



THE OMAHA GUIDE

JUSTICE OF EQUALITY

ALL THE NEWS WHILE IT IS NEWS

HEW TO THE LINE

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VOLUME IX

OMAHA, NEBRASKA, SATURDAY, May 25th, 1935

NUMBER ELEVEN

PORTERS TO VOTE FOR REPRESENTATION

Ala. Supreme Court Orders Indictments Quashed

ELECTION CALLED BY MEDIATION



A. PHILIP RANDOLPH

National Election For Pullman Porters May TWENTY SEVENTH

May 27th, or thereabouts, the National Mediation Board, which controls and regulates the railroads of the country, will cause to begin a national election to provide Pullman porters and maids an opportunity to vote for the organization they want to represent them in the negotiations of agreements concerning rates of pay, and rules governing working conditions, according to A. Philip Randolph, National President of the Brotherhood of Sleeping Car Porters.

According to the present schedule, worked out in Chicago, by Mediator H. H. Reed, who has been assigned by the Board to handle the election, the election will begin in New York, Chicago, St. Louis, Los Angeles, New Orleans and Jacksonville at the same time, beginning May 27th, says Mr. Randolph.

The Pullman Company has a company union known as the Pullman Porters and Maids Protective Association, which will also be on the ballot and compete with the Brotherhood of Sleeping Car Porters for the right to represent the porters, states Randolph.

The invocation of the services of the Board was made by Brotherhood which has resulted in the setting of the forthcoming election, when the Pullman Company refused to meet the Brotherhood in conference following the Brotherhood's writing the Company requesting a conference last November, observes the porters' leader, Randolph.

When the election ends, the votes will be tabulated by the National Mediation Board and the organization which wins will be designated as the lawful agency for making and maintaining agreements with the Pullman Company, concluded Mr. Randolph.

Mr. Randolph left Tuesday for Chicago, where he will direct the campaign throughout the country to win the election for the Brotherhood.

Red Perkins Rents The Peterson's Apartment

The 'long talked of' and the 'wonder why' has been answered. On May 22nd, Red Perkins, the famous orchestra leader, rented the Peterson Apartment, which has been vacant for quite a while.

Health Department Closes Bar B-Q

Eighteen years ago the late Mrs. Harvey Slaughter conceived the idea to open a barbecue hut. She and her husband selected the northwest corner of 24th and Blondo Streets. For several years that was the only place in Omaha where one could buy a barbecue sandwich, and it became famous among Omaha's worthy citizens. When Mr. Slaughter went to

Chicago, he sold out to Mrs. Edna Mitchell, who has been operating it ever since.

She reports to The Omaha Guide that the State Health Department has ordered her to close because of the lack of sewage and sanitary conditions. Mrs. Mitchell is moving her place to 2011 N. 24th Street.

DANCE REVUE TO BE PRESENTED MONDAY NIGHT, MAY 27th, AT DREAMLAND HALL

A snappy chorus, a rhythmic tango, a graceful waltz, a well drilled military tap and many other interesting dances, solos and choruses are included in the Revue that the Girl Reserves of the North Side Y. W. C. A. are presenting on Monday night, May 27th, at Dreamland Hall.

This is a benefit show to raise funds to send a representative to the Girl Reserve Conference at Wetomahack, Wisconsin. Miss Dorothy Beck, general chair-

A. Philip Randolph to Fight for Victory of Brotherhood

Sleeping Car Porters to Choose Organization.

May 23, 1935

Special to the Editor, Omaha Guide, Omaha, Nebraska.

Dear Editor: On the 27th of May, or a few days after, the Pullman porters, by order of the National Mediation Board, will be given an opportunity to vote in a national election for the organization they want.

This is the first time that Negro workers have had the opportunity to vote as a national group in an election under federal supervision, for their economic rights. It is an extraordinary occasion. It is the result of 10 years of militant, determined and courageous fighting by a small band of black workers against one of the most powerful corporations in the world. It may be interesting for you to know that on the Pullman Board of Directors sit J. P. Morgan, R. K. Mellon, Alfred P. Sloan, George F. Baker, Harold S. Vanderbilt, George Whitney and others. These men rule Wall Street, America and practically the world of Capitalist finance and industry. And yet the Brotherhood of Sleeping Car Porters has, in the face of nameless opposition and terror, stood its ground through one of the worst depressions ever witnessed in

man, has worked very hard to present an entertaining as well as attractive revue. She has been assisted by Misses Rowena Jones, Marjorie Bolden, Lorraine Fletcher and Margaret Dickerson. Miss Ethel Cole made attractive posters and many others have donated materials and services to make the show a success.

Those working on patrons' lists include Mrs. Lois Goodie, Girls' Work Committee Chairman, Mrs. Louellian Waites, Mrs. Rose LaCour and Mrs. J. L. Jewell.

3 JUSTICES FOR HERNDON

Dissenting Opinion by Justices Brandeis, Cardozo and Stone.

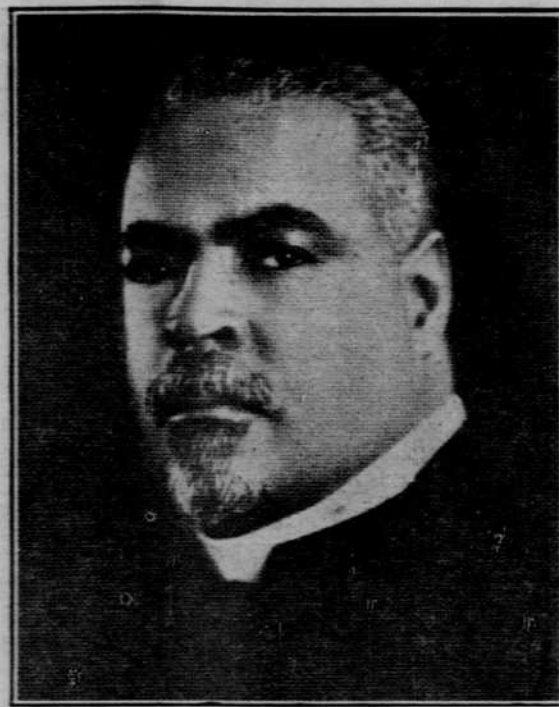
Washington, May 23.—The United States Supreme Court refused today—by a vote of 6 to 3—to set aside the conviction of Angelo Herndon, heroic 20-year-old Negro, who faces a sentence of 18 to 20 years on a Georgia chain gang on a charge of "insurrection."

The opinion was read by Justice George Sutherland. Justices Louis D. Brandeis, Harlan F. Stone and Benjamin N. Cardozo dissented from the majority opinion.

Evading the basic issues of the case, namely, the right to organize their majority opinion declined to review the merits of the appeal, declaring that the defense did not properly preserve the federal questions involved, in other words, that the court had no jurisdiction.

The court did not go into the legality of Herndon's conviction. The details of questions to be raised in the petition will be worked out by the attorneys after they have had opportunity to examine the opinion of the court and the dissenting opinion of the

SPEAKS AT ST. JOHN CHURCH



BISHOP JOHN A. GREGG

Bishop John A. Gregg, presiding bishop of the fifth Episcopal District of the Kansas-Nebraska Conference, will be at St. John's A. M. E. Church during the week end of Friday, May 24th. He will be the honored guest at a banquet on Friday evening, May 24th, and will deliver the sermon Sunday, May 26th.

three judges who did not concur. Organized for Relief... Herndon, in the face of the most vicious prejudice against the Negro people, organized Negro and white workers in a fight for relief in Atlanta where thousands were starving as a result of unemployment. For this he was arrested on an old Civil War code, placed on trial for his life, and convicted by a "lilly white" jury. He was sentenced to serve 18 to 20 years on a chain gang—a sentence which meant virtual death to the frail young Negro.

The opinion of the Supreme Court confined itself to the most obscurantist discussion of the legal aspects involved, completely evading the burning issues of the case; Herndon's heroic leadership of the relief fight in Atlanta, the discrimination against Negro jurors, the rating, lynching-inciting speeches of the prosecutor, the elementary rights of the workers.

J. Harvey Kerns to Resign in June

J. Harvey Kerns, whose resignation as Executive Secretary of the Omaha Urban League-Community Center, was tendered to the board in January, will leave the local organization July 1st. Mr. Kerns came to Omaha in 1928 from Milwaukee, Wisconsin, where he held a similar position for six years with the Milwaukee Urban League. He was the first executive of the local Urban League and developed it to the place of one of the foremost branches in the country.

When the Urban League and the Mid-City Community Center merged, he became executive of the two organizations, known now as the Urban League Community Center of Omaha.

Mr. Bernard E. Squires, former boys' work secretary in the Cedar Avenue branch of the Cleveland Y. M. C. A., and at present, director of boys' and young men's activities of the Phyllis Wheatly House, Minneapolis, Minnesota, will succeed Mr. Kerns. Mr. Squires will arrive in Omaha June 1st, and will assume active charge June 15th.

While it is not known where Mr. Kerns will go, it is reported he is scheduled for an administrative position with the Federal government. He will leave Oma-

ha the latter part of June on a tour including Cleveland, Washington, New York and Harford.

Negro Press Supports Anti-Lynch Bill

To the Editor of Omaha Guide:—

May I take this means of expressing to you the hearty thanks of the N. A. A. C. P. and of the organizations which have cooperated with it in the fight for passage of the Costigan-Wagner Anti-Lynching Bill? Without a single exception there has been unstinted and generous support by the Negro Press; without such support the fight could never have been made so effective as it has become. We are very grateful to you and your readers.

May I also take this occasion to correct a misunderstanding which some people have regarding the present status of the bill? Passage of a motion to adjourn on May 1st does NOT mean that the bill is dead—it simply means that the bill lost its position as the pending business of the Senate.

The Costigan-Wagner Bill is still on the Senate calendar, and the motion to consider it may be renewed by its sponsors upon the completion of debate upon any bill which may come before the Congress between now and adjournment. I wish to assure your readers that this will be done, and if we continue to have your support, as I know we shall, even more will be heard about the Costigan-Wagner Bill in the future than in the past. We have just begun the fight!

Ever sincerely, Walter White, Secretary

PATTERSON-NORRIS HELD ON WARRANTS

Appointed to Police Force

Ray Gustin, 2517 Maple Street, was appointed to the Omaha Police Department and started work Wednesday morning, May 22nd. Commissioner Myers and Inspector Samardick are due congratulations on their appointment of Mr. Gustin. Mr. Gustin gained high honors in the examination and was rewarded with a position on the force. He is a graduate of Central High School. Mr. Gustin has a very promising future.

N. A. A. C. P. to Meet Sunday at Pilgrim

The local branch N. A. A. C. P. will hold a meeting Sunday afternoon, May 26th, at Pilgrim Baptist Church, 25th and Hamilton Streets, at 3:30. The public is invited to attend.

Communist Create Police Court Dispute

Five workers arrested last Friday when the police department of Omaha prevented a demonstration in front of the City Hall, they were kept in jail the weekend by Chief of Police Samardick, who refused to recognize the release order of Judge Holmes on the pretext that the order was made out by hand, instead of on the regular printed forms. The judge, a Republican, cited the democratic chief for contempt of court, apparently in an attempt to utilize for political purposes the widespread resentment of the workers of Omaha against the strikebreaking role of the police department in the present street car strike. The demonstration Friday had been called by the Communist Party to protest against the city government's ban on all picketing, open-air meetings or demonstrations for the duration of the strike, which has remained solid after one month. Included in those arrested are Bud Reynolds, district organizer, William Collins, organizer of the northside unemployed council, Mary Young, Robert Pike, and Dan Evanoff. They are now out on bond, awaiting trial on Wednesday on charges of vagrancy, distributing leaflets, and disturbing the peace.

As par tof the city government (Continued on Page 2)

Seek Writ of Mandamus to Force Date For New Hearing

New False Warrants Hold all Boys as Alabama Proceeds With Plans For New Legal Lynch Trials.

Montgomery, Ala.—Acting on the mandate of the United States Supreme Court, handed down on April 1, the Alabama State Supreme Court yesterday ordered the indictments against both Haywood Patterson and Clarence Norris, Scottsboro defendants, quashed.

Although no indictments now exist against Patterson and Norris, they were ordered held for further proceedings on the basis of new false warrants sworn out at Scottsboro by Victoria Price.

The indictments still stand against five of the boys, while Roy Wright and Eugene Williams, the two youngest boys, are awaiting hearing before the juvenile court. In the last two mentioned cases, the International Labor Defense has been pressing for the setting of a date for the hearing, which will have all the character of a trial. Unless a date is set within the next few days, the I. L. D. has announced, it will seek a writ of mandamus to force Probate Judge B. L. Malone, of Decatur, Ala., to set such a date.

Strong intimation that a special term of the grand jury at Scottsboro will be called to bring new indictments against all the boys—which move would be preceded by quashing in the circuit court of the remaining five indictments—has been given by the authorities there. The next regular term of the grand jury is not until fall.

The present action of the state supreme court follows upon the decision of the United States Supreme Court, handed down April 1, that the indictments and convictions were illegally obtained, before grand and petit juries from which Negroes were systematically excluded.

Under Alabama law, Clarence Norris and Haywood Patterson must now be moved from the death cells they have occupied for more than a year in Kilby Prison here, to Jefferson county.

Alabama Judge Prosecutes Negro; Innocence is Proven

Birmingham, Ala. (CNA)—Negro-hating Judge J. Q. Smith again displayed his viciousness in the case of Robert Stewart, a worker charged with second degree murder because of an accident which witnesses declared was not his fault.

Stewart was driving an automobile which was involved in an automobile-street car collision which resulted in the death of two children.

The parents of the children themselves went into Judge Smith's court to aver the worker's innocence and to declare that they wished to press no charge against him. Despite this, Judge Smith insisted upon prosecuting Stewart—his sole "concession" taking the form of permitting the charge to be altered from FIRST DEGREE MURDER to manslaughter.

Judge Smith has won a wide reputation, even among Southern jurists, for his prejudiced decisions against Negroes in his court-room.

MIX-UP STORY A FRAME UP

Bessemer, Ala.—(CNA)—A lynch mob was festering here last Tuesday, May 7, as police and local mine authorities picked an other victim for an "attack" frame-up.

Walter E. Brown, 23-year-old youth, was removed to Jefferson county jail for "safe keeping" after his voice was "recognized" by a white woman who described a lurid roadside night attack.

The whitewoman, Lucille Bailey, and her escort, Gavin Howton, told a mixed-up story about a flat tire, a lonely country road and a late hour. The man said he had been struck over the head by a "Negro" who stepped

from behind a tree and attempted to assault the girl. Neither of the pair could give a description other than "The dark form of a Negro".

However, this was sufficient evidence for a police posse who arrested Walter Brown at his home early the following morning. The pair's sole identification took the form of "voice recognition".

Brown is being held in the county jail, charged with assault of Howard and attempted assault of the woman. The frame-up follows a series of militant labor struggles in Messemmer in which Negro and white miners joined together to fight for better conditions.

Alabaman Frames Another Negro On Assault Charge