

Editorials

The Carolina Times

Comments

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SATURDAY, JULY 31, 1937

Kelly Miller Writes . . .

WHO WINS THE SUPREME COURT BATTLE?

The failure of the Senate to approve President Roosevelt's proposal to liberalize and rejuvenate the Supreme Court replacement unquestionably gives his unprecedented prestige a humiliating setback. But while his face grows red, the Rooseveltian smile does not wear off. The cheerful loser is a winner. The opposition has drawn the first blood but the President will be the ultimate victor.

1. There is no opposition to the President's objective of liberalizing the Supreme Court but to his suggestive method of perfecting this end. While the President suggests direct Congressional action his opponents advise the roundabout and uncertain process of Constitutional amendment. Since they have the same end in view, the method pursued is of comparatively slight importance. There is unanimous acceptance of that feature of the President's proposal which has to do with judicial reform below the levels of the Supreme Court. This shows that his objective is sound in principle and in the long run will prevail. There is no good reason why the same treatment couldn't be accorded the Supreme Court as is applied to courts of inferior jurisdiction.

2. If left to their own volition, after the spur of personal pride and the sting of wounded dignity shall have weakened with time, justice over seventy years of age, certainly those over seventy-five will retire of their own volition as soon as the pressure of public debate is removed. In this way the contest in all probability, will become liberalized before the end of the President's administration. Under the lash of public discussion growing out of the President's proposal, the Supreme Court has already gone a long way toward liberalizing itself. The recent drift and tenor of this decision in the liberal direction is manifest. One conservative judge has resigned, making room for a liberal successor; the Chief Justice is gradually shifting from a conservative to a liberal mood which tends to become dominant; another justice is liberal by fits and starts, sometimes tipping the scales one way and sometimes another. After Van De Venter's place has been supplied, the court will consist of four liberal and three conservative justices with Hughes and Roberts making between liberal and conservative decisions. This gives the court strong leanings toward New Deal legislation.

3. The Congressional trace adopted in order to expedite legislation is only of temporary duration; the question can not be kept out of the by-election in 1938. There are at least a half dozen anti-administration Senators who would be left at home, thus lessening the opposition in the upper house of Congress. Any Political tyro can identify such names. The President can gleefully say with Gilbert and Sullivan's Mikado, "My object all sublime, I will achieve in time." Providence is on his side. The "Nine old men" cannot hope to live forever. The grim reaper has no respect for the same sanctity of the Supreme Court.

4. That nine men over seventy years, four of whom are over seventy-five, will all survive four

years longer in full possession of physical and mental capacities violates the life expectation of all insurance companies.

In all human likelihood the President will have at least one other appointment in addition to the existing vacancy before the expiration of his term. This would give a majority of liberal minded justices on the Supreme bench.

5. The victory secured by President Roosevelt is not wholly personal but envisages far-reaching principle. It matters not who his successor may be, it is very unlikely that the Supreme bench will hereafter be recruited with reactionary or extremely conservative justices.

6. Roosevelt is fighting with the stars in his course. Reforms revolutionary never move backward. The liberalization of the Federal judiciary has been the objective of progressive leadership in American politics for the past forty years. William Jennings Bryan, Robert LaFollette and President Theodore Roosevelt openly advocated the recall on judges who failed to interpret and heed the contemporaneous will of the people in their decision. Woodrow Wilson, while not vocal on this particular topic, nevertheless showed his conviction by action which speaks louder than words. He placed on the Supreme bench the outstanding liberal and progressive lawyer of his time against the persistent and stubborn opposition of the conservative and reactionary legal fraternity and the American Bar Association. President Taft—not then the Chief Justice—threw the whole weight of his prestige and influence against his confirmation. The fact that Justice Brandies, as in now generally conceded, has made one of the ablest and most effective members of the Supreme bench tends to justify President Roosevelt's determination to liberalize that sedate and august body.

7. Roosevelt will be victor because the reform which he advocates is in harmony with the progressive spirit of the age. In no other great nation in the world is judicial obstinacy allowed to stand athwart the path of progress and reform.

CREATIVE WORK IS LIFE'S GREATEST JOY SAYS CARVER

CHICAGO, July 29.—ANP—The opportunity to do original and creative work is one of life's greatest satisfactions, Dr. Geo. W. Carver told members of the Upsilon Chapter of the Phi Beta Sigma Fraternity at a luncheon which the group gave in his honor at Peru College here Wednesday noon.

Describing his own early life, he told how he had always been filled with an all-consuming curiosity. It was this desire to know things, to find out why the objects which attracted his interest which led him into his life's work, the scientist explained.

Dr. Carver paid tribute to the profession of teaching. Nothing gave him more happiness he said than to feel he had a part in helping to shape the lives of some of the young men and women who had sat in his classes and become imbued with his own spirit. A real teacher, he said, is not one who teaches by precept and example, who lives what he teaches. Opportunity for service is open

QUIET AS IT'S KEPT

PENNSYLVANIA LEADS ALL OTHER STATES IN THE NUMBER OF NEGRO POLICE WITH A TOTAL OF 302!

THREE HUNDRED DESCENDANTS SURVIVE ANN BARRON, EX-SLAVE, WHO DIED AT WOODLAND, GA., AT THE AGE OF 101

THE ENTIRE CITY OF OTTERTON, ILLINOIS OBSERVES OCT. 15 AS A MEMORIAL DAY TO GEORGE WASHINGTON, ONE-TIME NEGRO SLAVE

BILL PICKETT, A GIANT NEGRO, WON FAME AND FORTUNE BY HIS FEAT OF THROWING A SPEER WITH HIS TEETH QUICKER THAN ANY TORADOR COULD DISPOSE OF IT WITH A SWORD. HE RECENTLY DIED AT ARKANSAS CITY, KANSAS, A CONSIDERABLY RICH MAN

NATIONAL FEATURE SERVICE

Quaker City Set For Bar Confab August 5-7

PHILADELPHIA, July 30.—Under the leadership of President George W. Lawrence, the nation's outstanding attorneys will meet here August 5-7 to attend the 13th annual session of the National Bar Association to be held at the Law School of the University of Pennsylvania. Final arrangement for the bit conclude and for its three-day program have been completed by the Convention Committee, composed of Attorneys E. Washington Rhodes, Lewis T. Moore, William H. Fuller, J. Austin Morris, Mercer L. Lewis, Theodore Spaulding, F. L. Styles, William L. Houston, J. P. Henry, and Raymond Pace Alexander, the chairman. The public mass meeting will be held August 5 at Union Baptist Church, with Hon. Robert L. Vann, editor Pittsburgh Courier, the principal speaker. His subject will be "Legal Influences on Economic Life."

On Friday afternoon, the delegates and their friends will attend a special motion picture exhibit at Houston Hall, arranged by the Hon. George E. Nitcher, and in the evening, tea will be served for the ladies and invited guests in the Botanical Gardens of the University of Pennsylvania. Other notable speakers and their topics will be: "John M. Langston, the Pioneer Lawyer," by Charles J. Margotti, Attorney General of Pennsylvania; "The Growing Menace of Restrictive Covenants," by Earl B. Dickerson, Chicago, Assistant Attorney General of the State of Illinois; "Pro-

BRONZE Standouts Eddie ALLEN

FRANK WILSON

AUTHOR - ACTOR - DIRECTOR - INTERNATIONALLY KNOWN FOR HIS SPLENDID PORTRAYAL OF "PORGY" IN THE GUILD PLAY "PORGY" AND "WIVES IN THE GREEN PASTURES"

REX STEWART

FEATURED TRUMPETER OF THE DUKE ELLINGTON ORGANIZATION RATED TOPSOLO BENSATIONAL GOLO SWING

© 1937 INTERNATIONAL NEGRO THEATRE

TRUSTEE SALE OF LAND

Under and by virtue of the power conferred upon the Trustee in a certain Deed of Trust dated November 26th, 1929 and executed by Fred Bynum and wife, Nellie Bynum, and duly recorded in the office of the Register of Deeds for Durham County in Book of Mortgages 183, at page 66; and default having been made in the payment of the same, the undersigned Trustee will offer for sale to the highest bidder for cash at public auction, at the Courthouse door in Durham, N. C., on FRIDAY, AUGUST 30th, 1937, at 12 o'clock Noon, the following described land, to-wit:

ACROSSING the lands of Ebdney M. House and James M. House and others, beginning at a stake on New (now Carnell) Street, and running thence Eastward 232 feet to a stake in Sidney E. House and James M. House line; thence Northward with their lines 55 feet to a stake; thence westward 232 feet to a stake in New (now Carnell) Street; thence Southward with the line of said New Street 66 feet to the beginning. See deed from Sylvester Bynum (widow) to Fred W. Bynum dated June 12, 1922, recorded in Book of Deeds 63, at page 378, Durham County Registry.

This sale will remain open for ten (10) days to receive increase bids, as prescribed by law.

This property is sold at the request of the holder of said note.

Dated this 19th day of July, 1937.

A. M. SHEARIN,
M. Hugh Thompson, Trustee.
Attorney.

TRUSTEE SALE OF LAND

UNDER AND BY VIRTUE OF the power conferred upon the Trustee in a certain Deed of Trust dated July 25, 1932, and executed by party of the first part, and duly recorded in the office of the Register of Deeds for Durham County in Book of Mortgages 269, at page 19; default having been made in the payment of the same, the undersigned Trustee will offer for sale at public auction to the highest bidder for cash at the Courthouse door in Durham, N. C., on MONDAY, AUGUST 23, 1937, at 12:00 o'clock noon, the following land:

BEGINNING at a stake on the South side of Laurel Avenue which said stake is 175 feet westerly from the Southwest intersection of Laurel Avenue and to Pine Street, 200 feet to a stake in a southerly direction parallel to Pine Street, 200 feet to a stake the Northeast corner of Lot No. 21, Block L as shown on Plat hereinafter referred to; thence along and with the north side of said Lot 21 in a westerly direction 50 feet to the east corner of Lot No. 9; thence along and with the north side of Lot No. 9 in a northerly direction 208 feet to a stake on the South side of Laurel Avenue, the Northeast corner of said Lot No. 9; thence along and with the South side of Laurel Avenue in an easterly direction 90 feet to the beginning, and being Lot No. 8, Block L, as shown on plat of the New Hope Realty Company's property, copy of which made by R. M. Pickard April, 1922, is duly recorded in the Office of the Register of Deeds of Durham County in Map rack 1, section 1, to which plat reference is hereby made for a more particular description.

THIS SALE will remain open for ten days to receive increase bids, as required by law.

THIS PROPERTY is sold at the request of the holder of said note.

Dated this 21st day of July, 1937.

MECHANICS AND EARMERS BANK, Trustee
M. HUGH THOMPSON, ATTORNEY

Deaths

Miss Louise Moore, 21 of 410 Davis Street, died Saturday, July 24. Miss Moore had been ill for quite some time. Burial was held in Princeton, N. C., July 26. She is survived by her mother, father, and a host of relatives and friends.

Miss Thelma Jones, 18 of 410 Bailey St., died July 20 after a short illness. Burial was conducted at Grove Hill Cemetery July 22. Miss Jones is survived by her mother and two aunts, McLaurin Funeral Home officiating.

Probe Police Part In Florida Lynching

TALLAHASSEE, Fla., July 29.—(ANP)—Possibility that police officers were the lynchers left week of Richard Hawkins and Ernest Ponder, 18 years old colored boys, was being investigated by State's Attorney Orion C. Parker, Jr., who ordered a complete check of the caliber and serial numbers of all police pistols.

The two youths, charged with stabbing Patrolman V. E. Kelly last Sunday night, were released from the county jail near the state capitol, taken to the country and shot to death.

The quartet of lynchers, with paper bags over their heads, entered police headquarters where Harry Fairbanks, night police sergeant, was alone, and said: "We want the jail keys and we don't want any damn foolshness."

When they told him that, he got up and gave them the keys without offering any resistance. Nor did he call for help when the men made him use the keys to open the jail door and get other keys which would open a string of doors between the jail office and the cell blocks where the two youths were held.

Fairbanks said he did not cry out because of the gun pointed at him and because the men bound and gagged him before leaving with their victims.

Parker probed the possibility of police duplicity when Chief Powledge told the coroner's jury Tuesday that only policemen and sheriffs deputies were supposed to know that a set of keys was kept at police headquarters.

The state's attorney said he was checking on police pistols "so that if policemen are implicated we can establish it and if they are not implicated the evidence will clearly exonerate."

To Governor Clegg, this state's Negro-baiting executive, the year's fifth and sixth lynchings were not lynchings but "plain murder." He made this statement from the nearby capitol as he demanded a "complete investigation" before the coroner's jury decided to make no definite findings pending a further probe.

Sheriff Frank Scutamar's inquest testimony also indicated police duplicity when he said he picked up two .38 caliber bullets and two of .32 near the spot where the bodies were found. He added that he carried a .32 revolver and city policemen used the .38's.

LT. OXLEY PUT ON HIS METTLE IN NEW FEDERAL JOB

WASHINGTON, July 29.—ANP—Social workers, ministers, and those who have been coming to close grips with the unemployment problem have been greatly consoled over the increasingly large number of Negroes out of work. In every major city relief stations point to the fact that that while white workers have left relief to return to gainful employment, colored workers are left on the rolls.

St. Lawrence Oxley, formerly occupied what was assumed to be an administrative post in Washington as special adviser to the Secretary of Labor on problems affecting the Negro worker. He has just been promoted to a new post, bears now the title National Field representative of the U. S. Employment Service. In his new job, the specific duty of Lt. Oxley is to change this deplorable unemployment problem among Negroes, according to an announcement from his office heralding his new appointment.

This appears to put the situation squarely at Lt. Oxley's doorstep. Too frequently it is impossible to accurately measure what the representatives of the race—sometimes flippantly termed "the biscuit cabinet"—are doing in actual constructive work. Certainly they do much which does not show on the surface and for which they do not get credit. On the other hand, citizens have the right to know what these public servants who represent them are doing to solve their problems. Fortunately, Lt. Oxley is well equipped and has set up a standard by which he may be judged. The country will be eagerly watching for this promised and much-needed reduction of unemployment among Negroes.

Mrs. Katie Boyd Clegg, of New York City who has been visiting her father, James T. Boyd and aunt Mrs. P. R. Moore; returned to New York on Monday.

While in the city, Mrs. Clegg was extended many social courtesies by friends.

Lillian Smith of Rocky Mount. Joint sessions Tuesday night will be held at Tupper Memorial Church. All special class room and seminar meetings will be conducted at the Washington High Sch. and diplomas will be given on Wednesday evening to those who complete certain courses in Sunday School and BYPU work.

Church Ushers Of Nation Meet In Chicago

CHICAGO, July 25.—ANP—More than 200 ushers from all sections of the country gathered here July 25, for the 18th annual session of the National United Ushers Association at Metropolitan Community Church, Rev. Joseph W. Evans, pastor. President George Green of the Illinois association, was host to the convention. Most of the delegates came by special train, one section of which arrived from St. Louis with V. F. Boniware, second vice-president, in charge.

States represented at the convention were: Missouri, North Carolina, New York, New Jersey, Pennsylvania, Texas, W. Virginia, Nebraska and the District of Columbia. Prospective member states are Michigan, Indiana and California. The five-day session got under way with the mass meeting and program held under auspices of the Austin Zone ushers. The business meeting was held Wednesday morning, with Henry Sorrell, Baltimore, first vice-president, opening the session and turning the gavel over to President Willima H. Davis.

Thursday, the annual sermon was followed by a group discussion, led by the second vice-president, Boulevard. President Davis' annual address was delivered on Thursday, this session being in charge of Mrs. Geraldine Webster, Plainfield, N. J. Memorial services were held Friday, to be followed by election of officers. The National Ushers' Association is one of the younger organizations of the country and although at present only a small number of states hold memberships, plans are afoot for a 100 percent state representation.

STATE SUNDAY SCHOOL AND BYPU CONVENTION

by J. W. Yeagin

The North Carolina Convention of Baptist Sunday School and BYPU workers will meet in Raleigh beginning August 3 for a four days session.

The Historic Tupper Memorial Baptist Church, Cor. of Bount and Carras Streets will be the host of this state wide gathering. Rev. C. C. Jones, pastor.

Meetings will also be held in the Washington High School and Shaw University Chapel.

The theme of the convention is "The Challenge of the Cross."

Special emphasis this year will be placed upon the training courses which will be offered in both Sunday School and BYPU methods and procedures. A group of about 75 able instructors have been secured to conduct seminars and special classes in Sunday

THE HONEYMOON HOUSEWARMING

Peggy Tudor, Expert on Problems That Confront the Hostess, Tells How to Place Silverware for a Buffet Supper

THE first party in the new home. What shall it be... a luncheon, a dinner, a tea, a buffet supper? The last-named is much the most practical for the new housekeeper. It will give you a chance to show off your gleaming silverware, and the new china and sparkling glass you're so proud of. After all, what's prettier than a buffet set for a supper? And what's more satisfying, even for the experienced hostess, than knowing she is free to devote all her thoughts to giving her guests a good time while serving problems solve themselves?

How quickly people get acquainted, and what fun they have, when you turn them loose in front of platters heaped with good things to eat—salads, cold meats, tiny sausages—sizzling hot, buttered rolls, tantalizing sandwiches, olives and nuts, coffee, all the good things which stand for hospitality with a big H!

I shan't attempt to plan your menu, but let it be a simple one. It's table settings I want to talk about. Naturally, the minimum amount of silverware with which a bride can start housekeeping is a simple twenty-piece service. This includes six knives, six forks, half-a-dozen dessert spoons, the same number of teaspoons, a butter knife and a sugar spoon. This does not mean a great expense; for silverware may be purchased in designs as charming as the most reflective table setting can easily be arranged on it.

Another thing, if your honeymoon housewarming is taking place in an apartment, just lack a dining room, simply set up a card table against one wall. It makes an excellent buffet for serving purposes, and the same attractive table setting can easily be arranged on it.