

THE MONITOR

A Weekly Newspaper Devoted to the Interests of the Eight Thousand Colored People in Omaha and Vicinity, and to the Good of the Community

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GRANDFATHER CLAUSE UNCONSTITUTIONAL

Oklahoma and Maryland Suffrage Restrictions Illegal—Supreme Court Decision Unanimous.

Washington, D. C., June 30.—The "grandfather clause," by which Southern states have disfranchised hundreds of thousands of Negroes, while permitting any white man to vote, received its death blow from the Supreme Court of the United States on Monday, June 21.

The decision of the court that the "grandfather clause" was unconstitutional was unanimous, and is virtually the first ruling by the highest court on this point. The court has sidestepped this issue several times, but the question is now answered so flatly in the negative that it is doubtful whether any further laws aimed at disfranchising the Negroes will include the "grandfather clause."

This decision invalidates the "grandfather clause" of the Maryland law, only recently adopted, and applied only to state and city elections, and the similar clause in the Oklahoma law, which applied to all elections. The Maryland law was an attempt to avoid any national issue on which the case could be taken to the Supreme Court.

Chief Justice White announced the decision, holding that it was a violation of the fifteenth amendment to select an arbitrary date, such as 1866, in fixing the qualification of voters. The decision, it is believed, will reach the "grandfather clause" legislation in many southern states.

For more than fifteen years the "grandfather clause" has been inserted in constitutions of southern states. The most popular form has been to exempt from educational and property tests for voting those who could vote in 1866, 1867 or 1868, thus allowing the tests to apply to those who did not vote at those dates.

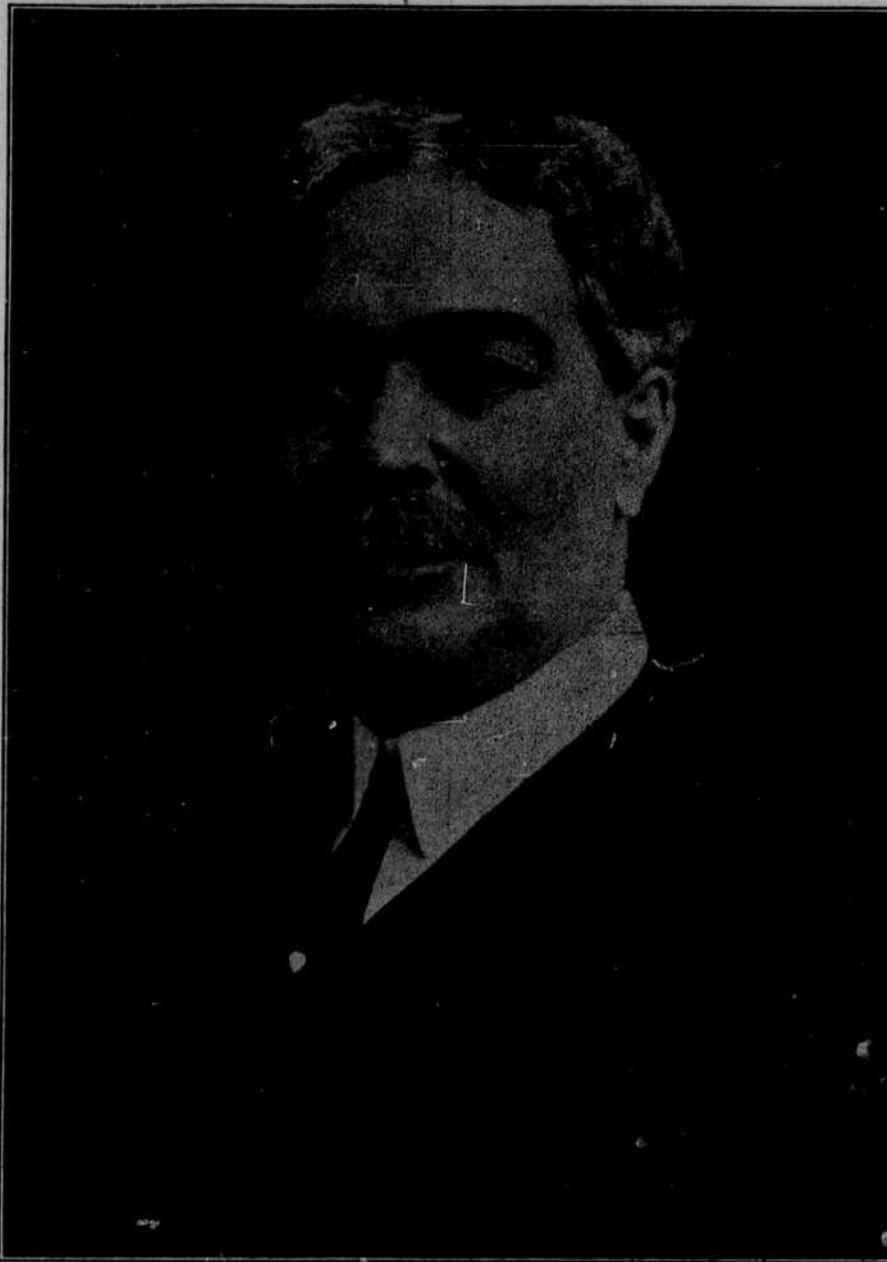
The Oklahoma Idea.

The Oklahoma "grandfather clause" provides "that no person shall be registered as an elector in this state or be allowed to vote in any election herein unless he is able to read and write any section of the constitution of the State of Oklahoma, but no person who was on January 1, 1866, or any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendants of such person shall be denied the right to register and vote because of his inability to so read and write sections of said constitution."

In Maryland the clause was inserted in laws governing elections in various cities. In 1908 it was inserted in the law governing municipal elections in the city of Annapolis. It authorized the registration as voters of all taxpayers of the city assessed for at least \$500; all duly naturalized citizens, all male children of naturalized citizens 21 years of age and "all

Think on These Things

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are good, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things."



RICHARD B. HARRISON.

Talented Dramatic-Reader, who will be heard in recitals at St. John's A. M. E. Church Tuesday and Thursday nights.

citizens who before January 1, 1868, were entitled to vote in the state of Maryland or any other state in the United States at a state election and the lawful male descendants of any person who prior to January 1, 1868, were entitled to vote in the State of Maryland or in any other State of the United States at a state election."

Various arguments were advanced to meet the attack that these clauses violated the fifteenth amendment of the constitution, providing that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color or previous conditions of servitude." Another line of argument was that the clauses did not "deny" or "abridge" the right of Negroes to vote, as for-

bidden by the fifteenth amendment, but it merely discriminated against them by allowing those not Negroes to vote without meeting the qualifications imposed ostensibly upon all. The Supreme Court brushed these ingenious arguments aside and, going direct to the core, held the grandfather clause as invalid, being violative of the fifteenth amendment of the constitution.

The effect of the decision is far-reaching. It sounds the death-knell of the notorious attempts of state legislatures to overrule the policy not only of a superior legislative power, but of the nation itself.

"To hold otherwise," said the court, "would be placing the seal of approval upon a mere form of words to make a part mightier than the whole."

PITTSBURGH CITY COUNCIL GOES ON RECORD AGAINST PRE-JUDICIAL PLAYS.

STRICT CENSORSHIP DEMANDED

(From the Pittsburgh Courier.)

The Pittsburgh city council went on record Tuesday, June 15th, against photo plays reflecting on the race and took a firm stand against such photoplays as the "Birth of a Nation" being permitted to be shown in Pittsburgh.

The Pittsburgh Courier first called attention of the council to this photoplay being shown here and appealed to Mr. Enoch Rauh to introduce a resolution against it, and William N. Randolph, president of the Pittsburgh branch of the National Association for the Advancement of Colored People, drafted a resolution and gave it to Councilman Garland and with the assistance of Mr. Enoch Rauh, who made a strong speech in council on Tuesday against permitting such photoplays, which he characterized as an outrage. The resolution passed by a unanimous vote to request the Mayor and those in charge to make a rigid censor of these photoplays and not permit such plays as the "Birth of a Nation" being shown in Pittsburgh. The Pittsburgh council is to be congratulated on going on record against such plays that are derogatory to any race and we feel very grateful for their action.

The colored people have never been aroused to such a pitch all over the country since the Brownville affair, as they have been about these photoplays that are doing the race so much injustice and they should be stopped at any cost.

No race has gotten justice without fighting for their rights and we are glad to note the fighting spirit that has been aroused by the colored citizens in demanding their rights and justice to the race.

The various associations in Pittsburgh have allied themselves and are sending out an appeal to all the various white organizations throughout the city, asking co-operation in the suppression of the "Birth of a Nation," and like plays, and they are to be commended for their action.

What the various organizations among us should do when it is announced the photoplay, "The Birth of a Nation," is going to be exhibited here is to get out an injunction and fight it by all fair means and use all resources to have it suppressed.

Copy of Resolution.

"WHEREAS, The colored race has been humiliated by the exhibition in various cities of this country of moving picture films which are not true to the life of these worthy citizens of this republic, and

"WHEREAS, No race of people in modern times has made greater progress in civilization and are more worthy of praise, rather than libel, for the upward climb they have made

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