were not unfriendly people. The--you know, it was just something new, but you couldn't study with that kind of stuff going

on. And you know, there were hundreds of incidents, you could just go over and over. And this wouldn't be believable now.

KH: People were--reporters were trying to interview you all the time?

KL: Well, that. And then, you know, they train highway patrolmen down there at the Institute of Government. And one day, for instance, we were coming back from the--this is just a, you know, an example--we were coming back from lunch. And the highway patrolmen were down there. They lived down there while they were in training.

And so on the steps of Steele Hall, they had lined up, you know, so it was impossible for you to get in the door. They were standing shoulder to shoulder. And we saw it. Harvey and I were together. And he said, "Well, what are we gonna do?" I said, "Well, we either gonna have to keep on going, or we might as well turn back and go on back home."

And so we did. We walked right into a whole batch of them, everyone of them, you know, they were in full uniform. And just one step before we got there they parted, and each one went through. We didn't have any--but you know, it was intimidating, you know. This many men with guns standing on the--and this was the highway patrol. This was the official agency of the state of North Carolina. But they did, we just, we walked right--we acted like they weren't there. And when we made this step, one would part, they let us through. And nobody said a word. But I mean incidents like that. You know, you had to study.

And when we walked in--the first time I walked in the dining hall--I don't if you know how big the dining hall is at Carolina. You got to the door, you know, you got several thousand students in there eating. It sounds like a beehive or something. But we walked in with two highway patrolmen on each side. It got just as quiet as a mouse. People would stop with their spoon like that. You just didn't hear a word. And [that was the] first time. Well, after we were there a few weeks, we could go in there and jump up and down on the table and nobody would say anything.

But just things like that. Never knew what to expect. They didn't--they wouldn't give us--wouldn't let us in the swimming pools. Had to go back to court for that. Just--everything you did, you know, it was a--you had to go back to court. And it was the board of trustees and the chancellor. And everything we that got into we had--especially the day the [*Daily Tar Heel*] [UNC newspaper] was there. And the newspaper--

KH: What's the incident with the *Tar Heel*?

KL: They were always, they were always in our corner. And they criticized everything that the administration did, you know, when they refused to just treat us like other students. And there were a lot of students there like that. But there were a lot of both kinds. But we

did get a lot of support from the students.

KH: Well, when you graduated, how did you see your options at that point?

KL: Well, first of all, I did the same thing and I'm--I went in, of course, I went in in the second quarter. I'm probably one of the few students, I don't know of another one. If you look on--my law license are [sic] dated before my degree. I got my license to practice before I finished school. And that was not--I mean, that was a little unusual. It was a little unusual that they allowed me to take the exam before I finished. But I had to--since I came in, you know, a semester late, I had to go to summer school before I got a degree. And of course, the bar is, you know, during summer school. To take the bar--at that time it was only once a year. And they let me take it and I passed it.

And then they had recruiters on campus all the time. We were not recruited by any of the companies that, you know, that interviewed the other students, except the FBI. And I went to that. They gave us the examination. I passed the examination. I got a notice.

Now at that time they were paying FBI agents \$17,500 a year. When I was working at A&T teaching electrical engineering, I was making \$170 a month. So, you know, from that to \$17,000--but, you know, we talking about all this in the early fifties, and that was a lot of money. I mean, at that time the president of A&T wasn't making but \$5,000 a year. No, \$6,000--\$500 a month was his salary. And so \$17,000 a year when the black college presidents were making six [thousand dollars], and that was the biggest school, black school, in the state. It was right good.

So I passed it and they sent for me for an interview. And then they told me that, you know, they could take me, but that they would have to send me to the--either the--I believe at that time it was San Francisco, or Chicago, or Detroit, or New York, because the FBI didn't use black agents in the South. That they would probably bring me back down for undercover work if they had a, you know, something where a black person would, you know, would be required for some undercover assignments, but that I would be stationed in either Detroit, or Chicago, or New York, or Los Angeles or, you know, some big city.

Well, that was the same thing I went to law school to begin with, to get away from having to leave home to make a living. So I turned it down and I came on and started out on my own. I--it was a long time. When I came to Greensboro, there were only two black lawyers here. I think there are eighty-six now, but there were only two when I first came here. And making a living was a pretty hard job. We're talking about--that was in 1952. And all the judges were--and all the lawyers, and everybody else, they were, you know, still saying, "Judge, this is a good nigger here." That was just--everybody used that, nobody said anything. We had to overcome all of that.

But I had a little trouble, so I opened up a radio and television repair shop. And



my wife kept it during the day while I was in school. I'd come home at night and work on a television or a radio, and, you know, that's the way we made a living until things got better. There just wasn't enough business here to make a living at the beginning.

Then we got into the civil rights thing, and I think, I'm not sure, but I think at that time there were probably thirty-five, maybe forty black lawyers in the entire state. Most of them wouldn't touch a civil rights case, because that meant, you know, a little town like Rockingham, or Yanceyville--

KH: Graham.

KL: --or somewhere like that--you start talking about civil rights and they just freeze you completely out. So Conrad Pearson was the chief counsel for the NAACP at that time, and I was named the assistant state counsel for the NAACP

KH: What year was this?

KL: What?

KH: What year was this?

KL: Starting in '52. I started practice in '52. This was probably about '54 or '55, because we brought the first suit to integrate schools in North Carolina under the old Pearsall Plan down in Troy and Montgomery County. When they had the demonstrations here I had over seventeen hundred civil rights cases active on the docket at one time. They didn't pay a penny for it.

KH: Can you describe some of those civil rights cases?

KL: Oh, my goodness.

KH: Maybe start with the one in Troy, and the Pearsall Plan?

KL: Well, the one in Troy wasn't the--Judge Armstrong[?] was the judge presiding over that one. We started in Troy. We finally moved it to federal court. But Judge Armstrong didn't have a whole lot of foolishness in his court. And we didn't--we moved it to federal court, because what happened, the plaintiffs down there started getting threats from all their employees. Most of them worked for mills and things.

And every time they'd have a--for instance, if we had depositions today and Mary Doe was over here and she worked for Troy Hosiery Company, Mary Doe would come in for a deposition and the president of Troy Hosiery company would be sitting over there.

He didn't have anything at all to do with it, but it was that, you know, that kind of intimi[dation]--nobody came out and said, "We gonna kill you." That sort of thing. I had a lot of that, too. But nobody--it wasn't that. So we finally got it moved.

But I guess the, I guess the one that, the first case I ever had, jury case, was down in Moore County in Carthage. They had five black boys that decapitated the chief of police, shot his head off with a shotgun. And that was my first--it was five capital cases in one. During that time, a capital case was a capital case. When they sentenced you to death, you died. And that was it. There wasn't no-- oh, you know, now they sentence them to death and they appeal for ten years and five years or whatever it is. But during that time, especially when a black person had killed a white person, when they said--they didn't have any legal aid, didn't have any mandatory appeals, anything. They sentenced you to death. You know, a few weeks after that you died.

And they had all five of them charged with a capital offense. And not only had they killed a white man, but he was the chief of police. And that was my first jury trial. And you talk about a baptism with fire. [laughs] But it was an interesting trial. It lasted several weeks. And as a result, all those guys are out walking around now if they haven't died of some other causes. None of them were sentenced to death. They were convicted, but--they didn't have plea bargains then, but that's what it amounted to.

They made an error in the arraignment. And all the lawyers in Moore County and surrounding counties had volunteered to assist in the prosecution. I was sitting over there by myself, the first trial I ever had. And they made an error in the arraignment. Well, I was just out of law school and I had been studying that stuff for the bar and all. And I got up and objected to it, and told the judge and the judge ruled against me. And his son is a judge now. I would rather not call his name.

But anyway we stayed there for several weeks trying that case. And you had some lawyers on there who were later governors. One was a candidate for governor and the most outstanding lawyers in the area there. But I thought I was right in that arraignment.

And while the trial was going on, I went down to the law school down at Central and got some of the students there, or some of--to an instructor, to assign them to do me a brief on the arraignment. And they had any number of cases [that] said if that was faulty, the whole thing was faulty. And after the conviction, I handed the brief to the judge, said to him, "This is clear as day."

And he stood up behind his desk and he said, "Now y'all"--and I don't remember, you know, the exact thing he said. "Here you're sitting down there, five or six of you," whatever. He said, "Y'all represent over two hundred years of experience, and you sat here and let me waste five or six weeks trying this case when the motion was made to, you know, for the correct arraignment the first day. Now you're either going to go back there and get together,"--and he's talking of me--said, "Now this boy over here, he ain't been out of law school a year. And y'all knew it was wrong and let me sit here and try this case all that time without anybody calling it to my attention."

So he said, "Now y'all go back there and you get together on a plea or else I'm going to dismiss them all." And we did. Now the fellow who actually pulled the trigger got life and all of them got some time. But, you know, they were all paroled, and five years later, I think, all of them were out. That's not anything to be proud of, because they were guilty as sin, but--at least one of them was. But, you know, they say you're supposed to do the best you can. So I guess that was my baptism of fire.

KH: Did you do any criminal, any more criminal defense in Greensboro?

KL: Oh yeah. I have had, I think, thirty-three capital cases. I mean, you know, that's when they're trying you for your life. And I've never lost one. When I said "lost one," I mean lost it in terms that he was convicted for what he was charged with. Most of them were convicted of lesser offenses. Most of them were guilty of lesser offenses. But almost always it was a black person, you know, and a white person who was the victim. And that was always first degree murder.

I represented the--we had a black officer here who was murdered by a taxi driver, John Massey[?]. And you'll see a picture of him in the police station down there. I represented that defendant. And he's out now. That was a black killing a black officer. But it was--that was probably the closest to first degree murder. The officer gave him a parking ticket. He went home and got his gun. The officer was sitting in the service station writing up his report. He just walked up behind him and unloaded the gun right in his head. And it was a police officer. But--

KH: Can you--

KL: There've been some interesting times.

KH: Yeah. Can you describe the legal system? You described it in Troy--or Carthage for me, but what about in Greensboro? How, how--if you could just describe the lawyer community and the atmosphere in the courts when you were trying these cases and defending these clients.

KL: It was a lot different, it was a lot different from the other places. You take a place--you see, judges weren't lawyers. That's a recent requirement. When I came out, you know, if you go to Caswell County [courthouse] in Yanceyville, the judge came up there out of the tobacco field with his overalls on, and he was the judge. They didn't have any lawyers in Caswell County. And they knew nothing about the law and weren't interested in learning anything about the law. And you just got all kinds of things happening there.

Greensboro, you had--all your judges were lawyers, and they were different, you know, in town. They were, they would be--you had--in the superior court system you get

judges from everywhere. But the resident judges, your district court judges, were different from what you find in other places.

When we had the civil rights thing, for instance, I was going as far as Statesville representing the sit-in demonstrations. I--mine was from Greensboro west and Conrad had from here east, all the east. And you'd go up there and you'd have a bunch of kids on trial for participating in a demonstration. They'd let you sit there till five o'clock, then they'd continue all the cases. And you had to come back and you had to drive back up there. They knew you weren't getting paid for it.

Those are the kind, they--ultimately all of the cases were dismissed, either dismissed or won on appeal, without exception. I can't recall a single case that was ever--there was over seventeen hundred of them at one time, active cases on the docket, and that's enough to run you crazy. You'd go down to Salisbury and--that was the procedure that most of them used. They'd bring you down there and they'd keep you all day. You and the defendants. And they'd continue, you know. You're powerless to do anything. You got the solicitor and the judge and both of them are openly hostile. And it was--

KH: When you say openly hostile, can you describe what you mean?

KL: Well, you know, they didn't speak to you in court. And you'd go up there--here, we'd go up, if we go in a courtroom and the solicitor's there and he knows he's not going to try a case today, he'll, he'll, you know, you go up and ask him "When you gonna get to this?" And he'd tell you, "We can't find our witness. We're not going to get to it today." And you'd go on back home and send your clients back home.

They didn't say a word to you. And you'd ask them and they'd tell you to sit down. Then they got--"get to you when we call it." And most always, when you had a case or you had an attorney from out of town, they would extend him the courtesy of calling his case before they call all of them cases that didn't have any lawyers, folks who lived around the corner, or the drunks. They didn't do any of that. They--you sat there and then they--and they didn't tell you that they were going to continue. They just announced it late in the afternoon that this case would be continued to another date, and then another date they'd continue it until another date. Most of them they never tried.

KH: So they had no respect for your time?

KL: Oh, no, no. It was--and that's what, you know, you mean by being openly hostile. They didn't have any intention of ever having any fair trial, you know. It just--they'd aggravate you, just wear you down. People couldn't, those kids' families couldn't stay off from work five days sitting down there doing nothing. They knew that. And that's what they did.

But at that same time, they would call--you'd go into court and they'd call the

docket first thing in the morning. If that person wasn't there, they'd issue an arrest warrant for him, put him back in jail. And then--knew they weren't going to do anything at all with him that day. There's all kinds of ways that you can, ways you can, you know, just aggravate a defendant. And they used every method known.

KH: Well, in addition to your criminal practice, you took on quite a few civil cases, is that right? Cases through the NAACP?

KL: Yes. All the cases where we opened the golf courses, opened the swimming pools, and all of those were civil cases. And we represented all of those.

KH: Can you tell me about the cases with the golf courses and your work there?

KL: The one with the golf course here--I was looking the other day and I still--I ran across a transcript of that trial. That was thirty years ago. But it's interesting to read that. It was, it was all the same thing.

They passed the Pearsall Plan. You know, that was the way North Carolina got by the Supreme Court decision that said you had to integrate the schools. They said you could go to whatever school you wanted to go to. And then the day after you go to that school, they did things like what I was talking about just now, you know, your employer was sitting there when your child came to register, or you lost your job if your child decided to register.

And it was, it was that way everywhere. You never won one and then the rest of them said, "Well, that's the precedent. You know, we're gonna go ahead and open up because we can't win." They'd lose on the--they knew they'd lose on the appeal. But the idea was they knew you were without funds. They knew you didn't have anybody to represent you. And they just would wear you down. And it worked most of the time.

KH: You defended a--or you represented some folks in Troy, did you say, on the Pearsall Plan?

KL: That was the first, yeah, the first school to integrate in North Caro[lina]--I mean the first lawsuit to integrate North Carolina's public schools was instituted, I guess it was. I guess, the board of education, I think--I forget the name of her now. I can't remember the lady's name who was the plaintiff, but it was against the board of education in Troy.

KH: Did you have any similar suits here in Greensboro?

KL: We didn't have, didn't have school suits. We had golf course suits. We had them all around. Had them everywhere. Greensboro was a little bit better. Ben Smith was the

school superintendent at that time, and when he announced that he was going to comply with the Supreme Court decision, they almost tarred and feathered him. But that was the kind--

KH: They--the rest of his school board? Or--his school board or--?

KL: I mean the population. I think the school--obviously, the school board had to be--to go with him, you know. The superintendent can't just integrate the schools without the school board, so apparently they were with him. But at Ben L. Smith--and they got a Ben L. Smith [High] School here, and he was the superintendent of schools at that time.

KH: Can you describe the reaction to Ben Smith when--

KL: Well, they had a--you know, they did him the same way. I had an office over there at the corner right across from George Simkins' office, over there on Benbow Road. And it was a new building. They built a brand new building, nice place at that time, and had a big plate glass window across the whole front of it. And I was in there with a doctor. And they broke that window out seven times. Just come by and throw a bottle through it. And they'd usually do the same thing at his house. So he was in the same category with me. And we finally got to the place where we kind of crossed signals and finally--they finally caught the person who did it and he was, he was sentenced.

KH: The same incidents were happening at your home at the same time?

KL: Oh yeah. They dropped--I was living on McConnell Road. They dropped a bomb in my yard. And the main thing, this boy of mine--who's practicing here--was young, and they'd call and, you know, [say] all kinds of things about what they had done to his dad and all that. And he--we had--a lot of times he'd just go into hysterics and mamma had to take him to the doctor and that sort of thing. He was just a young kid then--six, seven, eight years old, something like that. But that was the main thing. I didn't--I had gotten used to it [laughs], if you can get used to it.

KH: Did Dr. Smith get used to it? Did you know him very well?

KL: Yeah. I knew him very--I knew him after that. I didn't know him before then. But he quit pretty soon, maybe three or four years after that. I think it was, the pressure was just, just awful. If you could go back and see--you know, some of the people who were on that, who were on the state board when we were--I mean on the board of education, the trustee board of Carolina--they didn't have the university system then--and their people, some of them are still here. And if you could go back during that time and read some of the things

they said--

We had to contend with Jesse Helms every day. He was working for WRAL or a radio station down in [Raleigh]--and he was, he was, you know, you talk about a racist--he was--but he had a medium. He was on the radio every day. And in the newspapers. Some of the people who are here right now, you wouldn't believe some of the things that they said and did during that time. I mean prominent people in the state. You know, swept all that under the rug and gone.

KH: Who said things similar to what Jesse Helms was saying on WRAL?

KL: Yeah. Yeah.

KH: Would you care to, you know, name a few?

KL: No, but you can find them. [laughs]

KH: Well, keep in mind that this is not for public[ation]--not for, certainly, immediate publication. That people--probably the soonest would be a year down the road anyone would read these tapes, and more likely five, ten, twenty years down the road or more.

KL: Well, a lot of them are dead. Most of them are dead and most of them have descendants who don't share in the same--I mean, you know, who--and it might not be fair to them. But you had--if you can keep from using these names, I would rather not--

KH: Okay, whatever you're comfortable with.

KL: Maybe I'd better stay within that. But they are, I mean, the names are--if you mention the names, they're prominent people. And the people who are left here had nothing to do with it and it probably wouldn't be fair to them. After all, that was the time, and that was what was popular, you could say. But some of the most outstanding names and families in Greensboro--and not only in Greensboro but all over the state--the things that they wrote and said--

KH: Tell me about what Jesse Helms was saying at that time, in the late 1950s after the *Brown v. Board of Education* decision.

KL: Well, he was, he was critical of, first of all, of the decision. You know, he just didn't think that any black folks or any white folks ought to be together doing anything. And he would criticize everybody who, you know, when they finally said that we could go to the ball games or we could go to--you know, he'd have--whoever it was that said that, he'd

come out, and--you know, it was popular then to call everybody a Communist, and that was McCarthy days. So everybody was a Communist who, you know, who--

KH: Advocated civil rights, or advocated integration?

KL: We had, we had one person down there who I think I would have to mention. His name was Mike Ross. Mike was the editor of *The Law Review*. He was a straight A student. I think he made the highest records anybody'd ever made at Carolina. And Mike died a couple of years ago. But he was--probably never made anything at Carolina but A's.

But Mike was sympathetic to our cause, and he helped us--you know, we had to have some help to get out of that school. We were in an entirely different situation. He'd come over and help us to learn, and he'd teach us how to study, how to take notes, how to--and he was an excellent student. And when he finished, they wouldn't let him take the bar. And didn't let him take the bar until the day he died. And that was about two years ago. And he has never taken the bar.

He came back, he went to--he went with the union. His credentials--I never will forget them. I have copies of some of them somewhere. When--to take the bar, his recommendations were from Eleanor Roosevelt, John L. Lewis, who was head of the Coal Miners Union, everybody that he recommended, you know, if you'd call his name, everybody knew him, it was either--national. They wouldn't let him take the bar.

And I saw the letter they sent him. It just said he didn't have sufficient moral character, because he had supported--I mean, they didn't say that, but that was all they ever said. And he went to court. He went everywhere. And of course nobody--they knew he wasn't going to fail the bar. So they just didn't let him take it. And didn't let him take it until this day. Now he went with the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations], he went with the--he was head of the Union Hospital in Morg--

[End of Tape 1, Side A--Begin Tape 1, Side B]

KH: North Carolina never let him take that bar exam?

KL: The--well, you had a fellow named Cannon[?] who was head of the board of bar examiners at that time. Things have changed a lot since then. He was the absolute czar of who did and who didn't take the bar examination. And you went down for your interview, and all he would ask you--he never asked you anything about legal, you know--"Did you attend a rally that such-and-such a person held at such-and-such time on such-and-such a place?" And if you didn't answer those questions right, you didn't get to take the bar.



KH: What kinds of rallies would he ask about?

KL: Talking about civil rights rallies. "Did you"--he asked Mike, you know, what his relationship was with us, and Mike said that was all he did was talk about was, what--did he help us study, did he go to our room, did he--? And on the basis of that he--the board held that he didn't have sufficient moral character.

Now Henry Brandis was the dean [of the law school], and you couldn't find a fairer person than Henry Brandis. And he was a dean for a long time. Then he taught there till he, you know, he hadn't been dead long. I think he's dead, I'm not sure. I believe he died a couple years ago. But he went to bat for him, but it didn't make any difference.

That was the atmosphere in the state, and it was particularly during the McCarthy years when everybody who said anything about integration was just a Communist. That was all he was, he was just a Communist. And Communist was a bad word at that time.

KH: Did that affect--?

KL: See, Edward R. Murrow was a Communist. You know, everybody.

KH: Did that affect your legal career? You had already taken the bar some years earlier, but did that kind of atmosphere affect you?

KL: No. Mike and I took--were scheduled to take the bar the same year.

KH: Oh.

KL: And they never let him, let him take it. He hadn't taken it, didn't take it until the day he died. He just died a couple years ago. And we remained friends all that time.

I used to go to West Virginia to see him and he was a--I never seen a man with a mind like his in my life. He could take that book and turned the pages like that. And when he got through reading it, he could tell you everything that was in there. And you'd say, "But on such-and-such a thing--," and he'd say, "Yeah, but on page twelve you said--," you know. And I just never met anybody like him. And with that kind of mind, he still couldn't take the bar.

KH: Well, let's go on to another subject. Could we talk a little bit about American Federal Savings and Loan and how that got started? And maybe you could start by telling me a little about the banking conditions in the late fifties, How much money a bank might loan a black person?

KL: Well, in the late fifties, the way American Federal got started--I had been practicing about seven years. And during that time I had started doing pretty well. I'd saved up enough money to build a house. I hadn't had--well, I had a little house. That first house I got was on Lindsay Street and I paid four thousand-something dollars for it. But the house that I live in now, I wanted to borrow some money. I didn't need--but I had paid for the lot, and I had enough cash, I didn't need but about, I think it was twenty-three thousand dollars.

They--I went to a bank in town, a savings and loan, and I asked them. It was about a 30 percent loan, you know, and they were loaning up to 80 percent at that time at the bank. And the guy that I talked with was just as frank as he could be and he just told me, said, he didn't even look at the application, he said, "I'm sorry," said, "but we don't loan--in Guilford County, we don't make loans to black folks over \$13,500."

And I said, "Why?" He said, "Well," said, "I know you got the house there, but down where you are going to build it--", and you knew where you had to build it, because there was no integration of housing at that time. He said, "Suppose something happened to you. What are we going to do with it? Ain't nobody else, you know, got the equity that you got to put in it and can't buy it." And I said, well--but he said, "It's the policy in Guilford County that we don't loan over thirteen thousand dollars to anybody black."

I didn't believe that. And that summer I got some students--got the school to agree to send some law students. We searched every title, every deed--mortgage that had been recorded in Guilford County for two years. And sure enough, there'd never been a loan, there hadn't been but one loan for thirteen thousand dollars made to any black person in Guilford County.

At that time it was easy to determine. You knew what location it was. So it was no problem determining which were white loans and which were black. And that just was--I was just flabbergasted that here's a whole county, nowhere in the county--they had an agreement among themselves that nobody loaned over thirteen thousand dollars to a black person.

And I went straight down to Federal Home Loan Bank and got an application to form an institution. Federal Home Loan Bank wasn't in Atlanta at that time, it was in Greensboro. It was moved from down there where Home Federal is now. And they required us to have three hundred and fifty thousand dollars to open it. And we got that and we opened. And of course as soon as we opened, then everybody dropped that qualification. And after that you could borrow as much money as you could afford to pay back.

But see, a savings and loan at that time--they're different animals now--but at that time they just made first mortgage loans on owner-occupied dwellings. Eighty percent of their loans had to be made that way. And you don't--how much money you got doesn't necessarily determine how much money you can lend, because, you know you make a loan today, you sell it on the secondary market tomorrow, and you take that loan--

And we started making loans, that was about thirty-two, thirty-three years ago. And then we got some of the nicest houses in Guilford County during that time you've ever seen. People just couldn't build before because nobody could pay cash for a house, or they didn't. And we got up to about twenty-two million dollars before I left there. I've been retired, this will be my third year I been retired from there.

Now you're talking about the problem with that, that's another long story. You see, there'd never been a black person behind the counter of a financial institution in North Carolina, except to clean it up. There was no such thing as a teller in a bank, you know. So they had one other institution, that was Mutual Savings and Loan in Durham. That had been established about, oh, they were established some seventy years ago. They started out, you know, they didn't have any minimums then. They started out something like two or three hundred dollars and just--but they, they were insured.

So they agreed to train people down there for us in there, let them go down there and work. We got a manager. You couldn't hire any black managers with any experience, because there'd never been a black manager. You couldn't hire a teller, because there'd never been a black teller except for that one institution. So when we'd hire somebody, we'd have to send them down there and let them work. And then they'd come here. You got a man who just came off of on-the-job training last week who's heading the bank here today.

And those were very adverse circumstances, but we made it, and we continue to grow. With the first twenty-five years, twenty-five years, we never wrote off one penny for a bad loan in the first twenty-five years. After that, it started. That's when the Reagan administration, they started changing regulations and then things got worse for the industry all around after that. We have subsequently--next month--we will complete a merger with Mutual Savings and Loan.

KH: In Durham?

KL: And the two will be, the two will be one institution, because even so, a twenty-something million dollar institution can't survive in today's climate in savings and loans. You got to get bigger than that or you got to get out.

KH: Well, tell me about the time when American Federal got started and people of color would be the tellers. What--how did that change--did that lead to any other integration in other banks or S&Ls [savings and loans]?

KL: We, okay, we had--we started out with one teller and one manager. We started out with two employees. Well, with three hundred and fifty thousand dollars for borrowing money on houses, that was enough. And then we hired a boy from A&T who came down and he was doing a little training. He was the janitor. We hired him as a janitor. But we let him

work part time as a teller. Now, he's vice president of the biggest institution in the state now.

KH: What's his name?

KL: Jones. There again, I, you know, I hesitate to call names, but he is with First American Federal and he's vice president in charge of--and he started out as a janitor for us and worked up to a teller. We couldn't hire him full-time, so he later, when they started integration, he later got a job as a teller there and worked himself on up. Now he's vice president.

KH: Based in Raleigh or Charlotte?

KL: Based here.

KH: Here?

KL: First American's the biggest savings and loan in the state.

KH: Oh, okay.

KL: And he is with them. They count their assets in billions, we counted ours in millions, a few million at that. And he's done well. He's been with them now for maybe twenty-something years. But for that, he never would've been able to go in there.

We've had some other people. During the whole time I was there, we never fired a single person. If a person left, he left to go with some other institution that could give him more opportunity than we could give him. But we never discharged a single employee. And we would always encourage them to go somewhere that--we knew what our limitations were.

KH: So it's like a training ground.

KL: Right. And, of course now, you know, people are coming along now, they think that, you know, you got a guy that comes from behind, he gets to be vice president of Wachovia or assistant vice president. They just take it for granted. But it took a lot to get to the place where they did that and did it comfortably. And I guess that's what it's all about. So I feel like we were very successful.

We created homes for a lot of people who didn't--American Federal was not and is not for-profit institution. There's never been a nickel dividend declared. It's a mutual association. So there's nobody making any money. The profits went back into the

association. It does today. And it's one of the few that's left. The rest of them are making money and they declare dividends. It was never a stock company and we never--we wouldn't convert it, because the idea was never to make money.

KH: Well, okay--

KL: I stayed there thirty years and never got a nickel salary. I had a contract salary but never accepted it.

KH: You were a lawyer. You continued your legal practice at that time?

KL: Yeah, I continued my legal practice. I was never full-time. I was president. They had a full time manager, Mr. Webb, and so I was never down there, you know, full-time except for--Webb died suddenly, and they had a little period of a few months. And I served as the managing officer for five or six months till we could get somebody else. But other than that I was just president and chairman of the board.

KH: Did loan practices change after American Federal got started?

KL: Oh yes, yes.

KH: Did the banks stop redlining?

KL: Yeah. They stopped and they removed any limit on loans to black folks. There was no more limit after that. Of course, we weren't big enough to be responsible for all of the--you know, we got some houses, black houses now in Greensboro that run in the seven hundred thousand dollars. We weren't big enough to handle all that. But the fact that we were doing it caused the rest of them to open up. The fact that we were doing it and not having any problems.

Our problems came with deregulation, as I think most savings and loan problems came. They were doing all right before then. Savings and loans were organized to provide housing for people and not to open casinos and drill oil wells and that sort of thing. The Reagan era deregulated them and let them do anything they wanted to do. That's when they started making all kinds of foolish decisions.

And you had to go along with them, or else you couldn't compete. They were paying--see, back during that time the government set the interest rate which you could charge a person for a loan, and they set what you could pay on your savings certificates. It was always about a one and a half spread difference. If you were making a loan at 4.5 percent--which is what most buy loans were when we started--you couldn't pay but 3 percent on your savings account. They left with 1.5 percent margin there for us to operate

on. It worked beautifully.

Then they deregulated and they started--savings and loans started issuing CDs at 18 percent interest. And you can't pay 18 percent for your money when you ain't collecting but 4.5 for it. And that's what started the savings and loan--it's—they've distorted the real problem with the savings and loan industry. It was caused, it didn't just happen. They deregulated them and let them go and that spelled the end of it.

KH: Okay. I guess I have just one more, one more area I'd like to cover. I believe you've done a lot of behind-the-scenes work with the NAACP beyond legal representation in various cases. Could you describe the work that you've done for the NAACP and how the—

KL: A lot of things, it's usually what needs to be done. I--first place, I've been retired for about fourteen years. I had a real serious illness, and it required--I had some surgery at Duke that kept me laid up for about twelve, maybe thirteen months. And my son had just finished law school and gone into practice, and I was out for over a year. And he started doing so well I just never came back to work. So I retired just before I was fifty years old. And I haven't worked--haven't practiced law since then. I do something every day, but it's something that, you know, I do for myself, some volunteer work or something like that. But I haven't practiced, haven't done any practice of law in the last fourteen, fifteen years.

KH: But you've done work for the NAACP?

KL: Oh, yeah. I've, you know, donated services where they were needed, and still do. I think I owe them that. NAACP spent about two hundred fifty thousand dollars to get me in law school. And that was when two hundred fifty thousand dollars was the equivalent to five million dollars on today's market, or more. So I always felt that I owed something back, and I've done what I could.

KH: Okay, well, I think we'll probably wrap it up here and I thank you for--

[End of Interview]