

Document 28

Papers as President: Official File

Rec'd 5/2/34

NATIONAL OFFICERS

PRESIDENT
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

BOARD OF DIRECTORS

Baltimore
Carl Murphy

Boston
Joseph Prince Loud

Charleston, W. Va.
T. G. Nutter

Chicago
Jane Addams
Clarence Darrow

Cleveland
Hon. Harry E. Davis

Detroit
Hon. Ira W. Jayne
Hon. Frank Murphy
Ewopois, Kas.
William Allen White

New York
Lillian A. Alexander
Rev. Hutchens C. Bishop
Marion Outhbert
Hubert T. Delany
Rachel Davis Du Bois
Dr. W. E. B. DuBois
Lewis S. Gannett
Rev. John Haynes Holmes
James Weldon Johnson
Hon. Herbert H. Lehman
James Marshall
Lucy R. Mason
Mary White Ovington
Rev. A. Clayton Powell
Arthur B. Spingarn
J. E. Spingarn
Charles H. Studin
William English Walling
Dr. Louis T. Wright

Northampton, Mass.
Dr. William Alkan Neilson

Orange, N. J.
Dr. Vernon F. Bunce

Philadelphia
Isadore Martin

Richmond
Magpie L. Walker

Topeka
Hon. Arthur Capper

Washington
Sterling A. Brown
Nannie H. Burroughs
Hon. James A. Cobb
Abram L. Harris
Charles Edward Russell

NATIONAL LEGAL
COMMITTEE

Chairman
Arthur B. Spingarn

Chicago
Clarence Darrow
Edward H. Morris

Cambridge, Mass.
Felix Frankfurter

Charleston, W. Va.
T. G. Nutter

Columbia, S. C.
N. J. Fredarick

New York
Morris L. Ernst
Arthur Garfield Hays
James Marshall
Herbert K. Stockton
Charles H. Studin

Pittsburgh, Pa.
Homer S. Brown

Toledo, Ohio
Jesse S. Healy

Washington, D. C.
William H. Hastie
Charles H. Houston

Wilmington, Del.
Louis L. Redding

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-8548

Official Organ: The Crisis



EXECUTIVE OFFICERS

WALTER WHITE SECRETARY
ROY WILKINS
 ASSISTANT SECRETARY
DR. W. E. B. DuBOIS
 EDITOR OF THE CRISIS
WILLIAM PICKENS
 FIELD SECRETARY
DAISY E. LAMPKIN
 REGIONAL FIELD SECRETARY

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

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.

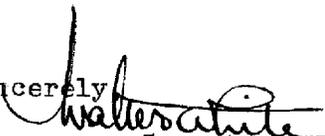
Finally, there is a great deal of support which is not visible on the surface. As I told you yesterday, we have not stressed the provision in Section 5 of the bill for financial penalties not only in the cases where death ensues but where physical injury is done to the victim other than death. This clause 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."

Frederic 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. Tisdell 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 criticise 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.