

SECRETARY JAMES WELDON JOHNSON ISSUES STATEMENT

Two New York Citizens Condemn Recent Lynching By Aiken Mob

Replies To New York Congressman

The Palmetto Leader

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COLORED STATE FAIR OPENS TUESDAY NEXT OCT. 27

THE COLORED STATE FAIR

A Greater and Better Fair is The Slogan—Everything in Readiness.

SEND YOUR EXHIBITS Present Indications Are That There Will Be An Immense Crowd Here.

The annual State Fair—biggest event among our people, showing something of every thing we have produced from a game-rooster to a collection of articles in manual arts—will be on display when the gates of the Colored Fair swing open next Tuesday morning to welcome the thousands of visitors coming to Columbia next week to attend the fair and to meet new and old acquaintances, to witness the athletic feats and see the races.

Everything Being Put in Readiness. Secretary Green Jackson is one of the hard worked officials of the fair. His board of directors is backing him splendidly and the leaders of many of the most progressive counties are pushing the fair this year as never before.

"Both Mr. Fair and Mr. Longshore have billed their circuses. Mr. Fair comes Tuesday and remains over until Wednesday night. His excursion will be here to witness the great singing contest which is a feature at the fair this year.

Palmetto Annual Conference Holds Sessions At Georgetown

Rev. John M. Myers Is Vindicated

Not Informant Upon Lowmans

Negro Pastor Denies He Requested Raid.

LETTER TO SHERIFF

Aiken Officer Withholds Name of Signer, "Well Known Man of Monetta."

Denying that he had requested or otherwise instigated the raid in the spring of 1925 near Monetta, in course of which Sheriff Howard was killed, a Negro Baptist minister of Columbia, the Rev. J. M. Myers, brought to The State yesterday correspondence exchanged between himself and J. Edwin Kerr, of Aiken, since the three Lowman Negroes, of Sheriff Howard, were lynched at Aiken, October 8.

Mr. Kerr, in a letter to The State published October 13, said: "The Negro preacher of the Baptist church near the Sherman home had written to the sheriff to stop the Lowmans from selling liquor to his congregation, that he was to have a big rally at his church (on the Sunday following the killing of Sheriff Howard) and wanted the Lowmans raided."

The minister said yesterday that by reason of this statement in Mr. Kerr's letter his own influence as a pastor had been seriously affected, since he was in charge of a Baptist church within a stone's throw of the Lowman premises and his people quite generally had accused him of being the informant against the Lowmans.

Following is the correspondence. Mr. James Edwin Kerr, Aiken, S. C. Dear Sir:

I note in your letter of today's The State that you refer to the sheriff having been written to by a Negro Baptist preacher requesting that the sheriff stop the Lowmans from selling whiskey to his congregation, etc.

I am serving a Negro Baptist church within a stone's throw of where this tragedy happened and have a pretty good sized and loyal congregation there. By not naming the preacher place, me in a bad light as my congregation will blame me as being the preacher in question; there is no other Negro Baptist church within about three miles of my church.

I will appreciate your advising me the name of the preacher or a statement hereunder to the effect that I was not the preacher referred to. I wish to publish this letter in connection with your statement. It appears to me that this will be fair to me, as you can readily see how such a report could, and would affect me with my congregation and friends.

Thanking you in advance for your (Rev.) J. M. Myers, 1621 Gregg St., Columbia, Oct. 13. Please reply here: Rev. J. M. Myers: In reply to the above I have secured from Sheriff Robinson the inclosed statement copied from the original letter, which he would not permit me or anyone else to see. The letter was sent in by a well known man of Monetta, just who, the sheriff refuses to state, though he has the signature of the letter. I do not wish to harm you in your work, or any other good man endeavoring to uplift humanity and point the right way.

GREAT IS THE N. A. A. C. P.

J. E. Spingarn, Treas., of N. A. A. C. P. Issues an Interesting Statement.

BUSINESS METHODS USED

This Organization is the Greatest For the Negro Race in America.

New York, October 15—James Weldon Johnson, Secretary of the National Association for the Advancement of Colored People, 89 Fifth Avenue, with the approval of the Board of Directors, today made the following public statement.

On reading the attack on the National Association for the Advancement of Colored People in the Pittsburgh Courier of October 9, 1926, I wondered what inducement would lead a colored editor to put himself in such a position.

First, he put himself in the position of publicly proclaiming his ignorance of the Garland Fund and its relations to the N. A. A. C. P., despite the fact that the Association has sent out on this subject during the past year over twenty-five press releases and these were sent to the editor of the Pittsburgh Courier as well as other papers. The editor pretends to have "investigated" the Garland Fund. No investigation of the Garland Fund has been made except that a representative of Mr. Vann telephoned the N. A. A. C. P. for further information and was courteously referred to the Garland Fund headquarters where figures were freely given in good faith.

As to the "disipation" of the Garland Fund, the Fund has been entirely expended or allotted at the express request in writing of the donor of the Fund, Charles Garland, who asked that it be distributed as soon as conveniently possible. The Fund will probably wind up its affairs within the next year or two. The administration of the Garland Fund has received the favorable editorial comment of the New York Times and the New York World in their issues of September 29, 1926.

In addition to dozens of social, educational labor and other causes, given money by the Garland Fund, there were gifts to eight (not five as stated by Mr. Vann) enterprises conducted by or in behalf of colored people. Those enterprises are: The National Association for the Advancement of Colored People, including The Crisis; the Urban League; the Messenger; the Brotherhood of Sleeping Car Porters; the Trade Union Committee for Organizing Negro Workers; the Virgin Islands Committee; two scholarships at Brookwood College; and a subvention to Professor Charles Wesley of Howard University for publication of his book on Negro Labor.

After complaining in his paper, in the issue of October 9, about how much money Negroes received—an unreasonable complaint, since the amount spent on Negroes enterprises was less than five per cent of the Garland expenditures—Mr. Vann now proceeds to reverse himself in his editorial of the following week and complains of the small amounts allotted to Negroes.

As to undue influence exerted by himself, even if I had wanted to "loot" the Garland Fund, as Mr. Vann implies, I was the only Negro on the Board of Directors and I should hardly have been able to induce the other members to abstain from my villainy, the membership of the Board of the Garland Fund.

SUGGESTS FEDERAL PROTECTION

Two New York Citizens Emphatically Condemn the Lynching at Aiken.

DON'T STOP AT AIKEN

Says the Authorities Failed to Protect the Lives of These Three People.

Brooklyn, N. Y., Oct. 15—Robert C. Lee, son-in-law of Ex-Senator William M. Calder and Republican Celler of the uptown district emphatically condemned the lynching of a woman and two men in Aiken S. C. recently.

Mr. Lee deplored the deliberate failure of the authorities to protect the lives of these people. He cited newspaper reports, which indicated that the sheriff left the jail without proper safeguards, although knowing of the threatening conditions. He insisted that this was just one reason why federal law should be passed punishing the crime of lynching. Congressman Celler, who also said that the anti-lynching law should be passed, declared that "among other things, it is suggested that all self-respecting American refuse to stop at Aiken as a winter resort. These people have forfeited all right to patronage and should be pariahs by the rest of the country until the wrong is expiated."

Rev. J. C. White Visits Majority Ban. Church

Pastor of Zion Baptist Church Columbia, S. C., Preaches to the Congregation of Majority Baptist Church.

Spartanburg, S. C., Oct. 20.—The death of Rev. T. Elliott Hall, the Pastor of the Majority Baptist church Spartanburg was a shock throughout South Carolina and was one of the saddest deaths in the history of the state. He was dearly loved by his people and had built a confidence with his people second to none in the state.

He was called to the pastorate of the Majority Baptist church three years ago and now has built one of the largest congregations in South Carolina, and nearly completed a brick church when finished is estimated to cost \$80,000.

He was laboring fearlessly against sin and suddenly in the midnight hour came the sad news of his death. There were but few persons to believe this strange tale. It is only after missing his presence in the community for these past days that one can realize that he who was so well thought of by both white and of his own people. He through his faith in Jehovah and his strenuous preaching had saved many souls from the gates of Hell, and he who was rearing a large family and caring for them out of the fullness of his heart, has gone to the great beyond.

The congregation mourned with heavy hearts. The doors were closed and the bell in the tower that used to call to its members each Sunday failed to ring the usual call: "Come." A sad time in Spartanburg it was to see the members of the church hanging on the door, freshened their minds the first few nights ago. Like sheep without a shepherd we wander here and there.

AN AIKEN EDITOR WRITES

He Replies Tactly for Aiken to The New York Congressman.

WRITES ABOUT AIKEN

Editor Kerr Says City was Unaware of Lynching Until Next Day.

To the Editor of The State:

The newspapers are carrying the story of Congressman Emanuel Celler of New York, in which he suggests that "all self-respecting Americans refuse to stop at Aiken as a winter resort. They (the people of Aiken) have forfeited all right to patronage and should be treated as pariahs by the rest of the country until the wrong is expiated," states Mr. Celler.

As a truth the citizens of the city of Aiken were unaware of the lynching of the Lowmans until the following morning, and were fearfully shocked at the brutal occurrence. Why should they be all branded as mob murderers?

It is not so many years ago that Aiken county executed a black man for his assault on a white woman resident from the North, who had trusted him as her "guardian" at the family home.

The winter visitors of Aiken come here for the dear blue skies, the healthful air, the glory of the land that God in His great care and love has given us, and that Sherman could not steal.

Daily they stroll the streets and woodland paths of Aiken with fortune in jewels on their fingers and at their throats. They walk unarmed unenvied and respected. When an Aikenite goes to New York, the great metropolis and home of Mr. Celler where innocent workmen are shot down in cold blood on the main highways for a handful of coin, they generally leave their jewelry behind and "tote" their money in their socks!

The Northerner visitor need fear no harm in Aiken, we have no thugs and no bandits, and our peaceful, law-abiding Negroes are held dear in our hearts. Aiken has bonded herself to build one of the finest public schools in the state for the Negro children and there are more Negro children being taught in the county schools today than white children. The Negro citizens have hundreds of them, their own homes, their pianos and their radios, not to mention the hundreds of automobiles and flourishing farms.

Aiken, like the rest of the South, gladly assists the honest Negro in his endeavor for betterment and our Negro citizen are fast learning that those of their race who go North generally return with a cheap cane, a glass tie pin and a brass watch after a year or two of hard labor; a few gawags that a half bale of cotton at its lowest price can buy. Let Congressman Celler sweep before his own door before he attempts to boycott the grandeur of God and the in-born chivalry of Dixie.

JAMES EDWIN KERR, Aiken.

—The State.

REV. J. M. MARSHALL RETURNS

Rev. J. M. Marshall of St. George, S. C. has returned from St. Augustine, Fla., where he was invited to conduct a ten day meeting for Rev. W. M. Banks, pastor of St. George's Baptist Church.

BURDEN OF PROOF LIES WITH STATE

Must Prove Guilt Beyond Reasonable Doubt.

IN CASE OF "ALIBI"

New Trial Ordered For Chas. R. McGhee and Herbert F. McGirt.

The defense of an alibi is not an "affirmative defense" and does not relieve the prosecution of the burden of proving "beyond a reasonable doubt" the presence of the defendant at the place of the crime in cases where his presence is necessary to render him responsible, the supreme court of South Carolina holds in an opinion handed down yesterday, reversing decision of the lower court in the case of the state vs. Charlie McGhee and Herbert F. McGirt.

The two defendants, McGhee and McGirt, were convicted in Kershaw county of being present at and setting fire to an occupied dwelling house, the property of Charlie McGhee, subject to a mortgage and insured.

McGhee and McGirt pleaded not guilty setting up the defense of "alibi." They were convicted and sentenced to four to eight years' imprisonment.

From the conviction they appealed to the supreme court, which, considering only that section of the judge's charge in which it was declared that the defense of alibi was an affirmative defense to be proved by the preponderance of the evidence, reversed the lower court and ordered a new trial of the case.

"The rule heretofore announced respecting the defense of alibi," the supreme court said, "has been in substance as follows: The state must prove beyond a reasonable doubt that the defendant is guilty, and if involved in a crime where his actual presence is a necessary element, must prove that defendant was at the place, and at the time, alleged in the indictment.

"As stated above, the state must show the presence of the defendant beyond a reasonable doubt and if on all the evidence in the case the jury has a reasonable doubt that the defendant was at the place, and at the time, alleged in the indictment, in person, then the jury must solve this doubt in favor of the defendant and must acquit.

"It appears to the court that this is the logical statement of the rule on the subject. The further statement found in the cases heretofore, that alibi is an affirmative defense and must be proved by the party on trial by the greater weight of the evidence, is illogical, lays down a rule, in part at least, inconsistent with the rule above stated and is calculated to confuse the jury.

In other words, if the defendant puts up testimony that will raise a reasonable doubt in the minds of the jury, why confuse the matter further by going ahead and stating that alibi is an affirmative defense and must be proved by the greater weight of the evidence? There can be no rational adjustment of these two statements so that they may be made to work in harmony." —The State.

members the spirit of the meeting grew higher each night. His man of God was at the head and many souls were saved. Rev. Marshall reports being royally entertained while with Rev. Banks and his good people. Rev. Banks is the right man in the right place and is greatly loved by his people.

MANY ATTEND CONFERENCE

The 7th Episcopal District Conference Held at Georgetown S. C., October 17th.

BISHOP HURST PRESIDES

Bishop Hurst is Interested in Every Department of the Church.

The Palmetto Annual Conference of the A. M. E. church convened in Bethel A. M. E. church, Georgetown, S. C., October 13 and adjourned October 17th. Bishop John Hurst was the presiding Bishop and with ease and dignity ruled the body.

Rev. J. L. Benbow, the pastor of Bethel and the officers had everything in readiness and homes for all who came to visit the conference. Many visitors were in attendance from in and out of the state. Florida sent a number of her brilliant sons to meet the South Carolina invincibles.

Drs. E. H. Coit, Secretary of Missions and S. J. Johnson, Secretary of the Church Extension Department were present and ably represented the departments.

The financial reports are in excess of last conference and notably so is the amount raised for education. Educational night, the conference raised more than five hundred dollars in cash. No checks.

Bishop Hurst is interested in every department of the church and allows none to suffer in his conference. The 7th Episcopal District is already moving forward under the leadership of the Bishop and especially is this true of Allen University, the pride of all true African Methodists in South Carolina. President Sims made a great speech educational night. Mrs. Hurst is a great woman and deeply concerned with whatever is best for the race and the church. Her address to the student body of Howard High School will be long remembered. She is a queenly woman. Few changes were made.

Rev. Moran was sent from St. Stephen, Georgetown to St. Luke, Charleston; Rev. D. A. Perrin, P. E. of the Mt. Pleasant District; Rev. C. S. J. Mollett, P. E. of the Kingstree District and Rev. J. E. Beard transferred to the Columbia Conference; Rev. Nichols remains P. E. of the Georgetown District. Rev. Benbow returns to Bethel and Rev. W. P. Carolina to Dickerson. The greatest conference in the history of the Palmetto Conference closed Sunday afternoon. South Carolina is safe with Bishop John Hurst. The laymen have nothing to fear.

Bishop and Mrs. Hurst were the guests of Mrs. G. W. Howard while holding the Palmetto Conference in Georgetown last week.

BLUFORD REPRESENTS A. & T. COLLEGE AT SESQUICENTENNIAL ON N. C. DAY

Dr. F. D. Bluford, president of A. & T. College, represented the Negro constituency of the Tar Heel state on North Carolina day at the Sesqui-Centennial Exposition, Philadelphia. On North Carolina Day, Governor McLean and other high lights of North Carolina took part in the program.

On the return trip enroute to Greensboro, Dr. Bluford visited Howard University. During his stay in the capitol city, President Bluford met with the executive committee of the Negro Historical Society at a banquet given at the white law hotel.