

Lack of Money Has Affected Fight For Anti-Lynching Bill

New York, May 16.—Lack of sufficient financial support from those who would profit most from the passage of the Costigan-Wagner anti-lynching bill was chiefly responsible for the temporary shelving of the controversial measure, according to a statement issued today from the office of the National Association for the Advancement of Colored People.

According to this statement, many Northern senators would have spoken in favor of the Costigan-Wagner bill had they been supplied with adequate detailed information and arguments, legal and otherwise, on lynching.

Speaking for the Association, which is actively backing the bill, Walter White, its Secretary, declared: "Memoranda was prepared exposing the fallacy of the arguments about rape; on the states which have in their laws provisions for financial damages against counties which permit lynchings; detailed analyses of the lynchings in thirteen southern states showing the triviality of the causes of many lynchings; memoranda on how lynching is used as a means of terrorism through which economic, political, educational and other discrimination is perpetuated and increased."

No Money for Research Work

"But not enough of these analyses were done," he continued "not sufficiently distributed in the Senate and among newspaper men, because the preparation of such memoranda requires much research work by experts in the gathering, correlation, digesting and presenting of this material. Stenographic services, printing, postage, mimeographing, multigraphing, traveling expenses and personal interviews with senators to supply them with facts to answer the wild statements of the Ellison Smiths and other filibusters, all these cost money. The Association had no money for this work."

"After each day's vote stenographic service should have been available immediately to send telegrams to key persons in states from which came senators who had been absent from the floor or who had voted for adjournment. It is only in this fashion that the political threat of revolt by Negro voters against senators who did not persistently and faithfully fight the filibuster to the limit could be properly exerted. Just as lobbies for selfish purposes are used effectively in Washington so must lobbies be sued for humanitarian purposes, as in the fight against lynching."

Praises Support of Newspapers

"Of great importance," he continued, "and indicative of the growth of consciousness, has been the unparalleled support of the bill by the Negro press without exception. Our newspapers have devoted many columns of space and have uniformly taken an intelligent, broad gauge view of the significance of the fight."

Mr. White deplored the fact that most of the volunteer lobbying for the anti-lynching bill was

done by white people, only a few colored people, even in Washington, being interested enough to help. "This is said not in criticism," he averred, "but as one of the weaknesses which must be corrected. A few Negroes rendered active, devoted and valuable service, without which the fight for the bill would have been more greatly handicapped than it was. But there should have been scores of volunteers."

"The Association," he said, "desired to establish an adequately staffed office in Washington with sufficient budget to carry on an effective fight for the passage of the bill, but could only do so when colored people themselves supplied sufficient funds."

Harlem Urban League Official "Eats Words" at Hearing

New York—CNA—James H. Hubert, executive secretary of the Harlem branch of the Urban League was forced to "eat his words" at a public hearing of Mayor LaGuardia's committee for investigating the causes of the March 19 outbreak in Harlem. The hearing was held April 13 at 147 151st Street in Harlem.

Mr. Hubert was asked by A. W. Berry, acting national secretary of the League of Struggle for Negro Rights, "Do you endorse the Workers' Bill; HR 2827 for Unemployment and Social Insurance?" Mr. Hubert replied, "I do not endorse the bill because of certain objectionable provisions in it."

Cannot Answer

Mr. Hubert was then asked by Fannie Horowitz, labor attorney, what provision in the bill he objected to. There was a long silence during which the entire audience of 700 Negro and white persons waited for Mr. Hubert's reply. Finally Mr. Hubert declared that if he had a copy of the Workers' Bill he would point out the "objectionable" provisions. Immediately several persons leaped to the floor with copies of the bill. Mr. Hubert read the bill, and there was another long silence.

Shouts from the audience sounded, "What's the matter with him?" Mr. Hubert then stated that he bill was "very fine," that he endorsed it and everybody should endorse it.

Called "Uncle Tom"

Mr. Hubert was also asked why he made a statement in the New York Journal, Hearst owned; that the March 19 outbreak was caused by "red street corner-agitators." But he denied that he had ever made such statements.

Negroes in the audience called Mr. Hubert "Uncle Tom," charging that neither he nor the Urban League were doing anything to get jobs, or relieve the misery and starvation suffered by Negroes in Harlem.

"Others who testified were: Frank Crosswaith, Socialist party leader, Norman Thomas, white, prominent Socialist; Paul Blanchard, white, representative of Mayor La Guardia's administration; Bertram Taylor member of Union Mechanics Association.

All of the evidence brought out before the committee revealed rank job discrimination against Negro workers, both women and men.

Topeka Publisher Sued for Ten Thousand Dollars

Elisha Scott, Negro Attorney, Represents Plaintiff.

Topeka, Kans., May 2—Charles H. Trapp, editor of Pink Rag, a small periodical published here, was made the defendant in a ten thousand dollar libel case this week in District court. The case promises to be sensational due to the prominence of the principals, the basis upon which the plaintiff went into court, and the galaxy of legal talent engaged for the anticipated court fight. The plaintiff is Clara Juanita Arrendo. Both the plaintiff and defendant are white. The defendant, Trapp, has secured some of the ablest white barristers of this section to represent him in the case, while the plaintiff has secured the services of a Negro, attorney Elisha Scott, one of the most widely known and acknowledged one among the ablest lawyers of the middlewest. The plaintiff's action was brought on a circular passed out an alleged speech which Trapp made at a meeting of the Good Government Club.

Denied All Rights in Rape Frame-up

New Orleans, La.,—CNA—The right to legal counsel, the right to a hearing, the elementary rights of an arrested citizen, has been denied to Edward Sanford by the police officials here. Sanford, alleged to have attacked a white woman on the morning of April 2, has been held incommunicado ever since.

When an International Labor Defense attorney retained by Sanford's family attempted to visit him, the attorney was told to "get the hell away" by the prison officials. Mrs. Sanford also was denied permission to see her husband.

"Raped" Woman Unknown

Authorities claim they have secured a "confession." It has been reported that the "confession" was obtained through the most brutal torture of Sanford. The "raped" white woman has not been named.

Although in jail over three weeks, Sanford is still denied arraignment on a preliminary hearing, indicating the officials have no evidence. The local International Labor Defense has issued leaflets calling for mass protest against the illegal detention and brutal treatment of Sanford.

"Colored People, Criminals" Classified As Undesirables

New York, N. Y., May 16.—A better homes exhibit in Westchester county under the general sponsorship of the Federal Housing Administration has classified a "undesirable" in a neighborhood "colored persons and persons with a criminal record," according to a news story appearing in the Daily News May 7.

It all came out when the Westchester Better Homes Exposition opened a model \$12,000 house to the public. Tickets were sold giving each purchaser a chance to win the home as a prize. In small print on the ticket, however, the committee reserved the right to pay the winner \$5,000 cash instead of the house if he were deemed to be undesirable. A reporter for the Daily News was unable to get the men in highest authority to define "undesirables," but finally a spokesman said colored people and criminals would be so considered.

The N. A. A. C. P. has protested to the New York office of the FEHA and has asked Attorney General John J. Bennett to act to halt the lottery.

Edna St. Vincent Millay Scores Filibuster

New York, May 10.—Miss Edna St. Vincent Millay, noted poet and Pulitzer prize winner, elegantly expressed her desire to see the Costigan-Wagner anti-lynching bill become law and scoring the Senate filibuster against it as an "Alice-in-Wonderland procedure." The telegram addressed to the White House read:

"Is filibustering a necessary evil? Has this country, which has amended its constitution, and repealed its amendments, and is consistently in a fluid state conforming to the changing times, no power whatever to rebuke and to silence these frivolous men? Must forever the time of high executives and money of tax payers be wasted, in order that a person with nothing to say should be permitted to say it indefinitely, with the sole and admitted purpose of preventing from speaking a serious representative of the people with a problem to present? I am and have always been a stout believer in states' rights. It is with dismay always that I see the rights of states, as the rights of individuals, infringed upon. Circumstances will arise, nevertheless, in which the individual, and most properly, is restrained by his neighbors from acts of violence. And similarly, circumstances may arise in which the state, and most properly, is restrained by the concerted pressure of its neighboring states, from acts of violence. I am in favor of the Costigan-Wagner Anti-Lynching Bill. I am emotionally and intellectually in favor of it. I wish to see it go through."

"If however, it is defeated, I should like it to be defeated by sound argument and in dignified assembly, and not by this outmoded, shameful, ludicrous, Alice in Wonderland procedure."

"I am, Mr. President, with deep respect, Yours Truly," "Edna St. Vincent Millay."

Negroes Denied the Use Of Swimming Pools

South Bend, Indiana—(CNA)—Negro girls are not allowed to swim in the High School pool here and no Negroes are permitted the use of the public natatorium.

The South Bend officials also discriminate against the Negro population by refusing them the use of the public gymnasium and denying them

the right to work in all but two factories.

A local Scottsboro Committee is broadening its work to include the fight against all race discrimination and segregation in South Bend.

KELLY MILLER VIEWS

Supreme Court Rulings in the Lone Star State

Compares Rule in Scottsboro Case With Texas B\* Kelly Miller

The Supreme Court of the United States has handed down two vital decisions concerning the fulfillment of the purpose and intent of the 15th amendment (first, the nullification of the Grandfather Clause, and second, the recent decision on the Texas Democratic Primaries) the first of these decisions was affirmative and the second negative in tenor. The purpose of the 14th and 15th amendments was clearly to place the Negro on a footing of political equality with the white race. This purpose has been fully accomplished in States which are disposed to have it so, and has been frustrated in those States of contrary mind. If the 15th amendment is observed in Massachusetts and Kentucky and circumvented in Mississippi and Texas, it is because local sentiment favors it in the one case and frowns upon it in the other. Federal authority, whether political or judicial has not been fully effective in enforcing the Civil War amendments against local sentiment.

Both of these decisions, by the Supreme Court, however, have had theoretical rather than practical effect. The nullification of the Grandfather Clauses, by unanimous decision of the Supreme Court and through the mouthpiece of Chief Justice White, previously the Democratic Senator from Louisiana, was justly claimed by Negro opinion throughout the country, as a political deliverance of the race. And yet this decision has had no practical effect. The Grandfather Clauses, when in full force and effect, did not affect a sufficient number of white voters in a single State to materially change its political complexion. By declaring this law unconstitutional, not a single Negro gained the right to vote. The only beneficial effect to the Negro was that it keeps open the door of hope against political discrimination by Federal sanction. Political conditions remained the same in the South after this decision as they were before.

The recent Texas Primary decision, the lawyers tell me, was strictly in accordance with the letter of the law, although it undoubtedly contravenes its spirit. A political party is declared to be a private organization with the right to define and restrict its own membership to race, sex or creed, it has the perfect Constitutional right to do so. If this policy were widely followed in the different States it would lead to such confusion as would make orderly government impossible. So much for the letter versus the spirit of the Constitution.

But, as a matter of fact, no Negro in Texas is deprived of his right to vote nor to participate in the nomination of any candidate of his choice, unless he cannot do so under style, title and designation of the Democratic party. He may join any party, which will admit him to membership or he may form a party of his own and set its own conditions of membership. Practically the Negroes in Texas, and for that matter in the South generally, are treated in the same way by the Democratic and Republican parties. The Democrats exclude them from the primaries, through which the candidates for office are nominated, and the Republicans, by hook or crook, exclude them from the nominating conventions. There is no difference of advantage between the attitude of the Democrats and white Republicans in the State of Texas, in so far as the Negro is concerned.

The effect of this decision will be to bring the Negro to his political senses. As a sharply marked and easily differentiated minority, he is at the mercy of majority opinion in the State and community in which he resides. If the dominant will of the white people in Texas denies him full and equal participation in political procedure, his fate will be determined by that judgment. If, on the other hand, local sentiment in Illinois grants him absolute political equality, it will be so for the State of Illinois. The enforcement of the 15th amendment and the curtailment provision of the 14th amendment by national authority, is not a part of the political mind of any serious statesman. I believe that even Congressman Tinkham of Massachusetts and ex-Congressman DePriest of Illinois have given up such hope.

All of this leads to the thought that the Negro's political salvation, such as he may reasonably hope for, must be secured by local propitiation and not by national compulsion. If the Negroes in Texas ever expect to gain the privilege of voting in Democratic primaries, it must be done through the voters of Texas and not through legislation at Washington. It is interesting to note that this Texas decision was by unanimous concurrence of the Justices of the Supreme Court, the majority of whom

are Republicans. This decision was delivered through the mouthpiece of Justice Roberts, a staunch Pennsylvania Republican, who was nominated to take the place of Judge J. J. Parker, a lily-white of North Carolina. There was neither sectionalism nor partisanship in this decision. It merely brings the Negro to a realizing sense of the political situation which confronts him, North and South, East and West. The Negroes united and protested against the nomination of Judge Parker to the Supreme Bench with a salutary unanimity for fear that his confirmation might seriously blast their political future. But alas, and alas, the staunch Northern Republican who supplanted him became the mouthpiece of a decision which blights his political hope.

The Republican partisans of the Perry Howard stripe, of whom there are a few left will seek to dramatize this action to frighten the Northern Negroes away from the Democratic party. But this is but a part of the same old bugaboo with which this brand of leadership has been frightening the Negro ever since Emancipation. The fact is, the two parties remain just as they did before as to their attitude toward the Negro. Where the number of Negroes is relatively small, they are accorded equal political rights and privileges by the Democrats and Republicans alike. On the other hand, where the number of Negroes is large enough to threaten the white political dominance, they are limited and restricted in their political rights and privileges. Unfortunately, the one set of conditions prevails in the South and the other in the North, but it runs deeper than political division between parties, which is not deep at all.

In this struggle for full political equality, North and South and East and West, the Negro must realize it is a condition and not a theory, which confronts him.

Junior C of C to Sponsor "Omaha Play Day" At Krug Park

Seeking to earn money both for charitable and civic activities that it undertakes during the year and to build up a fund for sending delegates to the U. S. Junior Chamber convention, the Omaha Junior Chamber of Commerce has arranged to operate Krug Park on its opening day and to present an unusual entertainment bargain.

The event, "Omaha Play Day," was inaugurated with great success last year, and is scheduled for Saturday, May 25th, 1935.

Children under 12 years of age will be admitted to the park and given the privilege of all rides for only 25 cents. Adults will pay 50 cents each for admission, use of rides and dancing, according to President John J. Gillin of the Junior Chamber.

Practically the entire receipts above bare operating expenses will go into the two Jun or Chamber funds. Good earnings will mean that we can continue with such activities as the 4-H Baby Beef sale which was begun last year, our traditional summer picnic for orphans, the county manager election campaign, etc., President Gillin declared.

Electric Industry Threatened By The Wheeler-Rayburn Bill

The electric industry, in normal times one of the largest spenders in the industrial field, is being intimidated and held back from further expansion by the administration's threat of unfair legislation, Roy Page, vice president and general manager of the Nebraska Power Co., declared in a radio address Monday night. He spoke on the regular weekly program of the power company.

Page, in his analysis of what he termed the "unfair legislation" as embodied in the Wheeler-Rayburn bill, now pending in Congress, used his own company as an example of how the entire electric industry is threatened. "In Omaha and Council Bluffs alone," he said, "before the depression, we used to spend a million dollars a year for additions to our system to provide for the increased needs of our customers."

"Last year we spent only a little over \$200,000. If things were normal and business was not faced with doubts and uncertainties brought about by legislation of this type, there is no doubt in my mind but that we would again be back to spending what

we did in normal times.

"It has been claimed that the passage of these proposed laws would aid recovery. Nothing could be farther from the truth. Instead, the feeling of uncertainty that this legislation creates is holding back an industry which in normal times is one of the largest spenders of money for construction."

Page pointed out that many state commissions charged with the responsibility of regulating utility operations within their own borders had protested the passage of the proposed legislation because it would be a flagrant invasion of states rights.

In this connection, he said:

"The Nebraska Power Co., and the Citizens Power & Light Co., serve Omaha and Council Bluffs and the nearby communities. Their problems are local. Their dealings are with their customers and they should be regulated by those who know local conditions and needs.

"If regulation is transferred to Washington the only results can be a loss of efficiency and impairment of service."

Race Problem in Politics Still Acute

Dallas, Tex., May 14.—The United States Supreme Court, in upholding the Texas Democratic primary bar against Negroes, "settled the question legally, but the problem of orienting the Negro into the political system of the South still remains," Dale Miller, associate editor of "The Texas Weekly," wrote Dallas magazine, declared in an editorial published April 6th.

"The Negro problem in Texas has not been escaped by the finality of the Supreme Court opinion which sustained the action of the Democratic party in barring Negroes from participation in its primaries," the magazine editorial said, "but by the 'Negro problem' is not meant the proverbial 'race problem,' with its legendary connotation of two races living estranged in a maladjusted society. Texas has no race problem, of course; whites and blacks move in their respective spheres as orderly as stars in their orbits, and irregularities which occur are neither more numerous nor flagrant than those which occur in societies otherwise constituted. But the problem which has not been escaped is the responsibility of Texas and the South to acclimate the Negro in their political system," the editorial declared.

Concluding, Mr. Miller writes: "Political discrimination against the Negro should be based purely on the grounds of illiteracy, rather than color. Illiteracy can be overcome in time, color cannot, and a Negro population educated in the responsibilities of citizenship would redound ultimately to the betterment of the State and the race."

Houston 'Playboy' In \$15,000. Law Suit

DeWalt Sued By Girl In Breach Of Promise Suit

Houston, Tex., May 14.—O. P. DeWalt Jr., Houston play boy and son of the late O. P. DeWalt, Houston theater magnate, was named in a \$15,000 breach of promise suit filed here last week by Miss Leilia Guidry, of Iota, La., who said he "backed down" on a marriage promise.

The young woman, an attractive 19-year-old girl of French features filed the suit through her father, Edward Guidry. She declared in her petition that young DeWalt "is a man of wealth and has money and property worth about \$30,000." She claims that her parents are poor people and his breach of promise "robbed her of all the comforts and conveniences that his wealth and position would have afforded her."

Miss Guidry asserts that she met DeWalt in 1932 and that in 1933 he proposed marriage and she consented. As late as May, 1934, no definite plans for the ceremony had been made, she stated, and she left for a brief sojourn in Detroit, Mich.

Miss Guidry claims that she secured gainful employment while in Detroit, but that DeWalt wrote her to come back to set the date of the marriage. She gave up her job and came back to Houston. They set Christmas for

the date of the marriage. 1934. She said that afterwards DeWalt came to her home in Iota, La., where they mutually agreed upon January, 1935. Since Miss Guidry is a Catholic, it was necessary to see her priest and get a special dispensation.

Miss Guidry maintains that DeWalt had promised to come to Iota and get the dispensation before. They failed to marry Christmas, January 30, 1935. This he failed to do, but did come a few days later and went with her to see the priest and arranged the matter. The date of the ceremony this time was set for February 13, 1935.

Definite plans were made and her relatives and friends were invited to witness the nuptials, according to Miss Guidry, but DeWalt did not appear the day the marriage was scheduled to take place.

Because Iota, La., is a small town, Miss Guidry said that she was humiliated and "caused great mental and physical pain and distress" by subsequent gossip.

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