THE VOICE

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Court Gives H[illegible]oric Decisions

CHOOSE KEY STATE OFFICIALS—These girls Thursday were elected key state officials of Girls State. Left to right, starting with the first row, they are Lt. Gov. Elva Mae Thomas, Tekamah; Secretary of State Claudette Neal, Omaha; Chief Justice Pat Bradley, Scottsbluff; Atty. Gen. Dorothy Sand, Beatrice; Auditor Rita Al Goding, Alliance, and Pat Brt, treasurer, Norfolk. (Courtesy The Lincoln Journal.)

Whitney Young Lists Three Criteria of Maturity and Responsibility For Our Time

In these times of so much concern about foreign-isms we find "the greatest defense of democracy is its practice," Whitney Young, executive secretary of the Omaha Urban League, told Lincolnites Sunday as he addressed the men of Quinn Chapel church. Today, more important than physical maturity, is man's mental maturity, which he proves by his actions. One mark of maturity is willingness to accept responsibility, the vision of what is right and the courage to stand for it. He pointed to areas of responsibility: (1) For preparedness to do the skilled and professional tasks and for paving the way for equal opportunities in employment, (2) for better housing facilities through improvement of present properties and by opposing segregation, which always brings discriminations and (3) for interest in political activity. He challenged men to use the ballot to help preserve his birthright. The objective of such a program is simply the recognition of Negroes as Americans like any other Americans.

Furnishing music for Men's day at the chapel was a men's choir of 20 voices which featured some of the more robust spirituals and hymns. The day began with a breakfast in the basement prepared by the men.

Clyde Malone was chairman of the day and Clayton P. Lewis was in charge of arrangements. Also present was Sen. John Adams, sr., Omaha, who made a brief talk.

Sunday afternoon Mrs. Jennie Edwards, Women's day chairman, announced plans for the Ladies' day in early July. Mrs. Golden Brooks will be in charge of arrangements but speaker for the occasion was not made known.

Sen. Taylor Takes Case to High Court

WASHINGTON. (ANP). Sen. Glen H. Taylor (d., Ida.) announced last Tuesday that his attorneys have filed a petition requesting the Supreme Court to review the case in which he was convicted for disorderly conduct in 1948 by the Circuit Court of Jefferson county in Alabama.

The case grew out of the senator's arrest and prosecution when, in response to an invitation to address a meeting of the Southern Negro Youth congress in Birmingham, Ala., on May 1, 1948, he attempted to enter the church where the meeting was being held through the door marked "Negro entrance." His case is being presented to the Supreme Court for the purpose of testing the constitutionality of the Birmingham ordinance requiring separate entrances, exits and seating arrangements for Negroes and whites at all meetings, theaters, entertainments, etc.

Railroads To Comply With Court's Action

WASHINGTON. (ANP). Although southern railway firms made no positive statements they indicated that they would comply with the recent U. S. Supreme Court decision in which segregation on dining cars was outlawed in a case filed by Elmer Henderson.

Most of the railroads said they would await an order from the interstate commerce commission before establishing a definite policy.

Defendant in the case, the Southern Railway, indicated it would obey the ruling by a statement of Sidney S. Alderman, vice president and general counsel. He said:

"The railway will of course comply with whatever order is ultimately entered by the ICC."

A spokesman for the Chesapeake and Ohio railroad said this ruling only agreed with its present practices. It segregates passengers on interstate travel, and it does not on interstate policy. He said the program would continue.

For Seaboard railway, an official said, "If the law stops segregrating Negroes, then we'll do it.

The president of the Nashville, Chattanooga, and St. Louis railroad said his trains would obey the decision soon.

Women Open Bowling Group To Negroes

ST. PAUL, Minn. (ANP). Following the lead of the American Bowling congress male group, the Women's International Bowling congress dropped its racial restriction clause from its by-laws last week.

A meeting of 70 delegates voted unanimously to drop the "whites only" requirement from its membership rules.

Although the WIBC discussed the rules changes a month ago, it awaited the action of the ABC before going to the voting stage.

Cong. Dawson's Committee Opens Burget Hearings

WASHINGTON. (ANP). The House Committee on Expenditures in the Executive departments, which is headed by Congressman William L. Dawson, opened hearings last Thursday on the Budgetary Practices Reorganization act of 1950. The bill, H.R. 504, was introduced by Rep. Franklin D. Roosevelt, jr. (d.-lib., N.Y.), who is a member of the committee.

Mr. Young in Hospital

It is reported that Walter Young is very ill at St. Elizabeth hospital.

Mr. Young returned to work only recently after being at Veterans' Hospital for several weeks.

Unanimous Votes Ban Segregation in Oklahoma Texas Schools; On Diners

WASHINGTON, D. C.—The United States Supreme Court ruled that racial segregation is illegal in higher education and on railroad dining cars.

In unanimous 8 to 0 decisions in three major civil rights cases, the justices upheld Heman Sweatt's right to enter the University of Texas, ordered the University of Oklahoma not to segregate G. W. McLaurin and other Negro students in classrooms and ruled out the curtain and partition used to separate Negro dining car passengers from white diners.

Justice Clark, who was attorney general when the railway case was brought, took no part in the decision.

Eight Supreme Court justices in a unanimous decision ruled that the equal protection clause of the 14th amendment to the U.S. constitution requires that Sweatt be admitted to the University of Texas law school.

The court pointed out that despite the excellence of promised improvements to the Negro law school established at Austin, Negro students would be isolated from the persons with whom they would later associate in the practice of law.

In effect, the Supreme Court ruled that the "separate but equal" doctrine is outmoded.

In two other cases ruled upon on the same day, the Supreme Court ordered the University of Oklahoma to end the segregation of Negroes in classrooms in its graduate schools and ordered an end to the segregation of Negro passengers on railway dining cars.

These rulings were made in the case filed by G. W. McLaurin, graduate student at the University of Oklahoma, and Elmer C. Henderson, director of the American Council on Human Rights, against the Southern Railroad.

Sweatt, who since May 16, 1946, has fought to enter Texas U., refusing to attend the Jim Crow law school established by the state at Houston, was backed by the Supreme Court in his contention that the Jim Crow school was not equal to the law school at the University of Texas.

Chief Justice Vinson, who read the unanimous opinion, said that Sweatt may rightfully claim "a legal education equivalent to that offered by the state to students of other races."

The Sweatt case was taken to the Supreme Court by the NAACP with Thurgood Marshall as the chief counsel. The case was argued before the U.S. Supreme Court on April 3-4 along with the McLaurin and the Henderson cases.

Sweatt filed a petition for a writ of mandamus on May 16, 1946, seeking admittance to the University of Texas school of law from which he had been excluded because of his race. On June 17, 1946, a hearing was held in Travis county in Austin, Texas, and 10 days later the court declared that the state's refusal to admit Sweatt to the University of Texas was a denial of his constitutional rights since it was the only law school within the state.

The court refused, however, to grant the writ and gave the state six months to provide a course of legal instruction "substantially equivalent" to that provided at the University of Texas.

In December of 1946, a second hearing was held and the court dismissed Sweatt's case on the ground that the state had made available another law school providing legal training "substantially equivalent" to that offered at Texas U., therefore complying with the order of June 26. This judgment was entered although the record showed that no such law school had been established for Negroes. The state of Texas had only promised to provide separate legal educational facilities.

On March 26, 1947, the court of civil appeals set aside the judgment of the trial court and remanded the cause for further proceedings. Another trial was held on May 12-18, 1947, with the court dismissing Sweatt's petition for writ of mandamus. The court of civil appeals affirmed this decision in February, 1948, and the case was appealed to the Supreme Court of Texas, which a so affirmed the lower court. The case was appealed to the United States Supreme court on Nov. 7, 1949.

Lawyers associated with Thurgood Marshall in the Sweatt case are Robert L. Carter, W. J. Burham, William R. Ming, jr., James M. Nabrit, U. Simpson Tate and Franklin H. Williams.

Demand for dining car facilities by Negro passengers justifies the regulations. But it is no answer to the particular passenger who is denied service at an unoccupied place in a dining car that, on the average, persons like him are served. . .

"That the regulations may impose on white passengers, in proportion to their numbers, disadvantages similar to those imposed on Negro passengers is not an answer to the requirements. Discriminations that operate to the disadvantage of two groups are not the less to be condemned because their impact is broader than if only one were affected."

The Justice department in the Henderson case brief asked the Supreme Court to overturn the 54-year-old "separate but equal" facilities doctrine which is based on an 1896 Supreme Court decision that states may require segregation if the races are provided substantially equal facilities. The 1896 decision said that such segregation—provided Negroes are otherwise treated the same as whites—does not violate the 14th amendment that no state shall deny any person the equal protection of the laws.

The Supreme Court did not directly declare segregation unconstitutional.