

A SOUTHERNER DISSENTS ON SEGREGATION

White southerners who are ranting, raving and fuming about the recent Supreme Court ruling on segregation in public schools should read the dissenting opinion of Justice John Marshall Harlan of Kentucky in the Plessy vs. Ferguson case argued before the United States Supreme Court on April 13, 1896. Justice Harlan, who was one of two southerners on the bench at the time made some most forceful and prophetic declarations in his opinion.

While all of the other members of the Court, with the exception of Justice David J. Brewer of Kansas, who did not participate because he did not sit in one of the arguments, decided in favor of the "Separate but Equal" doctrine, Justice Harlan a southerner was the lone dissenting voice.

Like Thomas Jefferson, another southerner, who wrote the Declaration of Independence, Justice Harlan refused in his dissenting opinion to decide with those who, under the "Separate but Equal" doctrine would deny Negroes the right to human dignity.

The "Separate but Equal" decision in the Plessy vs. Ferguson case made it unlawful for a Negro and a white person to ride in the same coach of all railroads and common carriers with the exception of street cars.

We reprint below for the benefit of our readers, Justice Harlan's dissenting opinion in its entirety. We trust all of them will study it closely and think on it deeply. Justice Harlan cited the case of Worcester vs. Western Railroad Corporation. Said he:

"The establishment of a great thoroughfare is regarded as a public work, established by public authority, intended for the public use and benefit, the use of which is secured to the whole community, and constitutes, therefore, like a canal, turnpike or highway, a public easement."

"In respect of civil rights, common to all citizens, the constitution of the United States does not, I think, permit any public authority to know the race of those entitled to be protected in the enjoyment of such rights. Every true man has

pride of race, and under appropriate circumstances, when the rights of others, his equals before the law, are not to be affected, it is his privilege to express such pride and to take such action based upon it as to him seems proper. But I deny that any legislative body or judicial tribunal may have regard to the race of citizens when the civil rights of those citizens are involved. Indeed, such legislation as that here in question is inconsistent not only with that equality of rights which pertains to citizenship, national and state, but with the personal liberty enjoyed by every one within the United States.

The thirteenth amendment does not permit the withholding of or the deprivation of any right necessarily inhering in freedom. It not only struck down the institution of slavery but it prevented the imposition of any burdens or disabilities that constitute badges of slavery or servitude. It decreed universal civil freedom in this country. . . . But, that amendment having been found inadequate to the protection of the rights of those who had been in slavery, it was followed by the fourteenth amendment, which added greatly to the dignity and glory of American citizenship, and to the security of personal liberty, by declaring that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside,' and that 'no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.'

These two amendments, if enforced according to their true intent and meaning, will protect all the civil rights that pertain to freedom and citizenship. . . . They removed the race line

from our governmental systems. . . . They declared, in legal effect, 'that the law in the states shall be the same for the black as for the white; that all persons, whether colored or white, shall stand equal before the laws of the states; and in regard to the colored race, for whose protection the amendment was primarily designed, that no discrimination shall be made against them by law because of their color. . . . They contain a necessary implication of a positive immunity or right, most valuable to the colored race, — the right to exemption from unfriendly legislation against them distinctively as colored; exemption from legal discriminations, implying inferiority in civil society, lessening the security of their enjoyment of the rights which others enjoy; and discriminations which are steps towards reducing of a subject race.'

"If a white man and a black man choose to occupy the same public conveyance on a public highway, it is their right to do so; and no government, proceeding alone on grounds of race, can prevent it without infringing the personal liberty of each."

"In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case. It is scarcely just to say that a colored citizen should not object to occupying a public coach assigned to his own race. He does not object, nor, perhaps, would he object to separate coaches for his race if his rights under the law were recognized. But he does object, and he ought never to cease objecting, that citizens of the white and black races can be adjudged criminals because they sit, or claim the right to sit, in the same public coach on a public highway. . . . The thin disguise of 'equal' accommodations for passengers in railroad coaches will not mislead any one, nor atone for the wrong this day done."

WELCOME N. N. I. A. TO DURHAM

This week Durham has rolled out the welcome mat for delegates and visitors, attending the 34th annual session of the National Negro Insurance Association. No convention in the history of Durham has received a greater welcome from all its citizens than the NNIA. Those who have been in on the plans for entertaining the annual session can testify to the fact that the Durham Chamber of Commerce, the Merchants Association and all leading citizens, irrespective of race, have done every thing in their power to extend a hearty welcome to the visitors in our midst.

Our own American Tobacco Company, not only has extended the hand of welcome to NNIA but has been kind enough to furnish an evening of entertainment for the delegates and visitors by sponsoring the Lionel Hampton Show. We think, this, together with what others have done to welcome our guests, is as fine an exhibition of interracial cooperation that can-

not be recalled by any other southern city.

Not only have the people of both races in Durham joined hands to welcome the NNIA but many corporations and individuals throughout the state have also cooperated to make the delegates and visitors stay here a pleasant one.

Durham is by no means a perfect city but it is our candid opinion that there has been sown here seeds that eventually will make this city the greatest citadel of democracy in the South if not the nation. For here in this small community is growing up a new kind of white citizen one who is beginning to assert his leadership and to look upon men for what they represent in character and integrity and not what they represent in skin color.

In addition to the numerous Negro business enterprises for a city its size Durham Negroes own the largest number of homes per capita in the nation. Here more Negroes vote per capita than anywhere else in the state. Our

churches, hospitals, and schools are among the best in the state and we are well on our way here to wiping out all of the slum areas and to provide for even those of the lowest income who want them, modern and comfortable homes.

Durham probably has more Negro lawyers than any city its size in the South and probably more Negro physicians. It is truly a city in which hard work, honesty and integrity are looked upon with favor by members of both races.

By the time the National Negro Insurance Association meets here again Durham will have emerged into the forefront as one of the southern communities that pointed the way to the new South and a higher and nobler life for all men living in this great nation of ours.

So on behalf of all the citizens of Durham we are proud to welcome the NNIA convention and to hope for all of its delegates and visitors a most pleasant stay.

GETTING ALONG

BY LAUREEN WHITE

NEW YORK

A sportsmanlike struggle between evenly matched contestants is always interesting, because its fascinating to watch a contest that calls for painstaking preparation and then supreme effort. It is through this type of contest that men have emerged from savages to scientists, and such contests are symbolic of man's struggle to improve himself.

Years ago, the struggle between business and labor was one-sided. All of the advantages were on the side of business or capital. Business had practically all of the political influence, a lot of the money, and the best brains directing their course. In those days, labor had to accept anything that business offered and it was fortunate that labor fared no worse.

How different are conditions today! The advantages are no longer on the side of business. Labor no longer has to accept just anything business offers. At this time labor has some political influence, plenty of money and some mighty good brain power directing its course. Consider what has happened with a local of the Ladies Garment Workers Union.

This Union has been out on strike since December 31 against a New York manufacturer of children's dresses, G. H. and E. Freyberg. After seven months of negotiations the Union announced it was building a \$40,000 dress plant at Appomattox, Virginia and would rent this plant with an option to buy to a competitor of the Freyberg Company. The Union also announced it was lending \$20,

000 to another dress manufacturer to help it expand its factory so they could hire some of the workers out on strike. The Union is also considering building a new plant to compete with the Freyberg Company.

Unions have plenty of money now, and can put pressure on business. Many Unions are operating newspapers in competition with non-union dailies, and it doesn't take much imagination to realize that Unions can go into business on a larger scale if necessary.

Throughout the ages, business and labor have engaged in a struggle. However, it has only been in recent years that the contests has been interesting and living conditions for all have improved since it has.

LETTERS TO THE EDITOR

Editorials Stimulating

Dear Editor:

As a general thing, I find your editorials stimulating, even when I do not agree with them. I found your editorials in the last issue of your paper rather interesting as to point of view and content.

I think they contain much food for thought, especially if the thinking is done objectively.

A. T. SPAULDING

LABOR-DAY ENTRY—



"INTEGRATION WILL PERMIT HIM TO LEARN THE TRUTH."



Spiritual Insight

"A FIRM GRIP ON LIFE"

BY REVEREND HAROLD ROLAN, Pastor, Mount Gilead Baptist Church

"So take a fresh grip on life and brace your trembling knees..." Heb. 12:11

We can be dealt some hard and difficult blows that will cause us to weaken and lose our grip on life. Life gets rough at times. We are hit some mighty hard blows. Thus we are naturally tempted to lose our grip on life. We have seen the football player who was hit hard. He lost his grip. He tumbled the ball. A hard blow caused the player to lose his grip on the ball. And so it is in this sometimes rough and difficult business of living. I have seen some who were hit and were ready to give up. We may be weakened and stunned by these hard blows but we should not lose our strong, firm grip on life.

I know one sure way to get a firm grip on life. How? A life cultivated and nourished in prayer gives a strong firm grip on life. A daily prayerful study of God's word gives a firm grip on life. The hard blows are coming. You better get a firm

grip on life now. Like a ship that travels the briny deep you are going to need your anchors. "Which hope we have as an anchor of the soul...both sure and steadfast..."

Heart-rending disappointments cause some to lose their grip on life. The terrific blow of disappointment causes some to lose their grip on life. With the slightest blow some say what's the use. I give up! Others find a power to give them a firm grip on life. We all have seen men and women who wilt under the blows of life. Then we have seen others who cling to life until the storm is over and the wound is healed. Disappointments should not cause you to lose your grip on life. You may be shocked and shamed but you should not lose your grip on life. Hold on in spite of life's hard blows. Behind every dark cloud the sun is still shining!

Some lose their grip on life when pain and sickness strike. I know sickness can be a difficult blow. It shuts you off in loneliness. It strips you of vigor

the strange surroundings of a hospital. How can we carry on under such circumstances? We must ask God in prayer to give us the Grace to accept some things. In prayerful surrender we can get a firm grip on life. After the first shock, if you know God, you ought get a firm grip on life. "Take a fresh grip on life and brace your trembling knees..."

Nothing beats prayer and the word of God for giving men a firm grip on life. In prayer we tap the resources of spiritual strength that make us strong for life's hard blows. You cannot wait until the storm strike, you must prepare for war in the time of peace. Prayer will strengthen your grip. The word of God will make you strong to endure the hard blows of life. He who is grieved in prayer and the word of God will not lose his grip on life.

Surrender to God gives us strength to get and maintain a firm grip on life in spite of its hard and difficult blows.

STRAIGHT AHEAD—By Olive A. Adams

NEW YORK
New York's in the midst of a juvenile crime wave which seems to be without precedent in the annals of the city. The recent revelations of the activities of a teenage quartet are almost beyond belief. Their record of torture and murder is, to say the least, astounding. In the wake of these revelations, other teen gangs are engaging in gang fights, which take on the proportions of real grown-up gang warfare.

Many of the New York newspapers have diligently covered the activities of these groups and one or two of them have been conducting series of stories on organized crime among juveniles in the city. One newspaper brought up the matter of Puerto Rican immigration in some sections of the city as a contributory cause.

These two points are thought-provoking. First on the subject of dwelling at length on gang activities: Certainly the public has a right to know what is going on, to be warned of any danger existing in the city, to be alerted with a view to taking civic action on the problem. Admittedly, there must be feeling aroused on the part of parents to help combat this teenage problem.

However, it might be pointed out that all this publicity also might serve the purpose of the gangs involved. It is a certainty that those who participated in gang activities do so to satisfy a need. The desire for some sort of recognition often prods the young gangster on and he is not happy until he has made his mark. Why help him along with press notices? This is not as ridiculous as it may sound on the surface when it is con-

sidered that acts of vandalism usually follow one after the other, and that one report of a gang outbreak in one neighborhood usually is followed by others. We would be willing to wager that many of these young hoodlums go on a spree and then get up early the next morning and get all the papers to read their press notices. They might even vie with each other to see who can garner the best ones.

As for injecting the Puerto Rican situation into the gang incidents, this is most unfortunate. It is true that any new groups has its difficulty adjusting, and they need special attention in helping them to fit

into the community life. Although some of the participants in these gang fights may have been Puerto Ricans, these latest outbreaks do not indicate that they have anything to do with the problem of Puerto Rican adjustment. It is too bad the subject was injected.

These are times when those of us who have the serious responsibility of keeping the public informed must be on guard lest we be guilty of fanning the smoldering flame of racial and religious prejudices. We have made far too many advances in the field of human understanding to have it all undetermined unnecessarily.

UNITED NATIONS NOTES

By JAMES B. LAWSON (Accredited UN Correspondent)

UN, N. Y.
World Council of Churches
Five Africans participated in the Council meeting. They were Abuna Theophilus, Bishop of Harrar; the Rev. Abba Gadr-Egzlabher Degon; and Ato Nengstan Lemma, all of Ethiopia; and the Rev. Carl Henry Clark and Mrs. Rena Caress-Smart, both of the Gold Coast.

Islamic Missions Planned
The leaders of Africa, Pakistan and Saudi Arabia have planned a Moslem missionary invasion of the African Continent to compete with Christian missionaries working there. The evangelical campaign was decided upon in Mecca earlier this month at a meeting of Premier Gamal Abdel

Nasser of Egypt, King Saud of Saudi Arabia, and Prime Minister Mohammed Ali of Pakistan. Debates Proposed For Assembly

Coming events of the ninth General Assembly, scheduled to begin September 21, were fore-shadowed by proposals for assembly debate from Greece, Indonesia and Burma. Greece proposed to the Assembly that the inhabitants of the Mediterranean Island of Cyprus be given a chance to decide their own political future. Indonesia asked for a discussion of her claims to the Western half of the Island of New Guinea. Burma asked the Assembly to take up the question of several thousand Chinese Nationalist soldiers who have allegedly been plundering North Burmese territory.

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WASHINGTON AND
"SMALL BUSINESS"
By C. WILSON HARDER

Current Federal Trade Commission investigations into coupon practices bring up an interesting question which may require Justice Department action.

The question: "Are big corporations using coupons to wreck independent manufacturers, violating laws regarding issuance of money?"

The U.S. Constitution is specific on this matter, some claim.

Section 8 provides Congress shall have power to coin money, to regulate value, and to regulate value of foreign coins. Section 10 prohibits states from coining money, or making anything but gold and silver legal tender.

In other words, no sovereign state can demand, for example, its citizens to accept shoe buttons or any other item, in exchange for goods and services. It must be in legal tender prescribed by Congress.

Thus it now appears to many that some corporations are operating as super-sovereigns exceeding power of any state.

While coupons are not claimed to be currency but merely an offer to pay, it is being found in actual practice they have the full force and effect of currency.

A housewife receives a coupon that tells her to take it to her grocer, buy the product being pushed, and the grocer will knock ten cents or some other amount off the price.

The grocer can legally refuse to honor the coupon. If he refused a genuine U. S. dime for a dime article, he could be deprived of his ability but while

refusal to accept the coupon will not deprive him of his liberty, it will deprive him of patronage.

But law interpretation is often based on actual practice as well as technical wording. In this case, through actual practice, coupon issuing corporations are exercising right of printing currency, which is restricted to Congress.

Many housewives do not read or understand fine print on coupons. Many save coupons until they have around a dollars worth, and on their next trip to the grocer, use them as currency, because in their minds they accept in good faith that coupons have a definite monetary value.

So with all good conscience, and with good faith, the housewife literally blackjacks the independent grocer into accepting these coupons, regardless of whether he handles some of the products, or whether or not the coupons have expired. He cannot afford to antagonize customers, so same compulsion exists as if grocer were handed lawful currency, even though he never collects from the corporation.

The chains do not have this problem. If coupons are obsolete, or for any other reason not acceptable to the corporation if turned in by an independent grocer, a big chain, by virtue of its mass buying from the corporation, compels the corporation to accept coupons. Again, element of compulsion enters.

So coupons, which from a technical legalistic standpoint are bogus currency, become through the elements of practice and compulsion, as valid as legal tender. The only difference is that while independent grocers are compelled to accept them as offered in good faith, they lack the power to compel redemption by the issuing corporation.