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"AND YE SHALL KNOW THE TRUTH, AND THE TRUTH SHALL MAKE YOU FREE."—John viii. 32

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BATTERING DOWN THE BARRIERS OF PREJUDICE

Stirring Chapters from the 25-Year History of the National Association for the Advancement of Colored People

NO. 16. UNUSUAL ENDINGS FOR THE "USUAL CRIME."

Thanks to the efforts of the N. A. A. C. P. Negroes accused of raping white women are no longer lynched or sentenced to death. In 1922, Luther Collins was arrested in Houston, Texas, charged with criminal assault upon a white woman. He was hastily tried, evidence favoring him was excluded, and he was convicted and sentenced to death. The Houston Branch entered the case and secured a reversal of the conviction on the basis of the excluded testimony. The second trial ended in a hung jury, eight jurors being for acquittal and four for a lighter sentence than the death penalty. On October 29, 1924, Collins was again tried and sentenced to 99 years' imprisonment. The Branch attorneys promptly appealed and in January, 1925, the Texas Court of Criminal Appeals reversed the conviction and ordered a retrial. At the fourth trial in 1926, the case was dismissed. Luther Collins was freed in September from the cell he had occupied since 1922. The Houston Branch raised by itself the \$2,000 needed for his defense. The defense lawyers were Houston white men.

A Kansas "Scottsboro" Case
On March 17, 1927, two white girls, Margaret Akers and Julia Mooney, claimed to have been assaulted by two men at Coffeyville, Kan. Three colored men were arrested. A riotous mob stormed the jail and racial feeling ran high. Three Negroes were jailed on a charge of inciting to riot.

At the urgent request of the Coffeyville Branch, the National Legal Committee of the N. A. A. C. P. sent Attorney Elisha Scott (colored) to that city to defend the Negroes.

Mr. Scott persuaded the Grand Jury to investigate the rape charge. This resulted in the arrest of Julia Mooney and Ira Kennedy, a white salesman, and the revelation that white men and not Negroes were involved in the rape charge. The Mooney woman was placed under \$20,000 bond and Kennedy was jailed. As a result of the subsequent hearing Julia Mooney and Kennedy were bound over to the District Court, bonds being fixed at \$5,000 each. Kennedy was remanded to jail in default of bond. At the trial Margaret Akers charged that Kennedy had assaulted her and that the Negro theory had been advanced by Julia Mooney. Nevertheless, the Mooney woman and Kennedy were acquitted on July 20, 1927.

Although the case against these two whites was lost, sentiment against the colored men charged with inciting to riot changed and through the work of the Coffeyville Branch and the best class of citizens, sufficient pressure was brought on the County Attorney to cause him to make a motion to dismiss the cases. All of the colored men were freed. The National office contributed \$350 to the legal defense, the remainder of the cost being met by the Coffeyville Branch.

The Oswald Durant Case
Another case with an unusual ending was that of Oswald Durant, a senior at Meharry Medical College, Nashville, Tenn., who was arrested in 1924, charged with criminal assault upon a white girl of that city. Durant was a man of splendid reputation, a brilliant student and hailed from one of the finest colored families in

South Carolina. The Nashville N. A. A. C. P. Branch, with the backing of a number of leading clergymen, investigated the charge against Durant, the inquiry proving that he was obviously innocent of the crime. Funds were raised and Jeff McCarn, white, one of the ablest criminal lawyers in Tennessee, was employed to conduct the defense. Nashville churches, lodges and individuals soon raised \$1,775 of the \$2,000 fee asked by Attorney McCarn. The penalty for rape in Tennessee is death, but upon trial and conviction Durant was sentenced to life imprisonment. An appeal to the Supreme Court of Tennessee was heard on February 27, 1925. On May 1, the Supreme Court reversed the decision of the Davidson County Criminal Court and ordered a new trial. On May 18, Durant was released on small bond. The new trial was set for October 8, 1925, but was finally nolle prossed and Mr. Durant was freed.

The Strange Case of Ben Bess
In 1915 Ben Bess, a well-to-do Negro farmer of Florence County, South Carolina, was accused by a white woman of raping her. He narrowly escaped lynching and was sentenced to thirty years' imprisonment. In May, 1923, thirteen years later, his sentence was commuted by Governor Richards, after the white woman believing herself about to die, executed an affidavit denying and refuting her testimony against Bess. This brought a full unconditional pardon for Ben Bess.

When there was talk of bringing perjury proceedings against the white woman, she promptly executed a second affidavit, repudiating the first one, declaring that she had thereby merely meant to "forgive" him. Governor Richards immediately undertook to revoke the pardon he had issued.

Habeas corpus proceedings were promptly instituted by N. J. Frederick, of Columbia, S. C., the N. A. A. C. P. attorney representing Bess, and the case was referred by a court to a Master, who found there had been no fraud in the execution of the woman's first affidavit as she had declared in her second one. The court nevertheless ignored the master's findings, dismissed the writ of habeas corpus and Bess was returned to prison.

The Association's attorney then appealed to the Supreme Court of South Carolina which deliberated for eleven months. On October 12, 1929, in En Banc Session, with all Circuit Judges sitting with the Supreme Court, that court by a vote of 10 to 7 ruled the Governor had no authority to revoke the pardon. Ben Bess was thereupon freed and is now living in the North. The Association expended \$300 on the case.

When "Rapists" Go Free Down South

Even bigger news than a man biting a dog, is a Negro accused of raping a white woman, going free below the Mason-Dixon line, and yet, believe it or not, it has happened.

Centreville, Tenn., is certainly in the South and Turley Wright is unmistakably a Negro. In 1929 he was sentenced to 19 years imprisonment on a charge of criminally assaulting an aged white woman. The woman's grand-daughters, who testified

against Wright, later admitted having been away from the scene of the attack. Thereupon two of the prosecuting attorneys, in open court, withdrew from the case. The trial jurors made affidavit that they had voted against Wright in deference to prevalent mob sentiment and to prevent his lynching. W. L. Pinkerton, white defense counsel, moved for a new trial. The judge granted the motion. At the second trial Attorney General E. W. Eggleston declared in open court that the State had no additional evidence to present. Judge J. C. Hobbs thereupon instructed the jury to bring in a verdict of "Not Guilty." Turley Wright was freed. The N. A. A. C. P. spent \$100 on this case.

Early in 1930, Jack Ross, a Negro, was charged with criminal assault and rape in Monroe, La., allegedly having assaulted a white woman on a lonely road after beating her male companion. He was tried in May, being represented by Attorney Hugh T. Layne, white, and was acquitted. The Monroe Branch was extremely active in the case. The National office contributed \$125 to the Ross defense.

William Harper was condemned to death on January 29, 1931, for alleged assault on a white woman of Portsmouth, Va., yet on March 6, 1931, he was acquitted of that crime and the woman was subsequently convicted of perjury. At the second trial obtained for Harper by the Norfolk N. A. A. C. P. witnesses testified that the white woman was forty miles from the scene of the alleged attack, had spent the night with a white man who courageously so testified, and that she had been seen in a North Carolina dance hall on the night of the attack. The Norfolk Branch spent \$345 on Harper's defense.

Other Noted Cases
In 1932 through the activity of the National Office three rural Louisiana policemen were arrested by federal authorities on charges of obstructing the United States mails by taking Ernest Thomas, a Negro railway postal clerk, from a train, beating him severely and jailing him for having allegedly broken some eggs on a previous run.

In 1925 the Fort Wayne, (Ind.) Branch employed an attorney to fight the case of Hazel Harris, a young Negro beaten up and shot by Hiram Altman, a railroad detective. Altman was fined \$500 and sentenced to six months in prison.

In the Abe Washington case in 1922, in Florida, where a Negro was convicted of murder and sentenced to death, the Association appealed on the ground of Negro exclusion from juries. While the appeal was lost, in 1928 Washington's sentence was commuted to life imprisonment.

In 1928, the Petersburg, Va., Branch spent \$2,000 in the defense of two colored women, Mrs. Odessa Kelly and Mrs. Beatrice McNeil, who were charged with perjury in testifying in behalf of William Nelson, a Negro later executed for rape. Sentenced to three years, the Virginia Supreme Court granted them a new trial.

Charged with having beaten two white hoboos and forced them from a freight train, John May, age 23, and Richard Harris, age 21, were arrested at LaPorte, Indiana, tried and within 48 hours were on their way to life imprisonment. Robert Lee Brokenbur and R. L. Bailey, N. A. A. C. P. attorneys, fought the case through the various legal steps, until a new trial was granted. On December 12, 1932, the case was dismissed for lack of witnesses and the two boys were freed. The public is generally famil-

iar with most of the details of the Scottsboro cases, but it is not so well known that for the appeal to the Alabama Supreme Court the N. A. A. C. P. retained Fort, Beddow and Ray, foremost criminal law firm of Alabama; Clarence Darrow, of Chicago, and Arthur Garfield Hays of New York; that the bill of exceptions, 790 pages long, one of the most elaborate ever presented to an Alabama court, was prepared by N. A. A. C. P. attorneys, signed by the trial judge and certified to the Supreme Court.

The Communists, through the International Labor Defense, entered the case by persuading the defendants to sign a written request that the I. L. D. alone represent them. The N. A. A. C. P. thus had no other alternative but to withdraw. Altogether the Association had spent a grand total of \$11,845.70. Of this sum \$4,667.07 has been paid out in legal bills through the I. D. L. since the Association's withdrawal from the case. The money was raised by the Association through its 400 branches which held special Scottsboro meetings, and through lodges, clubs, churches, fraternities, sororities and other organized groups, and individuals who wished to contribute to the Scottsboro defense through an organization whose record inspired confidence that the money would be expended for the purpose solicited.

These are but a selected few of the numerous cases handled by the Association. We have not touched upon many, such as the pending Tom Carraway case in Mississippi and the Jess Hollins case in Oklahoma. Scores of appeals for aid are received each month. Wherever there is injustice because of color, the Association promptly puts its defense machinery in motion. It has an impressive record of victories.

SECOND PRESBYTERIAN CHURCH, RED SPRINGS, N. C.

Sunday morning, August 12, at 11 o'clock our pastor, Rev. R. N. Cowan, brought to us a real soul-stirring message from Isaiah 55:2, after which Mrs. Cowan sang a solo, "Watch and Pray." The entire service was enjoyed by all.

The second Sunday afternoon at 3:30 o'clock we were more than pleased to have preach for us the Rev. L. W. Hedrick, minister of the M. E. Chapel of this city. He presented a very helpful sermon, while his junior choir rendered very beautiful music. A large audience witnessed this impressive service.

We were glad to have Rev. L. B. Black, pastor of the First Presbyterian church (white) of this city, preach for us recently at an afternoon service.

Our Bible School, under the direction of Rev. R. N. Cowan, opened the 9th of July and was in session ten days. Each child seemed to have enjoyed it daily. Many songs, Bible verses and stories were learned as well as plays and games. We had an enrollment of 108 with 7 instructors. Monday, July 23rd, at 3:00 o'clock, marked the closing. A very interesting program was rendered which consisted of group singing, solos, Bible Story Telling and recitations. The handicraft work was also on exhibition that day. At the close of the program each child was served a large amount of lemonade.

We feel that all concerned were benefited by the school and we hope that another year we shall be prepared to do a bigger and better work.

Everything in the future is appointed by God.

DOING MISSION WORK IN KENTUCKY

A Brief Summary of the Work Done on the Middlesboro and Pineville Fields During June and July.

By Joseph L. Brown

The Middlesboro Field

I arrived here at Middlesboro on June 1, 1934, and found everybody enthusiastic over the coming for they had been without a shepherd for a period of two years. I was met at the station by one of the church members and was carried immediately to his home to have dinner with the lady who has so successfully kept the little flock together. I received a very cordial welcome from the people and enjoyed a very fine dinner.

Following this I began to inquire concerning our work here and the number of members. Mrs. Givens gave me all of the information that she could. I immediately secured the addresses of all the members and visited each one's home on Saturday, June 2nd, and invited them to come to church on the following Sunday, June 3rd. They readily consented and on Sunday morning they were all out bright and early for Sunday school. We had a glorious Sunday school lesson and every one seemed to have enjoyed it.

Following the Sunday school we had a short recess and then went into the eleven o'clock service. The consequence of this service was the members met me with no other expression on their faces but the hospitable spirit of Jesus Christ. I was made welcome to their homes.

Work Done on the Field—First a Funeral
It was less than three weeks after I came here that I had one of the greatest experiences of my life. It was the funeral of one of our young women, age 25, who departed this life on June 25, 1934. I had to preach and conduct this funeral.

Some Members Lose Interest

After a period covering three Sundays some of the members seemed as if they were about to lose interest in our work again, and I knew the reason: it was because they were in the old rut of two years of not going to church. I got busy on the job and visited each one's home and asked them why it was that their great spirit of enthusiasm had died down so early? Some of them gave frivolous excuses, while some could not give any. We then told them that we were not playing and that we meant business. They then became serious and promised me that they would begin coming to the church again. All of them kept their promises with one exception. I made three visits to his home, but did not catch him home either time. I met him on the street one day and I asked him why it was that he did not attend our church services. He was struck and answered me not a word. I told him that if he could not come to church, I would announce that services would be held at his home on a certain Sabbath. He then answered me as follows: "Rev. Brown, if you think that much of me, I will come to church." Since then this man has been coming to the Sunday school, eleven o'clock services, and the evening services. He also brings his wife with him.

Prayer Meeting
Our prayer meeting is another vital auxiliary in our church. We never had any prayer meetings on Wednesday evenings during the last two years. When I came here last June I started it again. Now we have a nice little group coming to prayer meeting every Wednesday evening. Now our prayer meeting is a live wire in our church.

D. V. B. S.

We also conducted a Daily Vacation Bible School in our church with the assistance of the various city churches. Our enrollment was not as large as we were expecting but we had a nice little group taking into consideration how hot the summer has been. We had only 25 pupils. This school was had from the 2nd through the 7th of July. We will conduct a D. V. B. S. next summer, perhaps at an earlier date. We had instruction in the following departments: Primary, Junior, Senior, Intermediate, and Adult. We offered such courses as: Story Telling, Handicraft, Methods and New Testament. We also had instruction in gymnastic exercises.

The Spiritual Side of Our Church

The spiritual side of our church was almost run down. I found a little spark when I came here and I began to fan it and now it has grown into a good turning fire, and the people in the city now recognize us as the Presbyterian church and not as "Sister Givens' church." She was the one who kept this little spark until I came.

We are happy to announce that we had two members to join us during the month of July. This shows that we must be about our "Father's Business." The people are so anxious for services now that some of them go to church even before I do. This was true in June. We want to keep up this spirit and we are going to do it by the help of God as long as I am here.

We have services here every Sunday in the month. On the second and fourth Sundays we have services twice, plus Sunday school. On the 1st and 3rd Sundays we have services in the evenings at seven-thirty o'clock. At 11 o'clock on these Sundays I am usually in Pineville.

Serving the Community
Not only am I working with our church here, but I am also working in the community because I know that if our church is going to grow, and it is growing, for we have two new members, we must join in and serve the community. I am a member of the Ministerial Alliance and also the chairman of the program committee. I have preached for the A. M. E. Zion church, and I am trying to help in every capacity whenever I am called upon to do so.

The Pineville Field—Preaching
On this field we have preaching twice a month. I was hoping to arrange to have it here every Sunday but the people do not want service but twice. This is what they told me. On account of this I am now giving them two Sundays a month. The spiritual side of the church is very encouraging. The people really have the Spirit of Christ in their hearts, and are willing to do what they can to make the work go.

The Sunday School
The Sunday school was run down on this field. Since I have been here we have reorganized our Sunday school and are trying to enlarge it. We have on a campaign with the slogan: "Let Everybody Bring Some One." This plan seems to be working all right. We had three new pupils out to Sunday school on Sunday, August 5th. We hope to build up a good Sunday school here.

A Candidate for the Ministry
One thing that I am proud of

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