EXTRA Ades Files Motion to Vacate Suspension

THE AFRO-AMERICAN

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LATE CITY EDITION

Last Week the AFRO Press Run Was 78,871 Net Paid Circulation for Last Week—66,592. Net Paid Circulation for December in Excess of 60,000 COPIES

Largest Audited Circulation of Any Colored Newspaper in the United States.

The AFRO is a member of the (ABC) Audit Bureau of Circulations.

Former Maid Now Broadway Star

HAZEL CURRY,
featured in the play, "All Good Americans," now showing at the Henry Miller Theatre on Broadway. For the past five years Miss Curry was maid to theatrical stars. This year she got her first chance and, according to critics, is a tremendous hit.

Prof. W. H. Hart Buried in Washington

SWAMP CARVER

Fossett Estate Goes to Relatives

CALLED DRUNK, RHODES SUES TWO EDITORS

[AFRO Bureau]

PHILADELPHIA — Miss Eva J. Stith, bookkeeper for the Philadelphia Independent, local tabloid, accepted service of papers last Friday in connection with a libel suit for $25,000 instituted this week by assistant United States Attorney E. Washington Rhodes, 516 S. 16th Street, who is also editor of the Philadelphia Tribune.

Suit was instituted, through Mr. Rhodes's counsel, Raymond Pace Alexander, in common pleas court No. 5.

Mr. Rhodes contends in his petition in libel that he has "never been guilty of any crime or offense or violation of the law."

The basis of the suit is an article published in which the Independent reported Dec. 10, 1933, the alleged arrest of Mr. Rhodes in Atlantic City, cited him as being "drunk" at the Howard-Lincoln football game in Atlantic City Thanksgiving day, quoted the arresting cop, James Elbert, as saying Mr. Rhodes's breath smelled strongly of liquor and added that he cursed the policeman when ordered to leave the playing field.

Mr. Rhodes's Denial

To the AFRO-AMERICAN Mr. Rhodes denied that he was arrested "unless one is to interpret the fact that a cop grabbed me for talking back to him as an arrest."

Mr. Rhodes said that he didn't want news suppressed but he insisted that it be accurate news.

"Numbers" Involved

"I understand," he said, "that because certain newspapers are desirous of hitting back at me because of certain stories I have been carrying especially concerning the "numbers" business that the story is to be colored maliciously.

"Of course, there is nothing I can do to prevent it from being done maliciously, but if it is done maliciously, I will have to protect myself."

Mr. Rhodes is editor of the Philadelphia Tribune. Forrest White is president of the Independent Publishing Co., and W. Rollo Wilson is editor.

Suit for $50,000 has also been instituted against the Pittsburgh, Pa., Courier. The same article, published in the Courier, is basis for the

CWA WORKERS FIRED, ORDERED BACK TO WORK

WASHINGTON — Samuel Brown and Robert Powell, two local Civil Works employees who were dismissed a week ago by W. F. Zirkle, white foreman, were ordered back to work Tuesday, with full pay for the time lost, by a ruling of the District board of commissioners.

The two men were fired by Zirkle for distributing circulars announcing organization of a CWA union. Despite this, the meeting was held at the scheduled time, in Jerusalem Hall, 1600 block of Eleventh Street, northwest, at which time the meeting took up the matter of discharge of the men.

The action of Zirkle in discharging the two men was the center of much controversy between CWA officials and the District commissioners. Much publicity was given to it by the daily papers.

Commissioner George Allen ordered Captain Howard F. Clark, chairman of the local CWA work planning committee, to file a report.

Hopkins Gives Statement

Harry L. Hopkins, white, Federal relief administrator, declared:

"I don't believe in firing people for distributing any kind of circulars. I don't want the CWA to have any part in throwing anyone into jail. We are not engaged in red baiting, and these CWA workers are free American citizens and at liberty to do as they please. If they wish to hold a mass meeting, it is their own right."

Said Men Loafed

At a hearing of the board of commissioners, it was reported that the men were fired for loafing on the job. Both Brown and Powell denied this, Brown stating that he had delivered 150 circulars before time to go to work and had done it early, for the sole purpose of giving his foreman no excuse to discharge him. E. D. Williams, white foreman, is also said by Brown to have figured in the firing.

Immediately after the commissioners had given their ruling, the two men were sent to the office of Captain Clark, for assignment to jobs.

Immediately after the ruling the following statement was prepared in the commissioners' office and sent to the AFRO:

"The chief purpose of the CWA work is to provide employment and self respecting relief to deserving men and women. Employees un-

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JUDGE COLEMAN DIDN'T RULE ON ADES'S MOTION

Attorney Sought to Have Order of Suspension Vacated.

NO CHANCE TO DEFEND SELF

Had No Right to Suspend without Hearing.

Claiming that his suspension by Judge William C. Coleman was in violation to the United States Constitution and that he had not been given an opportunity to defend himself, Bernard Ades, attorney for Euel Lee who was executed October 27, filed a petition for reinstatement in the United States District Court, Monday.

In the motion, the attorney, who faces possible disbarment in the United States court, said the court was without jurisdiction to order the suspension because it failed to acquaint him with the specification upon which the suspension was made and also failed to give him an opportunity to be heard on the charges.

Violates Amendment

The motion stated that Judge Coleman's action in ordering the suspension on hearsay evidence was in violation to the Fifth Amendment to the United States Constitution as it deprived him from practice of his profession without due process of law or a chance to face his accusers.

The third item in the motion was that the order was improperly issued because it was predicated upon matters lying without the knowledge of the judge or matters occurring within the Federal court, of which the court and judges might take judicial notice, but was based upon information which the judge withheld from the accused attorney.

Attached to the motion was an affidavit made by Ades in which he stated that he was admitted to the bar in 1924 and that at no time since then has he been guilty of a breach of standards of the profession.

The affidavit states that on October 19, 1931, he was retained as counsel for Euel Lee, who was under indictment for murder. Continuously from that time until October 27, 1933, the date of the man's execution in the Maryland penitentiary, he acted in Lee's behalf.

On October 23, 1933, Ades states, he appeared before the court for a writ of habeas corpus maintaining that the holding and conviction of Lee was illegal. Without warning Judge Coleman made charges against him and verbally ordered his suspension from further practice in the court. The action of the judge was not based on his personal knowledge but on hearesy evidence, Ades's petition contends.

As a result of the suspension the affidavit states, Ades has suffered irreparable harm in reputation both personally and profes-

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Swamped with Mail

PROFESSOR CARVER,
head of the chemistry department at Tuskegee Institute. A pen and ink drawing of Professor Carver by Fred Watson, AFRO staff cartoonist. It hangs in a place of honor in Dr. Carver's laboratory.

Announcement that Dr. Carver's peanut oil is a remedy for infantile paralysis has brought him mail by the basket full.

THE WEATHER

FRIDAY AND SATURDAY
RAIN—COLDER

Sun rise 7:30 a. m.; sun set, 5:02 p. m.; moon rise 12:58 a. m. moon set 12:15 a. m. Moon phase: new 15th; first quarter 22nd; full 30th; last quarter 8th.

January 13, 1934

News Summary

of articles appearing in earlier editions of the AFRO.

GENERAL—

Swamp Carver with demands for peanut oil.

Spaulding asks to put $75,000 in state bonds.

Wife accuses ex-husband of Walker heiress.

Unions worst enemy of the Negro—Ford.

BALTIMORE—

Grand jury impressed with girls' school.

Bring Eastern Shore suspect here to dodge mob.

Future papers will help make news—Jones, at Forum.

WASHINGTON—

Servants' code calls for $50 a month wage.

Six anti-lynching bills introduced in Congress.

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Safe Thus Far

SAM JONES,
of Crisfield, Md., who is accused in the latest Lynching Shore of Maryland murder—that of a white woman. His arrest was delayed for over a week, after which he was secretly taken into custody and rushed to Baltimore City Jail for safekeeping. Jones is a resident of Somerset County, in which George Armwood was lynched a few months ago. Warden Harry Martin, of the Baltimore jail, said he would take Jones back to Crisfield, if his attorneys filed a writ of habeas corpus.

MISS ANDREWS LEADS D.H.S.

Preliminary marks handed in at Douglass High School this week indicate that Miss Charlotte Andrews will lead the February graduating class.

Miss Rosa Walker, who is second, congratulated the victor and declared that during the four years of competition they have been real friends. Miss Harris was so overcome that she could not say anything.

Miss Harris is a graduate of Dunbar Junior High School, of which Mr. Harry Pratt is principal.

She will be awarded the $50 scholarship which the faculty of the Dunbar school gives each graduate who attains the valedictory from the high school.

Miss Andrews, daughter of Warren Andrews, 2434 Brentwood Avenue, in addition to her outstanding work at Douglass, has been since the death of her mother, housekeeper of her home. She may attend Coppin Normal School.

Another Dunbar graduate, Miss Esther Arrington, daughter of Mr. and Mrs. Cephas Arrington, 1705 East Eager Street, is a ranking student, standing third.

DR. GARNET WALLER RESIGNS PASTORATE

[Special to the AFRO]

SPRINGFIELD, Mass. — Dr. R. Garnet Waller, for over twenty years the beloved pastor of Third Baptist Church, tendered his resignation at the annual church meeting. During his pastorate, the church has more than doubled in membership, and until the depression, was one of the strongest churches financially in the district.

Dr. Waller has been for years a member of the National Executive Board of the N.A.A.C.P., and was recently elected a member of the National Committee. His departure will constitute a distinct loss to the community.

SWAMP CARVER WITH DEMANDS FOR PEANUT OIL

Tuskegee's Chemistry Wizard Gets Bushel of Letters a Day.

FACTORY NEEDED TO FILL THEM

All Ask Remedy for Infantile Paralysis.

[Special to the AFRO]

TUSKEGEE INSTITUTE, Ala.—Dr. George W. Carver, the famous consulting chemist at Tuskegee Institute, is deluged by the hundreds of letters that pour in upon him daily — letters begging for samples, pints, quarts, and even gallons of the now famous peanut oil which many newspapers have heralded for the past few weeks as a cure for infantile paralysis.

Dr. Carver receives his mail in sufficient quantities each day to overflow a bushel basket. And after a full day of work, is obliged to spend the greater part of his evening slitting envelopes and reading pathetic pleas from persons scattered all over the country, who desire a trial size or "just a little bit" of the "wizard oil."

Has Only Small Amount

"It would take a factory running full force and employing several persons to fill orders for peanut oil as fast as they came in," Dr. Carver said here today, as he left the post office with his fourth large batch of letters, "and I have only made a small amount for test purposes."

On Sunday, December 31, a large number of papers carried the Associated Press release of an interview with the world-famous scientist who has made 165 by-products from the common peanut, and 115 from the sweet potato. And beginning with the New Year, Dr. Carver's box has not been able to hold his mail. Most of it is kept for him in a pouch.

In the press release, Dr. Carver, in speaking of his peanut oil, said, "It has been given out that I have found a cure for infantile paralysis. I have not, but it looks hopeful. I have used it on 250 persons and it has never failed, so far as I can find out."

That same night there was a long line of cars from Georgia, Florida and northern Alabama parked before his door. There has been some kind of a line every night since.

66, Dad of 26

NORFOLK, Va. — Bishop Ernest Winstead, 66, and father of 26 children, insists that no collections are taken in his church and that, in four years, none of his congregation had been ill or had died.

Possibly hinting at some divine power, the bishop further remarked that none would be ill or would die. How long this special favor would last the prelate did not state.

Detroit Bars "Alice in Wonderland"

DETROIT.—"Alice in Wonderland," movie version of the famous children's story, may be the cat's meow everywhere else but it can't be shown in theatres here.

The local board of education has ruled the picture out, on the score that the elves, gnomes, mad hatter, lion and other bizarre characters will give the kiddies nightmares.

New Florida Cops

DAYTONA BEACH, Fla. — Two young patrolmen, William Denson and Oliver Holbert, have been appointed to the city force.

Teacher Says Husband Packed Up Belongings and Left

After testifying that her husband, Harry Matthews, 2118 McCulloh Street, abandoned their home while she was attending school in New York, Mrs. Margaret W. Matthews local teacher, 717 Harlem Avenue, was granted a partial divorce in the circuit court, Wednesday.

Appearing before a special examiner on November 25, the wife testified that she was married November 29, 1928 by the Rev. Bliss Everett. They lived together until September 5, 1933, when she discovered that he had left while she was in New York.

In her testimony the teacher, who was represented by W. A. C. Hughes, attorney, testified that she did not know why her husband had left her. She stated that while she was attending summer school in New York, her husband packed and moved all of their things. When she returned and found where he had gone she visited him and questioned him as to the reason of the separation. The wife quoted the husband as saying that he was through with married life.

To corroborate the status of the separation, Mrs. Matthews, who was formerly Miss Margaret White, had Miss Edna Smith, 717 Harlem Avenue, and Miss Alice N. Bright local teacher, 1920 Division Street, to testify in her behalf.

FOSSETT ESTATE OF $11,000 GOES TO RELATIVES

The bulk of the $11,000 estate of the late Levi G. Fossett was left to his daughter, Mrs. Mamie J. Anderson, and her three children, according to a will filed in the orphans' court, Saturday.

The will, which was drawn by Warner T. McGuinn, attorney, on June 28, 1927, orders that a sister, Mrs. Adelaide A. Green, 1139 Carrollton Avenue, whom he named as executrix, be given $1,000. Another sister, Mrs. Louisa C. Burgess, of Jersey City, was given $500, and a brother, James E. Fossett, also was given $500.

Outstanding Citizen

Mr. Fossett, who was one of the city's most outstanding figures, was 76 years old when he died on December 30, 1933, after a five-day illness. He ordered in his will that his daughter and her three children, Zenaide Anderson, Lois Anderson and Jessie Fossett, all of New York City, also be given all jewelry. The will orders that the daughter and grandchildren all share the bulk of the estate equal. His personal wearing apparel was ordered given to his brother-in-law, Samuel Green.

The will follows:

I, Levi Fossett, being of sound mind, posing mind and memory do make this my last will. It is my will that all my funeral expenses shall be paid out of my estate as soon after my decease as shall be convenient.

I give to my sister, Mrs. A. Adelaide Green the sum of one thousand dollars.

I give to my sister, Mrs. Louisa Burgess of Jersey City, the sum of five hundred dollars.

I give to my brother, James E. Fossett, the sum of five hundred dollars.

I give to my brother-in-law, Samuel Green, all my clothes and wearing apparel.

I give to my daughter, Mrs. Mamie J. Anderson, and my grandchildren, Zenarde Anderson, Lois Anderson, and Jesse Fossett Anderson, all of New York City, all of my jewelry of every description.

And the rest and residue of my estate, real, personal and mixed, I give to my daughter and my grandchildren, absolute to share and share alike.

I nominate and appoint my sister, A. Adelaide Green to be executrix and request she be exempted from giving bond. The will was signed June 28, 1927. Margaret M. Saunders and Jessie B. Hill, were witnesses.

SIX SLUM AREAS UNDER FIRE

Six blighted residential areas came up for discussion and consideration in a conference held here on Tuesday with Ira DeA Reid, of the National Urban League, by a committee of architects and engineers who plan to eliminate Baltimore slum districts. Mr. Reid has been engaged in the study of housing projects in various sections of the United States and was regarded one of the necessary factors in the improvement setup. It is expected that a fund will be raised for the purpose of having him make a detailed study of the local conditions.

The average rent, which residents in the studied area, pay will be given special attention and neighborhoods which are being reduced because of general deterioration will be singled out. The latter are not regarded as being the most suitable places for the new housing projects.

Dr. Ivan McDougal, of the Goucher College department of sociology, told the committee that a careful study on his part had revealed less than 1500 homes, in the city, which were originally built for colored people.

The funds needed for the project of clearing up the slum sections are being made available by the Public Works administration.

Those present at the meeting were: A. E. O. Munsell, white; C. D. Loomis, white, Dr. Ivan McDougal, white; Edward S. Lewis, Judge Joseph N. Ulman, and Mr. Reid.

HER HUSBAND ILL, WIFE TRIES TO KILL SELF

Despondent because of the illness of her husband, John Robinson, Mrs. Rose Robinson, 57, 5 N. Mount Street, attempted to end her life by jumping from a third floor window of her home, Wednesday.

Patrolman George R. Black of the Southwestern district, who witnessed the woman's leap, reported that he saw her stand up in the middle window of the third floor. Despite efforts of several other witnesses and himself to persuade the woman to go back in, she leaped to the pavement, a distance of 41 feet.

Mrs. Robinson was taken to the Provident Hospital and found suffering with a compound fracture of both legs and internal injuries. She was held at the hospital for further treatment.

When questioned, Mrs. Robinson declared that she was despondent because her husband was ill and is a patient at the Crownsville State Hospital.

Man Dies While Sleeping; Coroner Blames Bad Liquor

A verdict of death induced by alcoholism was given by Dr. J. H. Potter in the death of William Perry, 37, 523 N. Caroline Street, Sunday.

The man died in his sleep, it was reported by his sister, Mrs. Nettie Bradford. The man is said to have returned home intoxicated. It was learned by the coroner that Perry was released from the Johns Hopkins Hospital November 29, 1933, where he had been treated for heart trouble and complications.

Counterfeit Bill Passed

Following an investigation by United States secret service agents, Gussive Holloway, 30, of 38 East Avenue, was released after being held on suspicion of passing counterfeit ten-dollar notes, Tuesday.

According to George A. Aliminey, government agent, the man was arrested in the Northeastern district when he offered a counterfeit note in payment for a bill at Goldberg's department store, 449 N. Gay Street.

Held on Numbers Charge

Robert Pollack, 48, 1200 Myrtle Avenue, was held under $200 bond when arraigned in the Northwestern police station Friday on charges of selling lottery and numbers slips in his store.

FORMER H.U. LAW PROFESSOR DIES IN BROOKLYN

Was Instrumental in Obtaining Law Bldg. for the University.

KNOWN FOR JIM CROW LAW FIGHT

Had Lived in Washington Over 50 Years.

WASHINGTON — William Henry Harrison Hart, formerly a professor of law in Howard University Law School, died in Brooklyn, New York, Monday, and was buried in Harmony Cemetery, at 2 p.m. Wednesday.

After living in Washington for more than a half century, Professor Hart died at the home of his daughter, Miss Clementine Hart, a teacher in the public school system of New York City, where he had made his home for the past few years.

In the late 70's William Hart, then a farm boy, trudged his way on foot from his home town, Eufaula, Alabama, to Washington, where he entered Howard University. In 1880 he graduated from the preparatory department and in 1885 got his master of arts degree; and later, in 1887, 1893 and 1894 received, respectively the degrees of LL.B., A.M. and LL.M. from his chosen alma mater—Howard.

Clerk to Senator.

While still a student at Howard University Hart worked around the Capitol Building and won for himself the fast friendship of Senator William M. Evarts, of New York State. Later Mr. Hart became clerk to Senator Evarts, and was instrumental in the Senator's sponsoring and securing an appropriation for the buildig of the law department building now known as Evarts' Hall at 520 Fifth Street, northwest.

Mr. Hart, for many years, was a moving spirit in all the civic activities of the District of Columbia, and is known throughout the length and breadth of the country as a Howard Man, "from the ground up."

He won national fame when he successfully defended himself before the Maryland Court of Appeals after having been ejected from a train under the state Jim Crow law, although in possession of a ticket qualifying him as an interstate passenger. The decision in his favor was far reaching, breaking down discrimination against interstate passengers.

Developed School.

He also established the Hart Farm on property sold to him by former Senator William Evarts of New York, and developed it as an institution for delinquent youth, the present Industrial Home School at Blue Plains being an outgrowth.

Sues for $22,000,000.

In October, 1929, Prof. Hart had introduced in the Senate by Senator Wesley L. Jones (Rep., Wash.) a bill providing for payment to him of $22,975,289, the sum said by him to represent losses sustained in services rendered in taking care of some 60 children, government wards, at his school for delinquent boys.

The sum asked was for services rendered from November 8, 1897 to June 30, 1906 and the original claim against the government was for $148,765. The claim was never paid, however.

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Mrs. Roosevelt Visits Morgan School; Pupils Give Her Roses

By EUGENE DAVIDSON

WASHINGTON.—(ANP)—I shook hands with the First Lady of the Land! I felt the warmth of the smile of the wife of the President of the United States! But more important is the conviction, that I shook hands with, and was warmed by, the smile of a real woman with the finest of hearts, whose personality outshines the honor of her titles!

Mrs. Franklin D. Roosevelt was the guest of the Morgan School Tuesday afternoon and spent a half hour greeting officials and teachers; smiling at tots going through their daily routine; chatting with the principal; discussing with Garnet C. Wilkinson the problems of the free lunches in the schools; calling across the assembly hall, "Bravo" to the brave attempt of a child to rehearse a singing part in a coming pageant; and receiving graciously from little Catherine Quander a bouquet of American Beauty roses from the pupils.

Drives Own Car

At 12:05, Mrs. Roosevelt, driving her own blue Buick and accompanied by Mrs. Morganthau, wife of the acting Secretary of the Treasury, and Mrs. Henry Gratton Doyle, vice-president of the Board of Education, arrived at the Morgan School, Florida Avenue and California Street northwest. Mrs. Roosevelt was dressed most simply in a blue plaid sport suit, blue hat and walking shoes.

As she entered the building, she was welcomed by Garnet C. Wilkinson, first assistant superintendent of schools; A. Kiger Savoy, assistant superintendent of schools; Miss Mineola Kirkland, supervising principal of the 10th division,

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Doomed Logan Circle Youth Writes Letter to Roosevelt

WASHINGTON—A letter penned from the hand of Ralph Edward Holmes, former Howard University student, to President Roosevelt in a last minute attempt to save his life for the part he played in the slaying of Milo J. Kennedy, white, policeman on August 6, 1932, has failed to move the President.

The White House states that the President will not interfere with the executions.

Convicted with Holmes, and also scheduled to die Friday, are James Joseph Jackson and Irvin Murray.

"Part Negligible"

In the Holmes appeal to the President asking for commutation he said:

"As the hour of my execution is close at hand, being penniless and friendless, I feel that I should make this personal appeal to you directly.

"I wish to aver that the part I played in the murder of Officer Milo J. Kennedy was negligible and that at no time did I do anything that could have resulted in his death.

"I wish to call your attention to the fact that this was not a premeditated attack, but an impromptu brawl or melee in which several persons participated.

"I am twenty-four years old, with a good record, never having been in trouble, and I feel that you would be justified in commuting

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