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NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4 3551

Official Organ: *The Crisis*



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March 15, 1937.

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Dear Governor Nice:

Enclosed is a copy of a letter addressed to Senator Melvin in regard to the proposed bill to provide scholarships for Negroes. We would appreciate a word from you on this very important subject.

Sincerely yours,

Hon. Harry W. Nice
Governor
Annapolis, Maryland.

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

How do your Candidates for the Senate and House of Representatives stand on Federal Anti-Lynching Legislation?

March Fifteenth

1 9 3 7

Senator Edgely P. Melvin,
State House,
Annapolis, Maryland.

Re: "A Bill entitled An Act to add a sub-title and eight new sections to Article 49B of the Annotated Code of Maryland, 1935, Supplement, title "Interracial Commission", said sub-title to read "Negro Scholarships"...

Dear Senator:

It is with regret that the above entitled bill has been brought to the attention of the National Association for the Advancement of Colored People. It has been our belief that after the decision in the case of Pearson v. Murray (University of Maryland Case) the General Assembly of the State of Maryland would take the necessary steps to follow this decision of the Court of Appeals of Maryland. Instead of doing this, the proposed bill would totally disregard this decision and attempt to perpetuate the discrimination of the University of Maryland by legislative fiat contrary to the 14th Amendment of the United States and the Constitution and laws of the State of Maryland.

This bill considered as a whole denies to qualified Negroes the right to attend the University of Maryland and any of its schools including the professional schools. It even mentions the law school and is thereby attempting to overrule the decision of the Court of Appeals of Maryland in the aforementioned University of Maryland Case which clearly established the right of Negroes to attend the law school and is broad enough to include the other professional schools.

March 15, 1937

Senator Helyar H. Helvin

Such a gesture by the General Assembly of Maryland would certainly be declared invalid by the Court of Appeals. According to this case and other cases throughout the country, the only way to lawfully refuse admission of qualified Negro students to state schools is to actually establish separate, but equal, schools for the education of Negroes.

No effort is made in this bill to establish separate, but equal professional schools. Under these circumstances, according to the adjudicated cases, qualified Negro applicants to the University of Maryland professional school must be admitted.

Not only do the cases establish that right, but it also seems to be the only logical solution. At the "Conference of the Division of Cooperation in Education and Race Relations", held in North Carolina on December 9, 1936, the following reports were made:

"President Mordecai Johnson of Howard University mentioned the possibility of Negroes attend the University of North Carolina. He says, the law should be changed and that it is time for a few Negroes to be education with members of the white race. He suggested the possibility of beginning in such fields as Law or the Social Sciences. Dr. Johnson thinks that such contacts would contribute to spiritual understanding, and would eventually result in better race relations in the country."

"Dr. L. L. Labree of the Oswald Foundation was of the opinion that the conference should go on record as favoring gradual facilities for both races at the same institution. That is, he thinks that the races should be educated together on the graduate level. He said graduate facilities in Negro schools would tend to be inferior. Dr. Labree intimated that it would take four hundred dollars a year per person if Negroes should be given

Senator Edgely P. Melvin

graduate facilities outside of the State".

The following "findings" were adopted by the conference on December 10th:

"The conference is further of the opinion that ideally, both from the point of view of economy in the use of the monies of the State as well as the ultimate aims of higher education, the best way of meeting the graduate and professional needs of Negro students is to admit them to facilities available in the existing higher grade institutions of the State."

It seems from a comparison of the proposed bill with the statements above that North Carolina is far in advance of Maryland in making a serious effort to solve this problem.

The proposed "scholarships" are limited to those "who cannot obtain desired courses at Morgan or Princess Anne Colleges". Morgan College offers a full four year undergraduate course. Therefore, the scholarships are actually limited to applicants for graduate and professional study. "Scholarships" for graduate or professional study as an equivalent for admission to the University of Maryland are declared invalid by the Courts. Thus, the proposed bill actually provides for nothing except an attempt to override the Constitution of the United States and the laws of Maryland with as small an outlay of money as possible.

You cannot purchase the Constitutional rights of the Negroes of the State of Maryland for \$40,000 a year and at the same time appropriate more than two and a quarter million dollars to the University of Maryland and other State-aided institutions for your white citizens. Not only do you offer your white students

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March 17, 1937

Senator Higgely S. Helvin

education within the State of Maryland but you also award \$245,500 in scholarships and then attempt to deny admission of Negroes to the University of Maryland by giving them a total of \$40,000 which I understand is to be cut to \$30,00.

I, therefore, request an opportunity to be heard at the committee hearing on this bill.

Very truly yours,

Assistant Special Counsel.

tm/w

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**NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE**

1627 DRUID HILL AVENUE

Baltimore, Maryland

PHONE: Lafayette 1208

March 15, 1937

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Publicity:

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Junior Division:

BERTHA PROCTOR

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Interracial:

AUGUSTA CHISSELL

**Governor Harry P. Nice
Executive Mansion
Annapolis, Md.**

Dear Governor Nice:

The National Association for the Advancement of Colored People is opposed to Senator Ridgely P. Melvin's bill which proposes a Commission on Higher Education for Negroes.

We are opposed to the measure for reasons which are included in a letter to Senator Melvin. A copy of the letter is sent herewith. It is our hope that you will join us in an effort to prevent the enactment of this legislation.

Sincerely yours.

(Mrs.) Lillie M. Jackson

(Mrs.) Lillie M. Jackson
President

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**BALTIMORE BRANCH
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE**

1627 DRUID HILL AVENUE

Baltimore, Maryland

PHONE: Lafayette 1308

March 15, 1937

Senator Ridgely P. Melvin
General Assembly
Annapolis, Md.

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BERTHA PROCTOR
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Interracial:

AUGUSTA CHISSELL

Dear Senator Melvin:

There has come to our attention a bill proposed by you to establish a Commission on Negro Scholarships. This bill is aimed at the perpetuation of the discrimination by refusing admission of qualified Negroes to the University of Maryland.

We carried the case of Pearson v. Murray through the courts of Maryland to the end that the Court of Appeals decided that qualified Negroes could not be denied admission to the law school of the University of Maryland. Now we find you introducing a bill to disregard the established rights of Negro students and to substitute therefore a system of scholarships for students outside the State.

The Baltimore Branch of the National Association for the Advancement of Colored People hereby protests against the introduction of the bill and urgently requests you to give careful consideration to the needs of Negroes in education and their right to attend the University of Maryland.

Very sincerely yours

(Mrs.) Lillie M. Jackson
President

LMJ:c

C O P Y

March 17th, 1937.

Mrs. Lillie M. Jackson,
President, N.A.A.C.P.,
1627 Druid Hill Avenue,
Baltimore, Maryland.

Dear Mrs. Jackson:

I can best answer your favor of March
15th by enclosing copy of letter written by me this
day to Mr. Thurgood Marshall, of the National
Association for the Advancement of Colored People,
in New York.

Sincerely yours,

Governor.

COPY

March 17th, 1937.

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

Dear Mr. Marshall:

I am glad that you have sent a letter to
Senator Melvin, copy of which you have sent to me.

It is logical, and should be followed,
but, unfortunately, the situation in the Maryland
General Assembly in connection with Legislation
dealing with Colored People, is not clear.

I shall do everything in my power to
bring about some real beneficial Legislation. I
think that you will agree with me that during my
term of office, I have endeavored to the limit of
my ability to do those things which have been in
the interest of your group, and I shall continue to do
so until the end of my term.

Very truly yours,

Governor.

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March 19, 1937

Hon. Harry W. Nice,
Governor, State of Maryland,
Annapolis, Maryland.

Dear Governor Nice:

Thank you for your letter of March 17 and for your very splendid statement of the situation in the Maryland General Assembly in connection with legislation effecting Negroes.

We have been informed of several attempts to amend the Melvin Bill. We are not willing to go along with any of the proposed amendments. I believe the Negroes of the State of Maryland, and I am a citizen of the State of Maryland, have gone along with the State on this question of higher education since the University of Maryland decision. We are now insisting that either the State Legislature take steps to comply with this decision or we will be forced to militantly protect our rights.

Very truly yours,

Thurgood Marshall
Assistant Special Counsel.

TM:AG

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

Have You Written Your Senators and Congressmen Urging Support of the Federal Anti-Lynching Bill?

March 19, 1937

Senator Ridgely P. Melvin,
Chairman, Committee on Education,
State Senate,
Annapolis, Maryland.

My dear Senator Melvin:

I wrote you several days ago concerning your proposed bill to create scholarships for Negro students in the State of Maryland.

I have just returned from Maryland and an investigation of the circumstances surrounding this bill. It seems that the proposed bill has been circularized and that several groups have made proposed amendments to this bill. There now seems to be an effort to so phrase the bill as to cover up its purpose which became so obvious in your original proposed bill. We have read the amendments proposed by several groups and we are unalterably opposed to the amendments as well as to the bill itself. To re-state our position let it be clearly understood that the National Association for the Advancement of Colored People is opposed to any bill providing scholarships for Negroes as a substitute for education in the University of Maryland pursuant to the

Senator Ridgely D. Melvin

March 19, 1937

decision in the case of Pearson vs. Murray (the University of Maryland case).

We have also heard distorted reports that Dr. H. C. Byrd of the University of Maryland along with his followers in the State Legislature, were successful in getting the \$30,000.00 appropriation for scholarships to Negroes placed back in the budget. This statement has been given wide publicity, in the hope of creating the mistaken belief that the president of the University of Maryland and the State Legislators are giving something to the Negroes. We are well aware that nothing is actually being given; that according to law, Negroes are entitled to admission to the University of Maryland and that this so-called gift of \$30,000.00 is in reality an attempt to deprive Negroes of the aforesaid constitutional rights.

The State Legislature has a few more weeks to solve the important problems of the State including the question of the higher education of Negroes. We are therefore, calling upon you, in your representative capacity, to take the necessary steps to protect the constitutional rights of your Negro citizens to a higher education, the same as those of your white citizens and to refrain from attempts to circumvent these rights by the present proposed scholarship bill or with the proposed amendments.

Yours very truly,

Assistant Special Counsel.

March 19, 1937

Dr. H. C. Byrd,
President, University of Maryland,
College Park, Maryland.

Dear Dr. Byrd:

A few days ago I sent you a copy of a letter to Senator Melvin on his proposed bill to create scholarships for Negroes.

We have received several reports that you are the sponsor of this bill as well as the general idea, and I might say it is a very logical conclusion. The entire bill is centered around the attempt of the Board of Regents of the University of Maryland to deprive Negroes of their constitutional right to attend this school. Not so long ago it was necessary for the Negro citizens of the State of Maryland to expend large sums of money in carrying a case through to the Court of Appeals in order to have the said Board of Regents follow the constitution and laws of the State of Maryland which they, as State officers, were bound to follow. Now it seems that the same Board of Regents through you as its representative is attempting to circumvent this decision.

We have in our office many letters from Negro students of Maryland requesting our

aid in obtaining their admission to your school. We have purposely refrained from advising these students while awaiting word from you as to what measure you or the State Legislature would propose to solve the question of the higher education of Negroes in the State of Maryland. We are now firmly convinced that the attitude is to totally evade the question.

Several reports have been circulated that you were responsible for having the scholarship fund returned to the budget. The Negro citizens of the State of Maryland do not believe that this was actuated by any motive of generosity on your part or of any sincere wish ~~to aid Negro~~ students; but rather an attempt to set up certain high-sounding provisions to attempt to exclude Negroes from the University of Maryland.

We are therefore calling upon you as the president of the State University to take the necessary steps to provide constitutionally for the higher education of Negroes according to the University of Maryland decision by either establishing a separate but equal State University for Negroes; or to admit Negroes to the University of Maryland.

Very truly yours,

Assistant Special Counsel.

C O P Y

March 20th, 1937.

Mr. Thurgood Marshal,
Nat'l Ass'n for the
Advancement of Colored People,
69 Fifth Avenue,
New York City, New York.

My dear Mr. Marshal:

Thanks for your favor of March 19th. My very latest advices are to the effect that the \$50,000 has been restored to the Budget in the form as originally proposed by me, and I am hoping that this will be the final decision of the Maryland General Assembly.

Sincerely yours,

Governor.