

# MISTRIAL FOR JAMES VERNER; TOM ACQUITTED

## U. S. Court Hears Arguments On S. C. Primary

A NEWSPAPER WITH A CONSTRUCTIVE POLICY

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# DISPUTED ATLANTA RESIDENTIAL AREA BOMBED

## Housing Fracas Continues In Friday Midnight Blast



HOWARD UNIVERSITY STUDENTS SURROUND THE REMAINS OF A BOMBED HOUSE IN THE DISPUTED ATLANTA RESIDENTIAL AREA. The group includes Howard University students and members of the Young Republican Club in readiness for the 1948 campaign. The goal is to provide speakers or debaters for any issue, to have members from every State seated. John W. Johnson, president of the Young Republican Club, temporary chairman, National Committeeman, Percy W. Howard and Miss Franche Fauntleroy of Tulsa, Oklahoma. Standing: Harry W. Cochran of Beacon, New York, William Collins of Omaha, Nebraska, and Mrs. Merton of Baton Rouge, Louisiana. (NPA)

ATLANTA, Ga. (NPA)—Under cover of darkness, around midnight Friday, two white men in an attempt to strike fear into Negro inhabitants of the neighborhood planted a bomb between 333 and 339 Ashby St. S. W. and its shattering explosion blew out from 20 to 74 windows of the residences and did minor damage to a front porch of one. It was a continuation of the Self-Ashby housing fight which has been going on several months.

Miss Lucille Harris, who lives at 339 Ashby with her sister Willie and others, reported that a rumor had been circulated in the neighborhood for two or three days before the bombing that persons were planning to bomb the house at 332 Ashby Thursday night. This threat was thwarted, she believes, because of the heavy police protection placed in the neighborhood during the time.

A few moments before the explosion a dog was heard to bark. A woman who lives in one of the houses, attracted by the barking, saw two white men plant the bomb, she reported. She said she saw them run back of the houses and see themselves in the tall grass after planting the bomb.

**NEIGHBORHOOD**

The explosion occurred shortly after midnight and reports to have gone back of the houses to the location where the men had themselves but could find no trace of them.

Immediately after the police left, the two men were seen to emerge from their hideout and are reported to have fired a volley of shots. An inhabitant of one of the dwellings saw the two men running and returned their fire. It is believed that some of the shots took effect.

Saturday morning detectives announced the spot where the men were said to have hidden and found that the grass showed evidence that someone had either trampled it or lain upon it.

**LOUDTEST OF SERIES**

Inhabitants of both houses remarked that the explosion was the loudest of the series that have harassed the neighborhood during the past nine months.

The inhabitants of 339 Ashby said that they had never received any Continued On Page 6



## NAACP Counsel Build Case On 'Classic' Ruling; Defense Upholds 'Lawless' White Primary



U. S. District Court Judge J. Walter Waring of Charleston heard arguments Tuesday and Wednesday from both sides as NAACP lawyers opened the long expected battle to break South Carolina's supposed "legal" white Democratic primary.

Tuesday morning and afternoon, the court heard arguments from both counsel before adjourning at 4:10 until 10:00 a. m. Wednesday. Final arguments from the defense and rebuttals were to be heard before Judge Waring, trying the equity phase of the action brought by George A. Elmore of Columbia against Richland County Democrats rules on the case.

Four-fifths of spectators Tuesday morning were Negroes, many of whom traveled great distances to hear the trial. Persons from Florence, Sumter, Charleston, Greenville, Cheraw, Walterboro and Georgetown were among the audience, which by the afternoon had occupied all auditorium seats, forcing whites, mostly defendants' attorneys and newspaper people, into seats normally used for witnesses and jurors.

**BOULWARE OPENS CASE**

The momentous case started at 10:25 a. m. when Judge Waring entered. Counsel had arranged stipulations during the past week which made unnecessary presentation of witnesses. Thus, following preliminary-ordered amended complaints and reading of stipulations, Attorney Harold R. Boulware began argument for the plaintiff, first moving and being granted by the court admission of Thurgood Marshall, chief of the NAACP's legal department, into the case as his assistant.

Mr. Boulware recited documentary fact surrounding the refusal of Mr. Elmore by ward nine party officials in Columbia last summer and moved into the special legislative session which repealed South Carolina primary law in 1944 for, as the attorney cited it, "a deliberate step to circumvent the Smith versus Allwright case." Mr. Boulware also read the text of former governor, Olin D. Johnston's message to the special General Assembly, in which the avowed purpose "we must keep our primaries white" was set forth. Figures showing total primary and general election vote return since 1936 were also introduced by the plaintiff.

**MARSHALL GIVES LAW**

Mr. Marshall, impeccably attired in a light grey suit and upon whom the eyes of spectators rested, spoke clearly, firmly and emphatically, first laying into the historic background of what he called the "rights" of Negroes to vote and court rulings against various schemes employed against their "rights."

Objecting to the word "rotting" in favor of "the choice of public officers," the brilliant counsel who later that day by proxy was awarded the honorary doctorate degree by the Lincoln University, said that the two words used to deter Negro voting were, first, the "grandfather clause," which was killed by the U. S. Supreme Court in 1915, and the "white primary," ruled against in the classic, Allwright and Primus King cases.

**SOUTH CAROLINA BEHIND**

The Nixon versus Condon case in Texas, decided in 1939, he said, involved principles identical with the South Carolina primary situation which, he said, "makes South Carolina just ten years behind in its white primary scheme."

Mr. Marshall also cited numerous cases in which federal courts have ruled against "private" groups, including labor unions, which had sought to limit or restrict their membership.

**DEFENSE FURNISHES POINT**

Counsel for plaintiff drove home its main point, namely that although primary statutes had been repealed, Democrats must print and submit ballots in the general election in accordance with State regulations and, therefore, are subject to

quest of her personal secretary and companion, Miss Cecile Walker, and mother, Mrs. Margaret Walker, 611 West 37th St., Savannah, Ga.

Attorney Irvine F. Belser, delivered first defense arguments. Charles Benet, another defense attorney, had handled preliminaries in the case and was scheduled to continue arguments when court reconvened Wednesday morning.

Mr. Belser who began speaking at 12:25 following a 20 minute court recess, asked six-point questions that as a privately operated organization the Democratic party had legal right to designate its membership along any lines it preferred; second, that South Carolina's primary system differed from any yet ruled on by courts and, third, asked dismissal of the case on grounds of no jurisdiction of the court.

Mr. Belser was still arguing when court recessed at 1:30 until 3 o'clock when he resumed the bulk of defense argumentation giving way to state senator, James Anderson of Greenwood who argued that plaintiff counsel sought judgment on the assumption that "injection by the state is tantamount to action." At one point in Mr. Belser's argument he said "We are in a desperate situation of instances in which 'private' groups, such as clubs, churches, etc. about which the counsel was speaking elected congressmen. Arguments, including rebuttals, are expected to be concluded about noon Wednesday.

Mr. Elmore, a Columbia businessman, brought a \$3,000 damage action after he was refused permission to vote in last summer's primaries after being allowed to enroll.

Whatever the decision here, the case is expected to be appealed by either side and may eventually reach the U. S. Supreme Court.

## V. I. Legislature Ends Stormy Session; Criticizes Hastie

## Progressive Democrats Hit Lawless Elements, Hear Hill

In two strong resolutions, the executive leaders of South Carolina's Progressive Democrats last Wednesday denounced the new revival of the lynchings of Willie Earle at Greenville in February and appealed to the rest of the citizens to observe law and proper deportment as a means of living harmoniously together.

Dr. Charles L. Hill, pastor of the First AME Church here, electrified the group with a masterful address in which he stressed the importance of Negroes organizing and fighting as liberals themselves and representative of the race.

Dr. Hill attributed such incidents as the Greenville lynching to "fear in white men because of Negro advancement."

"The Negro," he said, is tired of toid he is a full-fledged American only when "it's time to die for our country." However, he said the Negro asks no special privileges. "All he wants," the speaker said, "is the privileges of the human personality."

The executives heard a report from state chairman, John H. McCray and others from several counties. Julian E. Morgan of Marion County presided.

**TEXT OF RESOLUTIONS**

Text of the resolution adopted follows:

1. The executive committee of the South Carolina Progressive Democratic Party in annual meeting at Columbia, S. C., May 28, 1947, hereby resolves that the Governor of South Carolina, the solicitors of Greenville and Spartanburg counties, law enforcement officers be commended for bringing to trial the indicted lynchings of Willie Earle, along with presiding judge, J. Robert Martin, Jr., for his masterful handling of the trial.

2. It is further resolved that we equally go on record as condemning the decision of the jury which was a mockery of the facts presented and at variance with the confessed and signed evidence.

3. It is also resolved that this

## Two-Day Trial For Accused Assaulters Ends

## Echoes Of Monroe Lynchings Heard Throughout Trial

ATLANTA, Ga. (NPA)—A Federal jury in U. S. District Court here Tuesday declared a mistrial in the case of the Government versus James Verner, of near Monroe, in the January 1 beating of Golden Lamar Howard, and acquitted and released his brother, Tom, of aiding and abetting him in the same crime.

The trial of the two brothers arrested in the attack on Howard, a witness before a Federal grand jury investigating the Walton county lynchings, began Monday in a packed courtroom. The Government accused the Verners of assaulting Howard in an attempt to draw from him what he told the special grand jury. Under the mistrial verdict James Verner must again stand trial on the charge, unless the Government not-prosecute the indictment.

Echoes of the near-Monroe lynchings filled the testimony of most of the witnesses on the first day. Howard led the parade of witness to the stand.

When the government resumed its case against the Verner brothers Tuesday City Police Officer, Mike Jones of Monroe took the stand and verified the statements Chief Ben Dickinson made Monday that the defendant James had definitely stated he beat Lamar Howard because he allegedly had told lies on him.

Attempts of the defense to confuse those alleged "lies" meant

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## NAACP Calls For Anti-Lynch Day

NEW YORK.—The NAACP requested Mayor O'Dwyer to declare an anti-lynching day. In a telegram to the New York City Mayor, Association officials said: "The National Association for the Advancement of Colored People urges you to designate an anti-lynching day within the next ten days, calling upon citizens of New York to take all action within their power both as individuals and through their organizations, their churches and labor unions, to make known their opposition to the crime of lynching and their desire that our government take steps to eradicate it."

Expert sees construction industry expansion like that of 20's.

## Citizens Ask U. S. Probe Into Hartsville Rape Case

HARTSVILLE, S. C.—Federal investigation into what is termed "rape" charges, brought against Dobbie Limmon, now in the Hartsville jail, was being sought this week by indignant and aroused Negro citizens.

Limmon surrendered himself to local officers last Sunday, immediately after returning from services at his church and finding that a mob of forty-seven white men had visited his house in a "lynching mood."

A white woman had charged that Limmon had sought to attack her in her back yard but that she struggled with her towards some bushes, she estricated herself and the man fled. The woman lives near Darlington county seat.

Meanwhile, Limmon vigorously denies the allegation that he was a person who are say he was at church, appearing on a program when the charge was sought.

Persons here have the sense of such matter and as they will gladly turn these over to federal officers.

**HIT 'FALSE CRIERS'**

Sentiment of this community and much of Darlington county is included in the words of this farmer who asked his name withheld. "Dobbie ain't the kind of man who'd go around raping anybody and we are tired of all this trouble about raping around here. Instead of the federal government waiting until there's a lynching to come in, it could stop a lot of this mess by checking up on these women who are accusing falsely and make them suffer some."

**JOSHUA JONES**  
BY E. P. REYNOLDS

Brother Bell says before marriage he put a ring on her finger so after marriage she put a knot on his head.

Britain is expected to get full coal quota from United States.

American scientists to study "missing link" fossils in Africa.

## Wilberforce Dean Dies; Stricken Leading Parade

WILBERFORCE, Ohio.—Dr. J. Aubrey Lane, Dean of Men, professor of agriculture, liaison representative of the Veterans Administration program, Wilberforce University, died unexpectedly Friday following a heart attack as he was leading the annual Memorial Day parade in Xenia. Dean Lane is survived by his widow and daughter.

Born in Cincinnati in 1895, Dr. Lane was Commissioner of the Midwestern Athletic Association at the time of his death. A member of the faculty at Wilberforce since 1922, Dean Lane was a member of the John R. Ross Post, American Legion, First Lieutenant in the Veterans Reserve, 449th Infantry and Esteemed Leader Knight of the Iola Lodge Xenia.

Largely through his efforts, the state convention of the Phi Alpha fraternity was held at Xenia in June and he is serving as chairman of the forthcoming convention. He was a member of the Alpha Phi Alpha fraternity.

## Drastic Lynch Bill Introduced

WASHINGTON, D. C.—(NPA)—Senators Robert F. Wagner, Democrat, of New York, and Wayne Morse, Republican of Oregon, last Tuesday introduced in the Senate an anti-lynching bill providing heavy penalties for persons convicted of mob violence or aiding or abetting such violence.

Cost of fires last year is put at 25,000,000 man-days of work.

## WINS VA ESSAY CONTEST

Miss Iradella Meitze, eighth grade student at Booker Washington high school in Columbia, S. C. was winner of the Veterans Administration National Service Life Insurance Essay Contest in Richland County. It was announced Monday the contest was open to seventh, eighth and ninth grade students and attracted many excellent entries. Miss Meitze's essay was also entered in the state competition.

Miss Meitze received a \$50 savings bond from T. K. Knight, president of the Insurance Service Company of Columbia. The presentation was made by W. R. Bradford and A. G. Whitener, VA Training officers at an assembly of faculty and students at the school.

## LOU SWARTZ PERFORMS FOR MATHER SCHOOL

BEAUFORT, S. C.—Miss Lou Swartz of New York City, widely known concert and lecture artist and long identified with religious and moral uplifting, gave a free performance last Monday night for students and faculty members at Mather School.

Attired in costumes depicting characterization, Miss Swartz gave a vivid and inspiring performance, which kept the audience spellbound.

Miss Swartz is at present the

## UAW-CIO Asks Federal Lynch Action

DETROIT, Mich.—Walter P. Reuther, UAW-CIO president, announced this week that the four top officers of the union had wired President Truman demanding federal action to "prevent such tragic violations of democratic justice as the recent legal force in Greenville, South Carolina, which resulted in a hot guilty verdict for 23 confessed lynchings."

The telegram was signed by George F. Addes, Secretary-Treasurer, and Vice-Presidents R. J. Thomas and Richard T. Leonard, together with Reuther, who is co-director of the union's Fair Practices and Anti-Discrimination Department.

The text of the telegram follows: President Harry S. Truman, Washington, D. C.

The UAW-CIO repeats again its request that you take the lead in seeking federal action to prevent such tragic violations of democratic justice as the recent legal force in Greenville, South Carolina, which resulted in a hot guilty verdict for 23 confessed lynchings. Attorney General Clark has already announced his intention to explore the possibility of further action in this case, and we commend him for this action, but we are convinced that nothing less than a federal anti-lynching law will serve to uphold justice and decency in cases of this kind. From all corners of the earth the eyes of people of many races and colors are turned upon America today, to see if we can practice the principles we preach in the councils of the United Nations. So long as lynch mobs are permitted to murder American citizens and go unpunished, these people of other nations will look with skepticism on our claim that we are the most democratic nation in the world. Congress should meet the threat by enacting laws to prevent further such tragedies.

Walter P. Reuther, President  
George F. Addes, Sec. Treasurer  
Richard T. Leonard, V. President  
R. J. Thomas, U. President  
United Automobile Workers, CIO