

Maryland Court Order Usniversity To Admit Negroes

(Continued From Page 1) opportunities, the association's campaign will be against unequal transportation facilities for rural school pupils, inadequate high school facilities, unequal teachers' salaries, and unequal length of school terms, as well as against the whole range of unequal per capita expenditures.

Opinion Given

The court, in an opinion written by Chief Judge Carrol T. Bond, said:

"The case, as we find it, then, is that the State has undertaken the function of education in the law, but has omitted students of one race from the only adequate provision made for it, and omitted them simply because of their color. If those students are to be offered equal treatment in the performance of the function, they must, at present, be admitted to the one school provided.

"And as the officers and regents (governing board of the university) are the agents of the State intrusted with the conduct of that one school, it follows that they must admit, and that the writ of mandamus requiring it would be properly directed to them."

Graduate of Amherst

Murray was graduated from Amherst in 1934 with the degree of Bachelor of Arts. He contended that his exclusion from the school was authorized by the laws of the State and was a denial of equal rights, contrary to the Fourteenth Amendment to the Constitution of the United States.

The university contended that the law school is not a governmental agency which would be required by the Fourteenth Amendment to give equal rights to students of both races. It also contended that, if the law school is an agency of the State, the admission of Negro students is not required, because the amendment permits segregation of races for education.

School Called State Agency The court held, however, that "there is no escape from the conclusion that the school is now a branch or agency of the State government. The State now provides education in the law for its citizens and in doing so it comes under the constitutional mandate applicable to the actions of the State.

"As a result of the adoption of the Fourteenth Amendment to the United States Constitution, a State is required to extend to its citizens of the two races, a State is required to extend to the United States citizens substantially equal treatment in the facilities it provides from public funds."

Cost Held Greater

The university had pointed out in its brief that scholarships are furnished from State funds for use of Negro students in attending out-of-state institutions. The court pointed out, however, that Murray's expenses in attending law school at Howard University in Washington—the law school for Negroes nearest Baltimore—would be greater than they would be at the university law school in Baltimore.

Regarding equal opportunity for the two races, the court held:

"Equality of treatment does not require that privileges be provided members of the two races in the same place. The State may choose the method by which equality is maintained.

Equal Treatment Required

"Separation of the races

CITY NEWS BRIEFS (by BERT MOORE)

Record Breaking Run of 87 to 110 Miles Per Hour in 1914 from Omaha to Cheyenne, Wyoming to Capture Wild Bill Carlisle, Lone Train Robber, Says Mr. Frank Martin.

In an interview with Mr. Frank Martin, who was cook for Mr. W. M. Jeffers on his private car for the Union Pacific—back in the days when the only thing that sounded like music to a western bad man was the howl of the coyote, or the crack of a six shooter—the following story was related. "I am referring to the record run that was made on the U. P. back in 1914. This run was made for no other reason than to capture Wild Bill Carlisle. Wild Bill's pastime was robbing the U. P. crack trains west of Cheyenne, Wyo., which was called the Wyoming Bad Lands. This record-breaking run checked an average speed of eighty-seven miles per hour for almost seven hundred miles. Our fastest clip was made between Sidney, Nebraska, and Cheyenne, Wyoming, at a speed of one-hundred ten miles per hour. Seeing Carlisle's picture in the paper refreshed my memory. Carlisle became known as the Robin Hood of the Rails. He would never rob women, soldiers or sailors. On one of his daring train robberies, he opened the curtain of a berth in which was a lady. Around her neck was a five thousand dollar necklace. Carlisle apologized for disturbing her and advised her to stay in her bunk until he had searched the men.

This train arrived on the scene of his last hold-up at 11:00 a. m., near Walcott, Wyoming. The posse picked up his trail at once through the sandy, sage country, and the following day they caught Wild Bill, put him on Mr. Jeffers' private car and sent him to the penitentiary at Rawlins, Wyo., for safe-keeping. The officers kept him in the private car—I had to feed all of them. I cooked a turkey dinner. After the meal, the outlaw said he guessed it would be a long time before he would get another such a meal, and thanked me.

Jasper Franklin was arrested for the alleged theft of a gun from the back of a car, parked at 24th and Grace Sts. He was sentenced to thirty days in jail for petty larceny and sixty days for vagrancy.

Your Opportunity

To become a member of the Colonial Benefit Association with a death benefit up to \$1,000—Ages 10 to 65. To obtain information, mail a card to the Colonial Benefit Association, with name and address. 309-310 Wickham Bldg., Council Bluffs, Iowa.

must nevertheless furnish equal treatment. The constitutional requirement cannot be dispensed with in order to maintain a school or schools for whites exclusively. That requirement comes first.

"As has been stated, the method of furnishing the equal facilities required is at the choice of the State, now or at any future time. At present it is maintaining only the one law school, and in the legislative provisions for the scholarships that one school has in effect been declared appropriated to the whites exclusively. The officers and members of the board appear to us to have had a policy declared for them, as they thought.

Substitution Held Inadequate "No separate school for colored students has been decided upon and only an inadequate substitute has been provided. Compliance with the constitution cannot be deferred at the will of the State. Whatever system it adopts for legal education now must furnish equality of treatment now.

"And as in Maryland now the equal treatment can be furnished only in the one existing law school the petitioner, in our opinion, must be admitted there."

Africans Hunt Elephant for His Meat and Tusks

The African natives hunt the elephant for his meat as well as his tusks. Their method is to lay pits in the elephant paths in the forest; but while these are sometimes effective the animal is more frequently intelligent enough to avoid the traps.

Big and clumsy as they appear the elephant's feet are peculiarly sensitive, and even the best camouflaged pit will not deceive the old animal. They have no special keenness of vision and, as a matter of fact, are much less gifted that way than man.

Another method employed by the natives is to set poisoned spears in the path of the animals, so that they will fall and die piece them when a trailing vine root is touched. The poison is a vegetable one peculiar to Africa and very powerful, but does not affect the meat. The portion immediately around the spear wound is cut out and thrown away; the rest of the meat is taken to the village to make a feast. What is left over after the feast is preserved by drying in the sun.

The "Black Mass"

What was known as satanism, diabolism, or the black mass, was the practice by organizations in the middle centuries in Europe of a form of worship which was the opposite of the Christian worship, in that the devil was held as the supreme being and orgies of the most violent and obscene description took place in his honor. During the Fourteenth and Fifteenth centuries there was in Europe also an outbreak of rowdiness and buffoonery connected with the religious feasts and holidays. In France, the Feast of the Ass was a travesty of the Nativity and the flight of the Holy Family to Egypt. Services were held in some of the churches in which a ribald congregation and mock priest conducted a litany in which the responses consisted of a series of brays by the "worshippers." The affair became so scandalous to decency that it was prohibited by law about 1500.

CLEVER, HUH?



"Your wife is very ingenious." "I should say so. It seems to me she finds a new place to hide my dress shirt studs every time."

Standing Up

Marye—Sit down and tell me all about your horseback ride with that handsome young groom. Edythe—I'll tell you all about it, but if you don't mind, I won't sit down.

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Atty. W. B. Bryant, 2722 Binney Street, Phone WE 5859

Notice by Publication on Petition for Settlement of Final Administration Account.

In the County Court of Douglas County, Nebraska.

In the Matter of the Estate of Eler White, Deceased.

All persons interested in said matter are hereby notified that on the 31st day of December, 1935, Columbus S. Smith filed a petition in said County Court, praying that filed herein be settled and allowed, and that he be discharged from his liability before said Court on the 8th day of February, 1936, and that if you fail to appear before said Court on the said 8th day of February, 1936, at 9 o'clock A. M., and contest said petition, the Court may grant the prayer of said petition, enter a decree of heirship, and make such other and further orders, allowances and decrees, as to this Court may seem proper, to the end that all matters pertaining to said estate may be finally settled and determined.

44-3t BRYCE CRAWFORD, (SEAL) County Judge.

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NOTICE OF PROBATE OF WILL In the County Court of Douglas County, Nebraska.

In the Matter of the Estate of George W. Gill, Deceased.

All persons interested in said estate are hereby notified that a petition has been filed in said Court, praying for the probate of a certain instrument now on file in said Court, purporting to be the last will and testament of said deceased, and that a hearing will be had on said petition before said Court on the 8th day of February, 1936, and that if they fail to appear at said Court on the said 8th day of February, 1936, at 9 o'clock A. M., to contest the probate of said will, the Court may allow and probate said will and grant administration of said estate to Mattie Snowden or some other suitable person, enter a decree of heirship, and proceed to a settlement thereof.

44-3t BRYCE CRAWFORD, (SEAL) County Judge.

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