

Borah Is Called "Assassin" Of Anti-Lynch Bills

NAACP Sec'y Writes Idaho Solon Open Letter; Asks Rights Champion "What About States' Wrongs?"

New York, Nov. 30.—Senator William E. Borah of Idaho, who is being mentioned in many quarters as being willing to run for President next year, was characterized as the man who dealt "the assassin's blow" to both the Dyer federal anti-lynching bill in 1922 and the Costigan-Wagner anti-lynching bill last May in an open letter to him from Walter White, secretary of the National Association for the Advancement of Colored People, made public today.

Quoting from Borah's speech in the Senate May 1—the speech which is generally credited with killing the Costigan-Wagner bill—in which the Idahoan vigorously upheld the doctrine of states' rights, the NAACP secretary writes:

"It is well enough to talk about states' rights, but we ask you, Senator Borah, to train that legal mind of yours, if you will, on states' wrongs which have been perpetrated since you dealt the mortal blow to efforts to stop lynching. Since May 1, 14 persons have been done to death by mobs in the United States."

The NAACP letter cites from the 1935 lynch record cases where states have failed to make a move to punish lynchers and even where law enforcement officers mob action. The complete letter: "Hon. William E. Borah—United States Senator Washington, D. C. "Dear Senator Borah:

"In view of the numerous current newspaper reports of the possibility of your becoming a Republican candidate for President in 1936, and because you have not yet denied that the proffer of the nomination will be unacceptable to you, we are addressing this open letter to you on behalf of 12 million American Negroes and of many white Americans who are deeply concerned with the alarming increase in lynchings in the United States.

"On May 1st, 1935, you delivered on the floor of the Senate what is generally conceded to have been the death blow to the chances of passage at that session of the Congress of the Costigan-Wagner anti-lynching bill. Your speech on that occasion was fundamentally the same as that which you delivered in September, 1922, when another filibuster, led by senators from states which had the worst lynching records, succeeded in sidetracking the Dyer anti-lynching bill. You, therefore, hold the somewhat dubious honor of having been the executioner of two distinctly hopeful opportunities to pass federal legislation which would have given government aid, as in the case of kidnapping, to state authorities to stamp out this obvious evil.

"In your speech on May 1st you declared, among other things, that—if this kind of bill can be passed and sustained by the Supreme Court we have utterly annihilated all State sovereignty; we have broken down State lines completely." Later on you declared "I believe we can only have a great Federal Union by having great individual sovereign States, and that when the latter are destroyed we may have a Republic in name, but we will no longer have a Republic in fact—There can be

no such thing as a Federal Republic unless the States at home preserve their rights as sovereign States to the extent to which the Constitution has defined them."

"In the abstract these are very pretty sentiments. It is well enough to talk about states' rights; but we ask you, Senator Borah, to train that legal mind of yours, if you will, on states' wrongs which have been perpetrated since you dealt the mortal blow to efforts to stop lynching. Since May 1st, 14 persons have been done to death by mobs in the United States. You have talked much and often about leaving the prevention of such bestial crimes and the punishment of lynchers to the states. Let us examine concretely how the states where most of the lynchings occurred have done their duty. On July 30th Govan Ward, known to be insane, was put to death in open daylight in the streets of Louisburg, North Carolina, by a mob which made no efforts to conceal its identity. A few of the state authorities, we believe with great sincerity, attempted to punish the lynchers. They were unsuccessful. Even when this Association sent a white North Carolinian to Louisburg and he secured the names and information against nine of the lynchers, these nine have not even been arrested, though the information concerning them was supplied to the North Carolina authorities on August 28th.

"Only a few days ago, on November 12th, two boys, 15 and 16 years of age, respectively, were killed by a mob in Colorado County, Texas. Instead of attempting to uphold the law which he had taken a solemn oath to enforce, the County Attorney openly and unashamedly declared the lynchings to be 'the will of the people' and he and his other fellow officials have indicated in no uncertain terms that they will do nothing whatever to punish the mob which has lynched not only two boys but the majesty of the law as well. The utter fallacy of depending on state action in certain states was dramatically exposed in the recent lynching at White Bluff, Tennessee, on November 4th, where members of the mob took the deputy sheriff's gun, used it in putting their victim to death and then laughingly returned the weapon to the acquiescent officer who is quoted as remarking 'they all seem to be having a good time.'

"Before me as I write is a photograph of a lynched figure hanging from a tree in Florida. The body is that of the man lynched at Fort Lauderdale on July 19th. Around the pendent figure stand 12 persons, 10 of them well dressed, neat, clean and intelligent white girls ranging in age from 4 to 10 or 11 years. On the faces of these youngsters, now at their most impressionable age, is mirrored mingled horror, fascination and excitement.

"Do you feel proud of your handiwork, Senator Borah? And does it disturb your conscience even to the slightest extent that there is the possibility that had the Costigan-Wagner bill been passed last May this lynching and that of 13 others might not have occurred and irreparable damage might not have been done to the minds and souls of these children of tender years?

"It will be idle speculation on the part of yourself or anyone else to say, as you did on the floor of the Senate last May 1st, that you do not think a federal bill will stop

lynching. Perhaps it won't prevent all lynchings. But if it materially decreases the number of these crimes, should not all decent people give it a trial?"

"Forget, if you will, that most of the victims of lynching mobs belong to a race which has suffered for three centuries from slavery and race prejudice. Ignore the physical suffering and the anguish of the victim as he is stabbed, strangled or slowly roasted to death. Think instead of the great harm that is done to those who perpetrate such sadistic crimes and to the good name and well being of America. Many Americans today are alarmed at the tendencies toward Fascism being made manifest in our country. Negroes today supply most of the victims of lynching mobs; but who knows but that on a bloody tomorrow other Americans whose skins are white may not also furnish living sacrifices to the gods of racial political or other prejudices?"

"Many Negroes, Senator Borah, live in pivotal states like Indiana, Missouri, Illinois, Kentucky, Pennsylvania, Ohio and other states where Ne-

groes vote and their votes are counted. In many of these states the Negro vote holds the balance of power in any normal election. These voters and others generally, including many white Americans, want to know if you will again in the coming session of Congress deal the assassin's blow to efforts for federal legislation against a crime which has taken more than five thousand victims during the last 45 years and for which crimes there have been convictions in less than one-half of one percent of the cases. There are many Americans, Senator Borah, who no longer believe in the sincerity of members of the Senate who forget states' rights when such issues as prohibition are being discussed but who wrap about themselves the mantle of 'constitutionality' when the lives of human beings are taken by lawless mobs."

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