

PROPERTY RIGHTS OF RACE AFFECTED BY CALIFORNIA LAW

Restrictive Clauses in Deeds Aimed Chiefly at Japanese Found to Affect Negroes Also

RESULTS IN MUCH LITIGATION

Several Suits Filed To Test Validity of Restriction Against "Use and Occupancy" of Property

Los Angeles, Cal., April 18.—The people of California are watching with unusual interest the outcome of one or two suits now pending involving the right of land owners to write in land deeds restricting in the courts of the state which the lease or sale to "Caucasian." And while it was originally intended, it is said, to affect the Japanese, yet the Negroes and all other races except the Caucasians are affected. This has precipitated a legal fight which promises to be far reaching in its final conclusion.

Many years ago it was the fashion to say that "Land conveyed should never be leased, rented, sold or conveyed to any person not of the Caucasian race."

In 1918, upon the advice of Attorney Willis O. Tyler, Homer L. Garrett bought a home with this restriction in the deed. Immediately a suit was filed by Title Guarantee and Trust Co., to forfeit the title and the case went to the Supreme Court, Attorney Tyler defending the rights of his client. A victory was won, the Supreme Court decided that restrictions against "lease or sale" to persons of the Negro race were void.

Immediately thereafter the restriction was reformed and made to read: "Nor shall any person non-Caucasian use or occupy said premises." Thereafter Los Angeles Investment Co., a millionaire corporation, sued Alfred Cary, a Negro, because he was violating the restriction against "use and occupancy." When this case went to the Supreme Court, the decision in the Title Guarantee and Trust Co. v. Garrett (183 Pag. 470) was sustained as to the lease or sale, but the Court split the difference and held that the restriction against "use and occupancy" was good.

In May of 1922, the Janns Investment Co., a millionaire corporation, sold a lot to J. H. Waldon, white man, and he in turn permitted Jesse Walling to use it. The contract contained a restriction against "use and occupancy" by a person non-Caucasian. Jesse Walling is a Negro.

A suit was filed to forfeit the title because of the violation of the restriction, and Attorney Tyler represented both Waldon (white) and Walling (colored) upon adverse decision in the trial Court and appealed to the Supreme Court.

As the case now stands the Supreme Court is called upon by the appeal to decide whether or not the restriction against "use and occupancy" is valid.

Following upon the heels of Janns Investment Co., v. Waldon et al., H. Lettan sued W. H. Long to forfeit a title because of the restriction against "use and occupancy." Mr. Long, a staunch race man and a member of several fraternal orders, bought a five room residence at 1171 E. 41st street, and met the restriction face to face. The case is now pending in the Superior Court of this state.

HEALTH FILMS SHOWN TO RACE IN NEW ORLEANS

New Orleans, April 18.—"The Message of Hope," a film shown at the Lyric theatre last week in the interest of "Negro Health Week," was witnessed by thousands of race men, women and children, according to an announcement by the Anti-Tuberculosis League.

A PRAYER FOR DELIVERANCE FROM RACE PREJUDICE

By Morney Williams
(For the Associated Negro Press)
O GOD, who hast made man in Thine own likeness and who dost love all whom Thou hast made, suffer us not, because of difference in race, color or condition, to separate ourselves from others, and thereby from Thee; but teach us as the unity of Thy family and the universality of Thy love. As Thy Son, our Savior, was born of an Hebrew mother and ministered first to His brethren of the House of Israel, but rejoiced in the faith of a Syro-Phoenician woman and of a Roman soldier, and suffered His cross to be carried by a man of Africa, teach us, also, while loving and serving our own, to enter into the communion of the whole human family; and forbid that, from pride of birth and hardness of heart, we should despise any for whom Christ died, or injure any in whom He lives. Amen.

\$200 FOLKLORE PRIZE IS EQUALLY DIVIDED BETWEEN CONTESTANTS

Prize Offered Annually by History and American Folklore Associations to Students

At the Spring Conference of the Association for the Study of Negro Life and History held in Philadelphia on the 3rd and 4th of this month there was awarded the Folklore Prize offered by the Association in cooperation with the American Folklore Society. The Committee on Award found that the best two collections had equal merit. The prize money was, therefore, divided between these two, which were submitted by Miss Helene M. Grier, a student of Hampton Institute, and the St. Helena Folklore Society of the Penn School, Frogmore, South Carolina.

A prize of \$200 is offered jointly by these societies for the best collection of tales, riddles, proverbs, sayings, and songs, which have been heard at home by Negro students of accredited schools. The aim is to study the Negro mind in relation to its environment at various periods in the history of the race and in different parts of the world.

Students desiring to compete should give their names to the head of their institution that he may forward them to the Director of the Association, who will answer all necessary inquiries.

Only stories, riddles and the like, that have been heard should be collected; stories or riddles from books or those composed by the collector should not be included. They will not be counted.

In all cases the story, riddle or song should be written as heard in exactly the same language. If they have been heard in dialect, then they should be written in dialect, if they have been heard in school English, then they should be written in school English.

When possible, music should accompany songs. Also, when possible, the name and locality of the person from whom the song or tale was heard should be given.

Collections should be sent to Dr. C. G. Woodson, at 1538 Ninth Street, Northwest, Washington, D. C., at any time before August 1, 1924. Collections may be sent in two or more parts, and competitors are advised to send the first part of their collection in the near future that they may have the opportunity of receiving suggestions about methods of continuing

SCHLAIFER BUSY DOING HIS ROAD WORK AT RACE TRACK

Now Weighs 154 and Intends to Make 147 for Dave Shade in Their Fight, April 25. Shade to Weigh 150

Theodore Roosevelt Post (colored) American Legion, announce that they have clinched contracts for a battle between Dave Shade of California and New York City and Morrie (Kid) Schlaifer of Omaha. The date was originally set for Monday the 21st, but Shade was signed for Warnie Smith at Cincinnati, so the 25th, Friday was set for the bout.

A lot of squawking has emanated about the proposed match on the grounds that Shade was too good for the local lad, he beating Schlaifer twice.

Another event which brought many squeals from the boys on the fight riazio was when Morrie's manager announced that his boy would appear as a middle in this fight. Morrie is a natural welter and if he were not too lazy to train, would make one of the best welters in the game today.

However, the squeals and squawks have had their effect and Morrie is making 3 to 5 miles daily in road work at Ak-Sar-Ben Field, and has agreed to meet Shade as a welter, although the easterner will enter the ring at 150 pounds.

Dandy preliminaries are promised and the cause is right, so a double reason presents itself for attending the card. Tickets are at popular prices and will go on sale tomorrow.

INTERRACIAL HEAD PASSES TO REWARD AT SOUTHERN HOME

In Death of John J. Eagan, Good Will Movement Loses Great Leader Who Labored Faithfully in Great Cause

The Committee on Award consists of Dr. Elsie Clews Parsons, Assistant Editor of the Journal of American Folklore, Dr. Franz Boas, Professor of Anthropology in Columbia University and a member of the Executive Council of the Association, and Dr. Carter G. Woodson, Editor of the Journal of Negro History. The Committee reserves the right to dispose of the collections sent in or parts thereof for use in scientific publications, with the names of contributors. The Committee also reserves the right, in case in its judgment adequate collections of material are not sent in this year, to award part of the prize money only, the balance to be credited towards a prize fund for 1924.

COLORED GIRL SECOND IN BEAUTY CONTEST

(Lincoln News Service.)

New York, April 18.—Dorothy Derrick, a colored girl of Flushing, Long Island, is one of the leaders in the beauty contest being conducted by the "Green Twigs", one of the city's oldest and most exclusive organizations, to determine the most beautiful girl in town. At the opening of the contest the young colored girl, who is a former Flushing high school pupil, took a position with the leaders, and yesterday she was in second place in competition with daughters of some of Flushing's leading families.

U. S. SENATORS STUDY D. C. RENT CONDITIONS

(Preston News Service.)

Washington, D. C., April 18.—The housing situation in Washington as revealed by a survey made for the District Senate Committee, was considered by them last Thursday afternoon. The survey was made primarily for the purpose of having first hand knowledge on conditions in an effort to extend the life to the District Rent Commission, which is due to expire May 1st, under the existing law. The movement is sponsored by Senator Robinson of Arkansas.

William Murphy has been detained at home this week by illness.

What is the Matter With Christianity Today? There is Something Wrong About It? What is it?

(An address delivered by the Rev. Francis J. Grimke, D. D., pastor of the Fifteenth Street Presbyterian Church, Washington, D. C., at the Seventh Annual Convocation of the School of Religion of Howard University, Washington, D. C. It was this address which so offended certain Southern Senators that they withheld the appropriation for Howard University.)

(By the Associated Negro Press.)

(Conclusion.)

If that is pessimism, then the more of it we have the better, the sooner there will be change for the better. If to call present-day Christianity to an account for its lack of the spirit of Christ, in its shameful attitude on the race question, is to be a pessimist, then let us hope that there may be pessimists springing up all over the land and in all of the churches. That is the kind of pessimism that is needed, the kind of pessimism that has back of all the moral and religious reforms that have taken place in the world. In spite of what may be said, in spite of being called pessimists, there is nothing for us to do but to go on upbraiding the church with its inconsistency, its unbrotherly, un-Christian spirit, until its actions conform with its professed ideals and principles.

Those are my sentiments. There is

THE NEED OF TRAINED NEGROES IN INDUSTRY

Today as never before the Negro needs industrial leadership. The European industrial worker is not of the type which formerly came to America. This being true someone must take his place. The source of supply may be found in the American Negro. But must he be merely a substitute for the poorly equipped South European? Must he be drafted into industry only in so far as his limited powers will allow him to go, or will he through intelligent preparation become so dependable that his advancement will be limited only by the needs of industry itself?

Not only must the Negro have definite training, but he also needs the driving force of organization. Thru lack of co-operation much ability is wasted. It frequently happens that those who could be most helpful refuse to combine with others, with the result that the entire Negro community suffers. This is particularly true of mechanics.

WILLS EMPLOYEES BUSINESS

Hundreds of Colored Operatives Given Share in Management and Profits of Great Industrial Concern

Atlanta, Ga., April 18.—In the death of John J. Eagan, of this city, which took place on March 30, the causes of interracial good will and economic justice lost a true and powerful friend—one whose life was devoted almost wholly to these ideals. In 1919 Mr. Eagan helped to organize the Commission on Interracial Cooperation and was its chairman until his death. When the Federal Council of Churches set up a similar commission, he was called upon to head that as well. He was also the moving spirit in the local interracial committee of Atlanta. To these organizations he devoted a great deal of time, and none of his altruistic interests was nearer to his heart.

Mr. Eagan was deeply interested also in the problem of Christianizing industry, and was a pioneer in this field. As the principal owner and manager of a great manufacturing enterprise in Birmingham, he introduced profit sharing on an extensive scale and employee representation in management. In one year profits amounting to \$200,000, which would ordinarily have gone to the stockholders, were distributed to the employees, over and above their regular wages. Shortly after the war, when so many enterprises were closing down or cutting wages, Mr. Eagan refused to do either, saying that the welfare of the workers was his chief concern. He put into effect also many other projects for their benefit such as recreation facilities, pensions, etc.

BOSTON BEACONS

By Arthur G. Banks
(For the Associated Negro Press)

White elevator operators of Boston have formed a union under the A. F. of L. from which colored operators are excluded.

John D. Gaaney, colored, of the First Assistant Postmaster General's office, visited Boston during the week to look into conditions among the colored employees, particularly as regards opportunities for promotion.

An organization meeting of the Ku Klux Klan was held in Lynn, Mass., Sunday, March 23rd. A colored officer was among the patrolmen on duty at the outside of the hall.

In the 16th Annual High School Track Meet of the Boston High Schools, colored boys won all three places in the broad jump, calling to mind the like performance of Hubbard, Gourdin and Butler in the National Championships.

Paul E. Pieris, a native of Ceylon and a graduate of Cambridge University, England, now a graduate of Harvard, is considered one of Harvard's best boxers, in the 135 pound class.

Mr. Eagan's will, which has just been made public, is the supreme evidence of his sincerity, and is almost without precedent. It leaves all his stock in the Birmingham concern, amounting to about \$100,000, to be held by the management in perpetual trust for the employees, and provides that all the profits shall go to them. His purpose in this arrangement, as expressed in the will, is "to insure service both to the purchasing public and to labor on the basis of the Golden Rule." It is especially significant that in all the benefits of Mr. Eagan's welfare plans while living and also in the provisions of his will, the several hundred colored employees of the concern participate fully and on equal terms.

In the light of the above facts it is not surprising that the death of this great man is mourned equally by both races. His funeral was attended by a number of representative colored leaders, and both races will participate in a memorial service soon to be held.

EARLY REGISTRATION URGED FOR JUNE N. A. A. C. P. CONFERENCE

New York, April 18.—Delegates and visitors to the 15th Annual Conference of the National Association for the Advancement of Colored People to be held in Philadelphia are urged to write at once to N. A. A. C. P. Headquarters, in order that housing arrangements may be made for them and reduced fares obtained from the railway companies.

Information about the Conference may be had from Walter White, Assistant Secretary, N. A. A. C. P., at 69 Fifth Avenue. Mr. White said recently it was hoped to make the sessions of the Conference representative of the entire country. Mr. White urged all who intend to come to Philadelphia for the Conference to organize their local delegations and write to him at once so that reception arrangements could be completed in Philadelphia and plans matured for the Conference Day's outing on June 28th in Atlantic City, "The Playground of the Nation." The Conference will open on Wednesday, June 25th and continue through Tuesday, July 1st.

DR. DU BOIS HONORED AT DINNER GIVEN BY WELL-KNOWN NEW YORKERS

New York, April 18.—Some hundreds of prominent New Yorkers gave a dinner on Sunday night, April 13, in honor of Dr. W. E. B. DuBois, Editor of The Crisis, who has just returned from the Pan-African Congress and Africa. Among those participating in the tribute of the N. A. A. C. P. leader were: Zona Gale, the novelist; Professor Franz Boas of Columbia University; H. L. Mencken, Editor of The American Mercury; Col. Arthur Little; Heywood Brown, of The New York World; Robert C. Benchley, Editor of "Life"; the playwright, Eugene O'Neill; Senator James J. Walker of New York; and George R. Lunn, Lieutenant Governor of New York State.

J. E. Spingarn, Treasurer of the N. A. A. C. P., presided at the dinner, which was held in the Cafe Savarin.

LEDGER THOUGHT BANKRUPT

Indianapolis, Ind., April 18.—Indianapolis Ledger, under fire by local press for its alleged supporting of Ku Klux Klan candidates, is now in the hands of a white receiver.

OMAHA WESTERN GET OFF TO GOOD START AT ST. JOE

Seasons Opened at St. Joe Wednesday. The Omahans Drop First Game 7 to 6 and Win Second Contest 6 to 1

The regular Western League season was opened Wednesday with Omaha playing at St. Joseph, before a record crowd of 6,500 in a new park, said to be one of the best baseball plants in the circuit.

The first contest was a pitchers battle between Harry Lee, the diminutive hurler for the Buffaloes, and Haid for St. Joseph, with the Missouri boys getting the long end of the count, 7 to 6. But not by way of alibi, what could be more appropriate than the Josies winning their first game at home and in their new park before such a record crowd.

But on the second day comes forth Barney's boys wearing their warring garments and set for a battle to win. They did and according to "Wag" of the Bee who was present at the game, it was some game, especially until the 8th inning when Birkenstock, the Josie flinger cracked and Art Griggs chased the Omaha team around the sack for six runs.

Bailey, also called Bill, the southpaw, pitched superb ball for the Omaha team and we copped the game 6 to 1.

First game on the home lot will be uncorked on the 29th of April with Wichita as the visitors. A monster crowd will see the game and Mayor Jim will probably declare it an afternoon holiday here.

Our people should plan accordingly for that day. Burch wants you there and has gathered a real representative team for Omaha to make it pleasant for the fans.

A lot of remodeling and decorating has been done this spring to the park and stands, and Rhiny Mohr already has his hot dogs getting hotter and his peanuts roasted, and that spells the perfect day, and Omaha intends to win.

ASST. STATE'S ATTORNEY

Columbus, O., April 18.—Wilbur E. King has been reappointed assistant prosecuting attorney of Franklin County. He has served under both Republicans and Democrats for the last 14 years.

ADVOCATES BUREAU FOR LEGISLATIVE INTERESTS OF RACE

National Race Congress of America Would Provide Permanent Effective Agency at Washington

NATIONAL BUREAU IS NEEDED

Several Measures Now Pending in Congress in Which Negroes Are So Vitally Interested

(Lincoln News Service)

Washington, April 18.—If the National Race Congress of America, which convenes in this city on April 29, is successful in carrying out that part of its program which provides for the permanent establishment in Washington of an Executive Bureau to look after the legislative interests of our group, it shall have established one of the most useful and helpful agencies that has yet been organized by our thoughtful men and women. The necessity of having such an agency has long been apparent and has been particularly emphasized within recent years and months, when legislative affairs vital to our welfare as citizens have been up for consideration in Congress. But to properly function there should be placed at the head of this Executive Bureau an intelligent man with a broad vision—one who is familiar with the needs of the race; who knows how to meet and to handle men of affairs; who knows legislative procedure; who knows the political game, but who is not a camp follower, a partisan cymbal-beater, or a "trimmer." He should receive a lucrative salary, be placed in a surety bonding company, have a centrally located and well equipped business office, that would not appeal as a loafing place to political highwaymen, briefless lawyers, humorous gentlemen, pious preachers, plausible scoundrels, or pretty maidens, and he should have sufficient clerical help to permit him to devote his entire time and attention to the supervisory work incident to the legislative interests of twelve million unorganized people.

The National Race Congress of America should be incorporated and an ample budget should be provided thru the flotation of a reasonable amount of stock at a popular price, so that the major part of the supervising official's time would not be spent in seeking finance with which to carry on his work. Having perfected some such an arrangement, and having a directorate composed of intelligent men of influence in the different states, there is every reason to believe that the Executive Bureau would successfully function.

At the present time there are before Congress several measures that vitally affect our group, and upon which we had no bearing, because of our inability to realize the importance of an organized effort. Although we have nearly one million farmers operating farm property valued in excess of two billion dollars, not a colored farmer nor colored farmers' organization has asked to be heard on the subject of rural credits, notwithstanding the fact that in many sections of the country local conditions are such as to deny their participation in the full benefits of this Congressional Act. In the matter of the Educational Bill, which seeks to wipe out illiteracy through governmental aid to the educational systems of the various states, our side has not been presented, although democratic statesmen are bitterly opposing the measures because of the benefits it will bestow upon the several million colored children of school age in certain sections of the country. Nor have we been heard on the Immigration Bill, which means so much to the permanency of our employment industry and to the upbuilding of our economic status. Unless the National Race Congress of America or our very effective N. A. A. C. P., which has rendered such signal service to the race and country in its advocacy of the passage of the Dyer Anti-Lynching Bill, establishes a permanent bureau at the nation's capital, for the purpose of handling all such important matters, our progress will necessarily be retarded.

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WANTS FUNDS FOR AEROPLANE

Boston, Mass., April 18.—Lieutenant Hubert Julian, aviator, is lecturing here in the effort to raise \$8,000 with which to purchase an aeroplane to fly around the world.