

Editorials

The Carolina Times

Comments

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SATURDAY AUGUST 7, 1937

The Oxford Orphanage

Elsewhere in this issue of the CAROLINA TIMES is an account of the Founder's Day program held last week at the Oxford Orphanage. You read that more than 10,000 Negroes from all over the state, and many from other states gathered at the Orphanage as they have been doing annually for a long number of years. The account does not say just how much money was raised for the support of the orphanage by this very large gathering of Negroes, and the CAROLINA TIMES does not wish to criticize too severely the annual celebration which has grown in proportion for the last two decades. Any movement which can attract 10,000 members of the race annually is worthy of being continued, even if they who attend do nothing but discuss their common problems, or gab about matters less worthwhile.

The CAROLINA TIMES would like to suggest, however, that the officials of something next year to raise some money that is surely needed for the betterment of the work done at the Oxford Orphanage. A movement should be started to collect a per-capita fee of one dollar for every person present at that meeting next year. The small amount of money which has been raised heretofore is not

enough for such a large gathering. It would be a fine gesture for the officials of the Oxford Orphanage to be able to announce next year that the crowd of 10,000 Negroes were able to raise \$10,000 for the support of their own orphanage.

Certainly such a feat would be more creditable than merely announcing that 10,000 Negroes gathered, ate, and went back home without one-fifth of that number even giving a dime for the support of a worthy cause. We know that there is a possibility of cutting the crowd if a general attempt is made to obtain a dollar from each person present. We feel however that a few thousand less persons present and a few thousand more dollars raised would be far greater than what has been accomplished at the annual celebrations in the past.

The white masons of North Carolina would like to suggest, however, that the officials of something next year to raise some money that is surely needed for the betterment of the work done at the Oxford Orphanage. A movement should be started to collect a per-capita fee of one dollar for every person present at that meeting next year. The small amount of money which has been raised heretofore is not

Negroes On Juries

NEGROES ON JURIES
Another term of Superior Court will be held in this county next week, and it should be interesting to leading Negroes of this city to know that the county officials whose responsibility it is to select persons for jury duty, have again overlooked the fact that there are Negro taxpayers, and citizens of Durham fully qualified to serve on juries.

We do not have at our finger tips the exact date of the next election of county officials, but when that time does come Negroes should be ready to do their duty towards eliminating from the roster of county officials those who are responsible for the blatant wrong of prohibiting members of the race from doing jury service.

The amount of taxes paid by Durham Negroes will in most instances be the amount paid by members of the race in many counties which have already called Negroes for jury service. In addition the Negro is being robbed of his constitutional right when he is prevented from doing jury service.

Here in Durham we have a

tendency to boast of our liberal attitude and our fairness, but this continuous wrong perpetrated against a group of people who are desirous of solving problems in a peaceful way cannot forever go unattended. Durham should not expect Negro lawyers to forever refuse to seize the opportunity of raising the jury question unless Durham is going to do what is right. Neither should Durham expect intelligent Negroes to forever remain silent about such a blatant wrong.

On several occasions, called attention of its readers to this injustice, and this newspaper feels that the time has come for Negro lawyers and white lawyers representing Negroes in court to protect their clients against the practice of excluding Negroes from juries by raising the question in defense of their Negro clients. To refuse to do so is a breach of confidence and an act of deliberate negligence on the part of members of the bar. In our humble judgement it is worse than criminal, and should be condemned with as much vehemence as the act of the exclusion of Negroes from juries itself.

Here in Durham we have a

Last Week's Two Best Editorials

ALABAMA MADNESS

The decision of the "Scottsboro Case" prosecution staff dismising charges of rape against five of the defendants leaves that celebrated chapter of southern jurisprudence as a state of unholy contradiction.

After six and a half years, four the boys are now under sentences ranging from five years in prison to life in the state penitentiary, as results of verdicts brought in by as many separate juries. The paradox becomes weird when it is considered that no two of the four verdicts recommended the same penalty. The rape charge against Ossie Powell, formerly convicted, was dropped and he was given 20 years on a charge of assaulting an officer with intent to kill.

These sentences, including the death decree for Clarence Norris, were based on the accusation of Victoria Price that she and Ruby Bates were criminally attacked on a freight gondola by ALL NINE of the defendants. This account, told at the original trial, and corroborated by Ruby Bates, brought sentences of death in the electric chair to all nine of the boys.

Although Judge W. W. Callahan warned Attorney Lebowitz that his efforts to show that Mrs. Price had perjured the evidence would land him in serious trouble, the court's theory that circumstances in the evidence did not justify the claim of perjury, will stand examination.

Ruby Bates repudiated the accusation. Lester Carter, white companion of the two women, and star witness for the State in earlier trials, repudiated the accusation. Expert testimony of physicians who examined the women contradicted their claim that they had been assaulted.

Then came the State's own agents, the legal prosecutors, who knew the truth in the case better than anyone else, save the complaining witness herself—with a pathetic exception of Mrs. Price's testimony as it affected the five boys. They virtually admitted that, as to the four released, and one imprisoned on another charge, that same evidence was not sufficient to justify a conviction.

If Mrs. Price's story as told the first time was true, then all nine of the boys were equally guilty and entitled to equal punishment. If she changed her story as it affected the four defendants now at liberty, she perjured her first testimony and her accusation, unsupported by other reliable testimony, ought not to have been accepted. Since the prosecutors finally admitted that her story was not adequate to convict five, then it was not adequate to convict any of the nine boys.

With the sole exception of Judge Horton's setting aside of the first verdict at Decatur, which resulted in his tragic elimination from the bench, the judicial machinery of the sovereign State of Alabama was seized with madness. The "majesty of the law" was suspended; justice was sent on an enforced vacation; and hypocrisy, deception and innate prejudice were enthroned as judge, jury, and executioner. The element of "reasonable doubt" was ignored in

Miss Elma H. Ashton, Raleigh—Durham, Franklin, Orange, and Wake.

Miss Victoria Bell, Asheville—Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Polk, Swain, Transylvania.

Wade H. Cashion, Raleigh—Alamance, Caswell, Chatham, Edgecombe, Granville, Harnett, Lee, More, Nash, Person, Rockingham, Vance, Warren.

Mrs. Cecil Clifford, Statesville—Anson, Cabarrus, Davidson, Guilford, Mecklenburg, Montgomery, Randolph, Richmond, Rowan, Stanly, Union.

H. D. Farrell, Raleigh (emphatically)—Bladen, Brunswick, Columbus, Currituck, Duplin, Hoke, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland.

G. M. Johnson, Shelby—Alexander, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, McDowell, Rutherford.

Miss Leslie Toier, North Wilkesboro—Alleghany, Ashe, Avery,

the heat of passion and local prejudice.

The judicial conduct of Judge Callahan was not only reprehensible—he maintained the Alabama judiciary with dishonor, and meted out a cruel injustice to white manhood by placing the questionable character of Victoria Price on the same level with that of the daughters of Southern aristocracy.

Five of the boys given five of the boys reveal the stricken conscience of the State of Alabama trying to square itself, trying to save faces. This Alabama madness has lowered the prestige of American jurisprudence.

BREAK AT SCOTTSBORO

That break which has more recently been anticipated in the long-standing Scottsboro cases has at last come with dismissal, on a state's motion, of criminal assault charges against five of the nine Negroes who have figured in this apparently endless and now become internationally famous litigation.

Three of the group had previously been convicted, for the third time, one being under death sentence and the other two having prison terms of 99 and 75 years respectively hanging over them. Appeal, however, has been noted in each instance, and the indications are that the judicial shuttle which has been operating for six years now will resume its scheduled unless there is some definite understanding, reflected in part by the five dismissals, not as yet divulged by either state or defense counsel. Immediately before the state's motion to not prosecute, a fifth defendant, Charlie Weems, had been found guilty and sentenced to 75 years, while among the five against whom capital charges were dismissed, one, Ossie Powell, had pleaded guilty on an assault charge in connection with the shooting of an officer more than a year ago and drawn a 20-year term in prison.

It is the Daily News' idea that Alabama, in taking this step, has done far more than it would ever do by a bulldheaded misadministration of justice to maintain its good name and vindicate its honor. Public opinion, so far as the outside is concerned, has apparently been strongly on the side of the Scottsboro defendants and the state and the south have been criticised and condemned accordingly. While the case has probably been magnified out of proportions, the taking of nine lives for one crime is rather large judicial business, particularly when the evidence has been as questionable as in these trials.

With the present turn of events it cannot be overlooked that the defendants who are at last to go free have been in the toils of the law for six years and during that interval have experienced the agony of the shadow of death. Alabama has thus inflicted a punishment upon defendants ultimately freed, which can never be requited. Thus there is recorded another one of those situations in which justice goes its steady way with nothing apparently to be done for those whom the state ultimately admits its inability to convict.

Davis, Forsyth, Mitchell, Stokes, Surry, Watauga, Wilkes, Yadkin, Yancey.

W. J. Wingate, Williamston—Bertie, Camden, Chowan, Currituck, Dare, Gates, Halifax, Hertford, Martin, Northampton, Pasquotank, Perquimans, Tyrrell, Washington.

NORTH CAROLINA DURHAM COUNTY

ADMINISTRATOR'S NOTICE

Having qualified as administrator of the estate of Henry Burnett, deceased, late of Durham County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned at 114 W. Parrish Street, Durham, N. C., on or before the 6th day of August, 1938, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.

This 4th day of August, 1937. Mechanics and Farmers Bank Administrator Henry Burnett.

M. Hugh Thompson, Atty.

For Colored Americans Only

(by William Pickens for ANP)

If you are "white," don't read this. Frankly I don't want you white people to know about it. Negroes in the United States are doing more to hurt each other, by their jealousy, envy, and consequent meanness and treachery, than all the white people in America can do to hurt them. A people under oppression is likely to work treachery.

Some one might say: White people also try to undermine their leaders in the same way. But I am not talking about white people. White people can better withstand it: when a white traitor writes a treacherous lying letter about a white supervisor, he writes TO ANOTHER WHITE PERSON. It is white people who have the whole matter in hand, and who can sift their own wheat from the chaff. If the letters about colored people were written to and sent to colored people, they would do less harm, because colored people of intelligence would know better what to take and what not to accept; would know the standing and merits of the people being attacked, and would often know beforehand the reasons for the sneaky, sly, and vicious attack,—or for other reasons,—which the white community will know nothing about.

NORTH CAROLINA DURHAM COUNTY

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 209, at page 39; 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 said Lot 21 in a westerly direction 50 feet to the base corner of Lot No. 9; thence said Lot 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, 1932, 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

Regal Theatre

TUESDAY AND THURSDAY, AUGUST 10 & 11 THE PICTURE EVERYONE HAS BEEN TALKING ABOUT

With HUMPHREY BOGART in

Black Legion

Also Extra

Harlem Black Magic

COMEDY — CARTOON

What Some Editors Think of Alabama and the Scottsboro Case

Washington, July 30.—(Capital News Service)—The Washington Tribune this week in its review of the Scottsboro Case presents some editorial comment on the "Scottsboro tragedy" or "grim satire on justice."

Here are two sample editorials:

THE SCOTTSBORO CASE

(The Washington Post Editorial)

Dispatches describing Alabama's abrupt action in freeing four of the nine "Scottsboro boys" suggest that the books on the case may now be closed. It is predicted from Decatur that if no appeals are made in behalf of the other five Negroes, the Governor will commute at least the single death sentence now standing.

Undoubtedly most of Alabama hopes for at least this. The six-and-a-half-year trial has done little to enhance the State's reputation. On the contrary, it has today of the name of Alabama raises all manner of unpleasant thoughts of injustice, blind prejudices and social failure. Ten times Alabama prosecutors rose in court with only the word of a female tramp to justify their demand for the lives of nine Negroes. Ten times Alabama juries acceded to the request, closing their eyes narrowly not only to competent medical testimony but—most important—to the oath of one of the women involved that the whole story of the attack of them was "framed."

A more evident miscarriage of justice the Nation has rarely witnessed. Yet Alabama persisted in it until last week when, apparently, even its stomach turned and it sought to find a way out of the disgrace by canceling the charges against the last four boys scheduled for retrial. Much as the whole country, two, would like to forget the unpleasant affair, the books should not be closed with only this. Partial justice is almost as bad as none.

Alabama has at last admitted that there is no case against four of the indicted Negroes; what about the other five whose retrials have already been finished? Are they not eligible for rehearings in the light of the State's sudden change of mind? The organizations and individuals who have been defending the Negroes have let it be known they will fight the conviction of the five "to hell and back."

Alabama's shame is the Nation's shame. Some little redemption was achieved when, after the Federal Supreme Court had set aside the death verdicts because only white men had been called for jury duty, Alabama admitted its error and ordered Negroes tried as venturers. But more than this is needed. Only a complete review of the case of the five convicted Negroes, conducted in the fullest spirit of honesty and fairness, will restore the injuries done American justice by the long, sickening years of the Scottsboro trial.

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N. C. Orphanage Celebrates 24th Anniversary

OXFORD, July 28:
The 24th anniversary of the Oxford Orphanage of North Carolina was held July 28. The celebration was attended by 10,000 people from various sections of the State of North Carolina and other states. The crowd was orderly and everyone had an enjoyable day.

The most interesting events of the evening was the chapel exercise. The following program was rendered: T. K. Borders, Superintendent of the Orphanage, presided; America; Prayer; Music; Girls' Group; Introductory Remarks—Dr. E. E. Tony, chairman of the Board of Trustees; Introduction of Principal; Speaker—Rev. S. H. Davis, Principal Mary Potter High School, Durham, N. C.; Address—President J. W. Seabrook, Fayetteville State Normal School, Fayetteville, N. C.

Durham, N. C., on FRIDAY, AUGUST 20th, 1937, at 12 o'clock Noon, the following described land, to-wit:
ADJOINING the lands of Sidney R. 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 R. House and James M. House line; thence Northward with their lines 66 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

Social Security Supervisors Appointed By Welfare Dept.

RALEIGH, Aug. 6.—It has been announced by the State Board of Charities and Public Welfare that field Social Work supervisors have been appointed to care for the regular routine duties of the Welfare Department

as well as additional work in connection with the Social Security program, which went into effect on July 1.
The supervisors, their addresses and the counties within their jurisdiction are as follows: