

WALTER WHITE  
1934 - 1945

Bin 1325

May 2, 1934

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My dear Mr. White:

The President talked to me rather at length today about the lynching bill. As I do not think you will either like or agree with everything that he thinks, I would like an opportunity of telling you about it, and would also like you to talk to the President if you feel you want to. Therefore, will you let me know if you are going to be in Washington before long?

Very sincerely yours,

Mr. Walter White  
National Association for the  
Advancement of Colored People  
69 Fifth Avenue  
New York, New York

S:DD

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69-1-3/2/34

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



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April 20, 1934

My dear Mrs. Roosevelt:

As always, I enjoyed talking with you yesterday.

I enclose a memorandum which quotes excerpts from some of the unequivocal pledges which have been made by various members of Congress to vote for the Costigan-Wagner Bill. I enclose also copy of a poll recently taken in the Senate which indicates only thirty votes against the bill and fifty-two in favor of it. Since the poll was taken a number of those listed as "uncertain", "probably in favor", and "probably opposed" have come out unequivocally for the bill; so that the situation is even more hopeful than on March 23. I send these enclosures for the information of yourself and the President and I hope you will discuss them with him.

I talked yesterday with a considerable number of senators and can best summarize their unanimous opinions by the statements, first, that there are enough votes and to spare assured to pass the bill in the Senate if it is brought up for a vote; and, second, that the bill is certain to be brought up only if there is insistence by the White House that it be voted on.

We can well understand the President's desire for early adjournment of Congress. We very much hope, however, that this will not take place until the Anti-Lynching Bill is voted on. The extraordinary action of the Woman's Missionary Council of the Methodist Episcopal Church South in voting unanimously in favor of the Costigan-Wagner Bill; the activity of other southern groups, white and Negro, such as that which led to the sending of the petition signed by 10,000 colored citizens of Louisiana to the President, with copy to Senator Huey Long; and the editorial support of the bill by influential southern newspapers have steadily decreased the likelihood of an attempt at a filibuster. According to present indications there is even a possibility that some southern senators, among them

*How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?*

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

TWENTY-FIFTH ANNUAL CONFERENCE — OKLAHOMA CITY, OKLA., June 27 - July 1, 1934

Mrs. Eleanor Roosevelt - 2

Senator Elmer Thomas of Oklahoma, may vote for the bill. We cannot assure this, but we have been informed that other southern senators will absent themselves from the floor during the debate. Among these are certain southerners who do not dare vote for the bill but who will not vote against it.

There is general agreement that the present time offers the best opportunity to pass such legislation. The country is aroused by the great increase in lynching during 1933 and by the manifested inadequacy of state governments to cope with the evil, as was demonstrated on the eastern shore of Maryland, in California and in other places.

There is very real danger if the bill should not pass. In the first place, the fact that this is an election year offers a potent political reason for pressing for passage now. Members of the House, all of whom are up for election in November will, according to specific pledges which have been made, vote for the measure rather than risk reprisals from white and colored voters at the polls in November. The Representatives from northern and border states will far outnumber those from the states of the deep South where the Negro is disfranchised.

Many of the Democratic senators and congressmen are aware of the great strategic value of an overwhelmingly Democratic Congress passing such legislation. By doing so they will have a valuable weapon in the fall elections through being able to point out that what Republican Congresses failed to do a Democratic Congress has done. This will be especially true in the large number of northern and border states in which the Negro vote holds the balance of power.

I greatly fear that failure to pass the bill will result in a serious increase in the number of lynchings. As I told you yesterday, there occurred at Hernando, Mississippi, recently the trial of three Negroes charged with an attack upon a white woman. A mob which thronged the court room and threatened to take the prisoners and lynch them was warned by Judge Kuykendall that "there is pending in Congress a bill to give the federal government authority to end lynching - if you lynch these Negroes you will insure passage of that bill." No lynching occurred. If the bill fails of passage and thus ends the immediate possibility of federal intervention the mob spirit now pent up not only against Negroes but against other minority groups may conceivably be loosed with terrible consequences.

I do not take seriously the objections to the bill voiced to you last week by Mrs. Jessie Daniel Ames of the Association of Southern Women for the Prevention of Lynching. Recently, after the Methodist women of the South went on record in favor of the Costigan-Wagner Bill sharp letters were written to Mrs. Ames telling her that she would lose whatever leadership she possessed in the South unless she went at least as far as the Methodist women. I do not question Mrs. Ames' sincerity and integrity for a moment. When I talked with her in Washington in February she expressed objection to only one feature of the bill and that the financial penalty of \$10,000 against the county. That, as you know, has been reduced to the sum of not less than \$2,000 nor more than

Mrs. Eleanor Roosevelt - 3

\$10,000. I do, however, question her fear that anything done to stop lynching may increase lynching. The plight of the Negro in the areas where lynchings are most frequent is so terrible that it could hardly be worse. The Costigan-Wagner Bill, especially in its provision for penalties against the counties, will stir to effective action the hitherto quiescent, property-owning, tax-paying classes who will see that lynchings are nipped at their very inception in order to avoid such penalties.

We do not like any better than Mrs. Ames the concession to the states' rights theory which provides for federal action only after thirty days shall have elapsed. As a practical matter, we must realize that there is still, in the South at least, much states' rights sentiment. This thirty-day provision quiets much of this opposition. If we find that this estops effective action we can work for the elimination of this provision in the next session of Congress.

Never before have so many powerful bodies gone so unequivocally on record or worked so unitedly for this legislation. The Federal Council of Churches of Christ; the National Board, Public Affairs Committee, and the Student Council of the Young Women's Christian Association; the Catholic Church, through Father Gillard of Baltimore; the Women's International League for Peace and Freedom; the Congregational and Christian Church; the American Civil Liberties Union; the Writers' League Against Lynching; the National Association for the Advancement of Colored People; and other organizations are working vigorously in every part of the country for the bill. The press, both northern and southern, white and colored, in the vast majority of cases, have repeatedly urged passage of the bill.

I enclose copy of an Open Letter to Congress which the Writers' League Against Lynching has just sent, news of which is to be released to the press on Sunday.

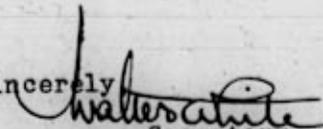
Finally, there is a great deal of support which is not visible on the surface. As I told you yesterday, we have not stressed the provision in Section 5 of the bill for financial penalties not only in the cases where death ensues but where physical injury is done to the victim other than death. This clause will be very effective in punishing action against minority groups other than the Negro through activities of such organizations as the Ku Klux Klan, which Senator Van Nuys tells me is very active again in Indiana, the Nazi, Fascist, and other reactionary groups, who are so bitterly fighting the President's recovery program.

I apologize for writing you at such length. I do so, however, because I wanted to place before you and the President more effectively and clearly than I did yesterday in our conversation the exact situation as we see it. We do most sincerely hope that the President, in the light of these facts, will see his way clear towards urging upon the leaders of both houses of Congress that they see to it that the Costigan-Wagner Bill is voted upon prior to adjournment.

With cordial personal greetings, I am

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

Ever sincerely

  
Secretary

April 20, 1934

Memorandum to Mrs. Eleanor Roosevelt

From: Walter White, Secretary of the National Association for the  
Advancement of Colored People

Excerpts from Written Pledges by Members of Congress  
to Support the Costigan-Wagner Anti-Lynching Bill

SENATORS

Henry F. Ashurst, Arizona:

"I am certainly in favor of the Costigan-Wagner Federal Anti-Lynching Bill. and I took pleasure in aiding to secure its favorable report from the Senate Committee on the Judiciary, of which Committee I am the Chairman."

Bennett Champ Clark, Missouri:

"I am heartily in favor of the proposed Anti-Lynching Bill."

Arthur H. Vandenberg, Michigan:

"I am entirely in favor of the principle involved in the anti-lynch bill to which you refer. You may depend upon my interest and activity accordingly."

Arthur Capper, Kansas:

"I am supporting the Costigan anti-lynching bill and shall keep in touch with it."

Phillips Lee Goldsborough, Maryland:

"I favor the passage of the Costigan-Wagner bill now pending in the Senate of the United States. . . There is no reason in justice or morality why this pledge (of the National Republican Party) should not promptly be redeemed."

David I. Walsh, Massachusetts:

"I am in strong sympathy with the Costigan-Wagner bill. I have always supported anti-lynching bills. The only possible objection that can be made to this bill is its constitutionality but that objection would not prompt me to vote against the bill."

SENATORS (continued)

Roscoe C. Patterson, Missouri:

"I voted for the last anti-lynching measure before Congress, namely, the Dyer Bill, and I expect to vote for any other measure which will tend to blot out the shame of lynch and mob rule, and restore respect for constituted law and order."

Simeon D. Fess, Ohio:

"I have always been opposed to the brutal practice of lynching. While a member of the House of Representatives I assisted Mr. Dyer of Missouri in getting through the House the anti-lynching bill, after quite a fight. That bill came to the Senate, and was killed by a filibuster, led by Southern Senators. I shall heartily support the proposal about which you write."

Pat McCarran, Nevada:

"The President in his Message read before Congress dwelt on this very subject and called upon the people of this country to put forth their best effort as a mass and as a Government to end lynchings. I subscribe to this principle."

Charles L. McNary, Oregon:

"Will warmly support federal anti-lynching law."

E. W. Gibson, Vermont:

"I am in favor of the bill which you have mentioned and shall be glad to support it."

D. A. Reed, Pennsylvania:

"I will do everything I can to have the Costigan-Wagner Bill acted on favorably during the present session of Congress."

W. Warren Barbour, New Jersey:

"I am actively supporting the Costigan-Wagner Bill, as I believe it to be a necessary step forward in our civilization."

Royal S. Copeland, New York:

"I am in favor of the Costigan-Wagner Bill, S. 1978."

SENATORS (continued)

F. Ryan Duffy, Wisconsin:

Wrote he had favored the bill but thought it would be unconstitutional.

Hamilton F. Kean, New Jersey:

"I am already committed to this subject, as I have introduced an anti-lynching bill of my own."

Frédéric C. Walcott, Connecticut:

"I hope that the Costigan-Wagner Anti-Lynching Bill will be favorably considered. The toleration of lynching is the repudiation of our fundamental belief in law and order."

L. J. Dickinson, Iowa:

"If the Costigan-Wagner Anti-Lynching Bill comes to a vote it is my expectation to vote favorable thereto."

Henrik Shipsted, Minnesota:

"I expect this bill to be reported out. I also expect to support it."

Bronson Cutting, New Mexico:

"I intend to vote for the Costigan-Wagner Anti-Lynching Bill."

P. S. - Pledges have been made by a number of other senators to give the bill careful consideration, and in a number of instances more definite pledges have been made by senators to other organizations and individuals. The above are ones which have been received to date by the National Association for the Advancement of Colored People. - WW

CONGRESSMEN

Henry T. Rainey - Speaker of the House:

"I will be glad to support Senator Costigan in his anti-lynching bill or any other effective anti-lynching bill."

Frank R. Reid, Illinois:

"I expect to support the anti-lynching bill."

A. J. Sabath, Illinois:

"I will support such a bill designed to provide federal action in the cases of mob violence."

Edwin M. Schaefer, Illinois:

"I have always been opposed to mob violence and I assure you of my support in the legislation during the next session of Congress that will tend to curb that menace, and to organize law enforcement throughout the country. I take very much the same position in this matter as our President who has publicly denounced lynching tendencies which so suddenly spread over our country during the past month."

P. H. Moynihan, Illinois:

"I will be glad to support an Anti-Lynching Bill in the House of Representatives."

Walter Nesbit, Illinois:

"I shall gladly support an Anti-Lynching Bill in the House, whole-heartedly."

Thomas J. O'Brien, Illinois: (From his secretary)

"Mr. O'Brien . . . wishes me to advise you he is opposed to lynching and shall be glad to favor a bill along that line should same be introduced in the House during the coming session of Congress."

James Simpson, Jr., Illinois:

"I have already publicly promised to support not only the anti-lynching bill but also to support a federal anti-kidnapping bill, which I understand is to be introduced at this next session. You may rest assured that you have a definite commitment from me on this matter, as I think that Governor Rolph of California has forfeited his right to hold office under the Constitution of the United States."

CONGRESSMEN (continued)

Chester Thompson, Illinois:

"I favor legislation of this nature and unless the bill is much different than I anticipate, I will be pleased to support it."

J. LeRoy Adair, Illinois:

"I assure you I would be very glad to support any bill that has to do with the prevention of lynching in any form."

Leo E. Allen, Illinois:

"I will be glad to support any anti-lynching bill in the House of Representatives."

Martin A. Brennan, Illinois:

"Please be assured that I shall give this legislation my earnest consideration when it comes before the next session of Congress."

Fred A. Britten, Illinois:

"It will be a real pleasure for me to support the Senator Costigan Bill or any other bill of like character that is designed to oppose, obstruct or penalize mob violence and lynching."

Everett M. Dirksen, Illinois:

"If an anti-lynching bill is brought before the House for consideration, I expect to support such legislation. I have previously gone on record on this matter in several instances, and recently addressed the Roy B. Fisdell Post (Colored) of the American Legion, Peoria, Illinois, and assured them publicly of my attitude on this matter and that I would support such legislation."

D. C. Dobbins, Illinois:

"I stand four-square with what President Roosevelt said concerning the lynching evil. I assume that Senator Costigan's bill will be in line with the President's position, and I shall be glad to support any practicable means for striking at the evil through legislative enactment."

Frank Gillespie, Illinois:

"I am against all lynching and mobbing."

CONGRESSMEN (continued)

Leo Kocialkowski, Illinois:

"I am in hearty accord with the work of the National Association for the Advancement of Colored People. I am sure, too, that the Administration as well as the members of both Houses of Congress will vigorously support a Federal Anti-Lynching Bill when it comes before the next session of Congress."

William Granfield, Massachusetts:

"You may be assured when this legislation comes before the House for consideration, it will receive my whole-hearted support."

Martin L. Sweeney, Ohio:

"When Senator Costigan's bill to make lynching a federal offense is presented to the House for consideration I shall be only too glad to remember your suggestions."

Chester C. Bolton, Ohio:

"If the Senate measure to which you refer comes to the House for action, or there is other legislation presented on the subject, you may be sure of my careful consideration."

David J. Lewis, Maryland:

"I am in sympathy with your views on this subject. The anti-lynching bill which I understand is to be introduced this session shall have my most serious consideration."

J. G. Scrugham, Nevada:

"I have the greatest confidence in the sound judgment of Senator Costigan, and will be much inclined to favor any measure of the character which he may introduce."

Ray P. Chase, Minnesota:

"Surely you are not in doubt as to how I will stand on such a question. Please keep me posted as to any further thought you have on the subject, or any information which comes to you."

Einar Hoidale, Minnesota:

"Your views and suggestions are appreciated and will be given every consideration in connection with the bill. . . at the time this measure is brought before the House."

CONGRESSMEN (continued)

Harold Knutson, Minnesota:

"I will gladly support a federal anti-lynching law. So long as we permit lynchings in this country we are not in condition to criticize or reprove other countries."

J. G. Milligan, Missouri:

"If this matter comes before the House for consideration it will receive my undivided attention."

Clarence Cannon, Missouri:

"You may be certain that I shall be glad to cooperate at every opportunity in every legitimate measure for the maintenance of law and order."

Reuben I. Wood, Missouri:

"I have always been opposed to mob rule as it is an instrument of barbarism. . . and you may be assured that it will be my purpose to render my every influence and cooperation to the enactment of a law making lynching a federal crime and giving federal courts jurisdiction over the same."

Glenn Griswold, Indiana:

"Will be glad to support anti-lynching legislation."

Herman P. Koppelman, Connecticut:

"I will give every support I can command for the passage of the Costigan-Wagner Anti-Lynching Bill."

C. W. Henney, Wisconsin:

Wrote he is heartily for the Costigan-Wagner Bill.

Frederick R. Lehlbach, New Jersey:

Gave assurance of his hearty cooperation and support of the Costigan-Wagner Bill.

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*File*

*Mrs  
Schmidt*

May 8, 1934

My dear Mr. White:

In the absence of Mrs. Roosevelt and Mrs. Scheider, I am acknowledging the receipt of your telegram, which will be brought to Mrs. Roosevelt's attention as soon as she returns on May 11th.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt

H:O

Mr. Walter White  
Benjamin Franklin Hotel  
Philadelphia  
Pennsylvania

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NEWCOMB CARLTON  
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NM	= Night Message
NL	= Night Letter
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*arr 5-8-34*

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FULL-RATE	DAY LETTER

WOULD IT BE POSSIBLE ADVISE ME TODAY WHEN CONFERENCE WITH MRS ROOSEVELT AND THE PRESIDENT IS POSSIBLE WOULD YOU ALSO ASK MRS ROOSEVELT IF MISS ELIZABETH EASTMAN OF YWCA AND DEAN CHARLES HOUSTON OF HOWARD UNIVERSITY, LAW SCHOOL WHO HAS JUST MADE TRIP THROUGH SOUTH MAY JOIN IN CONFERENCE CAN BE REACHED BY TELEPHONE OR TELEGRAPH AT BENJAMIN FRANKLIN HOTEL=  
 WALTER WHITE.

*Phoned 449*

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THE WHITE HOUSE  
WASHINGTON

May 8, 1934

My dear Mr. White:

In the absence of Mrs. Roosevelt and Mrs. Scheider, I am acknowledging the receipt of your telegram, which will be brought to Mrs. Roosevelt's attention as soon as she returns on May 11th.

Very sincerely yours,

*Evelyn Nelson, Mrs. J. M.*

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
Benjamin Franklin Hotel  
Philadelphia  
Pennsylvania

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STATE BOARD SOCIAL WELFARE

NEW YORK STATE TRAINING SCHOOL FOR BOYS  
STATE DEPARTMENT OF SOCIAL WELFARE  
WARWICK, NEW YORK



May 14th  
1934

100  
for

ROBERT ROSENBLUTH  
SUPERINTENDENT  
WALTER R. MONESER  
CHARLES SCHROEDEL  
ASSISTANT SUPERINTENDENTS  
MAX WINSOR, M. D.  
SECRETARY MEDICAL BOARD  
HARRY W. COLLINS  
DIRECTOR SOCIAL SERVICE  
JESSE FUNT  
BUSINESS DIRECTOR

My dear Mrs. Roosevelt:

I have just learned that you are going to visit the State Training School at Warwick on Monday, June 4th. I am sorry that I shall be in North Carolina on that day and can't be at Warwick to join with the other members of the Board of Visitors in welcoming you.

I should be much interested in getting your opinion of how well the job is being done.

Ever sincerely,

Member Board of Visitors.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



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May 14th  
1934

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My dear Mrs. Roosevelt:

May I somewhat belatedly express my warm thanks to you for arranging the interview with the President on May 7th. I thoroughly enjoyed every minute of it and he was most generous in giving me so much time. The charm and informality of the conversation there on the porch with the President and his mother will long be remembered.

He doubtless has told you of his agreeing to a vote on the anti-lynching bill at this session of Congress but he told me frankly that he could not promise to withstand a long filibuster should one be attempted. I assured him that we would do whatever we could to stimulate activity in the south through the women of the Y.W.C.A., the Methodist Episcopal Church, South, and other interested groups to protest to the senators from their states if a filibuster is attempted.

We all feel confident that the bill will pass both houses when it is brought up for a vote. In any event it would be preferable by far even to have the bill voted on and defeated than to have it die through inaction.

with cordial personal greetings, I am

Sincerely,

*Walter White*

Secretary.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WH:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

TWENTY-FIFTH ANNUAL CONFERENCE — OKLAHOMA CITY, OKLA., June 27 - July 1, 1934

{ 15 March 1934 }  
{ Revised Draft }

S. 1978

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IN THE SENATE OF THE UNITED STATES.

January 4, 1934.

A BILL

To prevent and punish lynching.

Do it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the phrase "mob or riotous assemblage", when used in this Act, shall mean an assemblage composed of three or more persons acting in concert, without authority of law, to kill or injure any person suspected or accused of or convicted of any crime or offense, or in the custody of any peace officer, with the purpose or consequence of depriving such person of due process of law or the equal protection of the laws. Said phrase for use in this Act shall also mean an assemblage composed of three or more persons acting in concert, without authority of law, to kill or injure any person on account or because of his race, creed or color.

Sec. 2. If any State or governmental subdivision thereof fails, neglects, or refuses to provide and maintain protection to the life or person of any individual within its jurisdiction against a mob or riotous assemblage, whether by

way of preventing or punishing the acts thereof, such State shall by reason of such failure, neglect, or refusal be deemed, to have denied to such person due process of law and the equal protection of the laws of the State; and to the end that the protection guaranteed to persons within the jurisdictions of the several States, or to citizens of the United States, by the Constitution of the United States, may be secured, the provisions of this Act are enacted.

Sec. 3 (a) Any officer or employee of any State or governmental subdivision thereof who is charged with the duty or who possesses the power or authority as such officer or employee to protect the life or person of any individual injured or put to death by any mob or riotous assemblage, or any officer or employee of any State or governmental subdivision thereof having any such individual in his custody, who fails, neglects, or refuses to make all diligent efforts to protect such individual from being so injured or being put to death, or any officer or employee of any State or governmental subdivision thereof charged with the duty of apprehending, keeping in custody or prosecuting any person participating in such mob or riotous assemblage who fails, neglects, or refuses to make all diligent efforts to perform his duty in apprehending, keeping in custody, or prosecuting to final judgment under the laws of such State all persons so participating, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$5,000. or by imprisonment not exceeding five

years, or by both such fine and imprisonment.

(b) Any officer or employee of any State or governmental subdivision thereof, acting as such officer or employee under authority of State law, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person who is a member of a mob or riotous assemblage to injure or put such prisoner to death without authority of law, or who shall conspire, combine, or confederate with any person to suffer such prisoner to be taken or obtained from his custody or control to be injured or put to death by a mob or riotous assemblage shall be guilty of a felony, and those who so conspire, combine, or confederate with such officer or employee shall likewise be guilty of a felony. On conviction the parties participating therein shall be punished by imprisonment of not less than five years and may be imprisoned for life.

Sec. 4. The United States district court of the judicial district wherein the person is injured or put to death by a mob or riotous assemblage shall have jurisdiction to try and to punish, in accordance with the laws of the State where the injury is inflicted or the homicide is committed, any and all persons who participate therein: Provided, That it is first made to appear to such court (1) that the officers of the State charged with the duty of apprehending, prosecuting, and punishing such offenders under the laws of the State shall have failed, neglected, or refused to apprehend, prosecute, or punish such offenders; or (2) that the jurors obtainable for service in the State court

having jurisdiction of the offense are so strongly opposed to such punishment that there is probability that those guilty of the offense will not be punished in such State court. A failure for more than thirty days after the commission of such an offense to apprehend or to indict the persons guilty thereof, or a failure diligently to prosecute such persons, shall be sufficient to constitute prima facie evidence of the failure, neglect, or refusal described in the above proviso.

Sec.5. Any county in which a person is put to death by a mob or riotous assemblage shall be liable to the legal representatives of such person for a sum not less than \$2,000 nor more than \$10,000 as liquidated damages, which sum may be recovered in a civil action against such county in the United States district court of the judicial district wherein such person is put to death. Such action shall be brought and prosecuted by the United States Attorney in the United States District Court for such district. The court shall direct a verdict in favor of the plaintiff if the only reasonable inference to be drawn from the evidence is that death resulted from the acts of a mob or riotous assemblage as defined in this Act. Otherwise the case shall be submitted to the jury. If the amount awarded be not paid upon recovery of a judgment therefor, such court shall have jurisdiction to enforce payment thereof by levy of execution upon <sup>any</sup> property of the county, or may otherwise compel payment thereof by mandamus or other

appropriate process; and any officer of such county, or other person who disobeys or fails to comply with any lawful order of the court in the premises shall be liable to punishment for contempt and of any other penalty provided by law therefor. The amount recovered shall be exempt from all claims by creditors of the deceased. The amount recovered upon such judgment shall be distributed in accordance with the laws governing the distribution of an intestate decedent's assets then in effect in the State wherein such death occurred.

Sec. 6. In the event that any person so put to death shall have been transported by such mob or riotous assemblage from one county to another county during the time intervening between his seizure and putting to death, the county in which he is seized and the county in which he is put to death shall be jointly and severally liable to pay the judgment herein provided.

Sec. 7. Any district judge of the United States District Court of the judicial district wherein any suit or prosecution is instituted under the provisions of this Act, may by order direct that such suit or prosecution be tried in any place in such district as he may designate in such order.

Sec. 8. If any provision, sentence or clause of this Act or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

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May 29, 1934

My dear Mrs. Roosevelt:

I tried to reach you by telephone when I was in Washington last week but could not, as you were occupied. I wanted to acquaint you with the recent developments on the Anti-Lynching Bill.

Senators Costigan and Wagner talked with the President last Thursday. I accompanied them to the White House at their request but did not participate in the conference.

The majority in favor of the bill in both houses of Congress, according to present indications, is even larger now than when I talked with you. Apparently, however, this very circumstance has increased the determination of a small group of senators to prevent a vote on the bill at all costs. We understand that Senator Stephens of Mississippi has said to certain of his fellow senators that a vote on the bill would be taken "over my dead body". It is almost heart-breaking to have put as much work into this struggle as we have and to be practically assured of the passage of the bill if only a vote could be taken to have a small, recalcitrant group of senators prevent a vote being taken.

In the meantime the situation grows steadily worse in some parts of the country. I enclose clippings from yesterday's and today's New York Post telling of the situation in Alabama. Even though liberal allowance is made for the tactics used by the Communists in stirring up trouble in Alabama, particularly in connection with the Scottsboro cases, even the Communists could not have created a situation such as John Howard Lawson depicts were not the economic, racial and political situation so thoroughly vicious. The Costigan-Wagner Bill would not, of course, solve all these problems but it would give a potent weapon to keep down at least the more vicious forms of violence.

We were very much disturbed to read in the New York Times of the President's doubts regarding the

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

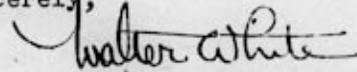
TWENTY-FIFTH ANNUAL CONFERENCE - OKLAHOMA CITY, OKLA., June 27 - July 1, 1934

Mrs. Eleanor Roosevelt - 2

constitutionality of the bill. I enclose a copy of the brief by Mr. Tuttle on the constitutionality of the measure. I would be very grateful if you would place this brief in the hands of the President; and, should you deem it of sufficient importance, would you also call his attention to the situation in Alabama as told of in the New York Post?

We do very much hope that the President will continue to insist on a vote at this session of Congress and, if necessary, that he will send a special message to Congress.

Ever sincerely,



Secretary

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW/RR

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## Senate Committee on the Judiciary

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### BRIEF BY CHARLES H. TUTTLE IN SUPPORT OF THE CONSTITUTIONALITY OF THE COSTIGAN-WAGNER ANTI-LYNCHING BILL

#### I

##### Lynching a National Menace

The horrifying lynchings which occurred in a number of states near the end of last year and in which both white men and black were murdered by the mob, have been eloquent proof that this form of primitive savagery is not on the decline, and that both in its manifestation and in its consequence it is not only of grave concern to the individual states but an imminent peril to the nation as a whole.

These are days when the bulwarks of government must be strengthened and when the danger of mob rule anywhere in our land must be regarded as a national menace.

Unless respect and reverence for our orderly institutions of constitutional government are preserved in the minds of our people, the end may quite conceivably be national dissolution. Judgment by mob and trial by fury will not pause at the hair-line of any nice distinctions. Once proclaim that the bitterness of public indignation affords justification for replacing the processes of law and of constitutional government with the violence of the lowest passions, and the whirlwind will speedily be the reaping from such sowing of the wind.

Furthermore, there is great national danger, especially in these times, in causing large sections of our population to believe that they are outside the effective protection of government, and in thus loosening their attachment to our institutions.

That nation is hardly worthy of the name which does not protect its own citizens. For large groups of our population there is bitter irony in the contrast between the strength and determination with which our national government defends the rights of American citizens in foreign lands, and its complete impotence in the matter of defending the same citizens against the consequences of mob rule within its own borders.

Moreover, these outbursts of primitive savagery, so often centering in racial passions, have obviously tended to lessen the respect in which our institutions are held abroad and have not infrequently embarrassed us as a nation in our protests against racial injustice and persecution in other lands. These all too frequent lynchings, taken together with our spectacular gang war-fares and murders, are commonly cited in the foreign press as proof of ineffective government and of a spirit of lawlessness in America.

These dangers in which lynching involves the nation as a whole were expressed by Abraham Lincoln in his speech at Springfield, Illinois, as follows:

"I hope I am over wary; but if I am not, there is even now something of ill omen amongst us. I mean the increasing disregard for law which pervades the country—the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than

savage mobs for the executive ministers of justice. . . . The walls erected for the defense of persons and property of individuals are trodden down and disregarded. . . . The lawless in spirit are encouraged to become lawless in practice, and thus become absolutely unrestrained. . . . While, on the other hand, good men, men who love tranquility, who desire to abide by the laws and enjoy their benefits, who would gladly spill their blood in the defense of their country, seeing their property destroyed, their families insulted, and their lives endangered, their persons injured, and seeing nothing in prospect that forebodes a change for the better, become tired of and disgusted with a Government that offers them no protection. . . . Thus the strongest bulwark of any government may effectually be broken down and destroyed. I mean the attachment of the people."

The time, therefore, has come when the nation should defend itself against this national evil which has assumed colossal proportions. Whatever our views of state rights may be, we must recognize that, under present day conditions, in the solution of national questions state boundaries are becoming less distinct. This change is due to social development, to science and invention; and it rests upon the closer relations of trade and amity which exist between communities. More and more the national resources are called upon for the making of local improvements within the several states and for the relief of their population from economic and physical distress. Hardly, therefore, does it seem fitting that where the national government is, on the solicitation of state and local communities, making ever increasing investment among them, they should deny to the national government an inter-

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est and a voice in preventing in their own midst recurrences of mob insurrection which destroy the security of the national investment and which undermine the strength of the national credit and of the national institutions.

Surely, nothing in our national Constitution prevents our national government from undertaking such an act of self-preservation and from protecting itself against the consequences of the breakdown of due process of law through state inaction or ineffectiveness, and of wholesale discrimination in the protection of the laws through the tyrannies of mob rule.

The power thus to protect the nation against internal national dangers of this character were expressly conferred upon Congress by the United States Constitution.

## II

### The Relevant Constitutional Provisions

Section 4 of Article IV of the Federal Constitution declares:

"The United States shall guarantee to every State in this Union a Republican Form of Government."

Section 1 of Article XIV (14th Amendment) declares:

"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. . . . 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."

Section 5 of Article XIV (14th Amendment) declares:

"The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

## III

### These provisions are interpreted liberally.

These sections deserve a liberal interpretation in favor of the rights which they were designed to protect.

In *Strauder v. West Virginia*, 100 U. S. 303, the Supreme Court said (p. 307):

"If this is the spirit and meaning of the amendment (14th Amendment), whether it means more or not, it is to be construed liberally, to carry out the purposes of its framers."

## IV

### The provisions of the Fourteenth Amendment establish positive individual rights.

The same decision declares that, in consequence, while the precise words of the Amendment are prohibitory, they imply, and by implication confer, positive immunities and rights which cannot lawfully be invaded by the prohibited acts. To quote (p. 307):

"The words of the amendment (14th Amendment), it is true, are prohibitory, but they contain the 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 dis-

criminations, implying inferiority in civil society, lessening the security of their enjoyment of the rights which others enjoy, and discriminations which are steps towards reducing them to the condition of a subject race."

## V

**Congress has plenary power to protect the rights established by the Fourteenth Amendment.**

By necessary implication, as well as by the express mandate of the fifth section of the Fourteenth Amendment, Congress has not only the power but the duty to protect the rights conferred or guaranteed by the Federal Constitution either by express declaration or by implication. The Supreme Court has uniformly held that the national government has the power, whether expressly given or not, to secure and protect the rights conferred and guaranteed by the Constitution (*U. S. v. Reese*, 92 U. S. 214; *Strauder v. West Virginia*, 100 U. S. 303).

The Supreme Court has accepted as essential to the national supremacy, the necessary doctrine that Congress, in the absence of a positive delegation of powers to the state legislatures, may, by its own legislation, enforce and protect any rights derived from or created by the National Constitution. It was so declared in *Prigg v. Commonwealth of Pennsylvania*, 16 Pet. (U. S.) 539, where Mr. Justice Story, speaking for the court, laid down these propositions:

That clause in the Constitution conferring a right should not be so construed as to make it shadowy, or unsubstantial, or leave the citizen without a remedial power adequate for its protection, when another con-

struction equally accordant with the words and the sense in which they were used, would enforce and protect the right granted;

That Congress is not restricted to legislation for the execution of its expressly granted powers; but, for the protection of rights guaranteed by the Constitution, may employ such means, not prohibited, as are necessary and proper, or such as are appropriate, to attain the ends proposed.

In *U. S. v. Reese*, 92 U. S. 214, it was said by Chief Justice WAITE (p. 217):

"Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. The form and the manner of the protection may be such as Congress, in the legitimate exercise of its legislative discretion, shall provide. These may be varied to meet the necessities of the particular right to be protected."

## VI

**The prohibitions of the Fourteenth Amendment apply to action by individual officials.**

Furthermore, the protection which these sections of the Federal Constitution throw around the rights which they guarantee is a protection not only against their violation by a state acting in its corporate capacity, but also against their violation by individuals acting in any official capacity derived, directly or indirectly, from the state.

In consequence, any ministerial, executive, legislative or judicial officer, deriving his authority, directly or indirectly, from a state, who invades any of these guaranteed rights is acting unlaw-

fully; and Congress has the power to enact proper legislation to protect these rights from any such invasion.

As said in *Ex Parte Virginia*, 100 U. S. 339, at page 347:

"A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government, deprives another of property, life, or liberty, without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State, and is clothed with the State's power, his act is that of the State. This must be so, or the constitutional prohibition has no meaning. Then the State has clothed one of its agents with power to annul or to evade it."

In *Home Telephone & Telegraph Co. v. City of Los Angeles*, 227 U. S. 278, the Supreme Court, through Mr. Chief Justice WHITE, said (p. 286):

"The provisions of the Amendment as conclusively fixed by previous decisions are generic in their terms, are addressed, of course, to the States, but also to every person whether natural or judicial who is the repository of state power. By this construction the reach of the Amendment is shown to be coextensive with any exercise by a State of power, in whatever form exerted."

In *Virginia v. Rives*, 100 U. S. 313, it was said (p. 318):

"It is doubtless true that a State may act through different agencies, either by its legislative, its executive, or its judicial authorities; and the prohibitions of the amendment extend to all action of the State denying equal protection of the laws, whether it be action by one of these agencies or by another. Congress, by virtue of the fifth section of the Fourteenth Amendment, may enforce the prohibitions whenever they are disregarded by either the Legislative, the Executive, or the Judicial Department of the State. The mode of enforcement is left to its discretion. It may secure the right, that is, enforce its recognition, by removing the case from a State court in which it is denied, into a Federal court where it will be acknowledged."

In *Raymond v. Traction Co.*, 207 U. S. 20, the Supreme Court said (p. 36):

"The provisions of the Fourteenth Amendment are not confined to the action of the State through its legislature, or through the executive or judicial authority. Those provisions relate to and cover all the instrumentalities by which the State acts, and so it has been held that, whoever by virtue of public position under a state government, deprives another of any right protected by that amendment against deprivation by the State, violates the constitutional inhibition; and as he acts in the name of the State and for the State, and is clothed with the State's powers, his act is that of the State."

## VII

**The prohibitions of the Fourteenth Amendment apply to action by local or municipal officers.**

For the same reason the prohibitions of the Fourteenth Amendment apply to local officers as

well as to state-wide officers, for officers of counties, cities or other local subdivisions of government are in ultimate analysis the repository of the power of the state.

Hence, in *Home Telephone & Telegraph Co. v. City of Los Angeles*, 227 U. S. 278, it was held that acts done by a local officer under the authority of a municipal ordinance passed by virtue of power conferred by the state, are embraced by the Fourteenth Amendment. The Supreme Court said that the exercise of municipal authority is the exertion of state power within the purview of the Fourteenth Amendment (p. 295).

So, likewise, in *Yick Wo v. Hopkins*, 118 U. S. 356, it was held that a municipal ordinance to regulate the conducting of public laundries within the limits of the City of San Francisco, which conferred purely arbitrary power upon the municipal authorities to give or withhold consent, was violative of the Fourteenth Amendment. The court said that the principles of the Fourteenth Amendment are to be freely extended to the quasi-legislative acts of inferior municipal bodies (p. 371).

### VIII

**The prohibitions of the Fourteenth Amendment apply to acts of administration as well as of legislation.**

Indeed, the Supreme Court has applied the Fourteenth Amendment to mere matters of administration by local officials even though the municipal or state law under which they were acting contained in itself no arbitrary discriminations and no denials of due process or the equal protection of the laws.

In *Tarrance v. Florida*, 188 U. S. 519, Mr. Justice BREWER, speaking for the Supreme Court, said (p. 520):

"The contention of plaintiffs in error is that they were denied the equal protection of the laws by reason of an actual discrimination against their race. The law of the State is not challenged but its administration is complained of. . . ."

"Such an actual discrimination is as potential in creating a denial of equality of rights as a discrimination made by law."

Again, in *Yick Wo v. Hopkins*, 118 U. S. 356, an ordinance of the City of San Francisco, which made it unlawful to maintain laundries without first having obtained the consent of the Board of Supervisors, was so administered that Chinamen were denied the right to maintain laundries solely because of their race and nationality. In holding that this administration of the ordinance was violative of the Fourteenth Amendment the Supreme Court said (p. 373):

"The facts shown establish an administration directed so exclusively against a particular class of persons as to warrant and require the conclusion, that, whatever may have been the intent of the ordinances as adopted, they are applied by the public authorities charged with their administration, and thus representing the State itself, with a mind so unequal and oppressive as to amount to a practical denial by the State of that equal protection of the laws which is secured to the petitioners, as to all other persons, by the broad and benign provisions of the Fourteenth Amendment to the Constitution of the United States. Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to

make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution. This principle of interpretation has been sanctioned by this court in *Henderson v. Mayor of New York*, 92 U. S. 259; *Chy Lung v. Freeman*, 92 U. S. 275; *Ex parte Virginia*, 100 U. S. 339; *Neal v. Delaware*, 103 U. S. 370; and *Soon Hing v. Crowley*, 113 U. S. 703." \* \* \*

"The fact of this discrimination is admitted. No reason for it is shown, and the conclusion cannot be resisted, that no reason for it exists except hostility to the race and nationality to which the petitioners belong, and which in the eye of the law is not justified. The discrimination is, therefore, illegal, and the public administration which enforces it is a denial of the equal protection of the laws and a violation of the Fourteenth Amendment of the Constitution. The imprisonment of the petitioners is, therefore, illegal, and they must be discharged."

#### IX

**The prohibitions of the Fourteenth Amendment apply to official action even though contrary to state law.**

Another important principle sustained by repeated decisions of the Supreme Court in interpreting the Fourteenth Amendment is that even if the state or local officer, in enforcing an arbitrary discrimination or in denying the equal protection of the laws, is acting without authority derived from the constitution or the laws of the state or is even acting contrary thereto, nevertheless, his conduct is embraced by the Fourteenth Amendment and can be dealt with accordingly.

For example, in *Neal v. Delaware*, 103 U. S. 370, it was held that the exclusion, because of their race and color, of citizens of African descent from the grand jury that found, and from the petit jury that was summoned to try, the indictment, if made by the jury commissioners, without authority derived from the constitution and laws of the state, was a violation of the prisoner's rights under the Fourteenth Amendment; and his motions to quash the indictment and the panels of jurors should have been sustained. The Court, quoting from its earlier opinion in *Ex parte Virginia*, 100 U. S. 339, said (p. 397):

"The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are executed, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government, deprives another of property, life, or liberty without the due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition."

In *Virginia v. Rives*, 100 U. S. 313, the state officer charged with the duty of selecting prospective jurors directly violated the state law prohibiting racial discrimination. The Supreme Court, while acknowledging that the officer had thereby made himself punishable at the instance of the state, went on to say that nevertheless "his act was the act of the state and was prohibited by the constitutional amendment" (p. 321).

A striking illustration of this principle occurs in *Home Telephone & Telegraph Co. v. City of Los Angeles*, 227 U. S. 278. There the state con-

stitution of California contained guarantees of due process and equal protection of the laws, identical with those in the Fourteenth Amendment. Certain municipal officers, in their administration of a local ordinance, were guilty of arbitrary discrimination. Notwithstanding that their acts violated the constitution of their own state, the Supreme Court held that their action could be nullified and corrected through the Federal courts, acting under the Fourteenth Amendment, without waiting for a state court to declare that their acts also violated the state constitution. The Supreme Court declared that inasmuch as the local officers were acting or purporting to act "by virtue of public position," their conduct was embraced by the Fourteenth Amendment. The Court also took occasion to overrule in effect (p. 294) its earlier decision in the case of *Barney v. City of New York*, 193 U. S. 430, that where the local officer's act was forbidden by state statute, it could not be said to be the act of the state within the meaning of the Fourteenth Amendment. Speaking by Chief Justice WHEAT, the Supreme Court expressly rejected the proposition that "the terms of the Fourteenth Amendment reached only the acts done by state officers which are within the scope of the power conferred by the state," and said that on the contrary (p. 287):

"The settled construction of the Amendment is that it presupposes the possibility of an abuse by a state officer or representative of the powers possessed and deals with such a contingency. It provides, therefore, for a case where one who is in possession of state power uses that power to the doing of the wrongs which the Amendment forbids even although the consummation of the

wrong may not be within the powers possessed if the commission of the wrong itself is rendered possible or is efficiently aided by the state authority lodged in the wrongdoer. That is to say, the theory of the Amendment is that where an officer or other representative of a State in the exercise of the authority with which he is clothed misuses the power possessed to do a wrong forbidden by the Amendment, inquiry concerning whether the State has authorized the wrong is irrelevant and the Federal judicial power is competent to afford redress for the wrong by dealing with the officer and the result for his exertion of power."

So likewise in *Ex parte Virginia*, 100 U. S. 339, it was urged that Judge COLES, who had kept men off the jury for no other reason than that they were colored, was not acting on behalf of the state but was acting against the state and that, therefore, his act was not that of the state. The Supreme Court held otherwise, ruling that his action was not a private act but one made in the course of official conduct and by virtue of his public position.

## X

**The prohibitions of the Fourteenth Amendment apply to official non-action as fully as to official action.**

A final and important principle is that denial of due process or the equal protection of the laws may be accomplished by *non-action* quite as well as by action. An unconstitutional discrimination may result quite as effectually from the negative as from the affirmative conduct of a public official.

In *United States v. Blackburn*, Fed. Cas. No. 14,603, District Judge KREKEL, in charging the jury in a case where there had been a conspiracy to deprive colored citizens of equal school privileges, said (p. 1159):

"By the equal protection of the laws, spoken of in the indictment, is meant that the ordinary means and appliances which the law has provided shall be used and put in operation alike in all cases of violation of law. Hence, if the outrages and crimes shown to have been committed in the case before you were well known to the community at large, and that community and the officers of the law willfully failed to employ the means provided by law to ferret out and bring to trial the offenders, because of the victims being colored, it is a depriving them of the equal protection of the law."

In *Louisville & N. R. Co. v. Bosworth*, 230 Fed. 191, District Judge COCHRAN said (p. 207):

"What is it, then, to deny the equal protection of those laws? It is to refuse to grant or to withhold equal treatment in conferring or securing rights or in imposing or exacting performance of duties."

In *Moore v. Dempsey*, 261 U. S. 86, the Supreme Court held that a trial for murder in the state court in which the accused were hurried to conviction under mob domination without regard for their rights, is a denial of due process and equal protection; and quoting from its opinion in *Frank v. Mangum*, 237 U. S. 309, 335, said (p. 91):

"If the State, supplying no corrective process, carries into execution a judgment of death or imprisonment based upon a ver-

dict thus produced by mob domination, the State deprives the accused of his life or liberty without due process of law.' . . . if the case is that the whole proceeding is a mask—that counsel, jury and judge were swept to the fatal end by an irresistible wave of public passion, and that the State Courts failed to correct the wrong, neither perfection in the machinery for correction nor the possibility that the trial court and counsel saw no other way of avoiding an immediate outbreak of the mob can prevent this Court from securing to the petitioners their constitutional rights."

So, likewise, in *Virginia v. Rives*, 100 U. S. 313, it was said by the Supreme Court (p. 319):

"It is evident, therefore, that the denial or inability to enforce in the judicial tribunals of a State, rights secured to a defendant by any law providing for the equal civil rights of all persons citizens of the United States, of which sect. 641 speaks, is primarily, if not exclusively, a denial of such rights, or an inability to enforce them, resulting from the Constitution or laws of the State, rather than a denial first made manifest at the trial of the case."

It follows from the foregoing that non-action of an officer of the State is reached by the Fourteenth Amendment as much so as if he had acted positively and directly.

If an officer stands by and refuses to protect a citizen and does not act with the forces at his command in the face of impending or threatening danger, it is just as much an act of the State under the Fourteenth Amendment as if he had used his official position to aid the lynching. In other words, the non-action of an officer is as much the act of the State as the direct and posi-

tive act of the officer, and may be reached under the Fourteenth Amendment by appropriate legislation by Congress. Were this otherwise, the Fourteenth Amendment could be nullified in any State by wholesale non-action of the state or local officers.

#### XI

#### The Fourteenth Amendment establishes the constitutionality of the Costigan-Wagner Anti-Lynching Bill.

The foregoing principles readily sustain the constitutionality of the Anti-Lynching Bill.

This Bill is expressly limited by its own definitions to official action or non-action resulting in the denial of due process or the equal protection of the laws. It applies only to persons injured or killed through mob violence on account of race, creed or color, or with the purpose or consequence of depriving the victim of due process of law or the equal protection of the laws where such person was suspected, accused or convicted of any crime or offense or was in the custody of any peace officer.

In other words, this statute does not seek to reach all cases of assault or murder through violence, or even all cases in which human rights have been denied or destroyed by public anarchy. It in no sense attempts to set up a Federal criminal code in the several states, or to give to the Federal Government a regulatory, supervisory or concomitant power in connection with the administration of the criminal laws of the state. It deals only with those instances where the personal rights guaranteed to all American citizens by the Fourteenth Amendment have been

invaded by mob violence with the active concurrence or through the non-action of state or local officers, or where such rights cannot, by reason of local conditions, be properly vindicated in the local courts.

As has already been stated, the Fourteenth Amendment not only prohibits certain action or non-action by the several states and public and local officers, but also by necessary implication confers upon every American citizen, and guarantees, certain rights which the Congress may protect by all appropriate means in the exercise of plenary police power.

In its proper sphere Congress possesses a Federal police power quite as complete as any police power possessed by the states.

In *Hoke v. U. S.*, 227 U. S. 308, speaking of the power of Congress over interstate transportation, the Supreme Court said (p. 323):

"The power is complete in itself, and Congress, as an incident to it, may adopt not only means necessary but convenient to its exercise and the means may have the quality of police regulations."

In *Gibbons v. Ogden*, 9 Wheat., Chief Justice MARSHALL said (p. 202):

"It is obvious that the Government of the Union in the exercise of its express powers . . . may use means that may also be employed by a State in the exercise of its acknowledged powers."

In *Hamilton v. Kentucky Distillers Company*, 251 U. S. 146, the Supreme Court said:

"When the United States asserts any of the powers conferred upon it by the Consti-

tution, no valid objection can be based upon the fact that such exercise may be attended by the same incidents which attend the exercise by a State of its police power, or that it may tend to accomplish a similar purpose."

## XII

### The reciprocal duty of the states under the Fourteenth Amendment also sustains the constitutionality of the Anti-Lynching Bill.

The Fourteenth Amendment is as much the law of the separate states as it is of the United States. The individual rights which it confers upon American citizens and guarantees are rights existing under the law of the land, and hence they are rights which are entitled to recognition and protection by the law and jurisprudence of the several states.

By ratifying the Fourteenth Amendment the several states have bound themselves to perform and discharge the duty of affording to all persons within their respective boundaries the equal protection of the laws; and the Federal Government has guaranteed this performance. This duty is the positive, affirmative duty of equal protection. Wherever this duty is not performed, regardless of the excuse, there is a breach by the state of the contract; and, in consequence, the obligation falls on the guarantor, the Federal Government, to assure performance and to redress whatever wrongs have been suffered by reason of the breach of the guaranty.

In the case of private corporations it is well settled that where an obligation rests upon such a corporation as a positive duty in favor of third persons, the failure of its officer or agent to dis-

charge that duty is actionable, even though the failure may have been merely an incident of malicious or criminal conduct on the part of the officer or agent for which the corporation is in no way responsible as a principal.

In other words, the rule is well established that where the misconduct or non-action of an agent causes a breach of the obligation or contract of his principal, there the principal will be liable in an action, whether such misconduct or non-action be willful, malicious or merely negligent; and the form of the action, though undeniably in tort, is treated virtually as an action in contract and governed by the same rule of damages.

*Weed v. Panama R. R. Co.*, 17 N. Y. 362;  
*Rexford v. State*, 105 N. Y. 229;  
*Gibney v. State*, 137 N. Y. 1;  
*Craker v. The Chicago & Northwestern Ry. Co.*, 36 Wis. 657-670.

The analogy seems obvious. If state or local officers may in one sense be regarded as acting outside of the purposes of their employment or authority in not preventing a lynching, nevertheless such conduct constitutes a neglect or default on the part of the state in its duty to afford the equal protection of the law. Against such neglect or default Congress is authorized by the Fourteenth Amendment to adopt all appropriate remedial measures, in order to vindicate and protect the rights possessed by all American citizens under that Amendment. Such action by Congress is in no way an invasion of state rights but should be welcomed by the states as an additional protection to fundamental privileges which they too are equally bound to guarantee.

## XIII

**The constitutionality of the Anti-Lynching Bill can also be sustained under the constitutional guarantee of a republican form of government in the several states.**

The right to due process of law and the equal protection of the laws are fundamental conceptions of justice and inherent in the very idea of republican or free government. In *Powell v. Alabama*, 287 U. S. 45, the Supreme Court, quoting from its earlier decision in *Holden v. Hardy*, 169 U. S. 366, 389, said concerning the right to due process of law and the equal protection of the laws (p. 371):

"There are certain immutable principles of justice which are inherent in the very idea of free government which no member of the Union may disregard."

In *United States v. Cruikshank*, 92 U. S. 542, the Supreme Court said (p. 555):

"The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle, if within its power. That duty was originally assumed by the States; and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right."

Obviously, the substitution of mob rule for free government and the destruction of the immutable rights of private citizens by mob violence, where the objective or consequence is the overthrow of due process of law or the equal protection of the law, is a violation of the right of the injured

citizen to enjoy the advantages and privileges of a republican form of government.

In the exercise of the police power expressly conferred upon Congress to preserve the republican form of government in the several states and to vindicate the right of the private citizens thereof to enjoy the protection of free government, Congress may enact all appropriate measures and may set up machinery for the enforcement thereof by the Federal courts. Such police measures may, obviously, be both preventive and remedial,—may seek to prevent a destruction of constitutional rights by the substitution of mob rule for free government, and may provide remedies for wrongs suffered by reason of such substitution.

## XIV

**The penalty imposed upon the county where the lynching occurs is constitutional.**

The provision in the Anti-Lynching Bill for penalizing the county where a lynching occurs by a sum to be fixed as liquidated damages is constitutional and thoroughly sustained by judicial authority.

The policy of imposing liability upon a civil subdivision of government is familiar to the common law. A state may, in the exercise of its police power, impose absolute liability upon a city to be collected by an injured individual. (*City of Chicago v. Sturges*, 222 U. S. 313.) In the earliest English statutes there are repeated instances of communities being fined or mulcted in damages for robberies and assaults occurring in their midst, the theory being that the taxpayers would, in consequence, hold their local

officials to greater vigilance. (*Reeves History of English Law*, Vol. II, p. 340; *Coke*, 2 Inst. Ch. 17, p. 369; 31 N. Y. 189; 62 Ohio State 318, 333, 340.)

Moreover, under our system of law, every citizen is, in a sense, a police officer; and has certain rights and duties in the prevention of crime. The old *posse comitatus* which made every able-bodied citizen, over the age of fifteen, subject to impressment by the sheriff to assist in preserving peace, and the power of a citizen to arrest for a felony on view without warrant, are illustrations of the inherent police authority of every citizen. In these modern days these duties have been delegated to hired officers of the law, but the underlying obligation still remains.

A recent application of these principles in an identical case is to be found in *People v. Nelliss*, 249 Ill. 12. There a statute of Illinois imposed against a county where a lynching occurred the sum of \$5,000 as damages recoverable by the victim's heirs. In upholding the validity of this statute the Supreme Court of Illinois said (p. 19):

"It is, we think, too clear for argument that those provisions of said act which provide that persons engaging in mob violence shall be guilty of a felony and subject to imprisonment in the penitentiary will tend to prevent men from joining mobs when assembling and will tend to the suppression of mob violence, and it is, we think, equally clear that the imposing of a liability for damages upon the county or city in favor of the victim of a mob whenever mobs are permitted to assemble, or, in the case of his death, in favor of his widow or heirs or adopted children, will cause the tax-payers of such county or city to discourage the assembling of mobs within such municipalities

and will cause all law abiding men residing in such communities to condemn and denounce mob violence, the result of which must be to create respect for the law and its enforcement and to discourage the assembling of mobs."

## XV

**The provisions in the Anti-Lynching Bill for proceedings in the federal courts are constitutional.**

These provisions contemplate that if the United States District Court is satisfied, by competent proof, that effective prosecution of the lynchers and their allies cannot be had in the state courts, it may entertain a prosecution of them before itself. The vindication of federal rights, both by civil and criminal processes, in the Federal courts is as old as our Constitution. In *Virginia v. Rives*, 100 U. S. 313, the Supreme Court said (p. 318):

"Congress by virtue of the fifth section of the fourteenth amendment may enforce the prohibitions wherever they are disregarded by either the legislative, the executive, or the judicial department of the State. The mode of enforcement is left to its discretion. It may secure the right—that is, enforce its recognition—by removing the case from a State court in which it is denied into a Federal court where it will be acknowledged. Of this there can be no reasonable doubt. Removal of cases from State courts into courts of the United States has been an acknowledged mode of protecting rights ever since the foundation of the Government. Its constitutionality has never been seriously doubted."

## XVI

## Conclusion

In conclusion, we revert to what was said at the beginning of this brief, namely: that lynching no longer can be said to be a matter purely of local or state concern. It has become a grave national menace, injurious to our country's security, its institutions and its sovereign influence both at home and abroad.

Recent decisions by the Supreme Court have established that the Constitution is not a rigid thing, incapable of adaptation to new conditions and dangers, and that it must, from time to time, be interpreted and applied as a living and feasible principle and theory of government capable of protecting, through plenary police power, its own security and the security and moral and economic welfare of its citizens.

It is true that new conditions cannot create new constitutional powers, but new conditions may, through interpretation in the light of new necessities, bring into being new exercises of inherent powers.

Let it not be forgotten that in *Hoke v. U. S.*, 227 U. S. 308, the Supreme Court said (p. 322):

"Our dual form of government has its perplexities, State and Nation having different spheres of jurisdiction, as we have said, but it must be kept in mind that *we are one people*; and the powers reserved to the States and those conferred *on the Nation* are adapted to be exercised, whether independently or concurrently, to promote the general welfare, material and moral."

And in *Ex Parte Siebold*, 100 U. S. 371, the Supreme Court, through Mr. Justice BRADLEY, said (p. 395):

"We hold it to be an incontrovertible principle, that the government of the United States may, by means of physical force, exercised through its official agents, execute *on every foot of American soil* the powers and functions that belong to it."

Dated, New York, March 24, 1934.

Respectfully submitted,

CHARLES H. TUTTLE,  
15 Broad Street,  
New York City, N. Y.

June 2, 1934

File  
100

My dear Mr. White:

In Mrs. Roosevelt's absence  
I am taking the liberty of acknowledging  
your letter, which will be brought to  
her attention on her return.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
69 Fifth Avenue  
New York  
New York

BW

June 20, 1934

100

My dear Mr. White:

Your letter of June 4th was received just before Mrs. Roosevelt left Washington for the summer, and I regret that the great volume of mail awaiting her attention made it impossible for her to reply to you personally.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
69 Fifth Avenue  
New York  
New York

M/MA

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ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



June  
14th  
1934

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*ack 6-20-34*

My dear Mrs. Roosevelt:

I enclose copy of a letter I have just sent President Roosevelt and enclosures referred to in his letter. I want you to see this so that you may realize I was not, unfortunately, crying "wolf".

Ever sincerely,

*Walter White*  
Secretary.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW:CTF

*How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?*

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

TWENTY-FIFTH ANNUAL CONFERENCE — OKLAHOMA CITY, OKLA., June 27 - July 1, 1934

June  
13th  
1934

Hon. Franklin D. Roosevelt  
The White House  
Washington, D. C.

My dear Mr. President:

Today's newspapers report that a desperate effort is being made by Congress to adjourn on Saturday, June 16, or June 23. Adjournment of Congress without action on S. 1978, the Costigan-Wagner Anti-Lynching Bill, which was introduced in the House of Representatives by Congressman Thomas F. Ford of California, will unquestionably, according to all present indications, result in recrudescence of mob violence. Such violence has been held in check by fear of federal legislation. The impending adjournment of Congress is obviously encouraging lynchers to begin their deadly work again.

In proof of this assertion we submit the following:

On July 4, 1933, a mob at Clinton, South Carolina, with the open connivance of officers of the law, took from the jail Morris Dendy, charged with striking a white man in a bitter quarrel, and lynched him. Investigation revealed the names of the ringleaders and several members of the mob together with specific evidence against these individuals. This evidence was placed in the hands of Governor Ibra C. Blackwood of South Carolina. Investigation by detectives connected with Governor Blackwood's office resulted, according to the statement of these detectives made in this office, not only in corroboration of the testimony of the witnesses secured by our investigation but these detectives also secured an admission of guilt from one of the lynchers. At the request of the State of South Carolina we paid the expenses of these witnesses to South Carolina from which they had been forced by threats to flee, to testify before the Laurens County grand jury on February 20th. So intense was the feeling in the community that it was necessary for Governor Blackwood to furnish protection. The grand jury adjourned without taking action and a further meeting of the grand jury was scheduled for June 11.

I enclose photostatic copy of threats sent through the

6/13/34

mails to two of the witnesses. One of them mailed on May 21st from Woodruff, South Carolina, addressed to Miss Clara Bell Peak states "Wee (we) ar (are) wornd (warning) you. wont (want) you to lay of (off) Mimes (Mims) and Crawford. this wh is what (what)you get."

Beneath these words is a crude drawing of a woman hanging from a tree.

I enclose also photostatic copy of envelope and letters mailed from Columbia, South Carolina, on June 9 by special delivery to William O. Crawford, another of the eye-witnesses. The threat states:

"Stay out of laurens County. We haven't bothered you. We'll fix you and that dam nigger all the other dam niggers. You are to (too) smart.  
"We will be waiting on you. We are through with that other damn nigger. We want you Crawford for telling so damn much. Crawford stay out of Clinton if you know what is good for you."

This letter, you will note, also contains a crude drawing of a lynched man hanging to a tree, and of a bomb.

I further submit front page of the New York Daily News of June 9 with the headline "Mob Overpowers Law; Two Lynched", telling of the lynching of two men taken from the sheriffs at Clarksdale, Mississippi on June 8. Subsequent news reports announce that the coroner's jury came to its usual verdict-- that the victims came to their death at the hands of unknown parties-- and the sheriff has announced the case officially closed so far as his office is concerned.

Dispatches last night from California report that mobs are threatening to lynch Peter Alosi at Susanville.

These are ominous signs. Once again we plead with you to insist upon a vote on the Costigan-Wagner bill prior to adjournment of Congress. An overwhelming majority of members of both houses have pledged themselves to vote for the bill. We cannot permit two certain senators who come from states with lynching records worse than those of almost any other state, who are blocking a vote on the bill, to succeed in their sinister efforts. Should they succeed every person in official positions who has not done his utmost at least to secure a vote on the bill will, in a measure, be responsible for each lynching which occurs between adjournment of Congress and its reconvening. We urge again upon you as President that you exercise the utmost efforts to secure a vote on and passage of the anti-lynching bill. If it be necessary, we urge you to send a special message to Congress demanding such a vote. Organizations

#3 - Hon. Franklin D. Roosevelt

6/13/34

with a total membership of forty million have endorsed the bill. These forty million Americans, of all races and residents of all sections of the country, plead with you to act speedily and vigorously to save America from the horrors of more lynchings.

Respectfully,

(Signed) Walter White

Secretary.

COPY

WW:CTF

## 2 ARE LYNCHED AS POSSES BOW

(By Associated Press)

CLARKSDALE, Miss., June 8—Overpowering sheriffs' posses from three counties, a mob of 125 armed men seized two colored laborers and hanged them from a railroad trestle near Alligator, in Bolivar County, at sundown today.

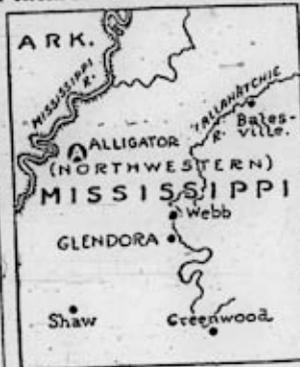
The pair, according to Deputy Sheriff J. R. Spidle, had confessed attempting to attack a white woman, the wife of a plantation manager at Sledge, a small town in Quitman County.

The two victims of the mob, identified as Isaac Thomas and Joe Love, both farm workers about 25, were arrested in Greenwood early today.

### Mob Crashes Jail Trip.

When taken by the mob, the colored men were being transported from Greenwood to Clarksdale, Miss., by Sheriff W. T. Haynes, Deputy Sheriff J. E. Summerall of Tallahatchie County,

(Continued on page 6, col. 2)



(A) locates Alligator, Miss., scene of South's latest lynching.

## 2 Held in Woman Attack Hang as Mob Cows Cops

(Continued from page 2)

and Spidle, a Quitman County deputy.

The mob was composed of about 125 men, all armed and "ready for business," said Sheriff Haynes.

"They blocked us at a bridge across a river in Bolivar County," said the sheriff. "I was trying to get the prisoners to any jail, but what could we do with three pistols when they met us at the bridge? There were other mobs back up the road, too, one at Moorhead."

### Probe Is Launched.

The sheriff said that Love was from Columbus, Miss., and Thomas from Carrollton, Miss. The mob went north with the men in their possession.

District Attorney Greek Rice left Clarksdale tonight to investigate the lynching.

**BROOKLYN**

**DAILY NEWS**



**FINAL**

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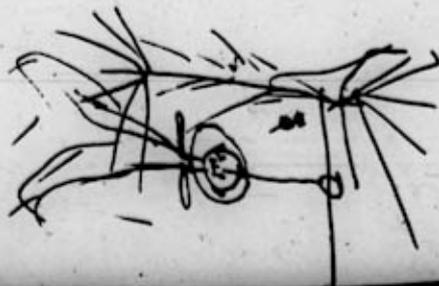
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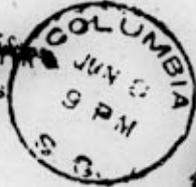
Miss Clara Bell Peep

503 New Jersey Ave. N.W.  
Washington D.C.

Wear WORN & ~~you~~ ~~NON~~ you  
to Lay of Mimes and Crawford  
This whis what you get



Fee Claimed by Office  
of First Address



Mr William O. Crawford.

12588 - 7<sup>th</sup> ave apt 24

the dominions

New York N.Y.

Stay out of Laurens  
County. We haven't  
bought you. Will  
fix you and that don  
nigger all the other  
don nigger you are  
to small.

We will be waiting  
for you. We are things  
with that other damn nigger  
We want you Crawford for  
telling so damn much



CRAWFORD  
STAY OUT OF  
CLINTON

IF YOU KNOW  
WHAT IS GOOD  
FOR YOU.

Post Claimed by Office  
of First Address



Mr William O. Crawford

12588 - 7<sup>th</sup> ave apt 25

the dominions

New York 374.

Stay out of Laurens  
County. He hasn't  
bought you. Will  
fix you and that damn  
nigger all the way.  
Don't nigger you and  
to smelt.

We will be waiting  
for you. We are things  
will not let other damn nigger  
We want you Crawford for  
talking as damn much



CRAWFORD  
STAY OUT OF  
CLINTON  
IF YOU KNOW  
WHAT IS GOOD  
FOR YOU.

# Grand Jury Adjourns

Laurens County Fails to Indict  
Dendy Lynchers

By HELEN BOARDMAN

AFTER the lynching of Norris Dendy on the Fourth of July, 1933, two detectives came to Clinton, South Carolina. Within an hour of their arrival the interested citizens knew that they were the state investigators from Columbia who were working on the Dendy lynching case. Not a move they made went unnoticed and unreported. Persons whom they interviewed knew well that no privacy attended their utterances; and when such persons were colored, no overt threat was needed to make them guard their words with the utmost discretion. After the investigators had made their report, Governor Blackwood stated his belief that Norris Dendy had been murdered (not lynched) by persons unknown; and added that the state would endeavor to find and prosecute the criminals.

In South Carolina, there is a law by which the family of a man who is lynched is entitled to damages of not less than \$2,000. A lynching is death caused by violence committed by an unlawful assembly. When a prisoner in custody is seized through the neglect or connivance of an officer by an unlawful assembly, the officer shall be deposed from office and shall henceforth be ineligible for office unless pardoned. For murder, of course, there is no compensation.

After the two detectives, Richardson and Newman, returned to Columbia, nothing further happened. It is likely that the case would have been dropped had it not been for the determination and perseverance of the brother of the lynched man, Mr. Robert Dendy of New York. Mr. Dendy went to Clinton and endeavored to learn the facts and to arouse interest among the better class white people. He finally obtained an audience for himself and his mother with Governor Blackwood at Columbia which resulted in further gestures on the part of the state investigators. Seeing that this line was accomplishing nothing, he returned to New York. There, after some delay, his attorney, William T. Andrews, obtained an investigator through the N.A.A.C.P. who went to South Carolina in September.

The report of this investigator was too voluminous for publication. It included accounts by eye-witnesses of the events at the jail, with the names of many of the participants. One of the leading white citizens stated as a matter of common knowledge that most, if not

all, of the police force took part in the lynching. The same person said he had gone to the jail immediately after the lynching and examined the lock on the door of the cell which had been occupied by Norris Dendy. He found no sign of the lock having been forced or changed—"it was the same lock that had been there for years."

On the advice of his attorney and of Secretary Walter White of the N.A.A. C. P., Mr. Dendy brought three of the colored witnesses to New York in order that they might testify without personal risk. One of these witnesses, Mr. William Crawford, had already been compelled, by threats of violence by members of the mob, to leave Clinton. The other two were Mr. Ernest Mims, of Washington, D. C., and Miss Clara Belle Peak of Clinton. These three people made affidavits fully describing the events they had witnessed. Their statements, with the other information were sent by Walter White to Governor Blackwood who was urged in the name of the National Association to take immediate action.

Governor Blackwood sent Detectives Newman and Cannon to New York where they conferred with Mr. White and Mr. Dendy and arranged for the witnesses to return to South Carolina to testify. There, after a preliminary interview with the Governor they, with Mr. Robert Dendy and his mother, went to Laurens, county seat of Laurens County, with an escort of State highway patrolmen. That this protection was necessary, and that the coroner's jury was secretly called, is evidence of the tense feeling in the community. The jury was composed of close friends of the men who were named as members of the mob. It met on February 17, 1934.

In addition to the three witnesses named above, Mrs. Martha Dendy, mother of Norris and his wife Mrs. Amanda Dendy testified. More than a dozen members of the mob were named, including officers of the law. A sensational surprise was the testimony of a white man, Mr. F. A. Gedeist, that he had seen Norris Dendy taken from the jail by Hubert Pitts and J. Pitts Ray, and placed in an automobile driven by P. M. Pitts.

Mr. William Crawford stated that while in his father's car, which was parked near the jail, he heard Mrs. Dendy "pleading with Policeman McMillan saying that she would pay the

fine if they would only let Norris Dendy out, and Policeman McMillan replied that he could not pay out of this and Pack Pitts reiterated that statement." Later his affidavit reads, "while deponent was parked at . . . Pitt and Wall Streets deponent estimated that the crowd he saw in front of the jail consisted of more than one hundred people. That of these he recognized Pack Pitts, Officer Henry Young, Roy Pitts, Marvin Lollis, Hubert Pitts and Chief of Police George Holland; that the conduct of all of these persons indicated that they were part of what was going on." He testified further that he saw someone taken from the jail and placed in the automobile belonging to Pack Pitts, who was in the front seat, "and in the back seat was Marvin Lollis and others who were active and deponent could see their arms being raised and going down as if they were beating someone, and deponent heard cries from the back seat." In the cars following he saw Hubert Pitts and others whose names he does not know but whom he could identify on sight.

Mr. Ernest Mims testified, after a detailed account of Norris Dendy's efforts to get bail, that he had seen Hubert Pitts get out of his car with a rope and go into the jail; that there were many people around the jail among whom he saw "Red Watkins, Marvin Stewart, Pack Pitts, Roy Pitts, Roy (Bob) Tucker, Gus Blakely, Ray Pitts and L. L. Copeland." Mr. Mims went into an alley from which he could look through a back door into the jail. He saw "the crowd standing with sticks, brooms and all sorts of weapons and Policeman Weir unlocked the door to Norris' cell." He described the struggle which began as the crowd tried to force Norris from his cell. He then went away from that place and shortly after he saw Pack Pitts' car pass with Norris in the back seat.

Much additional and corroborative testimony was given. When it had been heard the jury decided that Norris Dendy had come to his death at the hands of "a party or parties unknown."

On February 19th, murder indictments against five Clinton men were drawn and presented to the grand jury by Solicitor Homer S. Blackwell. They were Marvin Lollis, P. M. Pitts, Hubert Pitts, Roy Pitts and J. Pitts Ray. After considering the case and hearing the witnesses the grand jury adjourned without action. It will meet again in June. Will it then resume the consideration of this case? To date this is just another lynching, with the South running true to form. Another insufferable crime has been committed, and the perpetrators are being shielded by the silence and passivity of the "better element."

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69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-8548

Official Organ: *The Crisis*



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REGIONAL FIELD SECRETARY

August 28, 1934

My dear Mrs. Roosevelt:

It was a great joy to see you and the President again yesterday. Mrs. White and my sister were very happy indeed to have the opportunity of meeting you.

I, too, am anxious to talk with you at your convenience regarding Warwick, the Virgin Islands and other matters in which we are mutually interested. If you will let me know when it will be convenient for me to talk with you, I shall make arrangements accordingly.

With most cordial greetings to you and the President,

Ever sincerely

*Walter White*  
Secretary

Mrs. Eleanor Roosevelt  
Hyde Park  
New York

WW/RR

How do your Senators and Congressmen stand on federal legislation against lynching?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

September 7, 1904

100

My dear Mr. White:-

I will be back in Washington,  
after September 26. If you come to  
Washington, I would be glad to talk  
to you. Please telephone my sec-  
retary.

Very sincerely yours,

Mr. Walter White  
National Association for the Advancement of colored people  
69 Fifth Avenue  
New York City

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*Holds for Mrs. Schneider*

My dear Mrs. Roosevelt:

Thank you for your letter of the 7th.  
 I will make a special trip to Washington to see  
 you after September 26th.

Ever sincerely,

*Walter White*  
 Secretary.

Mrs. Eleanor Roosevelt  
 Hyde Park,  
 New York.

WW:CTF

*How do your Senators and Congressmen stand on federal legislation against lynching?*  
 ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

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September  
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100  
*file*

My dear Mrs. Roosevelt:

I am trying to combine several appointments  
 in Washington in order to save time and expense.

Will it be convenient for you to see me on Friday,  
 the 28th, or Saturday, the 29th?

Ever sincerely,

*Walter White*

Secretary.

Mrs. Eleanor Roosevelt  
 Hyde Park,  
 New York.

*Wine*  
*4:30 Today*

WW:CTF

*How do your Senators and Congressmen stand on federal legislation against lynching?*

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

Letter from Albert R. Graves, Richmond, Virginia, asking  
Mrs. R. for a message in honor of Maggie L. Walker at a  
celebration to be held in October.

September 24, 1934

1169

My dear Mr. White:

Mrs. Roosevelt asks me to send  
you the enclosed letter. She does not  
know anything about the woman of which  
Mr. Graves writes, and wants to know if  
it would be all right for her to do as  
he asks. She always hesitates to do  
anything like this unless she knows  
something about the people involved.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt.

Mr. Walter White  
Nat'l. Ass'n. for the Advancement  
of Colored People  
69 Fifth Avenue  
New York, New York

DD

69-570-1  
Send to Mr. Walter White (you have address)

and say Mrs. R. does not know anything about this woman, does he think it all right for Mrs. R. to do as they ask. She hesitates to do anything like this unless she knows something about the people involved.

1944  
you  
10/10/44

TELEGRAM

The White House  
Washington

NA250WU. RA. 10- 10:00 a.m.

New York, N. Y., September 28, 1934

Mrs. Malvina T. Scheider.

Telegram received. Will be at White House at four  
thirty.

Walter White.

*7.6* *100*

Letter from Frances Holder, 43 Bradhurst Avenue, New York, N.Y.,  
appealing for help.

September 28, 1934

My dear Mr. White:

I am sending you the enclosed letter because it appealed to me. I wonder if some one in your organization could go and see this girl and find out if there is any way in which she can be helped. I do not like to turn it over to the regular channels.

Very sincerely yours,

Mr. Walter White  
National Association for the  
Advancement of Colored People  
69 Fifth Avenue  
New York, New York

S:DD

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9th  
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My dear Mrs. Roosevelt:

As I promised you, I placed before our Board on yesterday the matter of the possibility of my going to the Virgin Islands, with Mrs. White. The Board voted approval of my going at such time as I am able to arrange my work.

Is it imperative that I should go immediately? The reason I ask is because our work here is exceedingly heavy and it would be necessary for me to ask my mother to come up from Atlanta to stay with our two children while Mrs. White and I are away.

Should I mention my going, or the reasons for it, to Mr. Calkers or anyone else? Thus far I have kept the matter of my going confidential as I gathered you wished that.

Interestingly enough, I received yesterday a letter from Governor Pearson, which was sent to all the members of the Virgin Islands Advisory Council, asking that the Council arrange to visit the Islands as soon as possible, or to designate one of its members to represent the Council.

Do you expect to be in New York anytime before October 19th? If so, I should like to talk further with you. I am to be in Washington for a meeting on October 19th and if you are not to be here before then I should like to come in and talk with you on that day or the 20th.

Ever sincerely,

*Walter White*

Secretary.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW:CTF

How do your Senators and Congressmen stand on federal legislation against lynching?

October 16, 1934.

My dear Mr. White:

It was very kind of you  
to send me a telegram on my birthday,  
and I very much appreciate your  
thoughtfulness and good wishes.

Very sincerely yours,

n

Mr. Walter White  
National Association for the Advancement of Colored People  
69 Fifth Avenue  
New York City

October 23, 1934

100

My dear Mr. White:

Mrs. Roosevelt has received several letters from this man, and before she makes reply to this one, she would like to have you tell her what you know about him.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
National Association for  
Advancement of Colored People  
69 Fifth Avenue  
New York  
N.Y.

Letter from Melvin J. Chisum  
733 North 49th St.  
Philadelphia



NATIONAL RECOVERY ADMINISTRATION

WASHINGTON, D.C.

October 18, 1934.

Dear Mrs. Scheider:

In accordance with our telephone conversation I am returning herewith the material which was misaddressed to me as of October 16.

Sincerely yours,

*Walter White*  
Walter White, Secretary  
Industrial Advisory Board.

Mrs. Malvina T. Scheider,  
Secretary to Mrs. Roosevelt,  
The White House,  
Washington, D. C.

*Received by  
Mrs. Scheider  
10/18/34  
Chairman of the  
NRA*

THE WHITE HOUSE  
WASHINGTON

October 16, 1934

My dear Mr. White:

Mrs. Roosevelt has received several letters from this man, and before she makes reply to this one, she would like to have you tell her what you know about him.

Very sincerely yours,

*Melvin J. Scheider*

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
Industry Division  
National Recovery Administration  
Washington  
D.C.



LD106 23

NEWYORK NY 124P OCT 11 1934

MRS ELEANOR ROOSEVELT

THE WHITE HOUSE WASHDC

MAY I EXTEND TO YOU KINDEST BIRTHDAY GREETINGS BOTH ON  
 BEHALF OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF  
 COLORED PEOPLE AND PERSONALLY

Mrs. WALTER WHITE (SECRETARY.)

158P

*Shank  
ER*

*17 FIFTH AVE.  
N.Y.C.*

*110/34*

*□*

*✓*

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Charleston, W. Va.  
T. G. Nutter

Columbia, S. C.  
N. J. Frederick

New York  
Morris L. Ernst

Arthur Garfield Hays  
James Marshall

Herbert K. Stickton  
Charles H. Studin

Pittsburgh, Pa.  
Homer S. Brown

Tulsa, Ohio  
Jesse S. Haskip

Washington, D. C.  
William H. Hastie

Charles H. Houston

Wilmington, Del.  
Louis J. Redling

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: The Crisis



October  
25th  
1934

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ROY WILKINS ASSISTANT SECRETARY

WILLIAM PICKENS FIELD SECRETARY

DAISY E. LAMPKIN REGIONAL FIELD SECRETARY

My dear Miss Scheider:

I shall probably be in Washington shortly and will telephone you then giving you what I know and am able to learn about the man whose letter I enclose. In the meantime I would suggest that no answer be made.

Will you show Mrs. Roosevelt the enclosed copy of letter from Dr. Gruening to whom I wrote in accordance with the suggestion that Mrs. Roosevelt made to me when I talked with her last Saturday evening? I informed Dr. Gruening of Mrs. Roosevelt's wish that Mrs. White and I go down prior to the meeting of the Virgin Islands Advisory Council which Governor Pearson and Dr. Gruening are trying to arrange for Christmas time.

Ever sincerely,

*Walter White*  
Secretary.

Miss Malvina T. Scheider  
Secretary to Mrs. Roosevelt  
The White House  
Washington, D. C.

WW:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Division of Territories and Island Possessions  
Washington

October 24, 1934.

Mr. Walter White,  
N. A. A. C. P.,  
69 Fifth Avenue,  
New York City.

Dear Walter:

In regard to your letter of October 22, I am planning to go down to the Virgin Islands shortly, and as events may develop rather rapidly there, I think that it might be just as well for you to postpone your trip for a little while. In other words, I think that at this moment there is a period of transition which may not be typical. I would suggest, therefore, your waiting until I get back and letting me discuss conditions with you as I saw them before you decide on the date of your going.

As far as your going down at Christmas, and the conflict with your children's vacations and the annual meeting of the N.A.A.C.P., you could of course arrange to be down there before Christmas and leave immediately thereafter, which would give you part of the Christmas vacation in New York and also give you ten days to prepare for the N.A.A.C.P. meeting.

Cordially,

(Signed) Ernest  
Ernest Gruening  
Director.

EG/d

"FOR THE HIGHEST DEVELOPMENT OF NEGRO JOURNALISM"

# NATIONAL NEGRO PRESS ASSOCIATION

OFFICE OF THE FIELD SECRETARY  
MELVIN J. CHISUM

421 Jackson Avenue removed to:  
GLENCOE, ILL.

700 North 49th Street,  
Philadelphia, Pa.

September 24, 1934.

Mrs. Franklin D. Roosevelt,  
The White House,  
Washington.

Dear Mrs. Roosevelt:

You are so busy and you are wonderful to be able to sustain the tremendous volume of useful things which you perform with such regularity. You were kind enough to have lent attentive ear to my plea of last April and I do most sincerely thank you.

You made an effort to get a colored woman appointed in the Women's Bureau, but Mrs. Perkins wrote you she was afraid to try it because of the prejudice against a colored woman etc. You are just and you are good, you permitted me know just what the situation was; because I realized then as I realize now, it is the prejudice against the blacks, just because we are blacks Mrs. Roosevelt that stands in the way of people getting anything like their share of the relief which you and the President are striving so honestly and so earnestly to see the people get in this country.

There are some few things being done for the colored people, just enough to constitute window dressing and provide talking points should the President make inquiries about us. But that monster color prejudice is abroad almost everywhere in Washington and elsewhere Mrs. Roosevelt and seeing to it that the Negro is kept out of his just share of work, kept down by ousters and discouraged by demotions and I am writing you again about it because I know you do not know the truth and their are agencies at work keeping the truth from the President.

The Negro in this country is too young in his citizenship, and too weak economically to be removed from under watch and ~~xxx~~ ward of our rulers. Secretary Ickes is the one member of the President's official family who is honestly striving to give the blacks an even break, but Mr. Ickes cannot do the whole job alone and unaided.

The New Deal has produced many marvels and one of them is the group of handpicked black sycophants who have been chosen by clever white politicians to represent the colored race in appointive positions, these ill chosen office holders were selected because their sponsors knew they would serve the purpose of splendid window dressing to cover up the acts of those high in power who are determined that the blacks shall never have a fair deal.

This is no place to go into the details. I beg of you to afford me the opportunity to come to Washington and canvass this situation with you.

Two things, upon my honor I promise you, there will be no newspaper publicity about any phase of my being relieved and number two, I am not a candidate for any office.

The rank and file of the humble colored folks are miserable; all over this country they see every kind and character of effort being prosecuted in the interest of recovery ~~for~~ all save the blacks, it is making them more and more unhappy; thousands upon thousands of Negroes all over this land of ours are becoming discouraged in the face of the pitiless injustices being imposed upon us and we know the only source of relief is through the great and noble House of Roosevelt.

There in Washington, for months, in the Department of Commerce building where they had some 60 odd colored women operating the elevators, I say for months they have been quietly-gradually letting these black women out and putting in their places white men. I could go on and give you many instances, but this points clearly Mrs Roosevelt the travail through which we are passing.

This letter is written in New York City where I ~~am~~ have been for a fortnight. I am handing a scurrilous mimeographed hand bill which the Communists are passing out in Harlem amongst the colored people. I also hand you a cutting from a newspaper where a black leader of a huge body of Church folk of my race numbering a membership of four million *delivered his house of prayer.*

8000 delegates from that convention went home to their respective constituencies with the message from that convention, that the New Deal, so far as the blacks in this country are concerned, is a fake and a snare.

Ofcourse, they do not know the President, they are judging alone by what is happening to them as parts of the body politic where each of their groups have their existence.

I know that the fact remains that honest-to-goodness fair treatment is what you and the President stand for. And I know Mrs Roosevelt that my people are not getting fair treatment. They are weak, they are defenseless and the only way they are going to get a square deal is for somebody to stop and take the time to look into the matter. You will forgive the candor of my remarks please, honest men speak plainly, the only way the Negro is going to get fair treatment is for you to see to it that a strong capable Negro woman is appointed to get things moving in the right direction for Negro relief and she must not be a politician, she must be a statesman for bound up in the choosing of such an one to bring to your attention the facts, is the fate and future of the Negro people under the New Deal.

The President is making a huge success of the World's most difficult undertaking, bringing order out of the chaos which he found when he went into office in March 1933. I am with him because he is marvelous and it is not amazing if some detached phases of the huge enterprise has been neglected as the tremendous load moved forward; but it would be tragic I submit, to allow one tenth of the whole people to go almost unnoticed and unaided.

The hope expressed last winter is now renewed: that you will find a way to appoint Mrs Alice Dunbar-Holson as a liason between the blacks and ~~the~~ rulers at Washington to see that measures are brought into effect which will lighten the burden of the underprivileged black children of the land.

During the campaign of 1932 I wrote an article which I have already sent you. It was captioned:

"Any Roosevelt Will Make a Better President than Mr. Hoover, I still mean all I said in that article, and I have the honor to subscribe myself, your obedient humble servant,

*William J. Christian*

# Baptist Prexy Scores New Deal; Offers 7-Point Plan

## Negro Relief Revamping Is Plea Of Chief

### Roosevelt Scored In Baptist Convention Speech

**SEVEN POINTS IN NEW PLAN**

Seven points were stressed in Williams' economic program, viz:

1. A Warless World;
2. A living wage for family heads;
3. Greater distribution of economic profits to labor;
4. The right of labor to organize freely and without race, class or color restrictions;
5. Unemployment insurance;
6. Old Age Pensions;
7. Abolishment of Child Labor.

OKLAHOMA CITY, Okla., Sept. 12.—By Rowan Dunlap for ANP.—Burling a responsive chord in the convention ranks Dr. Lucy K. Williams, Chairman, president of the National Baptist Convention, Inc., slanted into the New Deal program of President Roosevelt here Wednesday afternoon in his annual address. The Governor's program was characterized as a "courageous venture" and the speaker added, "Unless it succeeds, I fear we shall have a darker and a more disastrous period than we have now."

## 8000 Attend Baptist Meet In Mid-West

### Philadelphian Heads Women's Auxiliary After Spirited Vote

OKLAHOMA CITY, Okla., Sept. 12.—Eight thousand delegates from all over the United States, Liberia, Panama, Puerto Rico and the Philippines in attendance on the fifty-fourth annual convention of the National Baptist Convention of U. S. A., Inc., met Wednesday morning in their first session.

The session, featured with welcome addresses by City Manager Orville M. Minder, representatives of various state Baptist auxiliaries, the white ministerial alliance, the Negro ministers of the city and Oklahoma City Negro Business League, was opened at 10:30 A. M. by Dr. Lucy K. Williams, president of the convention and pastor of the Olivet Baptist Church, Chicago.

Following a short period of singing, with the large choir under the direction of Miss Bertha B. Bell, Dr. Williams presented the gavel to Dr. R. W. Ferry, pastor of Tabernacle Church, Oklahoma City, and president of the Oklahoma Baptist State Convention. Invocation was made by Dr. V. D. Jamison, Mobile, Ala.

From the East Coast District Baptist group, greetings were presented by Rev. F. K. Lusk, Moderator, from the Oklahoma Baptist Convention greetings were extended by Rev. A. L. Branch; welcome address from the city by Mrs. Orville M. Minder, City Manager; greetings from the State Sunday School and N. Y. U. group, Rev. H. E. Owens, Tulsa; white ministerial alliance, Rev. T. L. Haddock, pastor, First Baptist Church, Oklahoma City; Ministerial Alliance, Rev. W. D. Miller, pastor Avery Chapel, A. M. E. Church, Oklahoma City; welcome from the Oklahoma City Business League, Editor Rowan Dunlap of the State Dispatch.

Regarding as the Nation's youngest City Manager, Mrs. Orville M. Minder, in his first address in the program, was frequently interrupted by applause from the mammoth audience. Reflecting to the convention theme, "Rehabilitation—A Model Recovery Builder," the City Manager urged the attention to "join the Government in working out the great problem of rehabilitation."

Prominent individuals from distant points who arrived in the city Tuesday were: Mrs. J. Jackson, New York; W. T. Brown, Asheville, N. C.; James A. Moore, Kansas City, Kan.; F. H. Hughes, Cherrystone, Pa.; J. M. Hahert, Atlanta; D. V. Jamison, Mobile; Wm. H. Harrison, Chicago; E. F. Lewis, Washington, D. C.; W. M. Ward, Indianapolis; M. Owens, N. Louis, Mo.; A. M. Townsend, S. R. Yank, J. C. Powell, Nashville, Tenn.; James A. Glasgow, Pennsylvania; T. A. Lewis, Baton Rouge, La.; B. O. Winstanley, Lincoln, Neb.; W. A. Crawford, Denver, Colo.; J. Franklin Walters, Cincinnati; E. M. Bradley, Jackson, Miss.; J. Raymond Henderson, Atlanta, Ga.; F. D. Harmon, W. A. Foster, A. T. Hines, W. M. Thomas, all of Los Angeles.

On to New York in 1934

Dr. L. K. Williams and his active cabinet of officers were re-elected by the National Baptist Convention during its annual session here Saturday. New York was selected as the meeting place for the 1934 convention. Dayton, South and Los Angeles both contended for the meeting but yielded their invitations in favor of New York.

**STRICT CONCERN**

**"SCEPTIC" PIERCE**

HARRISBURG, Sept.—Officials of the bureau of fire protection, Pennsylvania State Police, report 44 cases of incendiary and suspicious fires were assigned for investigation in August.

**Not New War Square**

"It will take an adept mathematician or some highly skilled economist to discover how a nation can pay itself out of debt through the borrowing act," said the distinguished Chicagoan. "With respect to the New Deal and its effects upon the Negro, there is not question. It certainly has not given him the relief that it gives to others—nor that which he desired or sought. For him (the Negro) it is neither a New nor a BUCKRAE DEAL, a thing he desires most. In many cases it has actually hindered the race."

**Keferred Millions**

Out of the Nation's 14,000,000 unemployed, Dr. Williams stated that 4,000,000 were Negroes, and he pointed out that while the Negro represented one-fourth of the population, one-third of this number were on the relief rolls. He said that this was a "staggering and untold millions" for which the Negro needs no compensation. He presented records to show that the Negro was barred from labor unions which placed him in the ranks of a scab, and the color had barred him from other positions.

**Given Plan**

"The solution of the present situation will be found only in a warless world," said Dr. Williams, as he presented the first of seven points of a new economic program, Greater distribution of profits to labor, labor organization minus race, class and color restrictions, unemployment insurance, old-age pensions and abolition of child labor, were the other points given.

**Practical**

Indicating that the Boyd and Mervis "Wings" may eventually unite, Dr. Williams made the "closing statement":

"This year the brethren who left us in 1919 are meeting in this state, in Washington. They are our friends and brethren. All of us profess to be Christians and if we are, we shall not sever deeply divisions. Let us meet peacefully in the brethren at Washington, and also ask them if they would support the efforts that would bring about the reunion of our beloved Jesus. May we go on toward us forward such a course, and direct the secretary of this convention to us before our brethren in session in Washington."

**Prohibition**

Increased automobile taxation and amendments were introduced in the abolition of prohibition and the speaker urged his churchmen everywhere to promote a campaign of education against liquor drinking.

**Speech of Dr. Williams**

was broadcast over Station KFFZ. Many other subjects of vital importance were touched by the distinguished divine in an address lasting more than one hour and a half.

**STRICT CONCERN**

The much power in this too much alcohol—it goes in the head and intoxicates the brain.

# The HOME RELIEF WORKER

PUBLISHED by the COMMUNIST WORKERS in the HOME RELIEF BUREAUS.

VOLUME I, NUMBER 2. --This is not a union bulletin-- SEPT. 1934.

## HOW SHALL WE VOTE IN THE COMING ELECTION?

Another election is in the offing. What this means to all workers and to us as relief bureau employees can readily be seen from the statement of Mark Sullivan of the Herald-Tribune. This political expert says that "rising living costs give rise to possibilities full of political dynamite in the coming campaign."

While food prices soar (pork is now at its highest mark since 1921 and other food stuffs have made similar advances) and city workers as well as farmers are beginning to feel the effects of the drought, the Roosevelt Agricultural Adjustment Administration insists on keeping 50,000,000 acres of land out of cultivation. This is done in order to keep food prices high during the next year. No one will benefit from these high food prices except speculators and bankers.

The NRA as a whole, has failed to improve wages and working conditions, and has used its Mediation boards and troops to break strikes of workers who fought for more wages.

In spite of increased living costs, relief allowances are still the same. CWA is abolished while the government continues to spend hundreds of millions of dollars for war preparations, battleships, planes, munitions, etc.

In New York City, Mayor La Guardia has modelled his government on the national Roosevelt program of promises to the workers and actions for the bankers.

He has broken strikes of taxi workers, cafeteria workers and others. He supported General O'Ryan's infamous fascist proposal for registering all union representatives with the police department and backed down only when he realized that the workers wouldn't stand for it. He is responsible, with O'Ryan, for the creation of the police rifle regiment which is to be used against strikers.

In our own bureau he approves Commissioner Hodson's and Director Corsi's demands that we give up our inalienable right to political expression. He attempts to solve the relief problem by a tax which will be passed on to the masses of workers in the city, but he draws the line at taxing large incomes and ending the bankers agreement which compels us to pay annual tribute of \$150,000,000 to the bankers.

In opposition to this, the Communist Party, in this election campaign calls, on a national scale, for an end to inflation and the use of troops against strikers, for an end to war preparations, for immediate payment of the soldiers' bonus and for the immediate passage of the Federal Workers Unemployment Insurance Bill endorsed by thousands of labor union locals.

On a city scale, the Communist program calls for \$200,000,000 for winter unemployment relief, abrogation of the bankers agreement, taxation of all tax-exempt real estate and large private incomes; for a vast

slum clearance program and for State protection of the salaries, tenure of office and pension rights of all State and local government employees.

Those of us who see every day the effects of Roosevelt's and La Guardia's "new deals" must realize that only the election program of the Communist Party briefly outlined here can help us and the millions of jobless or underpaid employed workers in this city.

The Communist Party has always endeavored to make it clear to the workers that mere use of the ballot cannot remedy their basic ills as long as capitalism remains. It points out anew in its election program that while workers go to the polls to elect their own candidates, their ultimate aim must be to take over all the machinery of government for themselves. This is the meaning of the Communist election plank which says—

**FOR A SOVIET AMERICA!**

\*\*\*\*\*

The size of this bulletin prevents an adequate discussion in one issue, of the election campaign. The Communist Party plans to distribute two million pieces of printed matter explaining its position in the elections. See to it that you get some of this material in the neighborhood where you live, for a more detailed explanation of the facts discussed in the above article.

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**MAKING HOME RELIEF SAFE FOR FUSION.**

Bernard Egan, Jr., Amalie Goldman, and other Tammany appointees have been ousted from their positions in the Home Relief Bureau. Commissioner Hodson and Director Corsi say they did it to keep the Bureau free from politics.

While no worker in the Bureau has any cause to regret the dismissal of these beneficiaries of Tammany's practice of rewarding the faithful, let

us not be misled concerning the motives of the present administration in kicking them out.

Messrs. Hodson and Corsi dismissed them not to keep politics out of the Bureau, but to put their own brand of politics in. The LaGuardia administration, like every administration before it, needs a political machine. Handing out jobs in the Home Relief Bureau is a darn good way of building a machine, and Mr. LaGuardia and his genteel gang are going to it with a will.

We, the rank and file of workers in the Home Relief Bureau, have nothing to gain no matter which political machine controls the Bureau.

We must regard the current pretense of taking politics out of the Bureau as a veiled attempt to frighten us out of any political action we may take of our own accord. We as workers, can have no interest in the petty political fights between LaGuardia and Tammany.

We must examine and understand these quarrels only so that we can organize our own political strength to fight for workers' control of all relief and for the passage of the Workers Unemployment Insurance Bill which would make this possible.

\*\*\*\*\*

**IN UNION THERE IS STRENGTH!**

This may sound like old stuff, but there is no single truth that could be more important to a worker.

One man can not fight for higher pay or better working conditions all by himself. The possibility of his winning that increase or those conditions depends on the numbers who fight with him. A man can ask for a raise, - but what is he to do if the boss flatly refuses? NOT MUCH BY HIMSELF! But when 50 or 80%, let's say, of the workers in his place refuse to work unless they got that raise, the boss has some-

thing to think about.

In order to protect ourselves, then, we workers must UNITE. But with whom? First of all, with each other in the shops where we work. Then with others in shops of the same kind, shops which have the same interests, the same things to fight for. But, in addition to uniting (within the shop and within the industry) with those whose work is the same as ours, there is a broader organizational unity that becomes necessary when the issues in question are also the issues in which other organizations are interested.

This broader unity is one of the greatest organizational weapons of the working class. It is called THE UNITED FRONT - the going together of all workers' organizations, no matter what their political beliefs, for the purpose of fighting together on any specific issue that concerns them all. This broader unity exists between organizations who speak for workers in other trades than ours, even with workers who are unemployed, but who find their interests bound up with ours.

Take us, in the Home Relief Bureau, for instance. We are vitally interested in adequate appropriations for relief. Why? Because no worker in this period of recurring depression has any security of employment. Tomorrow any one, or any number of us may be unemployed. Adequate relief makes it possible for us to keep our self-respect as HRB employees, because adequate relief payments enable us to treat our clients like human beings. It is only when the Bureau does not receive money to pay rents and give out clothing for jobless families that we are compelled to lie to them and to listen helplessly to protests which should be directed at the administration of the DPW, the City, and the State and Federal governments.

We are also interested in adequate relief appropriations because this money pays our salaries, and, in fact, creates more jobs for us. We find ourselves, therefore, immediately and automatically bound up with the unemployed, our clients. The more relief they are given, the more jobs we get in order to administer that relief. When relief is cut

down, our salaries are cut too, because the same money pays for home relief and work relief. The cutting of relief also makes our jobs less secure, since less of us are then needed to take care of the clients.

We see, then, how much we and the unemployed depend on each other for security. Is it not the logical thing, then, that we should join them in their struggles for adequate relief and more jobs, and that they should join us when we fight for an increased staff and better working conditions? Would not such a unity add to both their strength and ours?

Take the simple matter of washroom facilities. Employees and clients suffer equally from the absence of such necessary facilities. The unity of the Home Relief workers with the clients in a fight for so simple a demand would bring immediate results.

If we could gain strength by uniting on the job (as we have done by means of the HRB Employees' Association), consider how much more strength we could gain by adding the support of the workers in unemployed organizations. And not ONLY that! WHAT ABOUT OTHER RELIEF WORKERS? THEIR FIGHT IS OURS! These workers on other projects are all interested in the same things that we are. Be they clerical workers, engineers, artists, teachers, statistical workers, or laborers, they are all fighting for better conditions on the job, and for larger relief appropriations. Only a determined fight will secure these jobs and increase their pay to meet the present high cost of living.

If this fight is our fight why don't we join them at once? They have already realized the necessity for uniting all their organizations and the organizations of the unemployed in this struggle. Shall we continue to fight alone when they have already set in motion the machinery for a well organized struggle for the things that we also desire?

It is our duty and our advantage to join them in their united front committee, the UNITED ACTION COMMITTEE, to which belong the Associated Office and Professional Emergency Employees, the Federation of Architects, Chemists, Technicians and Engineers, the Unemp-

loyed Teachers' Association, the Relief Workers' League, the Unemployed Workers' Councils, and others.

At the fourth session of this committee's United Action Conference on Work Relief and Unemployment, the final plans were drawn up for a mass march to the city hall, on Saturday, September 22nd, when the committee will present the following demands to Mayor LaGuardia. These demands call for:

- 1- The Workers' Unemployment Insurance Bill.
- 2- Union wages and conditions on all relief and PWA jobs.
- 3- Increase cash relief without discrimination against Negro, foreign born, women and young workers.
- 4- Right of all workers, employed and unemployed, to strike, picket, speak and assemble.
- 5- A public work program to provide jobs for unemployed workers at trade union wages.
- 6- A graduated tax on all income in the higher brackets, stock transfers, public utilities, corporations, trusts, etc.

Other demands call for a special session of the State Legislature on October 18th, to pass immediate legislation for unemployment relief, for freedom of political prisoners, etc.

The United Action Committee has appealed to all trade unions to call out their entire membership to participate in the demonstration, which will begin in Union Square at 10 AM, and march to the City Hall to demand adequate and immediate appropriations for relief, to expose any method of raising relief funds through a sales tax which workers will have to pay, and to protest against the Bankers' Agreement which threatens 1,250,000 men, women, and children with STARVATION and EVICTION!

**WHY SHOULD WE IN THE HOME RELIEF BUREAUS JOIN THE OTHERS IN THIS FIGHT AGAINST THE BANKERS' AGREEMENT?**

Because this four years Bankers' Agreement, born of Tammany and bred by Fusion, has reached the disastrous conclusion which the Communist Party predicted.

**THE BANKERS' AGREEMENT MEANS---**

- To 300,000 families - \$3,500,000 monthly pittance
- To a handful of bankers - \$16,000,000 in monthly tributes.

**WHAT DOES IT MEAN TO WORKERS IN THE HOME RELIEF BUREAUS?**

The Communist workers in the Bureau say that this is the latest attack on our standard of living. The April relief crisis resulted in a wage cut robbing us of most of our January gains. This crisis resulted in publicly advertised dismissals designed to divert mass resentment away from the Bankers and their City Hall lackeys and toward the HRB staff.

The present crisis is more serious than all previous ones. It may well result in a further wage cut and payless Thursdays. It will undoubtedly result in attempts to reduce the staff and again make us the butt of the anger of the unemployed.

This policy means a drive toward forced labor for subsistence budget wages and an extension of militarized CCC camps. These are definite steps toward fascism. The Wall Street tools, Fascist LaGuardia and the Tammany Board of Aldermen, are engaging in a sham battle, with the unemployed as a political football. Still voicing fake opposition to the Whalen plan, LaGuardia manoeuvres to let in by the back door the subway fare rise, a tax on wage earners, and a sales tax. MEANWHILE THE WORKERS STARVE!

Capitalist forces are uniting to solve the crisis at the expense of the masses. Workers, employed and unemployed, HRB and OWA, Negro and white, must unite against their program.

**RELIEF AND WAGES MUST CONTINUE!**

Now more than ever we must join with other relief workers and the unemployed in their demonstration on September 22nd against this starvation program.

The HRB Employees' Association has voted to join the United Action Committee on September 22nd. The Communist workers in the Bureau are ready to support fully the HRB Association in its joint action with The United Action Committee.

Let all of us who are working in the Bureau join with the others at the City Hall to tell Mayor LaGuardia that we demand to live like human beings!

(Since we are working at 10 AM we can go directly to the City Hall right after work).

**DEMONSTRATION ON SEPTEMBER 22nd  
at CITY HALL!**

Sent to Mr. Walter White - 11/1/34

100

The following letters pertaining to article in the Crisis and letters from Melvin J. Chisum, on subject of prejudice against negroes in various activities of the government

Donald R. Richberg - Oct. 23, 1934

Robt. T. Lansdale, FERA, Washington (for Mr. Hopkins)  
Oct. 20, 1934

Dr. Arthur E. Morgan, HVA - Oct. 19, 1934

Memo. from Mr. John P. Marchison, Homesteads Corp'n,  
Dept. of the Interior, to Mr. Pickett, 10/23/34

Mrs Le Hand

Pres. soap  
this is dynamite

---

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 J. E. SPINGARN

VICE-PRESIDENTS  
 HON. ARTHUR CAPPER  
 BISHOP JOHN A. GREGG  
 REV. JOHN HAYNES HOLMES  
 JAMES WELDON JOHNSON  
 ARTHUR B. SPINGARN  
 OSWALD GARRISON VILLARD

TREASURER  
 MARY WHITE OVINGTON

NATIONAL ASSOCIATION FOR THE  
 ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: The Crisis



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November 8, 1934

My dear Mrs. Roosevelt:

I want to make a request of you that I hope you will be able to grant. On yesterday I attended a meeting of organizations interested in the question of lynching. There were present representatives of the Y.W.C.A., Y.M.C.A., Federal Council of Churches of Christ and several others of like importance. We discussed ways and means of focusing attention on the lynching evil, particularly as seen in the recent horrible instance where Claude Neal was taken from the jail at Brewston, Alabama, transported across the state line to Marianna, Florida, and there put to death, his lynching being advertised twelve hours in advance. Incidentally we have received two communications which cast grave doubt upon Neal's guilt of the crime for which he was charged. We are investigating these reports.

It was the consensus of opinion at the meeting yesterday that a great meeting in New York at Carnegie Hall, Mecca Temple or the Metropolitan Opera House just prior to the convening of Congress would have a profound effect in focusing attention of the country on the evil. It was also unanimously agreed that should it be possible for you to be the principal speaker upon that occasion, the meeting would serve as nothing else could to crystallize the sentiment of law-abiding, thoughtful people of America against this great national evil. I was instructed to ascertain from you if it would be possible for you to do this. Would you let me know at your earliest convenience.

There has been, since the Neal lynching, considerable growth of sentiment, especially among Negroes, with which I want you to be acquainted. The refusal of Attorney-General Cummings to act in the Neal kidnaping in the face of the amended Lindbergh Kidnaping Law

*I don't feel it was  
 of speak or prejudice  
 Segregation but I will  
 talk to the Board &  
 how in some way to  
 do it*

*J.B.P.  
 I will take to do  
 it upon talking  
 see his opinion  
 I will do what  
 you say -  
 J.P.*

How do your Senators and Congressmen stand on the Coughlin-Wagner Anti-Lynching Bill?  
 ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

Mrs. Eleanor Roosevelt

-2-

11-8-34

which provides for federal action in kidnapings "for ransom, or reward or otherwise" (*italics mine*) has caused a great many people to become more cynical regarding the attitude of the administration on the matter of lynching. It is, of course, a political document, but I send you enclosed a full page advertisement from one of the colored weeklies, the Philadelphia Tribune, which is typical of this kind of propaganda. If you and the President do not think it would be unwise, a word from you at this time on lynching would hearten those interested in suppressing lynching as nothing else would. Incidentally the American Federation of Labor and the Protestant Episcopal Church have recently urged passage of the Costigan-Wagner Bill, bringing the membership of the organizations which are actively working for passage to a total of forty-two millions.

Ever sincerely,

*Walter White*  
Secretary

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW:EL  
Enc.

8

November 16, 1934

100

My dear Mr. White:

I am writing to acknowledge  
your letter and editorial you enclosed  
for Mrs. Roosevelt. I am pleased to  
give the clipping to the Secretary to the  
President for attention.

Very sincerely yours,

Secretary to  
Mrs. Roosevelt

Mr. Walter White  
69 Fifth Avenue  
New York  
New York

M.L.d

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ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



November  
14th  
1934

*ack  
11/16/34*

*for Mrs. Roosevelt*

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WILLIAM PICKENS FIELD SECRETARY  
DAISY E. LAMPKIN REGIONAL FIELD SECRETARY

My dear Mrs. Roosevelt:

Won't you be good enough to show the enclosed editorial from the Birmingham Age-Herald of November 1st to the President. We think it is very significant, coming out of Alabama, considering the state of the racial tension there over the Scottsboro cases and other matters of that sort.

Ever sincerely,

*Walter White*

Secretary.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

### THE AGE-HERALD

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#### Impressive

Few who heard David E. Lilienthal's address before the Rotary Club of Birmingham Wednesday can say that they were not impressed by his presentation of the aim and spirit of the TVA. Even those who were not converted to his thesis must grant that they received from him a fresh point of view. His candor and logic made this a thoroughly significant utterance. That is not to say that informed persons will necessarily follow him with respect to all his conclusions. But it is tantamount to saying that his plea to citizens of Birmingham to weigh objectively the issues affecting their economic destiny will be heeded.

Mr. Lilienthal did not dwell upon the electric power aspect of the TVA program, a fact which is bound to dilute the effect of his argument. But it should be observed on this score that he was engaged in trying to win over a community which he had come to regard as hostile to the TVA, and that he would naturally leave undiscussed a subject which by itself would have taken up more time than he had at his disposal. As it was, he could not avoid all controversial items. It must be granted that his showing was altogether creditable, if not in all respects convincing.

It was the affirmative case he made out for the Authority as being mainly concerned with the industrial development of the Southeastern region which moved his audience unmistakably. It was his call for the autonomy of local enterprises, for freedom from overmuch absentee ownership, for a renewal of Birmingham's prosperity in terms of a broadening of industrial interests and a halting of the flow of profits elsewhere, which went home to the business and homes of his listeners.

He concluded with a challenge to the people of this city and district. They have a right to fight the TVA. On the other hand, they have the opportunity to cooperate with the TVA. It is clear what the choice ought to be, and the choice can be made. The Age-Herald suggests, without giving up the privilege of criticism and petition, without subscribing to everything the Authority does, without accepting its decision as to policy or practice in every detail, as though it had found a new dealmaker. Upon that basis, the TVA deserves the sympathetic good-will of this community.

#### Contact Man

Deprecating the assumption that he was acting in any capacity save that of editor when he was "sound[ing] our business," Raymond Moley discussed in Today what he calls "seven beams of confidence." There was no way in which he could equip himself for the task of rational interpretation, he says, except by talking with business leaders. One of them told him, he reports, "We, in the world of business, have been like a ship finding his ship in the dark, and

clearer understanding is at work. Government has a better notion of the validity of various proposals in behalf of recovery. Business has a better notion of what government has been up against. "Everyone has been learning, everyone has been getting his optic nerves adjusted to new lights and shades." And it has happened when the tide of business is slowly beginning to flow. All this is vastly to the good, and J. P. Moley would have us think that he has been no more than an observer—the process of rapprochement. Almost he does protest too much. The groundwork for the pact struck off in Washington the other day was laid before the bankers arrived in the capital. The share that Mr. Moley had in bringing bankers and government together can only be guessed at. It is vastly to his credit that he could and he render this vital.

#### Speeding The Inevitable?

If anything was calculated to realize the agitation for federal anti-lynching legislation, the Marianna affair fills the bill. It provides those who are demanding this form of national control with all the ammunition they could ask for. How true this is shown by the reaction of Senators Wagner and Coughlin who introduced the anti-lynching measure during the last session of Congress. They have announced their intention to press for action along the same line. Pointing to the Florida atrocity, they stand on ground made doubly firm by the special circumstances of that revolting business.

Southerners who for one reason or another object to the injection of federal authority into the solution of the lynching problem would do well to observe the fresh features presented by the Marianna incident. It involved the crossing of state lines by a group of kidnapers acting for a job which eventually killed the *N. pro.* This point is being stressed, demands for the attention of the department of justice. But it involved something else, which has set on edge the teeth of the country, namely, the deliberate preparations for the lynching and the advance publicity making a kind of holiday of this defiance of law and human decency.

The upshot is that a part as well-balanced and restrained as The Springfield Republican, member of how "Public Enemy No. 1," was dealt with when all the productive resources of the country were welded into a mighty weapon to exterminate this menace to society, urges that the same united zeal should be utilized for the suppression of mob violence. "National disgrace No. 1 should have the same treatment by all the authorities, local, state and federal, as public enemy No. 1," it is argued. "Lynching could not long survive in the United States, to blacken American civilization, if there were the same cooperation against it among the representatives of the law, high and low, that there was against Al Capone, Dillinger, Hauptmann and 'Pretty Boy' Floyd."

The Wagner-Coughlin bill did not come up for action because Southern senators were able to keep it pigeon-holed. Their influence in the next Congress will be greater than ever. But their position on this particular issue will have been seriously weakened by the Florida affair. Parliamentary maneuvering is not wrought up. It can not be relied on when those who are doing the legislating against a bill have to face a strong public demand for action and are at the same time deprived of the logic which they could bring to bear in a different situation. The Marianna lynching with its peculiar ferocity rubs the state rights principle of its applicability.

The Age-Herald is by no means ready to support federal legislation against lynching. But we do admit that the Marianna incident has shaken us materially. When state authorities show themselves to be so utterly incompetent as in this case, one is hard put to it in justifying continued opposition to federal "interference." And unless a persuasive remedy is evolved to punish and punish the lynchers, there will be many Southerners who will be convinced that there is no high-minded escape from support of the kind of correction Senators Wagner and Coughlin have in mind.

November  
20th  
1934

The Hon. Franklin D. Roosevelt  
President of the United States  
Warm Springs,  
Georgia.

My dear Mr. President:

I am asking that you take the time from your very busy life to read the enclosed copy of the report of our investigator of the lynching on October 26th at Marianna, Florida, of Claude Neal. The investigator is a young southern white university professor whose name we are not making public as to do so would seriously interfere with his future usefulness and might even lead to physical violence against him.

We direct your attention particularly to the sheer abnormality of the torture of twelve hours which was inflicted upon Neal. We ask you to note also how children of very tender years waited with sharpened sticks to plunge them into the body of the victim when it was brought to the crowd of between four thousand and seven thousand persons from eleven southern states. Terrible as was the torture inflicted upon Neal I know you will agree that in the long run it is probable that greater injury will be done to the minds of these infants than to anyone else.

The complete failure of the state and county machinery to prevent this lynching establishes as nothing else could that it is imperative for Congress to pass the Costigan-Wagner Anti-Lynching Bill immediately upon its convening in January. We sincerely hope that you will agree and that you will as vigorously as possible insist upon the Congress that it pass the bill without delay.

May we also direct your attention to the enclosed editorial from Mr. David Stern's New York Evening Post in which the failure of the Department of Justice and of

#E Hon. Franklin D. Roosevelt

11/30/34

Attorney General Cummings to proceed against the kidnapers of Neal under the "Lindbergh" kidnaping law is excoriated and Attorney General Cummings' excuses for his failure to act are termed "legalistic fiddlesticks".

Respectfully,

Secretary.

COPY

November  
20th  
1934

Hon. Homer S. Cummings  
Attorney General  
Department of Justice  
Washington, D. C.

My dear Mr. Attorney General:

We hand you herewith verbatim copy of the report of an investigation of the lynching on ~~October 16th~~ at Marianna, Florida, of Claude Neal which investigation was made for this Association by a young Southern white university professor. We take the liberty of directing your personal attention to this report and to the fact that Neal was lynched in Florida and not in Alabama as some persons are attempting now to claim in order to avoid responsibility under the amended "Lindbergh" kidnaping law.

We recognize, of course, that there is no law at present authorizing you to proceed against the lynchers as lynchers. We do again respectfully but vigorously urge that your office, under the authority given you by the "Lindbergh" kidnaping law, proceed to apprehend and punish those persons who kidnaped Neal from the jail at Brewton, Alabama and transported him across the state line into Florida.

In this connection we direct your attention to the enclosed editorial in the New York Evening Post of November 19th in which failure of the Department of Justice to act in this case is excoriated and the excuses given by yourself for failure to act are termed "legalistic fiddlesticks". There are many Americans who thoroughly agree with this opinion as expressed by Mr. David Stern's paper.

Respectfully,

Secretary.

WW:CTF

The New York Post  
Monday, November 19, 1934

"perfect balance of interests for the highest common good." The Wall Street Journal doesn't usually show so much interest in the "common good."

### Legalistic Fiddlesticks

The Department of Justice has refused to do anything about the Houde case. As a result of its attitude the National Labor Relations Board is declining to take action in similar cases. An example is the board's refusal to enforce the recommendation that the Macaulay Company here take back striking employees. Such an attitude makes a joke of the Labor Board setup.

The Department of Justice shows a similar legalistic tendency in declining to act in the recent lynching at Marianna, Fla., of Claude Neal. Neal was kidnaped from the Brewton, Ala., jail and the National Association for the Advancement of Colored People is demanding action under the Lindbergh law.

Under this law the death penalty is provided for any one who kidnaps any person and holds him "for ransom or reward OR OTHERWISE." The N. A. A. C. P. contends, rightly, that this "or otherwise" can be interpreted to give the Federal Government power in lynching cases.

Where property rights are involved, much less justified interpretations than this have been made—notably in the case of the Fourteenth Amendment, ratified to protect the Negro but twisted to protect corporations against regulation.

Is the Department of Justice more interested in splitting hairs than in ending lynching? The "intent" of the law, Assistant Attorney General Stanley declares, was merely to end kidnaping and the "or otherwise" merely refers to the equivalent of "reward or ransom." What equivalents?

November 30, 1934

THE MARIANNA, FLORIDA LYNCHING

A Report of an Investigation Made for the National Association for the Advancement of Colored People, 69 Fifth Avenue, New York, by a White Southern College Professor into the killing of Claude Neal by a Mob on October 26, 1934.

On October 19th, 1934, Claude Neal, 23, of Greenwood, Florida was arrested by Deputy Sheriff J. P. Couliette for the murder of Lola Cannidy, 20, also of Greenwood, Florida. Neal, when arrested, was working on a peanut farm belonging to Mr. John Green. He was taken in custody with another man whom investigating officers believed to be involved in the murder to the woods and questioned. It is alleged that a confession was wrung from Neal and that he assumed entire responsibility for the crime. Sheriff W. F. Chambliss, of Jackson county, who was at the Cannidy home at the time of the arrest, was apparently aware of the lynching spirit which was beginning to rise throughout the little farming community, and ordered Neal to be taken to Chipley, Florida for safe keeping, a distance of about 20 miles. With Neal were arrested his mother, Annie Smith and his aunt, Sallie Smith.

The Mob Chases the Law

From the moment that Neal was arrested a blood-thirsty mob relentlessly pursued him.

The Marianna Daily Times-Courier for October 23rd says: "In a determined effort to locate the three Negroes held for the murder of Lola Cannidy near Greenwood last Thursday, a relentless mob continued to search the jails of West Florida."

An Associated Press Dispatch from Chipley, Florida, dated Oct. 21, and appearing in The Florida Times, of Jacksonville, Fla. says:

"Two negro women held in connection with the slaying of Lola Cannidy, 20-year-old Greenwood girl, were removed from County jail today to Fort Barrancas, at Pensacola, after hundred of men swarmed the streets all night threatening to destroy the jail unless the prisoners were delivered....."

"Standing by, ready to protect the negro women with tear gas bombs obtained from a nearby convict camp, Sheriff John Harrell said he remained on duty all night while crowds repeatedly begged him to give up the prisoners, and finally threatened to dynamite the jail if he did not do so."

"About daybreak, the sheriff said, more men came with acetylene torches, saying the negroes were locked in the courthouse vault and they would cut through the metal to get them. Later....they gave up their purpose and left, telling the sheriff they would return and go through the jail and courthouse."

The angry mood of the crowd at Chipley caused the sheriff there to remove Neal to Panama City. From Panama City he was taken by boat to Pensacola. From Pensacola Neal was taken across the Florida line to Brewton, Alabama, - a distance of 61 miles. Brewton is approximately 210 miles from Marianna, county-seat of Jackson county, Florida.

I am reliably informed that "a prominent business man of Marianna arranged with friends in Pensacola to notify him the moment that Neal was removed". When word of Neal's removal from Pensacola to Brewton was received several car loads of men set out for Brewton from Marianna. In my opinion, taking Neal from Pensacola to Brewton was equivalent to handing him over to the mob. It would seem that had the officers been really concerned with the safety of their prisoner that they would have either held him in Pensacola or taken him to Mobile or some other large town. Mobile is only eight miles farther away from Pensacola than Brewton.

An armed mob of approximately 100 men stormed the county jail at Brewton, Alabama, on the morning of October 26th. Neal was seized after Mike Shanholster, the jailer, unlocked his cell door, and was brought screaming and crying and placed in the front car in front of the county jail. The mob had triumphed.

An Associated Press Dispatch from Brewton, Alabama, dated Oct. 26th, and published in the Marianna, Daily-Times Courier says:

"An armed mob, estimated at 100 men, stormed the Escambia county jail between 2 and 3 o'clock a.m. today and seized Claude Neal, 23-year-old negro who allegedly confessed yesterday to the murder of Miss Lola Cannidy, 23, of Greenwood, Fla., a week ago."

"Sheriff Gus Byrne said the men came to the jail in 30 cars bearing Florida license plates.

"We are going to take him to Marianna and turn him over to the girls' father and let him do what he wants with him."

Leaders of the mob told Jailer Mike Shanholster.....

.....  
"Jail attaches said the negro was placed in the first of the 30 cars and that the others trailed behind. They said no attempt was made to follow.

"We'll tear your jail up and let all the prisoners out, if you don't turn him over to us."

#### The Lynching of Claude Neal

According to a member of the mob with whom I talked, Claude Neal was lynched in a lonely spot about four miles from Greenwood, Florida, scene of the recent crime, and not in Alabama as it was first reported. After Neal was taken from the jail at Brewton, Alabama, he was driven approximately 200 miles over highway 331 leading into Marianna and from there to the woods near Greenwood, where he was subjected to the most brutal and savage torture imaginable.

Neal was taken from the Brewton jail between one and two o'clock Friday morning, October 26. He was in the hands of the smaller lynching group composed of approximately 100 men from then until he was left in the road in front of the Cannidy home late that same night. I was told by several people that Neal was tortured for ten or twelve hours. It is almost impossible to believe that a human being could stand such unspeakable torture for such a long period.

Due to the great excitement sweeping the entire northern section of Florida and southeastern Alabama and to the great number of people who wanted to participate in the lynching, the original mob which secured Neal from the jail at Brewton, evidently decided that if all of the niceties of a modern Twentieth Century lynching were to be inflicted upon Neal that it would be unwise for a larger mob to handle the victim. They preferred that his last hours on earth be filled with the greatest possible humiliation and agony. However, the word was passed all over north - eastern Florida and Southeastern Alabama that there was to be a "lynching party to which all white people are invited," near the Cannidy home Friday night. It is also reported that the information was broadcast from the radio station at Dothan, Alabama. I talked to at least three persons who confirmed this statement.

A member of the lynching party with whom I talked described the lynching in all of its ghastliness, down to the minutest detail. After talking with him I went immediately to my room and tried to recall word for word all that he had told me. The story of the actual lynching as related to me and later corroborated by others is as follows:

"After taking the nigger to the woods about four miles from Greenwood, they cut off his penis. He was made to eat it. Then they cut off his testicles and made him eat them and say he liked it." (I gathered that this barbarous act consumed considerable time and that other means of torture were used from time to time on Neal).  
"Then they sliced his sides and stomach with knives and every now and then somebody would cut off a finger or toe. Red hot irons were used on the nigger to burn him from top to bottom." From time to time during the torture a rope would be tied around Neal's neck and he was pulled up over a limb and held there until he almost choked to death when he would be let down and the torture begin all over again. After several hours of this unspeakable torture, they decided just to kill him."

Neal's body was tied to a rope on the rear of an automobile and dragged over the highway to the Cannidy home. Here a mob estimated to number somewhere between 3000 and 7000 from eleven southern states

were excitedly waiting his arrival. When the car which was dragging Neal's body came in front of the Cannidy home, a man who was riding the rear bumper cut the rope.

"A woman came out of the Cannidy house and drove a butcher knife through his heart. Then the crowd came by and some kicked him and some drove their cars over him."

Men, women and children were numbered in the vast throng that came to witness the lynching. It is reported from reliable sources that the little children, some of them mere tots, who lived in the Greenwood neighborhood, waited with sharpened sticks for the return of Neal's body and that when it rolled in the dust on the road that awful night these little children drove their weapons deep into the flesh of the dead man.

The body, which by this time, was horribly mutilated was taken by the mob to Marianna, a distance of ten or eleven miles, where it was hung to a tree on the northeast corner of the courthouse square. Pictures were taken of the mutilated form and hundreds of photographs were sold for fifty cents each. Scores of citizens viewed the body as it hung in the square. The body was perfectly nude until the early morning when someone had the decency to hang a burlap sack over the middle of the body. The body was cut down about eight-thirty Saturday morning, October 27th, 1934.

Fingers and toes from Neal's body have been exhibited as souvenirs in Marianna where one man offered to divide the finger which he had with a friend as "a special favor". Another man has one of the fingers preserved in alcohol.

Press Comment.

"GIRL SLAYER LYNCHED THIS A.M.

"Nude Body, Terribly Mutilated, Hanging From Tree on Court House Lawn since 3 O'Clock This Morning.

"Claude Neal, Greenwood negro, was lynched last night about 10 o'clock somewhere in the county by a well organized orderly mob which waited patiently for hours to avenge the death of pretty Lola Cannidy, 18 year-old Greenwood girl.

"After slashing and shooting him into mince-meat, the mob took the negro to the home of George Cannidy, father of the slain girl, and dumped the body in the front yard. From there, another mob was organized and it brought him to Marianna at 3 o'clock this morning where it hanged him on a tree on the east side of the court house lawn. His nude body was hanging at that place at an early hour this morning. After stringing him up in the tree, the mob quickly dispersed.

"Neal's body was mutilated. Three fingers of one hand and two on the other had been amputated, besides other mutilations.

"At 1:30 this morning a mob, to be appeased, burned Neal's shack to the ground. It was just across the road from the Cannidy home.

"For hours a well organized mob of about 3000 people, men women and children-awaited in 'ringside' seats in the field where Neal killed Lola Cannidy to witness the lynching. But it is reported the group which had the negro was fearful that someone would be injured in the melee if they brought him to the waiting crowd, consequently the lynching took place at a point on the Chipola River, as according to a Cannidy kinman, "the nigger was too low for anybody to be hurt on his account." Daily Times-Courier, October 27.

The Marianna Riot of October 27.

After Neal's body had been removed from the courthouse square most of the members of the mob dispersed. Although Saturday is a "big day" in Marianna when the rural folk comes to town to trade there were not as many Negroes in the town on the day following the lynching as usual. The entire week had been one of terror and consequently all those who could remained away from the town. The feeling was very tense in Marianna between the Negroes and whites and the Negroes who came in kept pretty much to themselves.

Toward noon a white man struck a Negro who sought to defend himself and in the struggle with the white man hurled a pop bottle at him. By this time a crowd had gathered and at the sight of a Negro resisting a white man the crowd flew into a frenzy. The Negro finally tore himself away from the mob and ran across the street and into the courthouse where he was given protection by a friendly group of white men. The mob clamored for another victim but they were held at bay by a machine gun. Being unable to secure their intended victim the mob began a systematic attempt to drive all Negroes from the town. I am reliably informed that this mob was led by a young man from Calhoun county who has money and comes from a good family. The mob apparently started from the west side of the Plaza and began driving Negroes from the streets and stores where some were engaged in buying and selling and working for white employers. An observer stated that, "the mob attacked men, women and children and that several blind persons were ruthlessly beaten." Another observer said: "They (the Negroes) came from the town in droves, some driving, some running, some crying, all scared to death."

In several instances the mob met resistance on the part of white employers of Negro labor. A Negro porter was serving a white customer in front of his employer's store. Before he knew what was happening the mob was upon him. With a knife he slashed his way thru the mob and gained the front door of the store. His employer locked him in a room and kept the mob away with a shot gun. A woman who was caught downtown with her maid almost single handedly drove the mob away from their intended victim. After emptying the streets, stores,

places of business, hotels, etc. of Negroes the mob started into the residential section to drive out the Negro maids. Some women went their maids home, others hid them in closets. One man whose wife shielded her maid from the mob said, "Saturday was a day of terror and madness, never to be forgotten by anyone."

Lack of Police Protection

During the rioting the city of Marianna was completely without police protection. I was told that members of the mob searched the town for members of the police force and threatened to beat them up if they were found. One observer said, "The United States Army couldn't have stopped that crowd Saturday morning." When Mayor Burton realized what was going on and that the city was at the mercy of the mob he tried to locate the policemen but was unable to do so. He then tried personally to deputize some special officers but was unable to find anyone to serve. He later sent a friend out to find some men who would serve. This man finally returned and said that he could not find anyone who would serve.

National Guards Called

At this juncture the Mayor called Governor Sholtz in Tallahassee. In response to the mayor's request a detachment of National Guards arrived from Apalachicola about 4:30 Saturday afternoon and gradually dispersed the mob. The guards patrolled the streets of the town and particularly the Negro section. The mob retreated before the guards but left the parting warning that they would, "be back Saturday to finish up what we started."

On the following Saturday the police force was increased by about twenty men. Several Negroes were attacked early Saturday morning by white men who were arrested and placed in jail. A drizzling rain began about 9 a.m., followed by a downpour about 11 a.m. which probably prevented another "day of terror and madness" in Marianna.

Lola Cannidy

On the afternoon of October 18, 1934, Lola Cannidy, 20, daughter of Mr. and Mrs. George Cannidy, farmers near Greenwood, Florida, disappeared from home. It is alleged that Lola Cannidy told her parents that she was going to "water the pigs" and attend to some other chores about the farm. The family took no particular notice of her absence when she failed to return in the late afternoon. She had been seen by her brother, who was working in a nearby field, talking to someone on the farm. When she failed to return in the evening her parents called her sister in Tallahassee to find out if Lola was there. When they were unable to locate her in Tallahassee and she did not

return home, a search was begun for her in the community. Early on the morning of October 19, her body, fully clothed, was discovered by an uncle, John King, a short distance from the Cannidy home, badly mutilated about the head and arms and partially covered with brushwood and pine logs.

Sheriff W. F. Chambliss of Jackson county was called to the Cannidy home and an investigation was begun immediately. A watch, ring, a piece of clothing and a hammer were among the things discovered near the place where Lola Cannidy came to her death. Among the first homes in the community to be searched was that of Annie Smith, mother of Claude Neal, who lived just across the road from the Cannidy home. The officers investigating the case claim to have found some bloody garments in the home.

Several boys claimed that they saw Claude Neal near the scene of the crime that afternoon and that he had some wounds on his hand which he said that he received while repairing a fence.

#### Claude Neal Arrested

A search was immediately begun for Claude Neal. He was arrested on the peanut farm belonging to John Green. When Neal was arrested he told officers that another man, Herbert Smith, was associated with him in the crime. Smith was later arrested and he and Neal were taken to the nearby woods and questioned. I am reliably informed that Neal had been in a fight with Herbert Smith on the Saturday previous and that in the fight "Herbert had whipped him." In order to "get even" with Smith, Neal sought to involve him in the case. Smith later related the entire incident to an informant who described Smith as being literally scared to death. Neal finally admitted that Smith had nothing to do with the crime and that he alone was involved. Smith was subsequently released by the officers.

#### Claude Neal and Lola Cannidy

Claude Neal and Lola Cannidy had always lived in the same neighborhood. Mrs. Smith's home (Neal's mother) was just across the road from the Cannidy home. Neal had played with the Cannidy children and when he and when he was large enough to work, worked on the Cannidy farm. For some months, and possibly for a period of years, Claude Neal and Lola Cannidy had been having intimate relations with each other. The nature of their relationship was common knowledge in the Negro community. Some of his friends advised him of the danger of the relationship and had asked him not to continue it. Miss Cannidy, it seems, desired to break the relationship existing between herself and

Neal and the fatal meeting was prearranged for the purpose of arriving at some understanding. At the meeting in the woods Miss Cannidy told Neal that she did not want him to speak to her again and that if he did so that she would tell the white men in the community on him. (Should Miss Cannidy have "told on him" it would have meant certain death.) When she told Neal that she wanted to "quit" and further threatened to "tell on him", he "got mad and killed her." Neal later told a friend what had happened. Neal is reported to have told the friend, "When she said she didn't want me to speak to her and then told me that she'd tell the white men on me, I just got mad and killed her."

Was Claude Neal Guilty?

When I first arrived in Marianna I heard that there was serious doubt as to Neal's guilt. The rumor was that a white man had murdered Lola Cannidy, had taken the bloody garments to Neal's home to have them washed and had later laid the murder on Neal. Knowing how often innocent Negroes are framed by guilty white men I gave particular attention to the theory. I was unable to find any substantial support for this theory among the Negroes in the Greenwood community. It is entirely possible that due to the great terror under which Negroes all over this section of Florida are living that they were too frightened to say or do anything which might cause them to become the victims of another mob as had so recently descended upon them. Feeling was running so high during the period of investigation that it was not safe for a citizen to ask too many questions about the lynching. Naturally it was difficult for an outsider to carry out a thorough investigation of every particular. The account of the murder came to me from the most reliable sources including white and Negro informants. I still have some doubts in my mind but I accept the story as told as the most plausible and reliable account which I received.

State of Public Opinion as Revealed in the Local Press

(1) Statement from George Cannidy in Marianna Daily Times-Courier

Headline: "YOU CAN'T KNOW HOW IT HURTS UNLESS THIS HAPPENS TO YOU, STATES FATHER OF YOUNG GIRL."

"Lord, but you can't know how it hurts unless you had something like this happen to someone you loved... The lynch have promised me that they will give first chance at him when they bring him back and I'm ready. We'll put those two logs on him and ease him off by degrees. I can't get the picture of Lola out of my mind when we found her. Her throat was bruised and scratched where he had choked her so she couldn't cry out. My son was in the field about a quarter of a mile away when he saw

someone talking with her at the pump, but he thought it was just one of the local boys and didn't pay much attention. He was right there in the field when she was being killed. Her head was beat in and she had been choked so hard her eyes were coming out of their sockets, her arms were broken and she was all beat up. When I got my hands on that nigger, there isn't any telling what I'll do.

(underscoring mine)

(2) Statement from Lola Cannidy's sister in Marianna Daily Times-Courier

Headline: "I WISH EVERY RESIDENT OF JACKSON COUNTY COULD SEE THE BODY OF LOLA", says sister of Slain Girl.  
"When I viewed the body of my sister I was horrified. Whoever killed her - well I don't believe any form of punishment could fit the crime. I can hardly believe that such a horrible thing could happen to my sister. If I have to be killed I hope it won't be in the manner she met death. I know that there never been anything in Jackson county that was as brutal. I'd just like to see the man who did this just once. I can't understand what the motive was for this brutal deed. To think that Claude Neal, who has been raised with my sister and he and worked for us all his life, could do such a thing - it is unbelievable. I only wish that every resident of Jackson county could view the body of my sister. If they could, they wouldn't rest until the murderer was caught and justice meted out." Daily Times-Courier October 30, 1934.

(Underscoring mine)

(3) Letter from Negro Citizen of Marianna in Daily Times-Courier

Headline: "COLORED MAN WRITES ANIENT RECENT CRIME. MAKES PLEA THAT GOOD COLORED PEOPLE NOT BE BLAMED FOR ACT OF CLAUDE NEAL!"  
"Marianna, Florida  
October 22, 1934

"To the White Citizens of Jackson County:

"Just a few lines to let you all know that we good colored citizens of Jackson County don't feel no sympathy toward the nigger that ---the white lady and killed her. Nol We haven't felt that he did right because he should stay in his place, and since he did such as he did, we are not feeling that we have a right to plead to you all for mercy.

"It makes us chagrined and feel that he has ruined the good colored people that try to behave themselves and work for an honest living.

"I feel very bad over it myself to see that we have such a fellow in the Race and I am among the good colored people that feel just like I do toward him. I talked with them, and they can't see how they can have any sympathy for him.

"But I am writing to let you know that we leave it to you all to do what you all see fit to do to him. But still asking you all not to be hard on your good servants that have been honest and faithful for the time that we have been working with you for the other fellow. Because we good colored people want to thank you all for the favors and the chance that you will have given us to let us have schools for our children and teachers to teach them and jobs for us to work and to get bread for them that they can have a chance. Also we thank you all for making it easy.

"Because if it wasn't for the good white citizens, we realize that many of our girls and boys would have been nobbed for nothing they done, but for the brutal act that was done, I also thank the sheriff for working so faithfully to get the right man.

Your faithful servant

John Curry

still pleading for a chance for the better class of colored people and not to punish us for him, because if he do wrong he is wrong, and we have no sympathy for him!"

(4) Letter from Negro Citizens in the Marianna Times-Courier.  
Headline: "COLORED CITIZENS DISAPPROVE CRIME."

Marianna, Florida  
October 23, 1934

"WHEREAS, it has come to our attention that one of the most brutal crimes is supposed to have been committed by one of our race; and

"WHEREAS, that friendly and mutual relationships that have so long existed among the white and colored citizens of our fair county has been interrupted by such a brutal act;

"BE IT RESOLVED, That we, the colored citizens of Jackson county, Florida, do here and now place our stamp of disapproval on such an atrocious act, and assure the family that they have our deepest sympathy and the law our unstinted support in bringing the guilty to speedy justice.

"We do not condone crime in any form. We believe in, teach our race to be law abiding citizens. We trust that the brutal act will not break that friendly and mutual relationship that exists among the white and colored people of this, our good country. We have the utmost confidence in the white citizens of this county, and trust that you have the same in us. We shall ever strive and teach our race never to betray that trust. We pray that the guilty may be apprehended and punished and that the innocent will be protected."

"Your humble citizens

R. W. Whithurst	H. H. Fagan
E. Harley	E. P. Fenton
H. Robinson	H. L. Clay
W. R. Robinson	R. T. Gilmore."

(5) News Item in the Marianna Times-Courier, October 23,  
by Ernest G. Shephard, (Associate Editor)

Headline: "KU KLUX MAY RISE AGAIN."  
"Jackson County Citizens May Rally to Flery Cross to Protect Womanhood."

"Taking a determined stand to protect the honor of womanhood and to champion the oppressed in Jackson County, a group of sober-minded, straight forward men will probably organize a local Ku Klux Klan, it was revealed to the writer the other day by a prominent Marianna citizen.

"The purpose of the Klan is to take over where the law fails, or where the law has no jurisdiction.

It will defend and protect the constitution and the flag of the United States and make this section safe for 'life, liberty and the pursuit of happiness'."

(Underlining mine.)

(6) Editorial in the Jackson County Floridian, October 26, 1934.

"Although many have strongly favored the court of Judge Lynch for the brutal slaying of a Jackson county girl this week, local officers have spared no effort to uphold their oath of office and to protect their prisoner. In many instances this action has been contrary to the wishes of citizens, but the consensus of opinion is that one crime in a week is enough."

(7) News Item in Marianna Daily Times-Courier, October 27, 1934. Headline: "HOB NOT BE 'BOTHERED OPINES S. PAUL GREENE."

"S. P. Greene, deputy sheriff of Jackson county, told a Times-Courier reporter late yesterday afternoon that, 'in my opinion, the mob will not be bothered, either before or after the lynching.'" (underlining mine)

Note: On November 1, The Times-Courier of Marianna carried a front page announcement that S.P. Greene would run for sheriff of Jackson county in 1936.

The Women in the Case

Claude Neal's mother, Annie Smith, and his aunt, Sallie Smith, with whom Neal lived, were arrested as accomplices in the crime with Neal. Mrs. Smith lived on a small farm opposite the Cannidy home and worked for the Cannidys and other white people in the community. The two women apparently had nothing whatsoever to do with the crime but in the mad excitement of the hour became the victims of the mob's desire to wreak its vengeance upon all and sundry who had the slightest connection with Claude Neal. Mrs. Smith and her sister were taken to Chipley and lodged in the jail there. A large mob stormed the jail in search of the women and Neal and threatened to dynamite the jail and to employ acetylene torches to secure the prisoners. It is probable that had the two women accompanied Neal on his fateful ride from Pensacola to Brewton that they too would have suffered the same fate as he did. On Saturday morning shortly after Neal's body had been brought to the Cannidy home, the mob descended upon the Smith home and burned it with several out-buildings to the ground. When last heard of the two women were at Fort Barrancas near Pensacola.

The Background

Jackson county, in which the lynching of Claude Neal and the rioting in Marianna occurred, is one of the four original counties of Florida. It has a population of approximately thirty thousand inhabitants of whom some two-thirds live on farms. Agriculture is the principal industry of the county. Cotton is the chief product, while tobacco, peanuts, lumbering, and lime stone products are produced in considerable quantities.

Prior to 1900 the Negro population greatly outnumbered the white but since that time it has steadily declined. It is estimated that between 40% and 45% of the population of Jackson county is at present Negro. Most of the old plantations have either been broken up or have been taken over by syndicates which work them now.

The county has the highest illiteracy rate of any in the state in proportion to the number of schools. There are no public libraries in the county. Negro teachers in the public schools receive from \$25.00 to \$35.00 per month. A recent survey of the county shows that between 75% and 80% of the citizens of Jackson county belong to either the Methodist or Baptist church. Revivals are always eagerly and well attended.

Marianna, the county seat of Jackson county, has a population of about 3300. The Negro population is between 35% and 40%. The town is on the main highway between Tallahassee and Mobile and is in line for considerable tourist trade.

It is a typical southern town with the general run of stores and a town square, except in Marianna the square is called, "the Plaza". The drug stores carry a large line of cheap detective, "wild west", and mystery magazines. Time, The American Magazine, Comopolitan, Literary Digest, Red Book represent about the best available reading material to be purchased in the town.

#### The Economic Factor

Severe competition exists between the Negroes and whites for what few jobs there are in Marianna and the surrounding territory. For some time past there has been a constant agitation going on among the poor and disinherited whites for the jobs of the equally poor and exploited Negroes. Employers who give work to Negroes when white men could do the work are frowned upon. Frequently they are boycotted and threatened. Many occupations which Negroes formerly occupied to the exclusion of whites are now completely occupied by whites. The Negroes have been gradually forced deeper and deeper into economic misery and insecurity. With them have gone large numbers of the white population and as the present economic crisis deepens the struggle for survival grows in intensity and severity.

#### Some Wage Scales

Porters who work in drug stores, grocery stores etc. receive from \$4.00 to \$6.00 per week. \$2.25 per week is considered very good pay for domestic servants. \$2.50 is considered extraordinarily good. Cooks in boarding houses during the tourist season receive around \$3.00 per week. The bell boys in the Chipola Hotel receive \$1.50 per week for twelve hours. Maids in the same hotel receive \$4.00 per week for seven days work. Each maid has the care of an entire floor of nineteen rooms. The white waitresses in the dining room receive \$4.00 per week plus tips. They work from 5:30 A.M. until 9 P.M. with time off between the main meals.

#### Relief

It is claimed that a large number of those who participated in the rioting in Marianna on Saturday, October 27, had been on

the county relief rolls for some time. Relief had been cut off about two weeks before the lynching occurred. There has been considerable discontent over the way relief in the county has been handled. An organization known as the Jackson County FERA Purification League headed by W. Pooser led a demonstration through the streets of Marianna on the Saturday preceding the lynching. From what I was able to learn Pooser's League is a semi-Fascist organization combining some of Huey Long's ideas of "share the wealth" with a deepseated and violent race prejudice. Pooser disclaimed any part in the Marianna riot of the 27th.

#### Basic Cause of Lynching

While the feeling against Claude Neal was certainly very great because of the crime which he was alleged to have committed, the lynching was to a large extent a surface eruption. Beneath this volcanic eruption lay the pressing problem of jobs and bread and economic security. A very competent observer said to me: "This lynching was a surface eruption. The basic cause of the lynching was economic. Here you put your finger on the sore spot. The lynching had two objects, first, to intimidate and threaten the white employers of Negro labor and secondly to scare and terrorize the Negroes so that they would leave the county and their jobs could be taken over by white men." A white man with whom I talked observed: "There are too many niggers and too many white people looking for the same job." A clerk in a store said, "A nigger hasn't got no right to have a job when there are white men who can do the work and are out of work."

#### Attitudes Toward the lynching

It is a well known fact that some of Marianna's "prominent business men and citizens" participated in the mob which lynched Claude Neal. There were some people with whom I talked who were horrified over the lynching and who wanted to raise their voice in protest but felt it to be useless to do so at the time. I felt that on the whole the lynching was accepted by the citizens of Marianna as a righteous act. When buying a magazine in a drug store for which I had no earthly use, I said to the clerk who waited on me, "That was a pretty bad lynching you had here the other night, wasn't it?" He replied, "No! the lynching

wasn't bad, it was all right. What happened to business when the mob came in and drove the niggers out of town was the only bad thing about it." There seemed to be a general acceptance by the people of Judge Lynch. They seemed to believe that lynch law was really the only way they could "keep the nigger in his place." The chain-gang, prison and the electric chair are not enough. To have a Negro suddenly disappear never to return to his people seemed to them to be the best method of "handlin' the niggers".

Conclusions

It is evident from these findings that:

- (1) The mob intended to lynch Claude Neal from the beginning,
  - (2) That the nature of the press reports confirmed their intention,
  - (3) That the statements occurring in the local press incited to lynching,
  - (4) That the local officials and the Governor of the state must have been aware of the probability of lynching, and
  - (5) That, insufficient protection was given to the prisoner.
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100  
November 23, 1884.

My dear Mr. White:

I talked with the President yesterday about your letter and he said that he hoped very much to get the Costigan-Wagner Bill passed in the coming session. The Marianna lynching was a horrible thing.

I wish very much the Department of Justice might come to a different point of view and I think possibly they will.

Very sincerely yours,

Mr. Walter White  
69 Fifth Avenue  
New York, N.Y.

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NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



November  
20th  
1934

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DAISY E. LAMPKIN REGIONAL FIELD SECRETARY

My dear Mrs. Roosevelt:

I want you personally to have a copy of the report of our investigator of the October 26th lynching at Marianna, Florida, which investigation was made for us by a young southern white university professor. I know that you will be horrified not only at the sadistic torture inflicted for a period of twelve hours upon Neal but perhaps even more at the effect upon the little children who waited with sharpened sticks the return of the body in order that they might plunge these into Neal's flesh. I have investigated some forty-one lynchings and eight race riots and thought that I was almost immune to these tortures but this case has made me more ill and disheartened than any of the lynchings which have occurred within my memory.

I am sending also copy of the letter which I have addressed to the President, and one to Attorney General Cummings. Congress must act, and without delay, to prevent the repetition of such horrors.

I want very much to talk with you when you return to Washington, or when next you are in New York. A prominent southerner recently told an official of the Federal Council of Churches that he in turn had been informed by a Washington newspaper man that the President is opposed to the Costigan-Wagner bill. I am asking this southerner to give me the exact facts in order that we may run down to its source such rumors. I have told this man that I do not believe this report for I know personally of the President's deep interest in lynching and of his desire to see the Costigan-Wagner bill passed, and especially do I know of your own deep interest. I also enclose copy of the editorial from Mr. David Stern's New York Evening Post.

Ever sincerely,

Secretary.

Mrs. Eleanor Roosevelt  
Warm Springs,  
Georgia.

WW:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

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27th  
1934

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WILLIAM PICKENS FIELD SECRETARY  
DAISY E. LAMPKIN REGIONAL FIELD SECRETARY

My dear Mrs. Roosevelt:

I have been sick at heart ever since the revelation of what actually occurred in Marianna. But your letter of November 23rd brightens the scene immensely in bringing us the great good news that the President is hoping to get the Costigan-Wagner bill passed in the coming session of Congress and that the Department of Justice may act in the Claude Neal case.

Once again you have put me under great personal obligations to you, and I want you to know how deeply grateful I am.

Ever sincerely,

*Walter White*  
Secretary.

Mrs. Eleanor Roosevelt  
Georgia Warm Springs Foundation  
Warm Springs,  
Georgia.

WW:CTF

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TELEPHONE: ALGONQUIN 4-6548

Official Organ: *The Crisis*



December  
3rd  
1934

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My dear Mrs. Roosevelt:

Last October when announcement was first made of the crime conference the Attorney General has called to meet in Washington December 10th to 13th we inquired of him if lynching would be among the crimes which would be discussed. For some time replies were non-committal but we have now been informed by Assistant Attorney General Stanley that lynching will not be included. I do hope that the President will include mention of lynching in his address to the conference.

I want to share with you a letter I have just received from a prominent Georgian regarding Governor Talmadge's recent interview with the President at Warm Springs and the abolishing of the FERA minimum wage scale of thirty cents an hour for work relief. This letter is from a man who is peculiarly in a position to know what he is talking about and I wanted you and the President to know what is back of the pressure to abolish the minimum wage scale.

I shall be in Washington on next Saturday and Sunday. Perhaps by then I shall have a report on the personal matter you asked me to look into. I had hoped to be able to get up to Schenectady myself, as I promised you, but have been held up here. I have, however, sent the young man of whom I spoke when I talked with you over to Schenectady and will shortly have some definite word from him as to what he was able to do.

With cordial personal regards, I am

Ever sincerely,

Secretary

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

P.S. Here is an editorial from today's New York Evening Post which I think will interest you.

W.W.

WW:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?  
ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

November 28, 1934.

Walter White,  
Fifth Avenue,  
York City.

I most certainly do feel that the ruling by Hopkins of the FERA abolishing the minimum wage scale of thirty cents an hour for work relief was aimed at the Negro. It is significant that this ruling came immediately after Governor Talmadge of Georgia had visited the President recently at Warm Springs. Talmadge, as you know, has been the outstanding opponent of the thirty cents wage scale for work relief. Of course, he was not the only governor present at the Warm Springs conference but he was the particular one whom all the newspapers "played up" before the conference as one who was knocking the administration and particularly the FERA on the point of this thirty cents an hour wage scale, along with certain other features of the recovery program.

This thirty cents an hour has been almost a campaign issue with Talmadge for the last two or three years and for the last year or so he has not hesitated to link up the Negro in his statements concerning the ridiculousness of such a wage scale. Talmadge has been one of the two recalcitrant governors as viewed by the FERA and the governor who has given the FERA and the administration in general most trouble and this abolishing of the minimum wage scale looks like an attempt on the part of the administration to conciliate him.

May I state confidentially, and ask you not to reveal its source because the information was given to me in strictest confidence, that Talmadge had planned up until a week ago (and may still be planning unless he has been fully conciliated by the President) one of the dirtiest anti-Negro campaigns that has been promoted in recent years in the South. Of course the real objective behind this is the United States senatorship. It is his idea, I understand, to oppose the present Senator, Russell. Talmadge's whole program has been, up until this last minute, anti-administration and as silly as it might seem to one in the North the theoretical favoritism shown the Negro in connection with the Recovery Program would be the biggest issue he would offer Georgia "Red Necks". His plan was and, in my opinion, still is to attack Russell not because he has shown any particular interest in the Negro but because Russell is a supporter of the administration and therefore by "reducto ad absurdum" Russell is therefore in sympathy with giving an unusual amount of the benefits of the Recovery Program to the Negro.

This is all ridiculous because first of all the Recovery program has not functioned fairly among Negroes in the South. Secondly, Russell is no particular friend of the Negro. What I imagine will happen if and when Talmadge launches his campaign against Russell will be that Russell's defense instead of being a justification of giving the Negro an "alleged" square deal will be an attempt to exceed Talmadge in the bitterness of his attack on the Negro from some other front.

Of course Talmadge's opposition to the administration may be over come by such conciliatory measures as the abolishing of the thirty cents an hour wage scale for work relief and other measures that have not been announced as yet.

Very sincerely yours,

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The design of this paper is to diffuse among the people correct information on all interesting subjects, to inculcate just principles in religion, morals and politics, and to cultivate a taste for sound literature.—Prospectus of the Evening Post, No. 1, Nov. 18, 1821.

NEW YORK, MONDAY, DECEMBER 2, 1935

## LABOR AND INDUSTRY REFUSE TO FACE THE FACTS

Labor moves to protect its rights under the recovery program.

As interpretations of Section Ta become more and more ambiguous and confusing, labor realizes the desperate need for light in the darkness.

Section Ta, which was supposed to protect the right of collective bargaining, now becomes a positive peril to labor with Donald R. Richberg's speech last week.

Ta saying that Section Ta guarantees to each individual worker the right to choose his own bargaining representatives, Richberg strikes a blow that may prove fatal to the principle of majority rule and to the closed shop.

Under these circumstances labor has only two alternatives: It can urge the Government to withdraw entirely from the controversy, Labor would get farther traveling on its own than leaning on a rubber crutch.

The other course is to demand a strengthening and clarification of Section Ta which would explicitly establish the right of majority rule in labor representation.

Union leaders are taking the latter course. That they can succeed in making Congress and the President accept such a policy is doubtful.

The decent employers, who comprise the great majority of American business men, have not yet realized that their strongest protection lies in complete unionization of industry.

Most employers would like to see working conditions improve and wages rise. But they are powerless so long as competition from low-wage shops can undercut them.

The only way to raise wages and keep them up is through vigilant, independent unions reaching into every industry.

This protection cannot be created by ballyhoo, as General Johnson thought it could. It cannot be created by Government fiat.

The strength of powerfully organized industry must be balanced by effective labor solidarity for the protection of industry as well as labor.

If American business men would realize this, there would be no difficulty in solving the doubt and danger which the ambiguity of Section Ta has intensified.

Two factors stand in the way of conversion of the business man to that point of view. One is the fact that the most reactionary business group exercises an influence over general business policy out of all proportion to its actual importance or vision.

The other obstacle rests squarely on the shoulders of organized labor. Business men are not so blind that they have not seen the hundreds of costly, futile, petty jurisdictional strikes in which two or more craft unions battle with each other at the expense of their members, their employers and the public.

Modern industry changes its methods too rapidly for the outworn craft union system. To catch up in present-day conditions labor must organize in broad industrial unions based on product rather than on process.

It must learn to adopt a broader view and a deeper sense of responsibility.

Reactionary labor leaders and reactionary business leaders are impeding recovery. It is difficult to say which is more to blame.

Both refuse to face the obvious. Both are living in the past.

If President Roosevelt's "partnership between industry, labor and Government" is to succeed, each group must recognize that it cannot go forward without breaking the shackles of tradition.

## Is that it, daddy? New York Post AMERICA'S SHAME

It is about time the Federal Government acted in the Marianna, Fla., lynching.

For once, in the lynching of Claude Neal, the Fourteenth Amendment ought to be used for its intended purpose instead of for protection of corporate privilege.

Certainly in this well-planned and publicized lynching—a lynching that might easily have been prevented by Florida authorities—a man was deprived of his life "without due process of law" and denied "equal protection of the laws."

There are grounds amply under the Fourteenth Amendment and under the Federal kidnapping law for Federal action.

Nothing in the annals of German, Italian and Balkan dictatorship is worse than the story revealed in the report on this lynching to the National Association for the Advancement of Colored People.

Nor is there any better indication of the ruling spirit in the South than the fact that a flood of protests to Governor Scholls of Florida from prominent white Southern religious, women's and student groups have been ignored.

And that the Association is unable to divulge the name of the "young Southern white university professor" who made the report.

To do so, the Association declares in a letter to the press, "would seriously interfere with his great usefulness in the South and perhaps even might subject him to physical violence."

The lynching, this report shows, was a bestial festival announced in advance. Three persons told the investigator that an invitation to the lynching party was broadcast from the radio station at Dothan, Ala. Word was passed all over North-eastern Florida and Southeastern Alabama.

A member of the lynching party told the story of the torture that preceded the hanging. The details are too horrible to bear repetition in a newspaper. Later, "little children, some of them mere tots . . . waited with sharpened sticks for the return of Neal's body and . . . drove their weapons deep into the flesh of the dead man." Photographs were sold and fingers and toes cut off as souvenirs.

The day after the lynching a mob beat and drove Negroes out of Marianna, even searching homes in the residential district for colored males. The one redeeming feature of the picture is the courage shown by many white men and women in holding off the mob and protecting their colored employees.

There can be no doubt that vigorous action by the Department of Justice against the leaders of the lynch mob would meet with applause throughout the South, where the crime has aroused widespread revulsion.

But this report is not merely a horror story—a story unbelievable in twentieth century America. It also lays bare the distress and the economic conflict that lie behind much of interracial bitterness in the South.

"This lynching," one observer told the professor who wrote this report, "was a surface eruption. The basic cause of the lynching was economic. Here you put your finger on the sore spot. The lynching had two objects: first, to intimidate and threaten the white employers of Negro labor and, secondly, to scare and terrify the Negroes so that they would leave the county and their jobs could be taken over by white men."

A bitter struggle for bread is the root of this outbreak of savagery.

Unfortunately certain features of the recovery program—the treatment of Southern sharecroppers under the AAA and the covert discriminations allowed in many of the NRA orders—have intruded a situation bad enough under the normal conditions of poverty and illiteracy in many sections of the South.



## Praise f

To the Editor of New York Post  
Sir—Since clearance, one of the most vital of the nation's people can never be achieved without Federal expenditures. If a national plan of housing is to be carried out, it must be carefully studied from this angle.

If the Federal Government finances the building directly means almost certain success in providing low-cost housing. If it rebalancing is left to private endeavor, there will be high costs, speculation, profits and failure. This would make rehousing virtually impossible for those who need it most, the very poor.

With a nation-wide housing project must come a revamping of its valuations to avoid upsetting tax values in the cities.

However, it seems to me that the way to start nation-wide clearance would be for the Federal Government to levy a housing loan to be used for building new housing to maintain housing a sufficiently decent scale, they would be removed to class of slums.

It is right, Moffatt writes  
R7

## THE ONLY LETTER OF ITS KIND

To the Editor of New York Post  
Sir—The sales tax is a kind which Mayor LaGuardia, the city officials are hoping they know that they should tax on transportation for. Fortunately the Mayor is a man who stands by almost anything in the city when he if he comes out for a job which is a good chance, his job. Everybody has made it.

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NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-6548

Official Organ: The Crisis



December  
14th  
1934

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My dear Mrs. Roosevelt:

I thought you might like to see the printed version of the Marianna lynching, with illustrations, so I am sending you enclosed two copies.

Of an edition of five thousand, delivered last Thursday, more than four thousand have already been distributed, the demand coming from all parts of the United States.

Ever sincerely,

*Walter White*  
Secretary.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

WW:CTF

How do your Senators and Congressmen stand on the Costigan-Wagner Anti-Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

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100  
December 30, 1934

My dear Mrs. Roosevelt:

I am enclosing a copy of a letter which I addressed to you yesterday at the White House.

You may have seen it already, but I am enclosing a clipping from this morning's New York Times with the statement by Sheriff John E. Gant regarding the attempt of the mob at Shelbyville, Tennessee, to lynch a Negro.

I wonder if you could see me on Friday or Saturday morning.

Ever sincerely,

Walter White  
Secretary

Mrs. Eleanor Roosevelt  
49 East 65th Street  
New York City

WW/RR

How do your Senators and Congressmen stand on the Costigan-Wagner Anti Lynching Bill?

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

minutes and then taken away before we could get him. I don't know who he could have been. A check by funeral establishments failed to reveal the man's identity.

world to prevent hurt. The mob the Guardsmen take action."

#### CALLS MOB 'CRAZY DRUNK.'

Deputy Sheriff Says Advance on Guns Was 'Pitiful Sight.'

Special to THE NEW YORK TIMES.

SHELBYVILLE, Tenn., Dec. 19.—The way a mob marched against bullets and bayonets in an effort to seize a Negro here today was described by Deputy Sheriff John E. Gant as "one of the most pitiful sights I ever saw."

"Those people just walked into the bullets, right into the faces of the guns," he said.

He declared that most of them "were crazy drunk."

Describing how E. K. Harris, the Negro, was saved after the mob began its third attack, he said:

"We decided to get the Negro out of there. It was dangerous for everybody and we didn't want any more bloodshed."

"The Guardsmen had an extra uniform overcoat and some leggins and a gas mask. They were put on the Negro."

"A company of guards surrounded the Negro as we walked with him out the west door. We had a car ready, the car of Adj. Gen. J. H. Ballew. We put the Negro in it and two guard captains got in with me, General Ballew and the Negro. General Ballew drove."

"The Negro was made to lie down flat on the floor in the back of the car."

"Just as we were pulling off one of the mob caught on to what we were doing and yelled, 'There he goes.'"

"They started running toward our car and we had to drive fast to get out of town. Nobody tried to follow us in cars."

"I want to make it clear that the mob that caused all the trouble was not the better citizens of Shelbyville. It was the rowdy element, and they were mostly drunk—crazy drunk."

"The local force and the Guardsmen used every precaution in the

December 19, 1934

My dear Mrs. Roosevelt:

In thinking over my request of you of December 15 that you arrange an appointment with the President for me, it occurs to me that I should have told you the purpose for my request. It deals, of course, with the matter of lynching and the Cottigan-Wagner bill.

In order to strengthen public sentiment behind the bill and to give greater support to the President's unequivocal position against lynching and for the enactment of adequate legislation, we have, among other things, circulated a memorial which we have asked governors, the mayors of about two hundred cities, a select list of university and college presidents, editors, churchmen, jurists and organization heads to sign.

The response to requests for signatures has been truly remarkable. We have had signatures even from the mayors of southern cities and among the university presidents who have affixed their signatures are Presidents Angell of Yale, Ames of Johns Hopkins, Tigert of the University of Florida, Clothier of Rutgers, Comstock of Radcliffe, Gray of American, McCracken of Vassar, McConnell of North Texas Teachers College, Neilson of Smith, Pendleton of Wellesley, Saavelly of Birmingham Southern, Woolley of Mount Holyoke, Williams of the University of Missouri, and many others.

I wish you would advise me as to whether or not it would be an imposition upon the President - busy as he is now - to receive a select delegation of not more than five persons on Friday, December 28 or Saturday, December 29, at which time this memorial may be presented to him. It is necessary that it be presented to him prior to the opening of Congress, as you will note from the way in which it is phrased. I enclose copy of the memorial. The outstanding character of the signers would give popular support, we believe, to whatever the President sees fit to recommend to Congress. Would you be good enough to advise me frankly on this as the time is quite short for getting the delegation together. We plan asking one distinguished churchman, one educator, one distinguished woman,

Mrs. Eleanor Roosevelt - #2.

and, if possible, one outstanding southerner to make up the delegation.

Ever sincerely,

(Signed) WALLER WHITIE

Secretary

P. S.

The committee which has tentatively been selected to present the memorial to the President is as follows: 1. Mrs. Frederick Scott, member of the National Board of the Y.W.C.A., President, Richmond, Virginia Y.W.C.A., convener for the southern region, National Board, Y.W.C.A., and leader of southern opinion; 2. Dr. Samuel McCrea Cavert, secretary of the Federal Council of Churches of Christ in America, or Bishop James Edward Freeman of Washington; 3. Dr. J. S. Ames, President, Johns Hopkins University and signer of the memorial; 4. James Weldon Johnson, professor, Creative Literature, Fisk University; special lecturer, New York University; author, "Along This Way", "Negro Americans, What Now", etc.; 5. Dean Charles H. Houston of Howard University.

None of these has as yet been asked as we wished to withhold invitations until we know first if the President will be able to receive the delegations and the date and hour when the delegation will be received. If the President has no objection, I should like also to be present. I do hope very much that you will be able to be present.

Mrs. Eleanor Roosevelt  
The White House  
Washington, D. C.

W. W.

TO THE HONORABLE FRANKLIN D. ROOSEVELT,  
PRESIDENT OF THE UNITED STATES.

---

December 27, 1934

TO THE HONORABLE FRANKLIN D. ROOSEVELT,  
PRESIDENT OF THE UNITED STATES:

The killing and burning alive of human beings by mobs in the United States is a reproach upon our nation throughout the civilized world. The recent shameless abduction of a prisoner and transportation across the State line from Alabama to Florida to be lynched, with the crime advertised throughout the nation twelve hours in advance, is a notorious example of the complete breakdown of the machinery of justice which has grown out of the lynching evil. Since 1882, 5,068 human beings have been lynched in the United States, with less than a dozen convictions; in each of these cases only nominal prison terms were given the lynchers.

During 1934 the total of lynchings has already reached the alarming number of 18. While the Costigan-Wagner Anti-Lynching Bill was pending in the Congress there was a complete cessation of lynching for a period of six months but since June, when Congress adjourned without voting on the Costigan-Wagner bill, 16 mob murders have taken place.

We, the undersigned, urge respectfully that you as President of the United States in your

opening address to the Congress place the Costigan-Wagner Anti-Lynching Bill on your "must" program. Only unequivocal action by yourself as the leader of American opinion can overcome the objections even to a vote on the measure by a small group in the Senate who prevented a vote during the last session of Congress. In behalf of the good name of America we respectfully urge immediate action upon the convening of Congress to the end that the Federal Government may give aid, as it has in the case of kidnapping, to the State in stamping out this notorious American crime.

THE SIGNERS

---

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chusetts

Ralph S. Cushman, Bishop of Methodist Episcopal Church,  
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Cameron J. Davis, Episcopal Bishop of Western New York,  
Buffalo, N. Y.

Edward Thomas Demby, Suffragan Bishop of Colored Work  
of the Episcopal Church in the Southwest,  
Little Rock, Ark.

R. E. Diffendorfer, Corresponding Secretary, Board of  
Foreign Missions of the Methodist Episcopal  
Church

Bishops and Churchmen - Continued

J. Stanley Durkee, Plymouth Church of the Pilgrims,  
Brooklyn, N. Y.

Harry Emerson Fosdick, Riverside Church, New York City

James E. Freeman, Episcopal Bishop of Washington, D. C.

William Hiram Foulkes, Old First Church, Newark, N. J.

Charles C. Gilbert, Episcopal Bishop, Diocese of New  
York, New York City

John Haynes Holmes, Community Church, New York City

Morris S. Lazaron, Rabbi, Baltimore Hebrew Congregation,  
Baltimore, Md.

Adnah Wright Leonard, Resident Bishop, Pittsburgh Area,  
Methodist Episcopal Church

Ralph W. McKenzie, District Superintendent, Blairsville  
District, Methodist Episcopal Church,  
Pittsburgh, Pa.

Burr R. McKnight, District Superintendent, Monongahela  
District, Methodist Episcopal Church,  
Pittsburgh, Pa.

William T. Manning, Episcopal Bishop of New York

J. C. Martin, Presiding Bishop, Fourth Episcopal District,  
Colored Methodist Episcopal Church

Boynton Merrill, The Second Church in Newton, West Newton,  
Mass.

William Pierson Merrill, Brick Presbyterian Church,  
New York City

Edwin D. Mouzon, Bishop, Methodist Episcopal Church  
South, Charlotte, N. C.

G. Ashton Oldham, Episcopal Bishop of Albany, Albany,  
New York

David Philipson, Honorary President, Central Conference  
of American Rabbis, Cincinnati, Ohio

C. H. Phillips, Bishop of the Colored Methodist Episcopal  
Church, Cleveland, Ohio

D. de Sola Poole, Rabbi, Spanish and Portuguese Synagogue,  
New York City

Bishops and Churchmen - Continued

- William P. Remington, Episcopal Bishop of Eastern Oregon, Pendleton, Oregon
- Elmer N. Schmuck, Episcopal Bishop of Wyoming, Laramie, Wyo.
- E. Cecil Seaman, Episcopal Bishop of North Texas, Amarillo, Texas
- Charles L. Seesholes, First Baptist Church, Dayton, Ohio
- Abba Hillel Silver, Rabbi, The Temple, Cleveland, Ohio
- William Simons, All Souls Unitarian Church, New York City
- L. W. Spangy, District Superintendent, Pittsburgh District, Methodist Episcopal Church
- Robert E. Speer, Secretary, Board of Foreign Missions of the Presbyterian Church in the U.S.A.
- F. Guthrie Speers, Brown Memorial Church, Baltimore, Md.
- Robert Nelson Spencer, Episcopal Bishop of West Missouri, Kansas City, Mo.
- Frederick K. Stamm, Clinton Avenue Congregational Church, Brooklyn, N. Y.
- Ernest Milmore Stires, Episcopal Bishop of Long Island, Brooklyn, N. Y.
- Ernest F. Tittle, First Methodist Episcopal Church, Evanston, Ill.
- W. S. Troah, District Superintendent, Allegheny District, Methodist Episcopal Church, Pittsburgh
- W. J. Walls, Presiding Bishop, Eighth Episcopal District, A.M.E. Zion Church, Chicago, Ill.
- Ralph E. Urban, Suffragan Bishop, Protestant Episcopal Church, Trenton, N. J.
- John C. Ward, Episcopal Bishop of Erie, Erie, Pa.
- Benjamin M. Washburn, Episcopal Bishop Coadjutor of the Diocese of Newark, Newark, N. J.
- Frank E. Wilson, Episcopal Bishop of Eau Claire, Eau Claire, Wis.

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Orlando, Fla.

James Wise, Episcopal Bishop of Kansas, Topeka, Kans.

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Tenn.

Murray Bartlett, President, Hobart College, Geneva, New  
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Edwin M. Borchard, Professor, Yale University, New Haven,  
Conn.

Arlo Ayres Brown, President, Drew University, Madison,  
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O. W. Carrell, President, Nebraska Central College,  
Central City, Neb.

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Robert C. Clothier, President, Rutgers University,  
New Brunswick, N. J.

Eugene A. Colligan, President, Hunter College, New York  
City

Ada Louise Comstock, President, Radcliff College,  
Cambridge, Mass.

C. E. Crossland, Alumni Secretary, University of Maine,  
Orono, Maine.

John W. Davis, President, West Virginia State College,  
Institute, W. Va.

A. E. Deering, Dean, University of Maine, Orono, Maine

Boyt M. Dobbs, Centenary College of Louisiana,  
Shreveport, La.

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Hubert T. Delany, New York City

Harry E. Davis, Cleveland, Ohio

Jesse S. Heslip, Toledo, Ohio

Morris L. Ernst, New York City

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April 20, 1934

## AN OPEN LETTER TO THE CONGRESS OF THE UNITED STATES

The Costigan-Wagner Anti-Lynching Bill is now before you for consideration in the Senate and the Ford Bill, which is identical, is before the House of Representatives.

We, the undersigned writers, publicists and editors of the United States, take this means of urging immediate passage of this legislation, which has been declared constitutional by Charles H. Tuttle, former United States Attorney for the Southern District of New York, and other eminent lawyers whose opinions are a part of the official record.

For too long has America been held up to shame and ridicule throughout the world because of the unrestrained activities of lawless mobs which have lynched and even burned human beings at the stake. Among the victims have been not only men but women and even children. 5053 lynchings have disgraced our country since 1882; 1438 of these victims have been white and 94 of them have been women.

The argument that the majority of lynchings are in punishment of rape has long since been exploded by impartial examination of the facts, which reveals that less than one-sixth of these victims have even been accused of sex offenses. No part of our country has been immune to this crime and the evil is spreading with alarming rapidity. State governments have clearly and unmistakably manifested their unwillingness or their inability to prevent lynchings or punish lynchings. A solemn obligation therefore rests upon the federal government speedily to enact this legislation into law.

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C. Hartley Grattan  
Horace Gregory  
Ernest H. Gruening  
Harold Guinzburg  
Louis M. Hacker  
Alfred Harcourt  
Abram L. Harris  
Jessie Fauset Harris  
Arthur Garfield Hays  
Henry Hazlitt  
Ramona Herdman  
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Annie Nathan Meyer  
George Milburn  
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Mark Van Doren  
Robert Van Gelder  
Carl Van Vechten  
Oswald Garrison Villard  
Edward Wasserman  
Roy Wilkins  
Nora Wahl

Following is a Confidential Poll of the United States Senate  
on the Costigan-Wagner Anti-Lynching Bill as of March 23, 1934.

FAVORABLE

Edward P. Costigan, Colorado  
Frederic C. Walcott, Conn.  
James P. Pope, Idaho  
William H. Dieterich, Ill.  
Arthur R. Robinson, Indiana  
Frederick Van Nuys, Ind.  
Arthur Capper, Kans.  
Frederick Hale, Maine  
Phillips Lee Goldsborough, Md.  
Roscoe C. Patterson, Mo.  
John E. Erickson, Mont.  
Fred H. Brown, N. H.  
Henry W. Keyes, N. H.  
W. Warren Barbour, N. J.  
Hamilton F. Koan, N. J.  
Royal S. Copeland, N. Y.  
Robert F. Wagner, N. Y.  
Robert J. Bulkley, Ohio  
Simeon D. Fess, Ohio  
James J. Davis, Penn.  
William J. Bulow, S. D.  
Homer T. Bone, Wash.  
Clarence C. Dill, Wash.  
Robert M. LaFollette, Wis.  
Robert D. Carey, Wyo.

OPPOSED

John H. Bankhead, Ala.  
Hugo L. Black, Ala.  
Hattie W. Caraway, Ark.  
Joseph T. Robinson, Ark.  
Duncan U. Fletcher, Fla.  
Park Trammell, Fla.  
Walter F. George, Georgia  
Richard B. Russell, Jr., Georgia  
Allen W. Barkley, Ky.  
M. M. Logan, Ky.  
Huey P. Long, La.  
John H. Overton, La.  
Pat Harrison, Miss.  
Hubert D. Stephens, Miss.  
Josiah W. Bailey, N. C.  
Robert R. Reynolds, N. C.  
James F. Byrnes, S. C.  
Ellison D. Smith, S. C.  
Nathan L. Bachman, Tenn.  
Kenneth McKellar, Tenn.  
Tom Connally, Texas  
Carter Glass, Va.

FAVOR WITH RESERVATIONS

William G. McAdoo, Calif.  
Alva B. Adams, Colo.  
Augustine Lonergan, Conn.  
Daniel O. Hastings, Dela.  
J. Hamilton Lewis, Ill.  
Marcus A. Coolidge, Mass.  
Arthur H. Vandenberg, Mich.  
Burton K. Wheeler, Mont.  
Gerald P. Nye, N. D.  
Daniel A. Reed, Penn.  
Jesse H. Metcalf, R. I.  
Warren R. Austin, Vt.  
Ernest W. Gibson, Vt.

PROBABLY FAVOR

Henry F. Ashurst, Ariz.  
Carl Hayden, Ariz.  
John G. Townsend, Jr., Dela.  
Louis Murphy, Iowa.  
George McGill, Kansas  
Pat McCarran, Nev.  
Key Pittman, Nev.  
Lynn J. Frazier, N. D.  
Charles L. McNary, Ore.  
Frederick Steiwer, Ore.  
Elbert D. Thomas, Utah  
F. Ryan Duffy, Wis.  
Joseph C. O'Mahoney, Wyo.  
Henry D. Hatfield, W. Va.

PROBABLY OPPOSED

L. J. Dickinson, Iowa  
Davis I. Walsh, Mass.  
Bennett Champ Clark, Mo.  
Morris Sheppard, Texas  
William H. King, Utah  
Matthew M. Neely, W. Va.  
Felix Hebert, R. I.

UNCERTAIN

Hiram W. Johnson, Calif. Bronson Cutting,  
N. M.  
William E. Borah, Idaho Carl A. Hatch, N.M.  
Wallace H. White, Jr. Mo. Thomas P. Gore, Okla.  
Millard E. Tydings, Md. Elmer Thomas, Okla.  
James Couzens, Mich. William H. Thompson,  
Neb.  
Thomas D. Schall, Minn. George W. Norris, N.D.  
Henrik Shipstead, Minn. Harry F. Dyrd, Va.

ABSENT

Peter Norbeck, S. D.

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