

# Groveland Trial Begins; NAACP Challenges Prospective Jurors

## Judge Denies All Motions By Defense

TAVARES, Fla. — The business of selecting a jury for the trial of the three Groveland youths accused of rape began in Lake County Circuit Court here at ten o'clock this morning, and by court adjournment time today the National Association for the Advancement of Colored People had exhausted ten of its thirty peremptory challenges of prospective jurors, and in addition had challenged four other jurors for cause.

Alex Akerman, Jr., Orlando, Horace Hill, Daytona Beach, and Assistant Special Counsel Franklin H. Williams of the national office legal staff of the NAACP, attorneys for the defense, filed this morning a challenge to the panel on the grounds that jury commissioners were choosing prospective jurors from the voters' registration rolls even though this was not required by law. The NAACP attorneys charged that this selection from registration rolls was done to minimize the number of Negroes that might come up for jury service, since Negroes constitute only one-fifth of those registered for voting, whereas they constitute one-fourth of the number of residents of the county. Judge T. J. Futch denied the challenge to the panel.

Mr. Williams indicated in a communication to the national office that the trial is expected to continue over the week-end and over Labor Day if necessary.

In yesterday's hearings on motions filed by the NAACP, Judge Futch denied a change of venue, stating that he "has subscribed to the Lake County newspapers for years" and could find in these papers nothing of an inflammatory nature that would tend to interfere with the conduct of an impartial trial. Judge Futch also refused to grant a motion for continuance, which would have allowed NAACP attorneys further time for preparation of the defense, and during the hearings refused reasonable adjournment to allow the lawyers to prepare for the trial during the evenings.

In addition to denying all motions filed by defense attorneys, Judge Futch prevented Samuel Shepard, Walter Lee Irvin and Charles Greenlee, the defendants, from testifying concerning the alleged beating to which they were subjected at the time of their arrest, and refused to allow Dr. Nelson W. V. Spaulding, Jacksonville physician who examined the prisoners at the request of the NAACP, to testify as to their physical condition.

The State of Florida called as witnesses during the hearings on the motions several substantial citizens of the community, including the president of the Leesburg National Bank, to testify that no widespread violence took place in the Groveland area and that there was no reason why a fair and impartial trial could not be held in Lake County. NAACP investigation had revealed that during a week of home burning and other destruction, four hundred Negroes were forced to flee from their homes.

The NAACP announced this week that a sum of more than \$1200 has been received in contributions toward the Groveland case, of which \$850 has been contributed by branches of the Association and the remainder by individuals and outside organizations. In addition, a welfare committee to provide food and clothing for the families of the prisoners and for other victims of the Groveland violence has been set up by John P. Ellis, president of the Orlando branch of the NAACP.



A part of the line of march forming for the annual parade of the Interdenominational Ushers Association of North Carolina in Wilmington last Sunday morning.—Stanback Photo.

## Editors—

(Continued from Page Two) this average usurpation of liberty is allowed to go unnoticed.

We of course realize we will be charged as being a braying ass when we make this statement, but surely here is the time and place when the Committee on Un-American Activities should get into action. Certainly Hitler is not dead so long as unleashed mobs may roam the highway with the sanction of community life to tear limb from limb simply because someone happens to express his views.

Keep in mind. No one need endorse what Paul Robeson says in order to take a stand for free speech and free assembly. The threat is just as dangerous to the liberties of white people as to black people when demagogues ride the highways in America, telling people what they must say and what they must think. That's the issue involved. It is the basic issue despite the fact people were beaten and possibly maimed in the Saturday night riot. The issue is "Do we have free speech and free assembly here in America?"

Every once in a while we hear our orators deliver patriotic addresses and aver, "Thank God, in America we have a type of freedom that individuals do not have in Russia." Well, Stalin must have moved into the picnic grounds last Sunday night near Peekskill, New York, for on that

occasion, without color of law or morals totalitarianism ran rampant, and excesses were indulged in while the guardians of the law chortled and laughed. We prate about democracy in this country, but do you recall the fellow who said:

"How can I hear what you say when you are keeping thundering in my ears?"

It should be recalled once before when Marcus Garvey gathered about him several million people who accepted him as a leader. He was arrested and shipped out of the country. The government charged this Caribbean Islander with graft, although it is questionable as to the truthfulness of the charge. We wonder this time whether or not in the control centers of America there is not definite attempt to halt the rise of spirit among black men in America and to dictate who their leaders shall be. One thing is certain. The mob that descended upon the Robeson meeting Saturday night had the sanction of existing government. Where is it that citizens may run for shelter and succor when hypocrisy enters the portals of the laws? — THE OKLA. BLACK DISPATCH.

## LET THE FEDERAL JUDGESHIP WAIT

Talk still persists about the appointment of a Negro to the federal bench, and while we wish to be fully understood as approving this type of elevation of Negroes in the public life of America, we still insist that this is not the appropriate time to do this. Such an appointment might cloud more vital issues jutting out from the Truman administration.

It will be recalled the last Democratic National Convention was almost paralyzed while discussion raged about the question of civil rights, and we actually believe at this moment President Truman secured the majority of the Negro votes in America because of general belief that the Democratic party was going all out for a civil rights program if President Truman was re-elected. This publication at that time suggested doubt that this would happen and pointed to Henry Wallace as representative of the only political party having integrity vested in its promises. Despite this fact some of our most trusted leaders fell for the civil rights lure offered by such Democratic as Senator Humphries of Minnesota. Without question the Negroes of this country did with their ballots the same thing for President Truman they did for the late man from Hyde Park during his last two elections.

But the Civil Rights program has been ditched by the Democrats. We read a statement recently made by Senator Humphries in person in which he said openly there would be no civil

right legislation enacted in the 81st Congress. The senator made no apology for his statement. It was just an open, bald admission that the Democratic party had no intention of carrying out and putting into effect its solemn promises made to the Negroes of the nation.

Along now comes the suggestion that we select a Negro for the Supreme Court bench. Quite naturally this would cause unrest and ambition to rise in the breasts of many of our eminent and outstanding jurists. We know almost everyone of the men suggested for this high post and we hope they will some day acquire this high honor, but not during the Truman administration. The real question for you to decide in this issue is whether you are willing to trade a federal court judgeship for the basic civil rights promised to all the 13,000,000 Negroes in the United States. That is fundamentally the issue, for the Democratic party just now is of the opinion if it places one or two black men on the federal bench, it can come up to 1952 with the Negro blind-folded respecting its apostasy of civil rights.

Ask yourself this question: "Am I willing to trade the civil rights of millions in order that one man may secure a high honor?" Select two Negroes for these high posts and in the next election, surrounded by the glamor of these portfolios, these men would travel over the nation speaking for the Democratic party and causing the Negro to forget. You know the black man can forget so easily. There is an old adage that runs:

"An Indian never forgets an injury;  
A white man never forgets an insult;  
A Negro forgets both."

We do not want the black man to forget the delinquency of the Democratic party come 1952. The late lamented George Vahgan, of imperishable fame because of the position he took for justice and fair play for Negroes, would turn over in his grave if he knew the black man had so soon forgotten.

A fine example of what is intended by this sudden turn to the question of federal judgeships for Negroes can be gotten from recent action in the American Medical Association, when a Negro for the first time was elected to the House of Delegates. In Detroit this revolutionary action on the part of white doctors turned the heads of the Negro doctors and did precisely what was intended. Negro doctors refused to endorse the National Health Insurance program. The AMA is opposed to this program and by the simple device of appointing one Negro to the House of Delegates (an empty honor)

the Negro was veered away from a fundamental program of health that is so sorely needed by the masses.

In the above instance the question is "Shall we substitute a broad program of national health for a useless bauble in the House of Delegates in the American Medical Association. Dr. Peter H. Murray, was in the fact that the new delegate, Detroit on the floor of the National Medical Association making speeches against the National Health Insurance Law is proof positive that "the man who pays the fiddler calls the tune." The AMA is already directing the voice and judgment of Dr. Murray. Without a doubt he is a dangerous experiment and does not represent Negroes at all.

In Oklahoma we have had this sort of political chicanery practiced for many years. Negroes are constantly thrown completely out of gear by the elevation of some one Negro to a particular job and immediately fundamental rights are completely forgotten.

We hope we have made ourselves clear. Certainly we are not opposed to Negroes sitting on the federal bench, but we do not want to barter and trade away our right to demand that the Democratic party do something about its solemn promise to rid the nation of disfranchisement, segregation and the mob and all forms of second class citizenship. The federal judgeship can wait. — THE OKLA. BLACK DISPATCH.

## A CHANGE POLICY AT UNC

(Continued from Page Two) about the only thing we could commend them for is having the patience of a jackass. Our sole purpose in writing this editorial is to warn our readers that apparently the University has been delivered into the hands of the enemy and that if they put in their appearance at its public programs they are doing so at the risk of being insulted.

Just why University officials have not made a public announcement of the change of policy

is not argued here. The fact is that it has been altered to the point where no self-respecting Negro will endure, and we feel it our duty to do what the school officials have not done to a void misunderstandings.

Thus the one small compensation which Negro taxpayers got out of seeing a concert at the institution which they have been supporting for years, without any other benefit, has been taken away. The University and not the Negroes will probably be the loser in the long run.

# Convention Raises Over \$130,000 At Norfolk, Va.

By S. R. JOHNSON, JR. NORFOLK, VA.

1,500 delegates and visitors at the First Baptist Church, session of the Lott Carey Baptist Foreign Missionary Convention in session here at the First Calvary Baptist Church, pastored by the Rev. C. E. Griffen.

Meeting jointly the Woman's Auxiliary and Junior Young People's Department of the convention met at New Calvary and Queen Street Baptist Churches, pastored by the Rev. Samuel Wilson, and J. J. Freeman. Opening here on Monday evening, August 29, in the municipal auditorium, with a mass music program under the direction of Professor W. E. Patterson, and closing out on Friday evening with the principal address delivered by Dr. Mordecai W. Johnson, president of Howard University delegates from 18 States and five foreign countries declared that this was the greatest convention of all times.

According to the annual report as read at the convention by Dr. W. C. Sommerville, executive secretary a total amount of \$130,264.65 was realized for the year ending July 31. This amount according to the secretary is an increase of more than \$3,000 over any previous year. Trinity Baptist Church, Columbus, Ohio led all of the churches in contributions for foreign missions having donated over \$3,000 during the year for this purpose. The First Calvary Baptist Church, Norfolk, Va., ranked second with contribu-

tions of more than \$2,000. Several churches of the convention reported having given \$1,000 for foreign missions.

## BULLOCK HEADS CONVENTION

Saddened by the passing of Dr. N. L. Scarborough, president of the convention in his memory were conducted on Wednesday morning. Paying tribute to the late great leader and his works were the Rev. S. S. Crockett, Dr. U. G. Wilson, Portsmouth, Va., vice president of convention; Mrs. A. B. Randolph, Washington, D. C., president of the Woman auxiliary; Miss

Vivian Baker, president of Junior department; and R. L. Holman, president of Laymen's League.

Dr. O. S. Bullock, pastor of the First Baptist Church, Raleigh, N. C., was elected president to head the convention. Prior to his election he had served as first vice president and had been acting president since the death of Dr. N. L. Scarborough; Dr. U. G. Wilson, pastor of Zion Baptist Church, Portsmouth, Va., and second vice president, was made first vice president. Other officers elected for the present body were: Dr. J. T. Hill, Richmond. (Please turn to Page Six)

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