

Florida Teacher Sues For Equal Salary

Titusville, Florida, June 3—John Gilbert, teacher and principal in the Cozart junior high school (colored) in Alachua county, has filed a petition with the circuit court of the county, seeking a writ of mandamus to compel the Board of Public Instruction to establish equal salary schedules for white and colored teachers.

The petition was filed May 24 by the law firm of McGill and McGill of Jacksonville, S. D. McGill of the firm is receiving advice and assistance from the legal staff of the National Association for the Advancement of Colored People in New York.

The petition of Principal Gilbert states further that he holds a second grade certificate from the state department of education and is in his eleventh year of teaching. His salary is \$50 a month for a nine months term. Mr. Gilbert also receives an additional \$288 per year as principal of the school making a total of \$738. White teachers with the same grade certificate and the same teaching experience receive \$100 a month or \$900 a year. White teaching principals are paid an additional amount above the \$900.

Pointing out that the salary differential for teaching is 100 per cent, the petition asserts that the said differential is based solely on race and color of the teacher and "denies to petitioner and others of his race the equal protection of the laws guaranteed by the 14th amendment to the Constitution of the United States."

At first the petition was filed in the supreme court of Florida which has concurrent jurisdiction with the circuit courts in mandamus actions. The supreme court, however, can refuse to take original jurisdiction and in this case it did so, referring the petitioner to the circuit court.

If the circuit court dismisses the petition for any reason, it will be taken then to the supreme court of the state. Court attaches were frank in stating that no petition of this kind had ever been filed and the court would have to make research into the legal question involved. The petition is similar to those which have been filed by lawyers in several counties in Maryland. In three of the Maryland counties, the cards of education equalized salaries by an agreement out of court.

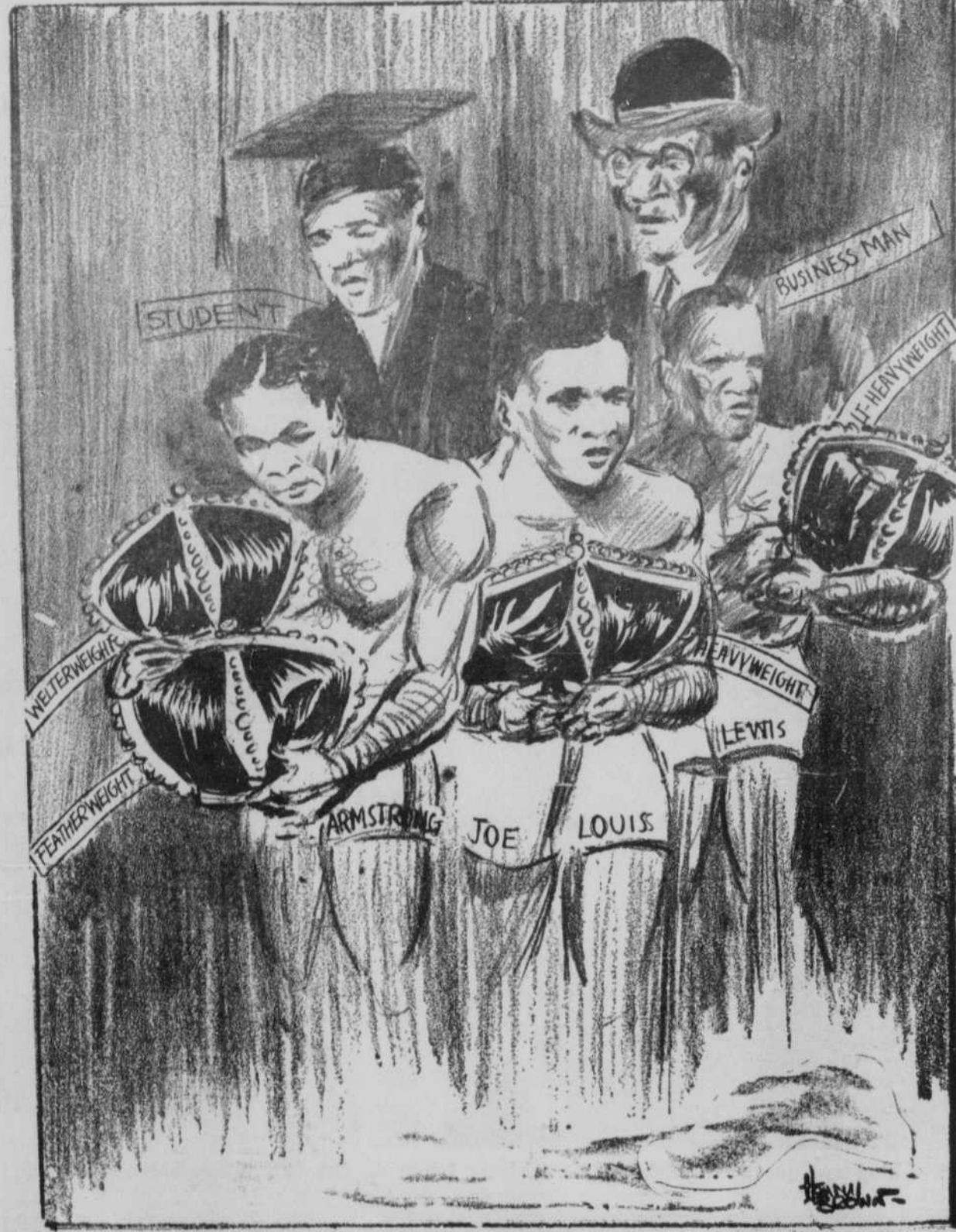
The Florida case is the first in the Deep South where Negro teachers have challenged the great difference between the salaries paid them and those paid white teachers of the same training and same experience and performing the same duties. The Florida action is being watched keenly by other southern states for if it is successful, it will have a profound effect upon the fortunes of Negro teachers in the South.

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Our Black Champs Pace The Race



MALCOLM IS NEW BRITISH COLONIAL SECRETARY

London, Eng., June 11 (By Rudolph Dunbar for ANP) Mr. Malcolm MacDonald, late Dominion Secretary, is now Secretary of State for the Colonies, the post which he once held in 1935.

The people in the West Indies and other Colonies territories who are struggling for a higher standard of life can now feel that their struggle is not altogether hopeless, for Mr. MacDonald has a sympathetic spirit untinged by prejudice. Arduous problems which must be overcome are awaiting Mr. MacDonald at the Colonial Office. These include the labor and political disturbances in Jamaica, the Palestine situation, and Germany's claim for the return of Colonies which is to become soon a subject for heated discussion.

It is, of course, well known that the Prime Minister, Mr. Chamberlain, has for some time been waiting for an opportunity to recover the former Colonial Secretary, Mr. Ormsby-Gore, from the Colonial Secretaryship. His accession to the peerage by the death of his father, Lord Harlech, has provided the Premier with the best possible excuse. Mr. Ormsby-Gore as a result of his handling of the Palestine situation, especially after the Commons debate on Partition, and at Geneva.

Mr. Ormsby-Gore's clumsy manoeuvres have set the Jews and Arabs at loggerheads to a degree even greater than before. A year ago the most deplorable situation occurred in Trinidad and now we are having a recurrence of the same thing in Jamaica, another West Indian Island. The late Colonial Secretary did not possess the grasp needed for the administration of such an important office. Commission after commission has gone to the West Indies with a view to putting recommendations forward to check the economic decay, and circular after circular has been issued by the Colonial office on housing malnutrition and labor problems with a view to arresting social decay, and yet very little has been done.

Constitutional Question in West Indies. The Constitutional question in the West Indies, Socialist member of Parliament, said in a recent debate in the House of Commons: "The franchise ought to be more widely extended, side by side with a more advanced system of education. Opportunities should be

1938 CLASS GIVES UNIQUE GIFT TO SCHOOL

Supports Negro Business-Links Grade to Institutions for 20 Years. Tuskegee, Ala., June 11 (ANP) Breaking precedents and combining a gift to their alma mater, while supporting a program of Negro business, the graduating class of Tuskegee Institute on Commencement Day, May 28, 1938 presented to the president of Tuskegee Institute, Dr. Frederick D. Patterson, a gift of \$10,400 in insurance planned on the 20-year endowment basis. One hundred and four graduates participated in the plan and this group is the first graduating class of any Negro institution to initiate and support such a plan.

Each of these persons was insured for \$100 and presented the insurance as a gift to Tuskegee Institute. Every individual has assumed the responsibility of paying the premium from year to year which amounts to approximately \$5 annually, or about 10 cents per week. The contract is the standard endowment policy with all non-forfeiture provisions beginning in the third year. In addition, it carries double and triple indemnity features: (1) It pays twice the face value of the policy in case of accidental death sustained while on a common carrier, according to the terms and conditions of the policy; (2) accidental benefits are given for certain losses without reducing the face value of the policy. These accidental death and dismemberment indemnities are automatically increased 10 per cent annually for three years, according to the terms and conditions of the policy.

The president of the class, Mr. gift to Tuskegee Institute, stated that the class knew of no better method of expressing appreciation for its Alma Mater in a tangible way than through this gift. The contracts were purposely broken down to the small unit of \$100 in order that the premium might remain within the reach of all.

This gift endowment plan was underwritten by the North Carolina Mutual Life Insurance Company of Durham, North Carolina, and the details of the proposition were supervised by Manager M. M. Scott and Special Agent Wiley E. Daniels, both of the Montgomery, Alabama, district.

given for public opinion to express itself." If you want to get people to realize their responsibilities in the community in which they live, you must give them the opportunity to take part in the life of the community as a whole. What are the facts in Jamaica? There are 1,000,000 inhabitants and according to the latest figures only 66,000 people are entitled to exercise the franchise there. That works out at one in 15. Contrast that with the neighboring French Islands of Guadeloupe and the Dutch Islands, where you have manhood suffrage—restricted franchise in the French Island and lack of suffrage under British government.

This is the day of the Negro boxer's ascendancy to stardom with all others forced into the background of their fist's achievements. Never before has the race boasted four world champions at the same time—and indications are that dusky fists will soon rule five of the eight boxing divisions. Exploits of Joe Louis, heavyweight champion; John Henry Lewis, light heavyweight king, and of little Henry Armstrong, feather and welterweight title holder, focus the world spotlight upon America in a manner denied our business men and scholars. Should Louis retain his title against Max Schmeling and Armstrong whip Champion Lou Ambers, it seems that Negro fighters will rule professional boxing for a good many years. Their success proves that whenever Negroes are permitted to compete on equal terms with other races and nationalities without the handicap of color, they are capable of besting or at least holding their own with any other peoples. (ANP)

Southerners Mark Ninth Year on the Air. New York, June 9. (By Al White for ANP)—Nine years ago on May 23, at 4 o'clock in the afternoon over the radio station WJZ, four young colored artists made their initial bid for public approval. Today after nine years of the closely associations, this group still goes on, like Tommyson's Brook, the world famous Southerners.

Homer Smith tenor who has thrilled millions in their nine years of cherishing tells the story: "The four of us were rehearsing for a play scheduled to open on Broadway. In the group were Lowell, whom I had known as a member of the Knoxville college quartet, when I was singing with the Willberforce quartet. That was Bill Edmonson, playing bits at the Alhambra theater and Jay Toney, who was giving up a lucrative job as window dresser to go on the stage.

"Maybe it is for the best that the show never hit Broadway, for if it had, we would still be looking for something to do. How They Were Named. "Well the boys would get together during the evening after a hard day's rehearsal and harmonize just to forget the things that were pressing us. And when the show flopped before hitting the Big Apple, we stuck together, thinking we had something good and tried to get an audition on the radio.

"That wasn't so easy but when we went down to see about it, we were asked what kind of music we sang. And I told the man, well we just try a few Southern airs and that was the beginning. Incidentally, that's how we got the name. "In those days we were using 'Way Down Upon the Swannee River' as our theme song, and kept it for seven years. Imagine how many times we have sung that number—and right now, if you say Swannee River, I'm ready to quit. But it had something. "We kept our original group of four intact until 1933, when we added one of the finest pianists and arrangers we could obtain in the person of Clarence Jones. Im-

NOTED CONCERT ARTIST



Robert A. Rainey

Rated as one of the best dramatic tenors in the country, Mr. Rainey is active in Harlem Church and fraternal circles and peace and anti-racial movement. He is a member of the Pesci Opera Company of New York, and has appeared on the concert stage in many cities during the past ten years.

mediately we began doing things with songs, thanks to the help of Clarence.

"Then in 1937, we jumped off the Swannee River and got a theme song of our own, 'Swannee Home.' Jones also arranged music for the Lord's Prayer that we use in our work. That was done three years ago and it was so popular we had to keep it in the program. "Edmonson was the teacher and low he scored in that role. We have appeared on other programs besides the regular Sunday program, some of them not so hot and others pretty good. We have guests starred for a number of programs and have now, four scheduled appearances weekly.

"During that time, we have built a huge musical library of spirituals and Negro work songs. "We have appeared in a number of recitals in other cities, but we look back with pride at the concerts we used to stage here in Harlem, when we brought the big time acts from the studios to appear with us. We have had Phil Cook, May Singhi Breen, Peter Rose and a host of National Broadcasting Company Stars here to assist us in this program.

"Benefits? Well, we can't play all that we are asked, but we have done some for the YMCA, of which the entire group are members. Once we sang for the Harlem Business Men's Club at their second annual banquet at the Wreaka of Tuskegee. We don't know which was the most pleased. We with his address or he with our singing. At any rate, he made a request number which we gladly did.

"Weekly hundreds of letters pour into the studio for us, but few of them come from our own folks. We are sorry about this, for we want them to write in and let us know how they react to our work. "Germans Send Most Letters. "Our most ardent admirers are the Germans, strange as it may seem, and they send us many letters weekly. Our program is broadcast to Europe on a short broadcast to Europe on a short wave length and over there, we are almost as popular there as we are here. Had it not been for the war scare in Europe, we would have had a tour there this year. But that is being arranged as soon as the conditions abroad are a little more settled.

"On our programs, we have had many notables from our race. Mr. C. C. Spaulding was once guest speaker and others too numerous to mention. We have presented as guest artist the great operatic star, Caterina Jarbro in her only appearance other than in the opera at the Hippodrome. That particular morning was a memorable one. Miss Jarbro sang several operatic selections in Italian and made quite a hit. But it wasn't until after the regular broadcast that she really sang. For, in an informal concert, she asked for requests from the handful that waited to hear her—and her magnificent voice thrilled the little gathering that with "Because." That was one of the last guest appearances in the old studio at 711 Fifth Ave. Say, maybe that number did us have some bit of luck in it for us, eh?

"Well, we are just plugging along and thank our many friends for their fine support through all these nine years. These next two programs will be devoted entirely to music by colored composers, and we hope it meet the approval of our listeners who are urged to write in and say how they like the work."

Incidentally, the entire group is married from the handfull of Lowell Peters—who is a confirmed bachelor and has no idea of marrying at any early date. They hail from the four corners of the United States. Homer Smith, first tenor is from Florence, Ala.; Jay Toney, second tenor, Columbia, Tenn.; Lowell Peters, second bass, Cleveland, Tenn.; and Willie Edmonson first bass from Spike, Wash. Jones, the pianist, hails from Wilmington, Ohio. Just another case of five small town boys making good in the Big City and having the best wishes of their friends for another nine years of success on the air. Smith declares that the trip he enjoyed most was the one made in 1935 when the entire group was taken to Miami, Fla., for a two minute broadcast on the Florida

State Day celebration. They were invited at the special request of the governor of the state and their program was heard by many visiting dignitaries.

Calvin's Newspaper Service TESTED RECIPE By Frances Lee Barton

MOTHERS don't need to take a course in psychology to know that the surest way to dampen enthusiasm for food is to tell the family, old or young, that a dish is good for them! So make a deep dark secret of the fact that this custard is a perfect sweet for children—so light and nourishing that you may safely give them a second serving.

Chocolate Caramel Custard. 1/2 cup sugar; 1/2 cup water; 1 square unweetened chocolate; 2 cups milk; 2 eggs, slightly beaten; 1/4 cup sugar; 1/2 teaspoon salt; 1/2 teaspoon vanilla. Melt sugar in a small, heavy skillet over moderate heat, and continue heating until a smooth, light brown syrup is formed, stirring constantly. Remove from fire and add water; then cook until caramel is entirely dissolved. Place 1 1/2 tablespoons of caramel syrup in each custard cup. Add chocolate to milk and heat in double boiler. When chocolate is melted, beat with rotary egg beater until blended. Combine eggs, sugar and salt; add chocolate mixture gradually, stirring until sugar is dissolved. Add vanilla and pour into prepared custard cups. Place in pan of hot water and bake in slow oven (325° F.) 60 minutes, or until knife inserted comes out clean. (Water in pan should not reach boiling temperature.) Unmold and serve warm or chilled. Serves 6.

REPUBLICAN CANDIDATES GIRD FOR ASSEMBLY SEAT

Los Angeles, June 9 (ANP)—With the Negro Republicans of the city attempting to take on new life, a surprising and unusual number of men will seek the Republican nomination from the 62nd Assembly district this year. Fred Rober who held it for 14 years until defeated by the present incumbent, Augustus Hawkins, will not run again according to reports but instead will run for U. S. congressman from the 14th district.

Among those who plan to take place in a battle royal for the nomination are A. Hartley Jones, exalted ruler of the Golden West Elks lodge and former secretary of the Liberty Loan association; Amos Black, well known politician; Spurgeon J. Jones, assistant manager of the Eastern Outfitting Co., James Jones, president of American Advancement league; Carl Johnson, musician, and W. C. Austin, real estate broker and politician.

On the Democratic side no dangerous opposition has arisen as yet, although it is rumored that Samuel Baumann, Druggist, who ran a good race in the last election will again oppose Hawkins.

RKO TICKET GIRL "NOT GUILTY OF DISCRIMINATION" SAYS OHIO JURY

Local NAACP Vigilant in "Turner Case". Columbus, Ohio, June 9 (By Jesse Dickinson for ANP)—Dorothy Carr, RKO Palace Theater Ticket Girl, was acquitted in Municipal Court here last week. She had been charged with a violation of the Ohio Civil Rights Act (Section 12940, Ohio General Code) which makes it a misdemeanor for anybody to refuse public accommodation to anyone except for reasons applicable alike to all citizens regardless of race or color.

On April 6, 1938, Dr. Alberta Banner and Mrs. Inez Holmes went to the Palace theater to see the picture the showing. Dr. Turner tendered her money and was told by the box office attendant "Your race does not patronize this theater." When Mrs. Turner asked specifically if she would sell her tickets, Miss Carr replied, "No, I'm sorry." Mrs. Turner then filed an affidavit for the arrest of the ticket girl. The case was called on three different occasions and each time postponed. But after three days of examination of the evidence the Jury, all white, retired and returned shortly with a verdict of "Not Guilty."

The Columbus Branch of N. A. A. C. P. asked that it be allowed to represent Mrs. Turner's interest and be associated with the prosecutor in the case. This courtesy was denied and "the NAACP of Columbus has to view events from the sidelines just as any spectator." The case has proven to be one of unusual interest because it is the first time within recent years that the criminal side of the statute has been invoked as a guarantee of Civil Liberties.

When the verdict was read by the foreman, Judge Wayne Fogle, presiding, declared that the verdict was contrary to the weight of the evidence and a flagrant abuse of justice—the worst he had ever seen. FIGHT POSTPONEMENT DID NOT HURT HARLEM. New York, June 9 (ANP)—Hotel owners, restaurateurs and grill proprietors in Harlem had a windfall last week in the postponement of the Armstrong-Ross fight. Hundreds of visitors crowded the limited accommodations in Harlem over night hopeful that the fight would be staged on Friday night. However, they were

doomed to disappointment and left late Friday for their homes when the battle was carried over. Many of them, holding high priced tickets declared they would return for the battle.

Gov. Graves, C. Spaulding Addresses Tuskegee grads

Tuskegee Institute, Ala., June 9 (ANP)—Governor Bibb Graves attending the commencement exercises last Thursday at Tuskegee was presented to the graduating class by president F. D. Patterson. Although not the principal speaker, in response to the continued applause, Governor Graves spoke briefly, as follows: "The fact that you are receiving your degrees and awards today is evidence of the fact that you have applied yourselves. The fact that you have been trained at Tuskegee Institute, say that your hands and minds have been slaped to do their tasks well. But that is not enough. You are now like well-tempered and shaped pieces of steel, but unless you are charged and recharged with the spirit of God Almighty, you will never become magnets of power and influence in your communities."

As the principal speaker at the commencement exercises, C. C. Spaulding president of the North Carolina Mutual Life Insurance company and of the National Negro Business league, addressed the graduates on the timely subject, "Economic Security through the Channels of Business." He declared, "I believe in business unclouded by Negroes because its principles are a part of every enterprise with which we are associated. And because of its past accomplishments and future possibilities for development."

Naming a score or more of Negroes in various section of the nation who have made their mark in the world of business, Mr. Spaulding continued, "Almost every vocation in which Negroes are found has produced business leaders. Three of our most outstanding newspapers are in the third generation of management. There are several magazines, journals and books and a daily paper in Atlanta (the "Atlanta World"), which has been published for six years without missed a single issue. "Women are well represented in the total equation of business by such persons as Mrs. Maggie Walker, Mrs. Annie Malone, and Mme. C. J. Walker.

"The life insurance business is the largest of the race. There are 49 life insurance companies and operated by Negroes in the United States. Those companies reported nearly 340 million dollars worth of insurance in force with admitted assets of about 21 million dollars, and employing 9,000 trained men and women among whom are salesmen, actuaries, accountants and executives.

"Much also depends upon character. A person in business must be honest, courteous, tactful, and courageous. The ability to work hard, to make sacrifices and to shoulder responsibilities does not go unrewarded. Not even the faithlessness of some of our people should discourage us."

SENATORS URGED TO OPPOSE ANY WAGE DIFFERENTIALS

New York, June 4—Senators who were named May 26 on a committee to consider the wages and hours bill were urged today in a telegram from the National Association for the Advancement of Colored People to oppose any attempt in the conference committee to impose geographical wage differentials.

The NAACP feels the geographical differential is only a thin disguise for a racial differential. The wages and hours bill, passed by the House by an overwhelming vote, provided for a universal minimum wage (at the beginning) of 25 cents an hour and a maximum week of 44 hours. Later the week was to be gradually reduced to forty hours and the minimum hourly wage advance to 40 cents. Southern representatives in the House sought in vain to have that body adopt a lower wage scale for the southern states. In the Senate southerners are hoping in the conference committee to have the wages and hours bill amended so as to provide that a federal committee or commission may be given the power to judge various sections of the country and fix wages accordingly.

The southern senators claim wages in the South should be less because living costs are less. The NAACP maintains that there is no evidence to show that living costs are less in the South but the fact is that the South has a lower standard of living.

BUSINESS EQUIPMENT

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