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A NATIONAL WEEKLY NEWSPAPER DEVOTED TO THE INTERESTS OF COLORED AMERICANS.

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Johnson Guilty, Jury's Verdict, District Court

JURY FINDS JOHNSON GUILTY OF ASSAULT

Trial of Man Accused of Criminal Attack Upon Bessie Kroupa in Broad Daylight Last July Finished Saturday in District Court.

ACCUSED WELL DEFENDED

Omaha Branch, National Association for Advancement of Colored People, Believing in Man's Innocence, Employed Counsel for His Defense—May Appeal Case.

Ira Johnson was found guilty by a jury in Judge Redick's court of criminal assault on Bessie Kroupa, an 18-year-old girl, after a trial which occupied practically a whole week. The jury to whom the case was given at 4:30 Saturday afternoon was out over three hours before reaching a decision.

Bessie Kroupa, it is alleged, was attacked near her home at 4113 South Ninth street during the noon hour July 7. The story told by the girl was that as she was one way to work shortly after 12:30 she met a Negro dressed in a blue suit and wearing a round black hat who, as passed her, suddenly threw his arm around her neck, stuffed a handkerchief in her mouth, carried her into a nearby ravine, tied her hands and assaulted her. After accomplishing his vile purpose he went away some distance, but shortly returned and tied her feet so that she could not get away and "squeal" on him. He sat down on a log near her, asked her some questions, wiped his face with his handkerchief, then wiped hers and finally went away. After her assailant had gone, she succeeded in attracting the attention of George Kreil, a neighbor who was passing the place. He took her home and her parents notified the police.

Ira Johnson, employed at the Burlington ice house at Gibson, a mile and a half from the scene of the alleged crime, was arrested the following morning and taken by the detectives to the home of Miss Kroupa, who glanced at him through the vine-covered porch and cried, "Yes, that's the man; take him out of my sight." Johnson had his preliminary hearing in the county court July 18 and was bound over to the district court. He was one of the seventeen prisoners, four colored and thirteen white, held for assault or attempted assault in the Douglas county jail, at the time Will Brown was lynched.

The local branch of the National Association for the Advancement of Colored People interviewed Johnson after his arrest and after verification of his story decided to employ counsel for his defense. F. H. Howell of the legal firm of Smith, Schall & Howell, who had been employed in other work for the association, was asked if he would take the case. Mr. Howell's reply was, "It all depends upon the nature of the case. If that fellow is guilty, I feel so strongly against crimes of this character, that I would not defend him for any sum that could be offered me. If, however, after investigation, I believe that he is innocent, I'll be willing to defend him; but I'll tell you frankly, I must be convinced of his innocence." Investigation convinced Mr. Howell of Johnson's innocence and so he took the case. And his fee was not \$1,000 or anything like it, as The Bee has falsely stated, to embarrass the case and to make political capital against the senior member of the firm.

The case was called for trial last Tuesday. It was devoted to empanelling the jury which, with the instruction of the jury, was completed Wednesday and the examination of witnesses was begun. The chief witnesses for the state were: Miss Kroupa, who contradicted several of her former statements, chiefly touching the identification of the defendant, but said that now she was positive that Johnson was the man; George Kreil, who found Miss Kroupa after the assault, and who also contradicted several of his former statements, and Charles Wentz, a 9-year-old boy who identified Johnson as "a man with bumps on his face, bad teeth, and wearing a funny shaped high, black cap," whom he had seen in Riverview park on the morning of July 4; in the same place Sunday morning, July 6, but wearing a brown cap; and again Monday morning about 11 o'clock near Tenth and Canton streets, wearing a

round black hat. Detectives who arrested Johnson testified to his actions the time of his arrest. Questioned by Mr. Howell as to whether they had found any hat of any kind in the bunk car when Johnson was arrested, the detectives said no.

The witnesses for the defense were: John Smalls, Eugene Bell, colored, fellow workmen of Johnson's; George Fahrenbrook, white foreman of the ice house, and Johnson himself. Three young white boys and a Mexican who worked there at the time of Johnson's arrest could not be located. Smalls testified that he bunked with Johnson and that they ate their dinner about half past 12 o'clock and that after that they went over by the ice house and lay down in the shade, until about 1:30 when the Mexican, Joe Garcia, came and asked Johnson if he wanted that razor. Johnson said yes, and went over to the Mexican's car, where he borrowed a razor and shaved himself. Bell testified that he reached Gibson around noon on July 7 with a note from an employment agency on Harney street; and that Johnson, whom he did not know, hailed him and after talking with him for a few minutes took him over to the foreman's shanty and introduced him to the foreman who employed him. George Fahrenbrook testified that shortly after 12 o'clock Johnson brought Bell to him with a note from an employment agency and that he, Fahrenbrook, told Bell to report for work with Johnson on the night shift at 6 o'clock. He testified that he saw Johnson at the ice house again about 2 o'clock. All these witnesses testified that Johnson at that time was dressed in blue overalls and a khaki shirt and wore an advertising cap, one stated that it was a Charles Denby cigar advertising cap. Johnson denied that he was in the vicinity of the crime on the day mentioned. He testified that he worked as usual on the night shift and went to sleep, as was his custom in the morning, getting up about 11 o'clock, soon after which he went to the grocery store near by and bought some provisions for his dinner; and that he was in conversation with his foreman sometime after 12 o'clock when he took a man who was looking for work over to him. He testified that he was around the ice house all the afternoon until time to go to work at night. He was arrested Tuesday morning while sleeping in his bunk.

"When they got me a little ways from the bunk house one of them put his hand in my pocket and pulled out a piece of string. I said that wasn't my string but they said it was. I never seen the piece of cord before.

"I asked them to take me to Mr. Fahrenbrook, that he could testify I hadn't been away from the ice house that day, but they said they didn't have no time. Then they took me to the house where this girl lived. They took me inside the gate and when we was about 50 feet from the house some woman's voice hollered 'Take that man away!'"

Mr. Howell, attorney for the defense, made a masterly analysis of the evidence and showed how impossible it was for the defendant to have been in two places at the same time or to have been the man who was dressed one way at 11 o'clock, a mile and a half away and another way at 12:15, and then back to the scene of the attack thirty minutes later in the same suit he wore at 11 and then back again in his overalls and cap at the foreman's shanty about 2 o'clock. He showed how the testimony of witnesses, with no special objects to serve, agreed as to Johnson's whereabouts at the time of the assault. He claimed that Johnson's identification by Miss Kroupa was by no means beyond question. He closed by saying, "Gentlemen, the evidence shows that this defendant is guilty of no crime, except it be the crime of being born black. It is for you to say whether or not he shall be made a sacrifice. Have you the courage and the manhood to render a verdict according to the evidence. That is all there is to it. I leave that question to be answered by you."

Judge Slabaugh of the county attorney's office in closing for the state claimed that the identification of the defendant was complete and urged the jury to find him guilty.

Men are never so ridiculous from the qualities which really belong to them as from those they pretend to possess.

SENTENCES COMMUTED BY PRESIDENT

Soldiers Convicted on Charge of Mutiny Given Dishonorable Discharge and Ten Years Hard Labor Instead of Death.

WASHINGTON, D. C., Nov. 4.—The president has spared the lives of three soldiers of the army who had been sentenced by court-martial "to be shot to death with musketry" They are Privates Headley Braveboy, Pomerooy Jackson and Tom Nelson, 444th Labor Battalion, Quartermaster corps, who were convicted on charges of attempting to create a mutiny in their battalion at Pisgah, N. C., July 17, 1918, by disobedience of orders and threatening the lives of Captain Cyrus G. Wood and Second Lieutenant Aaron B. Cronkite, their superior officers.

The death sentence was approved by Big. Gen. W. E. Cole, commanding, but was commuted by the president to dishonorable discharge and imprisonment at hard labor for 10 years in each case.

MAN GIVES LIFE TO SAVE CHILD

Exploit Worthy Carnegie Medal for Heroism.

Philadelphia, Pa., Nov. 3.—In saving the life of a 6-year-old boy, Philip McGilley, a colored man 21 years old, of Federal street, sacrificed his own October 25th at Franklin and Popular streets. When he jammed on the brakes of the motor truck he was driving and swerved toward the curb to escape striking the boy, a Route 43 trolley car, closely following, crashed into the rear of the machine and hurled it into a telegraph pole. The trolley car jumped the track and crashed the truck like an eggshell. McGilley's lifeless body was removed from between the truck and the pole, while the boy was picked up only slightly hurt.

The boy, Frederick Brown, started across North Franklin street near Popular just as the truck of Markovitz Brothers, driven by McGilley, came along at a rapid rate. Young Brown was taken to the Children's Homeopathic hospital suffering from shock and bruises, while the police of the Eighth district arrested Harry Williams, motorman of the car, who was given a hearing Monday morning.

GRAND JURY INDICTS BEE REPORTER

J. Harry Moore Accused of Conspiracy to Commit Arson—Charged With Taking Active Part in Riot.

"FRAME-UP" BY CITY HALL, DECLARES REPORTER

J. Harry Moore, reporter for The Bee, was indicted Thursday morning by the grand jury for conspiracy to commit arson. The indictment was returned in connection with the investigation pursuant to the riot of September 28, when a mob fired the court house, lynched the Negro, Will Brown, and attempted to murder Mayor Smith.

Mr. Moore has been accused by friends of the city administration of incurring their disfavor because of news stories he has written for The Bee, which did not meet with the approval of city hall officials.

Release Two Witnesses.

The indictment against the reporter is said to have been returned mainly on evidence furnished by a discredited liquor agent, formerly employed by the state, and two other alleged rioters, Ernest Morris and Harold Thorpe, who got off with 90-day sentences.

"It is a frame-up," declared the reporter, "and can be traced directly to the city hall. My information is that a former state agent, who has been fired and is now bootlegging, is the man who is responsible for the information upon which the indictment was returned. The affair will be traced directly to the influence of city hall officials both in and outside of the grand jury."

Out of City.

"I was out of the city the afternoon and early part of the night of the riot. It was after 10 o'clock when I first learned that there had been any trouble on account of the mob. I can prove this by a dozen witnesses. I shall not stop here, however, because it can be shown that my indictment is the result of a conspiracy, and the names of the parties to the deal will be given to the public."

63 LYNCHED IN U. S. IN TEN MONTHS, 11 BURNED, 20 SHOT, 19 HANGED

NEW YORK, Nov. 8.—The National Association for the Advancement of Colored People, 70 Fifth Avenue, New York, today made public a statement showing that 63 persons were murdered by mobs in the United States in the first ten months of 1919. Of the victims 61 were American citizens and 2 were Mexicans. Fifty-nine of the Americans done to death were Negroes, of whom 11 were burned at stake.

"Among the causes for lynching were 'circulating incendiary literature' and 'talking of Chicago riot,'" says the statement of the Advancement association. "Four Negroes were lynched for 'intimacy' with white women, one for not turning out of the road for a white boy in an automobile, one for an altercation with a white man and one for being a leader of his race. Georgia led the states with 17 lynchings. Mississippi followed with 10, Alabama and Louisiana dividing the 'honors' of third place with 8 lynchings. The tabulations follow: Lynchings in the United States in the First Ten Months of 1919—

| By States. | |
|----------------|-------------------|
| Alabama |(1 white) 8 |
| Arkansas | 5 |
| Colorado |(Mexicans) 2 |
| Florida | 4 |
| Georgia | 17 |
| Louisiana | 8 |
| Mississippi | 10 |
| Missouri |(white) 1 |
| Nebraska | 1 |
| North Carolina | 2 |
| South Carolina | 1 |
| Tennessee | 1 |
| Texas | 3 |
| Total | 63 |

The manner of lynching was as follows:
Burned 11
Hanged 19
Shot to death 20
Beaten to death 2
Cut to pieces 1
Drowned 1
Manner unknown 9

| Total | |
|---|----------|
| Insulting white woman | 5 |
| Altercation with white man | 1 |
| Attempting to pull white woman from horse | 1 |
| Trouble between white and colored cotton mill workers | 1 |
| Assault on white woman | 12 |
| Murder | 18 |
| Insulting white man | 1 |
| Shooting white man | 6 |
| Attempted assault on white woman | 4 |
| Result of race riot | 1 |
| Talking of Chicago riot | 1 |
| Not turning out of road for white boy in auto | 1 |
| Leader among Negroes | 1 |
| Circulating incendiary literature | 1 |
| Misleading mob | 1 |
| Boastful remarks re killing of sheriff | 1 |
| Intimacy with white woman | 4 |
| Found under bed in white man's house | 1 |
| Expressing himself too freely re lynching of Negro | 1 |
| Causes unknown | 1 |
| Total | 63 |

CO-OPERATE TO PRESERVE RACIAL GOOD-WILL

(By Associated Negro Press.)
Atlanta, Ga., Nov. 12.—Resolutions pledging support and prayer for the co-operative committees formed by both races were submitted here to 167 churches, white and colored, as part of the campaign for a better understanding between the races. "Continuous rumors of 'race riots,' also are denounced in the resolutions, which contain a pledge that there shall be no such riots and that those responsible for the rumors shall be hunted out and silenced.

METHODISTS TO OPEN GIRLS' SEMINARY

(By Associated Negro Press.)
Richmond, Va., Nov. 12.—Announcement has been made that the Woman's Home Missionary Society of the Methodist church decided at a meeting in Detroit to open a seminary in Lynchburg for the education of Negro girls of the south. The seminary will be built on the site of the Morgan college, which was destroyed by fire several years ago.

SCHOOLS ARE BLAMED FOR OMAHA RIOTING

Michigan Professor Says Lynching Reveals Mental Inadequacy in Mob—Says Neither Whites Nor Negroes Can Hope to Kill Each Other.

"Education and the public school system have failed when race riots can happen," Professor Charles McKenny of Ypsilanti, Mich., told 400 Nebraska teachers last Thursday in the First Methodist church. His talk was a plea for the social sciences.

"The killing of even one Negro reveals mental inadequacy in the mob that kills," he said. "We white persons cannot logically hope to kill every Negro in the country. There are 10,000,000 of them. Then what avails the death of one? Likewise, the Negroes cannot hope to kill every white person. Therefore, if neither can eradicate the other stock, then each must learn to live with the other.

"Living together does not mean intermarriage or domestic friendships between whites and blacks. It merely means that we must arrive at an intelligent and sympathetic understanding of the problems that basically cause race riots. We must appreciate the fact that the Negroes will not consent forever to be in economic and social bondage. We must not hinder them in their social struggle. We must educate ourselves and allow them to be educated. We must give the Negro the right to prove that the black race has the mental power to emerge from its present status.

"I remember well your Omaha riot. A young man of this city, who has a college education, wrote to me. His letter said: 'I wish I could get a crack at that nigger.' The remark proved to me that, insofar as his education was concerned, our schools had failed.

"A dispatch from Omaha to a New York paper stated that Omaha women approved of the riot and the killing of the suspected Negro. I do not know whether that article reflected the truth. I may, however, hope that Omaha's women did not approve."

MAN CHARGED WITH RIOT ASSAULT

George Davis Indicted on Testimony of Mayor Smith for Attempt on His Life.

George Davis, arrested in Lincoln Saturday, was brought to Omaha and lodged in the county jail to await trial on three charges upon which the grand jury indicted him in connection with the court house riots and the assault upon Mayor Smith.

Davis is charged in one indictment with assault to murder Mayor Smith and assault to do great bodily injury to Mayor Smith. In another indictment he is charged with conspiracy to commit the murder of Will Brown, who was lynched the night of the riot.

BAPTISTS SEEK TO ESTABLISH BETTER RELATIONS

Chattanooga, Tenn., Nov. 12.—In a declaration of principles and policies, the Colored Baptist Educational and Missionary Convention of Tennessee, in its concluding session here, took an advanced step to bring about better relations between the races in America.

ORGANIZE INSURANCE COMPANY

(By Associated Negro Press.)
Columbus, Ohio, Nov. 12.—Following a series of important conferences here between some of the race's most successful and representative business men, a charter has been issued for the incorporation and license of the Supreme Life and Casualty company.

New York, N. Y., Nov. 12.—The British steamship Yarmouth, owned by the North American Navigating Company, Ltd., has been chartered through Harris, McGill & Co., of 50 Broad street, by the Black Star Steamship line, with offices at 36 West 135th, of which Marcus Garvey, a Negro editor, is president.

Washington, D. C., Nov. 13.—Investigation of the entire colored public school system of Washington is asked in a petition, signed by officers of the Parents' League, which will be presented to the house and senate district committees some time this week.

EMMETT J. SCOTT RECEIVES LETTER

Head of English Department of Virginia Military Institute Writes Emmett J. Scott.

Interesting Letter, by a Southern Professor, in Regard to Injustices Practiced on Race.

WASHINGTON, D. C., Nov. 7.—Professor Robert T. Kerlin, head of the English department of the Virginia Military Institute, Lexington, Va., after reviewing Dr. Emmett J. Scott's book, "The American Negro in the World War," wrote him a letter of appreciation of the contents of the book, and also gave voice to certain expressions with regard to the injustices visited upon Negro people in America, in the following statement: "Let me say that I have been dipping into your history of 'The American Negro in the World War' and reading it with satisfaction. I must, also, in writing to a man who is doing so much for his race, express my abhorrence and shame at the violence now directed against the Negro. Every man who has any soul in him and pride of humanity must do what he can to remove the blot. * * *

"The more I read your race papers, the greater is my sense of your wrongs and your forbearance, the greater my estimate of your virtues and my realization of our sins. What indignation and pain it begets within me to see one part of the wretched human family thus inflicting injury and insult upon another part! My parents were slave-holders of Kentucky, but could slavery have been more detestable, more infamous than these multiplied lynchings and mob-murders? Far from it, I think. My parents, I am sure, loved their Negro servants in the old days. God knows that I desire, above all things, at the present time, to see the descendants of that faithful, kindly, lovable race treated justly and humanly, according to the principles of our national constitution and the teachings of our religion.

"Yours cordially,
(Signed) ROBERT T. KERLIN."

The heaven is at work. A better south is evidently striving for an articulate voice. Prof. Kerlin is evidently one of this growing number of enlightened southerners who appreciate the fact that present conditions cannot continue without hurt to both races.

BUILDING HOUSES FOR COLORED TENANTS

Enterprising Contractor Helps Out Housing Situation and Encourages Home Ownership.

(By Associated Negro Press.)

Washington, D. C., Nov. 12.—Sixteen new houses, built especially for colored purchasers by Harry Kite, have been put on the market by the Ernest Hall Coolidge Company, Evans building. All of the houses are in the 700 block of Kenyon street. They are of colonial design and modern in every way, containing six rooms and bath. The builder of these homes has felt for some time that the colored population of Washington should be afforded a chance to acquire on easy terms a house in a better neighborhood than heretofore offered. Extensive building operations are contemplated in the near future by this builder.

PROVIDES MORTGAGE LIFTING FUND

DePriest Working on Plan to Help Chicago Home Owners Maintain Property.

Chicago, Nov. 12.—A fund to help Chicago Negroes lift mortgages threatening their homes is being established by Oscar DePriest, former alderman of the Second ward, according to an announcement he made in addressing a meeting of the People's Movement, 3140 Indiana avenue. Further uses of the fund are to obtain fire insurance for homes of people of his race not already protected. Resolutions "deploring the plans and procedure of the Hyde Park association" were drawn. No rights or privileges granted to colored citizens under the laws of the nation will be sacrificed, and power of segregation will be given no one, according to further clauses of the resolution.