



## 1645 Madison Avenue

This is a draft, now being reviewed by members of the McCrorey Heights Neighborhood Association. Please share comments with [Tom@HistorySouth.org](mailto:Tom@HistorySouth.org).



Built in 1955 for attorney Charles V. Bell and his wife Laura E. Bell, a teacher at West Charlotte High School.

Civil Rights activist Charles V. Bell ranked among the Carolinas' leading African American lawyers. He filed school desegregation lawsuits even before the 1954 *Brown v Board* desegregation decision by the Supreme Court, and he braved arrest for sitting in a white seat on a Gastonia bus years before Rosa Parks' famous protest. He became one of the first four African Americans admitted in 1955 to membership in Mecklenburg County's Bar Association. In 1966 he argued *Davis v North Carolina* before the U.S. Supreme Court, which helped set precedents that safeguard the rights of arrestees.

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Even before the U.S. Supreme Court's landmark 1954 *Brown* school desegregation decision ... Charles V. Bell had already filed two school desegregation lawsuits. Even before Rosa Parks braved arrest in 1955

for sitting in a "white" seat on a Birmingham bus ... Charles Bell had made headlines for a similar protest in Gastonia. Those actions were just a small part of Attorney Bell's activist career that included arguing a precedent-setting case before the U.S. Supreme Court.

Charles Vincent Bell (12.20.1913 – 5.16.1999) grew up in the law. His father Peter H. Bell, Sr., (1881 – 1967) earned a law license in 1901 — an extremely rare achievement for an African American in that era. Peter Bell built a successful 50-year career in Plymouth, a courthouse town on Albemarle Sound in eastern North Carolina. His elder son P.H. Bell, Jr. and younger son Charles both went into the law. Charles resisted for a while, teaching school for ten years, but then applied for admission to the new African American law school in Durham (now North Carolina Central University). He earned his law license and practiced with his father for about a year. Then Charlotte NAACP leader Kelly Alexander recruited him to move west to Charlotte, the Carolinas' largest metropolitan center.

At age 38 Charles Bell burned with a desire for justice when he opened his office upstairs at 422 1/2 E. Second Street in the heart Charlotte's black business district. He took whatever cases walked in the door, but especially sought out opportunities to push for better treatment of African Americans. When Cora Gaston came to trial on a charge of possessing "two pints of non-tax-paid-whiskey," Bell stood up in court to point out that the police had raided her residence without a search warrant. When an officer stopped Nellie Ferguson "to make a routine check of the operator's driver's license" and then arrested her for having "intoxicating liquor in the automobile," Bell again protested the lack of a search warrant.

He went before City Council on behalf of an African American group that wanted to start a taxi company. Bell took care to construct a strong case, bringing several community leaders to speak and delivering petitions "signed by six or seven hundred negroes," according to City Council Minutes. "He stated that because of the southern pattern of life the negro does not receive an equal share of services.... That the fact that it is difficult, if not impossible, especially in rainy weather, for a negro to get a cab, and that calls for cabs by white people are given preference, is proof of the need for cabs to serve the negro people." One Council member expressed sympathy: "Councilman [Herbert] Baxter stated that in colored areas of Charlotte — where one third of the population resides — adequate cab service is not being provided." But representatives from Charlotte taxi companies objected to any change in the status quo. The proposal went nowhere.

Bell hit the headlines almost as soon as he arrived in Charlotte. He ran into trouble during a Greyhound bus ride to Spartanburg on July 20, 1951, where he was scheduled to speak at a Veterans of Foreign Wars rally. As more white passengers got on the bus in Gastonia, the driver ordered him to sit further to the rear. "I will not move unless you place me under arrest," Bell said, according to the report of the police officers who detained him. "Before I move I will get off the bus."

"Claims He was Arrested in Gastonia: Negro Attorney is Suing Bus Company for \$60,000," headlined a *Gastonia Gazette* front-page story that was picked up by other newspapers around the state. Hoping to head off a lawsuit against the city, the police chief quickly denied that any actual arrest had taken place. Bell subsequently did file suit against Atlantic Greyhound for \$10,000 according to an article in Durham's *Carolina Times*.

Bell also made headlines with two lawsuits seeking to abolish segregated schools. NAACP attorney Thurgood Marshall was pushing the *Brown v. Board of Education* case through the Supreme Court, but it would not be decided until 1954. Bell did not wait. In 1951 he and brother and fellow lawyer Peter H Bell, Jr., who had joined him in Charlotte, went back to their native Plymouth in eastern North Carolina. Assisted by Durham lawyer named M. Hugh Thompson, they worked with black families to file a suit charging that the school system was "denying them educational facilities equal to those furnished white children ... in contravention of the Fourteenth Amendment to the Constitution of the United States." As the case moved through the legal system, local officials quickly launched plans to construct a new black high school for the county — something that would become a familiar strategy throughout the South. It worked: *Winborne et al v. Taylor et al* died upon appeal. But African Americans did get a modern, though still segregated, school facility.

Bell took a second shot attacking separate schools in 1953, working with African American residents in Gaston County. By the time that case went to trial in 1956, the U.S Supreme Court had spoken in *Brown*: "In the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." Surely the lower court judge must now require desegregation, Attorney Bell hoped.

It was not to be. "The case was dismissed," Charlotte attorney James Ferguson later wrote, "but Gaston County built a new school for its African American students."

Being a Civil Rights lawyer required a dogged persistence in the face of multiple defeats. But sometimes Bell did taste success. The Mecklenburg Bar Association refused for years to admit black lawyers. In the wake of the 1954 *Brown* ruling, the Bar gave in. The group reorganized itself as part of the North Carolina State Bar and admitted all attorneys regardless of color. Charles V. Bell, his McCrorey Heights neighbor and fellow Civil Rights advocate Thomas Wyche, as well as L.P. Harris and Ruffin Boulding became the first black members, an advance that earned national notice in *Jet* magazine.

Bell's most far-reaching impact came when he argued *Davis v. North Carolina* before the U.S. Supreme Court in 1966. Elmer Davis, Jr., was "an impoverished Negro of low mentality with a third or fourth grade education," according to the Court's official case summary. "Charlotte police took him into custody in connection with a murder investigation." Officers did not read him his rights. They "kept him in a detention cell for 16 days, where he spoke to no one but police, who interrogated him intermittently each day. He finally confessed to the crime."

Attorney Bell vigorously protested that such a confession was not valid. Through six years of lower court proceedings and finally on the floor of the Supreme Court in Washington, he argued: "It was coerced ... they used force, and ... it was involuntarily obtained."

The Supreme Court agreed. "Petitioner's confessions were the involuntary end product of coercive influences, and thus constitutionally inadmissible in evidence," wrote Chief Justice Earl Warren on June 20, 1966. Elmer Davis walked out his prison cell ... after 79 months on Death Row. In a companion case in that same Court session, Warren also wrote the now-famous *Miranda* decision. It required that police must read arrestees their rights. The *Miranda* case, buttressed by *Davis*, set a pattern ensuring that the U.S. legal system must safeguard the rights of persons accused of a crime.

Bell continued his Civil Rights work. At the same time that the *Davis* case moved through the courts, Bell also was working with Thomas Wyche and the national NAACP to defend JCSU students who "sat-in" at downtown restaurants in 1960. Bell partnered again with Wyche and the national NAACP in 1964 to attack the co-called Literacy Tests that had been used to block voters since Disfranchisement in 1900. Charlotte Civil Rights leader Dr. Reginald Hawkins (a McCrorey Heights neighbor) deliberately helped voters register without taking the Literacy Test. The U.S. Fourth Circuit Court, one level below the Supreme Court, decided the case in favor of Bell's team in 1966. It looked at the U.S. Voting Rights Act, passed in 1965, and declared that Dr. Hawkins had not acted improperly.

Bell and his wife Laura took out permits to build their home in McCrorey Heights in 1955, just as Bell won acceptance in the State Bar Association. South Carolina-born Laura E. Watson (9.1922 – 5.2015) [check that this is her full name] had moved to Charlotte to marry the rising attorney in 1953. Daughter of a minister, "she was a talented organist and pianist who was blessed with a beautiful alto voice," her obituary noted:

"[S]he earned a degree in English from Spelman College in 1944 and later a Masters of Arts degree from Columbia University in New York. Her passions were English literature and music. She loved to teach Shakespeare, especially Hamlet and Macbeth. During her early years as a devoted teacher she would go to her students' homes when for some unexplained reason they didn't come to class.... She taught in several schools ... but no matter where she was assigned, she always backed the Lions of West Charlotte High School."

The couple's daughter Charlene Bell Richardson followed her father and grandfather into the law. Educated at Wellesley College and Columbia University Law School, she built a practice in Wilmington, N.C. She served as Assistant Attorney General for the State of North Carolina from 2006 to 2017.



## ARCHITECTURE

Ranch. Red-brick with yellow brick accents, hip-roofed, one-story with complicated massing: a bedroom wing at one end of the house, a glassed-in sunporch at the other. At the rear is a family room, built as a carport in 1956 then enclosed in 1968 by the original owner. At the same time the owner also added the side/rear garage wing facing Clifton Street. The residence is located on a large corner lot.

## BUILDING PERMITS

### [Madison 1645 permit d](#)

Date issued: March 16, 1955

Owner: W. M. Felder

Contractor: Geo. D. Sanford

Estimated cost:

Other permit: Sanitary Plumbing Co. – probably for original construction of the house.

### [Madison 1645 permit c](#)

Date issued: October 10, 1956

Owner: Charles Bell

Contractor: Carolina Insulating & Awning Co.

Estimated cost:

Other permit info: carport added.

### [Madison 1645 permit b](#)

Date issued: February 9, 1968

Owner: Charles Bell

Contractor: Owner

Estimated cost: \$7,000

Other permit info: Enclose carport for Family Room

### [Madison 1645 permit a](#) ??? or 1639 Madison

Date issued: February 19, 1963

Owner: Mary Ethel Watson

Contractor: Mangie McQueen

## OBITUARY

[Bell Charles](#)

[Bell Laura Watson](#)

## FIRST APPEARED IN CITY DIRECTORY

1957 – Charles V. Bell & Laura E.

He: Attorney-at-law, 422 1/2 E. 2nd.

She: Teacher, West Charlotte High School

1982 city directory — Charles V. Bell & Laura E.

He: Lawyer, Bell King McCallum & Martin at 623

E Trade rm 202. She: No occupation listed

[daughter Charlene E. student at home]

## RESOURCES

Arsenault, Raymond, "You Don't Have to Ride Jim Crow," *Stetson Law Review* (2005), pp. 343 – 411. Describes NAACP's interest in such cases in these years, including a 1946 Virginia lawsuit went all the way to the U.S. Supreme Court.

Bell, Charles, funeral program in the collection of McCrorey Heights resident Audwin L. Ross, 1804 Van Buren Avenue, Charlotte.

Charlotte City Council Minutes, April 23, May 21, May 28, 1952.

"Claims He was Arrested in Gastonia: Negro Attorney is Suing Bus Company for \$60,000," *Gastonia Gazette*, August 29, 1951.

*Davis v. North Carolina* (384 U.S. 737 (1966)).

The official case summary, Warren's opinion, and a transcript of Bell's verbal argument on the Supreme Court floor are on-line via the *Oyez Project*, IIT Chicago-Kent College of Law:

[http://today.oyez.org/cases/1960-1969/1965/1965\\_815](http://today.oyez.org/cases/1960-1969/1965/1965_815)

"Files Suit for 10 G's Against Bus Company," *Carolina Times* (Durham), April 12, 1952.

"Four Negro Lawyers to be Admitted to N.C. Bar Group," *Jet*, August 18, 1955.

Laura Watson Bell obituary, *Charlotte Observer*, June 2, 2015.

"Loses Suit," *High Point Enterprise*, April 11, 1952.

"Negro Lawyer Attacking 'Jim Crow' in Lawsuit," *Charlotte Observer*, April 10, 1952.

"Of Death Row and a Man Who Awaited the Word," *Asheville Citizen-Times*, September 11,

Estimated cost: \$14,000

Other permit info:

1966.

“One Student Acquitted in Sit-Down Case,” *Carolina Times* (Durham), March 19, 1960.

Resolution and Memorial commemorating Charles Vincent Bell, Mecklenburg County Bar, 1999. On-line at:

[http://www.meckbar.org/newsevents/Bell,CharlesVincent\\_10.7.1999.pdf](http://www.meckbar.org/newsevents/Bell,CharlesVincent_10.7.1999.pdf)

Richardson, Charlene Bell, telephone interview with Tom Hanchett, November 27, 2017.

“Segregation Action Awaited in Negro Hospital Question,” *Charlotte Observer*, October 29, 1953.

*State of North Carolina v. Reginald A Hawkins* (365 F.2d 559 (4th Circuit 1966)). The court said, in part: “If the law’s protection cannot be invoked by the more intelligent and better-educated Negro who furnishes leadership and guidance to others of his race, the purpose of the Voting Rights Act will be severely impaired.” On-line at: [https://www.courtlistener.com/opinion/272974/state-of-north-carolina-v-reginald-a-hawkins/?order\\_by=dateFiled+desc](https://www.courtlistener.com/opinion/272974/state-of-north-carolina-v-reginald-a-hawkins/?order_by=dateFiled+desc)

“State v. Cora Gaston and Downey Cunningham,” filed November 19, 1952, in *North Carolina Reports: Cases Argued and Determined in the Supreme Court of North Carolina*, vol. 236 (Raleigh, N.C.: Bynum Printing, 1953) pp. 499 – 502. On-line at

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1644 Madison Avenue >

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