

EDITORIALS

ON JUSTICE IN THE COURTS

The North Carolina Supreme Court has ordered a new trial for Raleigh Speller, convicted of rape in Bertie County; on the ground that Negroes are systematically excluded from jury service in the jurisdiction in which he was convicted. At the trials of the defendant two Superior Court judges denied motions to quash the indictment when the defense contended that such practice regarding grand juries invalidated the indictment.

The state high tribunal in ordering a new trial simply followed the clearly established principle set forth on many occasions by the U. S. Supreme Court, and thereby avoided the necessity of talking the Speller case before that body. The State Supreme Court is to be commended for acting positively and without hesitation in this case, and its action should be far-reaching in its effect on jury practices throughout North Carolina. The time has come when our own courts must accept the doctrine that they are not white institutions, but tribunals of the citizens of the state.

If Speller is guilty he should be both convicted and punished, but he is entitled to a fair trial. The interpretation of both the state and national high courts is that a Negro is not guaranteed a fair trial in a jurisdiction in which Negroes are in effect barred from jury service; that such a practice inevitably prejudices the interests of the Negro defendant. That this is true whenever the accuser is a white person is hardly subject to question.

But the obverse of the situation is still to be dealt with; that is, when a crime has been committed against a Negro by a white person.

A few weeks ago comment was made in these columns on the freeing by a coroner's jury in Gaston County of a white storekeeper who shot and killed a Negro patron in an argument over the price of gasoline. The jury found a verdict of justifiable homicide on the evidence given by two other white men to the effect that the storekeeper threw a bottle at his customer, who then reached for a head of cabbage, presumably to throw at the storekeeper. Before he could throw it he was shot dead.

Some time after the coroner's jury had perpetrated this travesty of justice a brother of the slain man swore out a warrant charging with murder the man who answered the cabbage challenge with a bullet. The grand jury on April 20 found "no true bill."

There is no appeal to the State Supreme Court against such an exoneration; yet it is a patent miscarriage of justice.

North Carolina will not be the heaven it is often represented to be as long as the courts are used, as they so often are, to reinforce the doctrine and pattern of white supremacy. Under the jury system the practices of the courts can rise little above the level of the prejudices of the community. The judges, and especially those of the higher courts, have a tremendous obligation to act whenever they can in the direction of offsetting the injustices which regularly occur in connection with vicious and prejudiced jury practices and action. We do not know the technicalities of North Carolina jurisprudence, but if the rules permit it a few directed verdicts and a few instances of setting aside verdicts by superior court judges, along with some indictment quashings, would be admirable supplements to the decisions of the North Carolina Supreme Court.

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DOES ANYBODY CARE?

Following a riot involving a number of persons confined in the criminally insane ward at the Goldsboro institution, another case turned up which gave more unfavorable publicity to the Hospital for Colored Insane. It was a case in which there was some question as to whether the death of a patient was from natural causes, as certified by officials of the institution.

It will be hard to get at the actual facts and circumstances surrounding these two cases. Inmates of hospitals for the mentally diseased are seldom in a position to give evidence that will carry much weight. But it is evident that there is something wrong with the Goldsboro institution. In the absence of any other concrete information, the figure cited editorially by the News and Observer shows at least (1) that the per capita expenditure for the care of the Goldsboro patients is pitifully low, (2) that it is considerably lower than the per capita expenditure in the other state mental hospitals.

The first fact is a reflection on a state which boasts of its big treasury surplus, and a rebuke to the collective conscience of the people of the state. Of all the wards of the state the insane are the most helpless and defenseless. They are more at the mercy of their keepers than even the state's prisoners, since they are not serving a term limited by the specifications of a sentence, since they are in no position to protest, and since their protest would not be heard on the ground that their statements are wholly unreliable.

The second fact is simply one more exposure of the cynical separate-but-equal canard, on which senators, governors and various other high placed persons in North Carolina base their assertion that North Carolina Negroes have achieved substantially equal rights with others and enjoy a peculiar state of blessedness.

Modern standards demand for the insane that, being the most helpless of all those in custodial care, they should be accorded the most carefully humane handling possible. That is the state's first obligation to them. The second is that every facility and measure known to medical science for the alleviation and cure of their affliction be made conscientiously available. The day is past when a hospital for the insane is to be regarded as a pen for the confinement of a sub-human species.

Presumably the men who were transferred from the Goldsboro institution to Central Prison had been judged insane. If they were, there is no reason to suppose that they are any the less so now. On what ground, then, are they now incarcerated in a prison, a place in which no pretense of providing treatment for their condition is made? If they are insane they still belong in an institution for the insane.

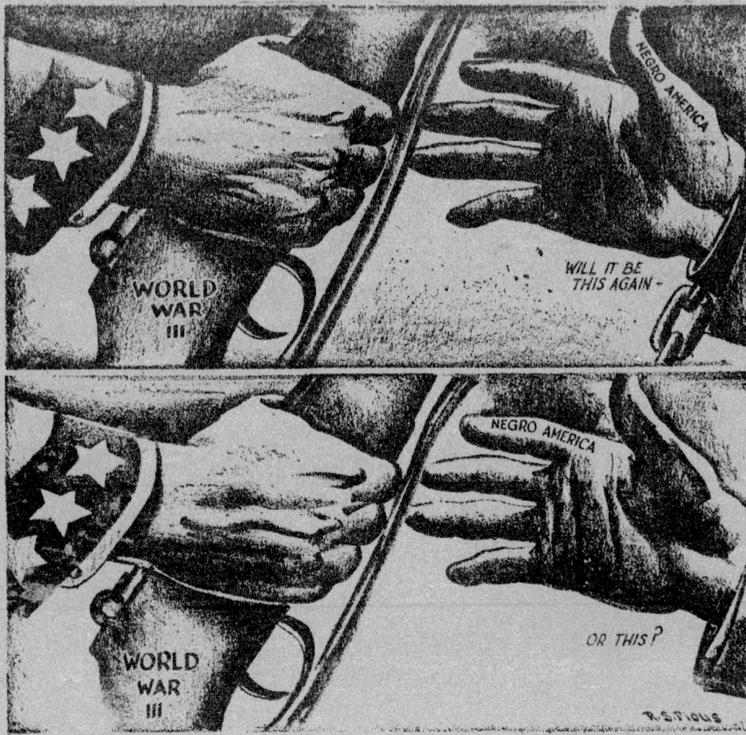
The real question arising out of these recent events is, does anybody care about the mentally diseased?

THE YWCA

It is hardly credible that only a few years ago Raleigh had neither a Negro YWCA or YMCA, yet it is true. The rapid progress made by both these organizations was once more vividly brought to mind by the recent dedication of the excellent home of the Sojourner Truth branch of the Young Women's Christian Association.

The YWCA is a product of the fine leadership of a group of Raleigh women, and this group includes white women as well as colored. This leadership has consistently been backed by alert and public-spirited citizens of both races, men as well as women.

Coming so soon after the annual meeting of the YMCA, at which a report revealing the great progress made by that organization in its existence of less than three years was a cause of gratification to so many people, the dedication of the YWCA plant reemphasized in a very emphatic way these two outstanding accomplishments of Raleigh in improved community life. The entire city may well be proud of the Negro 'Y's.'



"THE WORLD IS WATCHING AND WAITING!"



Second Thoughts

By C. D. HALLIBURTON

After some days of prayerful consideration I have decided to hazard a few remarks on the weather. Wait a minute! Don't throw away the paper yet. Although we had some pretty cold days in April it is reasonably certain that there will be no more snow between now and next November at the earliest, and furthermore I have given my solemn promise never again to raise my voice in complaint against the scarcity of that commodity.

What I have been thinking about recently aren't the weather is that it seems to be so much more inconsistent and unpredictable than it used to be. This opinion is doubtless a sign of fast approaching senility, for when a man begins to be certain that the weather of current times is "not like it was when I was a boy," they say he is not only wrong but is getting pretty old. They say that the reason he thinks things are different now is that he is so far removed in time from his boyhood that his memory of that period is just too dim to be reliable.

Be that as it may, it certainly seems to me that winter used to be more consistently winter when I was a boy, spring more consistently spring, and summer more dependably summer. In other words it was cold in winter, warm in spring and hot in summer. Not so in 1948. Take April for instance, and the latter part of it, especially. There was not a week in that month, allegedly the first full month of spring, in which there were not days when fire was needed in your dwelling. One day warm and seasonable, and the next taken out of December of February. Frosts any old time, right up to May. Yet there have been very warm days. On April 25 the temperature passed 90 in Raleigh. But three or four nights later it was down in the 40's.

You don't know what to do. After several days of weather that would do credit to June I pulled out my spring suit, breathed a word of thanksgiving that the moths had passed it up somehow, and sent it out to be pressed. Immediately it

got cold again and instead of donning the suit I had to put on my work clothes and start trying to scrape together a little of the coal that was left—some of that which John Lewis had permitted the boys to dig some time back in 1947.

Maybe I am wrong. Possibly it is only a senile delusion, but it seems to me that when I was a boy in Kentucky just a few years ago things were different. It seems to me we used to take down the heating stoves about mid-April, with the assurance that no more artificial heat would be needed for the season. It seems to me that about the same time or very soon afterward we kids retired our shoes to the closet, not to be worn again before late October. It seems—Well, let it go. It's time I went and took a look at the fire, anyway, and the chances are that by the time this is printed it will be so warm that that of a few months ago after I was complaining in this space, that it didn't snow any more.

ADVISORY COLUMN

C. B. N.—My husband left me in Florida in December without a word of explanation. When my job was over, I came on home. He is here with his folks. He tells me that he doesn't want a wife anymore, however, he comes around all of the time and tries to sweet-talk with me. What shall I do?

Ans: Give him a cold shoulder. If he doesn't want you as his wife—you should not allow him the privileges of a husband. Take a firm stand and he will decide in a hurry what he intends to do.

E. P.—I am writing to ask if you could give my husband some advice on how to get his birth certificate. He is on the job training and he can't get any allowance for his mother until he gets

it. Please advise us?

Ans: Write the Bureau of Vital Statistics, State Capitol, Tallahassee, Florida (the state in which you live) for information as to how to proceed to obtain a birth certificate when there is no record of it on file. His mother can sign a statement and have it notarized as to when he was born—if he has a Bible record of his birth, it can be used as evidence—also an insurance policy or his school record. Follow the instructions sent you and he can get the certificate.

W. L. G.—I am very much in love with a boy and I know he loves me. His mother doesn't like me. He tells me he doesn't care now his mother's feelings. He wants to marry me and she can't stop

him. We are both of age. He is 25 and I am 20. Advise me what to do?

Ans: It's true she can't prevent you from getting married, but you would feel much better if you had her blessing and approval. Her apparent dislike for you isn't so great that you can't change her mind. Treat her with sincere respect and kindness and you will gradually win her favor.

HOW TO WRITE FOR CONFIDENTIAL REPLY: 1. QUESTION will be answered free with 10c "Private Reading Letter." 2. THREE QUESTIONS answered free with 25c "Happier Living Lessons." For a complete and detailed FREE ANALYSIS of your case—send \$1 for Abbe's 1948 Guide & Forecast.

W. N.—I want to know what to do about this woman I have been with five years. Every time I get after her about her wrong doings, she ups and leaves. Should I let her go for good? I love her, but I want her to be straight with me. She wants to stay in the streets all of the time and I don't approve of it. She is gone again. Tell me if her love is true or false.

Ans: False—she just isn't sufficiently interested to stay content with you alone. She wants outside excitement and amusement and when you object—she leaves. If she loved you, she would want to please you. It's all over between you and this girl.

F. C.—Should I return to summer school this summer? I am so disgusted at the poor grades I made last year that I hardly know what to do.

Ans: Go back and resume your studies. Your life's ambition has been to get a year degree and you must not give up now. Last summer's work was discouraging—but you can make it this year.

TAN TOPICS

By CHARLES ALLEN



"JUNIOR SAID HIS FIRST WORD TODAY!"



BETWEEN THE LINES
BY DEAN B. HANCOCK FOR ANP

WHAT ABOUT THE BEST WAY?

David Lawrence recently said that the proposed European Recovery plan will ultimately cost this country \$100,000,000,000. This is a staggering sum that we must pay Europeans to keep them from going communist. And the thing that vexes the most serious students of the question is, even though we do succeed in buying off communism temporarily, will it stay bought off? Will not the European nations play the same game that Germany played at the conclusion of World War I?

Germany threatened to go communist. We proposed to pay her so many millions to keep her from going communist. Whenever Germany wanted a few millions she always threatened and we always coughed up the cash. In the end, Germany went fascist which was worse than communism—or at least as bad. What we got for the money we spent in "buying off" communism in Germany, has never been published for the fact the said publication would make disheartening information.

Are we not headed in that same general direction? \$100,000,000,000 is not too high a price to pay for the preservation of what we call democracy; but it is too huge a sum to be thrown figuratively into a sewer. If democracy in Europe is going to cost us a hundred billion we deserve some guarantees that we are going to get our money's worth.

We must never forget that there are two schools of thought in the matter of spending these prodigious sums for the preservation of democracy. There is a school of thought among the higher-ups who are consciously attempting to save democracy; there is another school interested only in preserving white supremacy. So long as the white supremacy ideal is the greatest invitation to communism in this country, it stands to reason that unless some way is found to throw overboard this time-worn and anachronistic notion of human relations, the 100 billions would prove insufficient to save democracy.

Practical democracy would do far more to stave off communism than the hundreds of billions we are proposing to invest in European democracy. The reasons Europeans must be bought up on the Marshall plan to save them from communism is that here in America, the Bilbos and Rankins and Talmadges and all the rest are so many millstones about the nation's neck to sink it on the sea of international diplomacy.

Bought friends are never paid for! It is fervently to be hoped, that the records will be kept clear and that one 100 billion will go for democracy rather for the preservation of white supremacy, that is in the minds and purposes of so many who today cry for "democracy." Just as everybody talking about heaven is not going there so all this talk about democracy does not mean interest in real democracy. Insofar as we go in for real democracy there is hope that our billions may avail; but wherein we are just out to finance white supremacy our efforts are doomed from the beginning.

GENERAL EISENHOWER A CANDIDATE

Regardless of the "statements" issued purporting to deny his candidacy, Gen. Eisenhower is a candidate for the presidency. The staunch denials of this purpose are mere build-ups that will make him more "terrific" when he is finally "drafted."

When Gen. Ike evaluated the civil rights program of President as an attempt to legislate good will between the races, he thereby revealed in most certain terms that he was a candidate and that he was bidding for the disaffected southern votes. Gen. Eisenhower ought to know that legislation was never intended to make citizen love citizen; it was never intended to make friends of enemies. It was designed to give truth and justice a chance.

It was designed as a third party in the dispute between two. Its role is that of referee and umpire and arbiter and, if need be policeman. When therefore Gen. Ike pretended that he was so unsophisticated to know this, he disqualified himself for President, for he was attempting to "play ball" with the Negro baiters of the south. At heart Eisenhower is a candidate.

MY GOLDEN RULE

By WILLIAM HENRY HUFF For ANP

If I can always do to others
As I want them to do to me
And look upon all men as brothers,
I shall be satisfied.
If I can meet all of the people,
The halt and lame, and rich and poor,
Those underground and in the steeple,
My inner hopes will higher soar—
That's all I have desired.

"Next Door" By TED SHEARER



"But Mabel, I Spent A Year Making It -- How Was I To Know It Would Be A Girl...!"

Continental produces more than one-half the world's flax seed.

Ten times as many men as women are color blind.

More than 2,000 varieties of apples have been classified, and about 1,000 different kinds are grown in the U. S.