

THE WEEKLY REVIEW

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Legislature Approves Progressive Measures

Reactionary Lineup Is Repulsed On The Moratorium Bill—Auto License Fees.

By Geo. Kline.

Lincoln, Neb.—After definitely defeating the forces of reaction by ordering the Cone moratorium bill to third reading, leaders in the Nebraska legislature sent word Wednesday to the vanguard of the Holiday Marchers that there could be a meeting with the solons "at any time, any place".

Speaker O'Malley last Monday declared that the visitors would be accorded every courtesy and that the legislature would make prompt report of its activities.

On Monday noon Governor Bryan issued the proclamation suggesting that foreclosure proceedings cease.

On Tuesday the moratorium bills of Cone and Dugan came up on special order. During the morning the bills were debated at length with veiled opposition from a number of sources. The opposition was strong from the office of Attorney-General Good. He advised that the bills were unconstitutional. He did not at any time tell the legislature that in matters of court procedure the legislators have the right, under the constitution, to ask by joint resolution for an interpretation of such bills as the one introduced by Cone.

The Moratorium Bill

Cone's moratorium bill permits stays under the direction of the court for more than five years. However, the defendant may be required to make such payments as is possible. Dugan's bill, H. R. 92, gives a stay of nineteen months.

In committee of the whole, Cone's bill was ordered to third reading. A motion to advance Dugan's bill failed to carry. This scheduled Cone's bill for passage and left Dugan's plan alive and in reserve.

During the debate Binfield declared that during the last campaign "every candidate either promised relief to the farmers or else held out hope for a moratorium by silence."

Tremor Cone made an extended argument for his bill. He told of being laughed at six years ago when he first presented it to the legislature. Four years ago some paid attention.

"Two years ago," he declared, "I was in a wheel chair, but I almost put it over."

Dugan presented an argument to prove that his bill had a show of being upheld by the courts, while he doubted the constitutionality of the Cone bill.

After the vote was taken, which was without roll call, Cone retired to his seat, exhausted and worn out.

The Party Circle

electric voting machines and will now H. R. 7 by Cushing, abolishing the party circle, has been approved by the senate.

Governor Bryan has signed the barber's bill. It was passed by the use of the electric voting machine and will now be tested out in the supreme court to determine if the use of the machine is legal.

The road bill, H. R. 195, has been rushed along in the house. It looks as if the license fees would be \$3. \$5, and \$8.

The Lancaster county members of the conciliation board are: J. B. Moore, Bennet; E. B. Duling, Raymond; Ted Snyder, Waverly; Thomas Wallin, R 2 Lincoln, and Ned Brown of Arbor.

The Railway Commission

The senate has lifted up its hand against one of the four "sacred elephants" of the state government.

A joint resolution for a constitutional amendment has been advanced to third reading, submitting to the people the question of abolishing the railway commission.

When the bill first came up in the committee of the whole, a powerful lobby attempted to protect the commission from the chance of being taken for a ride before the people. It was suggested that the commission be placed under the authority of the supreme court, thus mixing up the executive and judicial departments. This proposition lost out.

As originally drawn the proposal provided that the legislature of 1935 arrange for the taking over of the duties of the railway commission by some agency of state. Senator O'Purey made a motion to specify the state officials mentioned in the governor's message. In this way the railway commission might get the benefit of any opposition aroused by the method of handling the work suggested by the governor. In this form the proposal was advanced to third reading.

The suggestion to let the people vote on the abolition of the railway commission is being fought under the hat from several quarters.

Two Platform Pledges

Governor Bryan, in an informal

message last week, expressed his approval of the bill passed by the house to take the party circle from the ballot. He also approved House Roll 10 by Cone, and H. R. 161 by Chase as meeting the democratic platform pledge on the plank to do away with deficiency judgments. These two bills have been endorsed by the house.

Uproar about Missouri River navigation continued for a time last Friday night. Ex-Governor Arthur J. Weaver made a defense against the charges of Crozier of Polk, Mark Woods also entered the arena.

There was little public interest manifested. From Washington comes the information that the old Missouri River setup has been knocked into a cocked hat. Distribution of contracts to monkey with the old river will not hereafter be handed out as of yore. It is a new deal. Those who have been getting much of the gravy have a rude surprise in store for them after March 4th, it is reported from Washington. Within the next ten-days the proposed items in the general appropriation bill, it is reported, will be entirely changed and rewritten in the United States senate. Those now waiting in fondest expectancy will later have naught to do but nurse shattered hopes and mourn over fat contracts of other day. When it comes to National politics after March 4th the old republican crowd does not function. And a river and harbors bill is politics. Nothing else but.

Brain Trust Active

One of the significant events of the week was the hot spotting of Senator McCarter by the alleged brain trust. Composed largely of professors, the membership of the brain trust is augmented by representatives of corporations and attorneys for the special interests. The brain trust functions through some civic clubs. The proceedings are never reported.

In Lincoln there are about 130 of these bodies, each club working under a pressure during a session of the legislature. Senator McCarter went on the hot griddle for introducing a gross income tax bill.

Coming prepared to riddle the innocent little bill of the senator from Bayard, they were not ready for a half dozen questions McCarter shot at the trust. These questions had to do with the lack of constructive ideas in braintrustland and why-the-dickens did all this depression happen and who let it happen.

In the ensuing row over which group was most responsible, McCarter eluded the tentacles of the intellectual octopus. He made his escape to the open air, income tax bill unpunctured. During the ordeal the senator was buoyed up and encouraged by some private information whispered by a reporter.

"That bunch," he was informed, "have been consistently and uniformly wrong for the last twenty years."

The Cone Opinion

While attorneys general are seeking to get acquainted with their new duties and have as yet no time for a quiet perusal of the Nebraska state constitution, it becomes the duty of this newspaper to suggest to Mr. Cone that the last opinion of the attorney general on the moratorium may be safely disregarded. Mr. Cone, without delaying his bill, which, as he claims Bliss, either in his transfer of the assets of the Guaranty Fund or the Depositors Final Statement Fund or in his distribution of such assets to depositors of the defendant bank according to the legislative mandate contained in Senate File No. 3.

It contains no allegations that Bliss as secretary deliberately and with knowledge of the unconstitutionality of Senate File No. 3, or with knowledge of pre-existing judgment liens against the assets of the Guaranty Fund, transferred the assets of the Guaranty Fund to the Depositors Final Settlement Fund and then distributed them to the depositors of the defunct bank.

It contains no allegation that Bliss as secretary acted in violation of any injunction issued against him by any court at the suit of interested parties forbidding the transfer of assets of the Guaranty Fund to the Final Settlement Fund and the distribution of assets so transferred, to depositors of defendant bank according to the "step-up-plan".

II. Misjoinder of parties defendant in that:

The intervener has failed to include as parties defendant to this action the recipients of the \$1321.90 in question and Clarence G. Bliss, the former secretary of the Department of Trade and Commerce, who distributed the money to them.

The receiver of the defunct is not a proper party defendant in this action.

Deficiency Judgment Bills

The house Monday afternoon passed

Scottsboro Star Witness Repudiates Testimony

By Federated Press.

NEW YORK (FP)—The state's star witness against the nine Scottsboro boys has repudiated her testimony charging them with rape. "Those policemen made me tell a lie," she wrote a former sweetheart. "Those Negroes did not touch me."

The letter containing her denial of the lies she told on the witness stand was intercepted and suppressed by Huntsville, Ala., police. The Intl. Labor Defense, which has conducted an international fight for the release of the nine Negro youths framed on rape charges, forced the court to produce the letter.

Written by Ruby Bates, whose testimony was the basis for sentencing the boys to the chair, the letter knocks the props from under the state's case. When the letter was produced, however, the hearing was postponed eight days. Rumors that a lynching is being planned, since the legal lynching may be stopped by this letter, have caused the I. L. D. to demand safeguards for the boys' lives.

"This is my statement because I want to make myself clear," the girl wrote to her sweetheart. "I hope you will believe me—the law don't, I was drunk at the time and didn't know what I was doing. I know it was wrong to let those Negroes die on account of me. I hope you will believe my statement because it is the God's truth. I hope you tell the law."

"P. S.—This is one time that I might tell a lie but it is the truth so God help me."

One of the cases resulted in a mistrial. The Alabama State Supreme Court reversed the conviction of one of the boys, and the U. S. Supreme Court reversed the conviction of the remaining seven. All nine cases are set for retrial in March in the Scottsboro court, by the same judge who presided over their first trials in an atmosphere of mob rule. A change of venue has been demanded by the I. L. D.

Sick List

Mrs. Billie Ford McWilliams, who has been ill for some time, is still improving slowly. We are very glad to hear of this and hope that she continues to improve.

Miss Orvilla Banks, one of our talented group, who is in the St. Elizabeth hospital, underwent an operation for appendicitis. At the time of this report she had not regained consciousness from the ether. We are indeed hoping she is up and around very soon.

Rex Williams, 8 years old son of Mr. and Mrs. M. E. Williams, was removed to the St. Elizabeth Hospital Monday afternoon, Feb. 13th. We are very sorry to hear of this and also hope he will be out soon.

Entertain Students

Miss Charlotte Williams entertained a group of high school students on Tuesday evening, Feb. 14, 1933, at her home, 2211 R St. Those present were: Miss Charlotte Williams, Miss Gertrude Buckner, Miss Doris Jones, Miss Bernice Evans, Miss Marian Watkins, Mr. William Molden, Mr. Hershel Burden, Mr. Sherwood Venable, and Mr. Monroe E. Williams, Jr.

The evening was spent with cards and dancing, a most excellent luncheon was served—strawberry jello with mixed fruits and nuts mounted on lettuce, french sandwiches, sponge cake topped with whipped cream with chopped pineapple and cocoa. All enjoyed themselves immensely.

House Roll 10 by Cone, forbidding deficiency judgments. Many lawyers declared that this bill would not apply to contracts made before the law was passed, while others expressed an opposite view. The bill passed by a vote of 81 to 13. Those voting on the negative were: Burr, Chase, Comstock, S. B. Johnson, W. R. Johnson, McBride, O'Gara, Pattavina, Rohlf, Smallwood, Tesar, Turbyfill, and Williams.

Next on the list came House Roll 161 by Chase, amending a different section of the statutes and authorizing judges to order resales until the amount of the lien was bid and in this way avoiding a deficiency judgment. This bill passed 73 to 16. Both H. R. 10 and H. R. 161 go to the senate with the emergency clause. The negative votes were: Anderson of Nuckolls, Buffington, Carman, Cone, Dowell, Freeouf, Graff, Havekost, Hawk, Larsen, McMahon, Mitchell, Peters, Warrington, Webber of Colfax, Woodruff.

Speaker O'Malley issued a statement to the holiday group after the passage of House Rolls 10 and 161. He said the holiday organization was working for the same things that occupied the legislature. He assured them a hearty welcome when they came to Lincoln.

A Social Chat With Loretta

Mr. and Mrs. Cicero Johnson were Omaha visitors over the week-end.

Mr. Harvey Washington, an old resident of the city, shows a marked improvement at his writing. He has been seriously ill for some time.

Mr. and Mrs. Ed Williamson was at home Sunday afternoon to a few friends. An enjoyable time was had and the hostess served dainty refreshments.

Mr. and Mrs. E. Foster entertained a few friends at cards last Friday evening. A buffet luncheon was served which was very appetizing, and those present praised Mrs. Foster very highly as a wonderful hostess.

The Rev. Burbridge and Dr. Winchester were Omaha visitors the past week.

The Home Benevolent Charity club gave a Valentine party last Tuesday evening at the 1133 M St. Hall. Mr. Harold Jones and his red hot orchestra played to one of the largest crowds this winter. The Charity club always enjoys a nice patronage and, through the president, we wish to sincerely thank the public.

Making Good

William (Bill) Nelson, man about town, has entered the business world and is nicely established near the Rock Island Station on 19th street. A trip of inspection through Mr. Nelson's Bar-be-cue place shows one of the finest, most modern Bar-be-cue pits I have ever seen, and after eating some of Mr. Nelson's Bar-be-cue I think you will agree with me, that it is the very best in Nebraska. This young man is an old citizen here and is running a clean respectable place, where the very best people can go and feel free to enjoy a nice meal in peace. Let's help this young man to make good, let's show him how much we appreciate the start he has taken, and give him our patronage. After all, the right way of living is the best way. Good luck "Bill".

As a compliment to Mrs. Prest Graves, the Review wishes to announce that Mrs. Graves is selling fresh eggs every day at her home, 2700 So. 9th St. F-3226.

Quinn Chapel—9th and C Sts. Sunday, Feb. 19th. The Rev. Mr. Burbridge, Pastor.

Sunday School—9:30 a. m. Mrs. Jas. Shelby, Super.

Dr. W. B. Brooks, presiding elder of the Omaha District, will fill the pulpit both morning and evening. Love Feast—Friday night. Please have your quarterly conference dues ready.

Last Sunday being Lincoln's birthday, the Revs. Burbridge and Winchester and their respected choirs were honored guests of Dr. B. F. Wyland and members of the Plymouth Congregational church, 20th & D Sts. Mr. Wilbur Chenoweth gave an organ recital that was a treat indeed. The choirs from the Mt. Zion Baptist and Quinn chapel sang three beautiful old spirituals which were very much enjoyed. Plymouth church was packed. The Review takes this means of letting those ministers know just how much we appreciate their efforts in being one of the means of bringing about this closer relation to the races. It's just one of the steps planned for the year 1933 program.

Sports

Dear Sir—Your constant grumble for sport news concerning Lincoln boys can now come to an end. I am only sorry that I don't have time to write more of them. But you may look for at least one article a week. In this particular article I will attempt to give you the "low down" on something that is more or less right here under our nose.

A new comer to Nebraska University is Clyde Walton. He hails from Kansas City, Mo., and is an all-around athlete—may I add, and is a darn good one. At present Walton may be seen almost any evening working out very diligently on the indoor track at the stadium, and can he go? "Yowah!" This boy makes the half mile run look like a sprint. And I "kinda" think Coach Schulte realizes it, too. That is the reason why Walton is going to Wisconsin next year, (it is rumored). Aside from being a track man, Walton plays basket ball (his specialty) as hard and as well. Once I asked him why he played so hard when the other boys took it more or less for a joke. He replied, "I've got a goal in view." Well, anyway, if Walton runs the half mile at Wisconsin like he does at the stadium, and what is going to stop him, Lincoln will have something to be proud of.

Attention!

After this week The Review office will be located at 1031 N. Street. Signed, T. T. McWilliams, Editor and Publisher.

Radke Files Demurrer In Bank Guaranty Suit

Counsel for the Receiver Interposes Objections to Suits for \$279,000.

Attorney F. C. Radke of the receivership division of the department of trade and commerce has filed a demurrer to the suit to compel depositors to the suit to compel depositors who have received \$279,000 under the terms of the Depositors Settlement Fund to pay it back. Senate File 3, passed at the special session of the legislature, repealing the old bank guarantee act and creating this scheme of settlement, has been declared unconstitutional. Under it was paid out \$279,000 to the depositors of the failed banks.

With the law declared unconstitutional, the amount would go to the depositors of approximately eight of the banks. Attorney Radke has filed a demurrer in which he assails the theory of preferred settlement on the following grounds:

I. Said petition does not state facts sufficient to constitute a cause of action against the defendant bank, its assets or receiver in that:

It contains no allegation that the receiver of the Western State Bank ever came into the possession of the \$1321.90 in question.

It fails to allege that the sum of \$1321.90 was ever included among the assets of the defendant bank or had been distributed as dividends from those assets to the depositors.

It fails to allege any breach of good faith by the former secretary of the Department of Trade and Commerce,



F. C. RADKE

only seeks to modify court rules, merely an amendment to "practice and procedure," can easily get the "low down". Mr. Cone does not need to conduct a joint debate with attorneys general. He can smoke the supreme court itself out into the open. And he can do it now.

For just notice the following quotation from Art. V, Sec. 26, Nebraska Constitution:

"To the same end, the court may, and when requested by the legislature by joint resolution, shall certify to the legislature, its conclusions as to desirable amendments or changes in the general laws governing such practice and proceedings."

All the legislature has to do in this matter is to pass a resolution. Then it is up to the court to part with some of its wisdom, which can be applied when the bill gets to the senate. The attorneys will now rush in to say that this section was intended for practice rules of attorneys in courts. True enough. But that is all Cone's bill is for, he says. It amends the general laws and regulates the rules of procedure in mortgage cases.

And what on earth is the foreclosure of a mortgage on a good Nebraska farm if it is not "such practice and proceedings"?

Race Cooperation

What the colored man needs most as a race is a greater spirit of cooperation. He should encourage every worthy ambition of a member of his race, and should patronize and foster every laudable enterprise which is controlled by his people.

The colored man can only become a formidable factor in this nation by uniting his forces. It is too common to hear him speak disparagingly of his own race.

Some old fossils and fogies take a morbid delight in adverse criticism of themselves. No doubt a first class funeral occasionally, is of incalculable benefit to the race.

Here And There

Rex Williams, son of Mr. and Mrs. M. E. Williams, was taken to the St. Elizabeth Hospital Monday, Feb. 13th.

Sonia Henie of St. Moritz, Switzerland, is said to be the world's amateur skating champion.

Why You All Should Take A Race Paper

Each home should have a race paper. Get one in the columns of which the editors are seeking to build up the race and not working to pull it down. When you subscribe to the Review you get one in which the editors display, not pessimistic, but optimistic views of the race.

It will be well to remember that it takes, or presumably should take, brains to edit a newspaper. Men who have not been trained to think are hardly men to be entrusted with the precious task of giving direction to public opinion. The editorial chair requires more than that culture received from reading news from other papers.

The editor who is sending out week by week his paper into the world ought to be able to grapple with the problems of the day and think them through. There is too much guessing on the social problems of the day by a few editors. Riots and mobs are the result of false teachings, both on the part of hot-headed anarchists and incompetent editors who are not anarchists.

You will find that the editorial columns of this paper show meditation, and is never squared away with a chip on its shoulder, daring someone to knock it off. The paper which spends its time fighting its contemporaries cannot be of much help to its readers.

There are two outstanding reasons why you should take the Review. The first is a duty that you owe to yourself to keep up with the movements among your own people. Second, you owe it to the race to support a laudable enterprise that looks to the betterment of the race. Let us also remember, too, that the pulpit, the press and the platform have been the great liberators of the nation. In this land of ours we need all to plead our cause up and down the length of the land. Put the Review in your home now.

Obituary

Wilson Augustus Hardin was born on the 8th day of March, 1864, at New London, Ind., and came west to Lincoln in the year 1882, where he found employment with some of Lincoln's first mercantile enterprises.

Soon after coming west, Mr. Hardin met Mrs. Allie Mason and they were united in marriage on the 16th day of May, 1895.

As one of the early pioneers in the restaurant business, Mr. Hardin and his wife conducted several eating establishments in Lincoln.

In later years he was employed at Hardy, Rudge and Gunzel's and spent several years with the Hashengerber Store.

Although in failing health for some time, it was only since December 28th that he was confined to his home. He had been seriously ill for some time, but lately, seemed well on the road to recovery. However on Feb. 11th, there was a relapse and Mr. Hardin died at 11:45 p. m., Tuesday, February 14, 1933, of heart attack.

He is survived by his wife, Allie, a brother James B., of Marrien, Kans., a sister, Lucy Marsh, of Kokomo, Ind., and a daughter, Mrs. Lennie Thomas, and a host of other relatives and friends.

Final arrangements pending, the body is at Brown's Mortuary.

Smalls Injured In Auto Mishap

Leaving Lincoln in sub-zero weather last Wednesday and encountering a blinding snow storm after crossing the Kansas line on his way to Kansas City, Mo., his home, W. Robert Smalls hit a snow bank just after leaving Hiawatha, Kans. He lost control of his car, with this unexpected compact and it turned upside down.

Very little damage was done to the car. Mr. Smalls received minor injuries, including bruises and slight lacerations. He was able to complete his drive home.

Mr. Smalls is the executive secretary of the Kansas City Urban League. He had been in Lincoln the previous week in the interest of the branch of the Urban League that is to be established here soon.

Lincoln High School News

We are very sorry to hear of our fellow student, Miss Orvilla Banks, being summoned to the St. Elizabeth Hospital. We hope very much that she will be able to return home very soon.