First Oyster House in Rhode Island Owned by Colored Man

PROVIDENCE, R.I.—A colored man, Emanuel Bernon, was the owner of the first oyster house and restaurant in this State, if not the United States, records in the local Probate Court show. That he prospered in his business venture is testified to by his will.

When Bernon died in 1789, he left a house and lot and a personal estate of 539 pounds. In his youth he had been the slave of the French Canadian, Gabriel Bernon, who freed him and also bequeathed to him a sum of money.

Bernon is buried in the North Burying Ground and a handsome granite stone—as substantial a memorial as marks the wealthiest whites of his time—marks his last resting place.

COLLEGES EXCHANGES — ... school late in Janntry. The exchange was arranged by Robert JEFFERSON CITY, Mo (ANP) —Lincoln University in Missouri Plummer, a member of Delta Phi and the University of Missouri at Delta honorary fraternity, on Mis- Columbia have completed arrange- ... souri University's campus. ments for exchange of art works. James D. Parks is head of the which will be on exhibit at each art department at Lincoln.

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Xmas with Her Parents

Miss Grace Lee of 2709 12th St., N.E., went to Sanford, N.C., to spend the Christmas holidays with her parents. A graduate of North Carolina College, she is a Federal employee here.—(Oscar Photo.)

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Gateway to Gayway

By GEORGE D. TYLER

Lionel Hampton was again acclaimed the year's top band leader by the Courier Poll Beat, the music mag poll shows Duke Ellington band most popular. We wrote '20' to the career of Bob (Scat) Lewis, festival maker of Naomi's Aces.

SUGAR HILL Tavern lost the ranks of six-day cabaret licenses to peddle hard liquors . . . The VILMA was wrapped up in new attire, inside and out. "Mason," doorman, manager, passed at Kenyoton.

Bobby Boyd, the shake marm, shelled her scanties and moved her family to Cherry Hill pending a boost in wages for the exotics.

The Passing Show

The ASTORIA winds up the holiday season by holding on to Ella Fitzgerald and that terrific Teddy Brannon Trio . . . La Ella will be followed by Baltimore's instrumental and vocal combo, the ORIOLES.

GAMBY patrons are wild in their enthusiasm over the shirping of Frances Brock, whose treatment of such semi-classics as "Ave Maria" and "Rhapsody In Blue" is one for the book. Oliver Travers, the emcee and soloist has put the Yuletide spirit into his work and Rastus Murrey riots as usual with his comedy. Helen P. and her Pentettes give five more fanciful stepping.

Ella Held Over

Georgie Morris, of the KNOTTY PINE, promises as early as an eye of fun and torrid tunes by Bill Swindell's combo sans cover or minimum. The management will cater especially to the femmes by giving each one a prize . . . I've had my share of "Little Bird," that overrated disc . . . Will appreciate Redd Foxx's humor in more than cleans up his jokes.

"Red" Marshall is proud of SMITH'S Musical Bar, due for an opening tonight (Friday), with Pat Wee Woodson and his combo swinging for the all nite party. The walls are lined with the pics of the late Joe Gans and Tom Smith . . . After doing a bang up job as Santa for the SPHINX Christmas party, Doc Weingart, in the role of Cupid, dashed to D.C. Sunday to witness the marriage of Dr. Porter.

The King Cole Trio enjoyed a three-day run at Washington's Club Kavakos . . . Dusty Fletcher's revue, plus John Kirby's ork at the Duke Ellington's (formerly D.C. Movie Hall) . . . Baby Sensyne talking from Mid- to D.C. nitely for appearances at the Caverns.

Come On Gals

The ORLEANS is sterlin this New Year with a busy Church Anderson's combo, the Three Strikes will offer "rules in rhythm." Jimmy Greene will lead the fun-fest while the song department will be under the supervision of ace Bette Lucas . . . A duo of quiter side sports can be found dishin' out Espanolo cuisine. The CASINO offers a dish labeled Spanish Casino. At the 1017 the accent is on Creole style specialties by Chef Gaby with service from 10 a.m. to 2 a.m.

Julius Sober, formerly of the Ritz and now a cog in the wheel at the FROLIC, displayed pics of yeteryear when the Ritz was in vogue and for half a buck you could get a half-pint of whisky plus ice and lemon . . . The rs reported that Bobbie, OLDE MILL, harmed, will say "so" comes January 9. This spot is due to be a gay madhouse following the merger.

On the Ball

Ray Shoates and his Radars, after doing a fine job at the Astoria, have returned to the ZANZIBAR on a seven-day schedule. Louisia Lara is the cophon's chanry and tom-tom beater 6 . . . Greeting card as usual from the J. C. Bailey tribe is majo domo of the ALHAMBRA—and miles of smiles from his man Friday, Tom (Home Boy) Wilson . . . The air at the HIDE-AWAY calls for a repeat visit.

Good Cake, Cecelia, Kitty Warren and the Mellow Men will usher in the New Year at ZOMBA'S cocktail lounge. Come Monday and the spotlight turns on Harvey Hill and Lorraine Hollis, plus the "Kitten and Swindell's combo as extras . . . The Sophisticates of Swing, Bertha Jones and Pretty Willie continue at the UBANGI . . . Happy holidays and such will ring out at the new SAVOY as the Circuit Court and the Four Links ring in the New Year.

"Skeets" was given a pair of roller skates to make the coverage of the bar at BERNIE'S less difficult while "Sailor Jim" stays the crates in the hole . . . Bus Green with his usual terrific trio, is the big noise at the SPOT.

Jean for My Books

1949 shouldn't be as Austin, featured canary at the AVENUE, skyrocketing to fame, while the soft, even tenor lyricing of Otis Moseley will long be remembered.

He is set to make history with the new COMPASS Musical Bar, his biggest venture since the original Compass, which played packed from the time the unformed doorman went into action until curfew. Strollers have been more than pleased with the slick vox manipulation of Link Johnson and the music of the Jolly Jacks now entering their sixth week.

H Yes Drive Down Drinks

Jenny Wheeler conjures with SAMS, Preston St. spot and Sam Gaddis for a holiday cheerio and best wishes . . . Earl Omaro will say Happy New Year for all at CLUB 13 as Wendell Jackson and his cognos do the musical honors.

Glassoe reports that Re-Bops, the six manias of the Joily Jacks, are take over musical chores at the WAGON WHEEL.

From my spies and yours truly to all of you: A HAPPY AND PROSPEROUS NEW YEAR

Whites to 'Sit Tight' in Population Change

WASHINGTON (ANP)—Whites of the Trinidad neighborhood were advised at a meeting last week to "sit tight" and not to move out if non-whites move into area at a meeting last week.

Giving this advice was James W. Thatcher, president of the Trinidad Citizens' Association. Thatcher who lives next to a colored family told the group to adopt his policy of "being nice to them." We'll get along," he said.

One member of the group commented, "We might as well face it, we'll have to sooner or later.

Raleigh School Gives Annual Yule Musical

By LILIE WATSON

RALEIGH, N.C. — The annual Christmas music was presented in the academic body of Washington School on Tuesday by the Glee Club directed by Mrs. E. M. Kelly. The band was directed and conducted by Leon E. Thompson. Guest clarinet soloist was F. N. Gatlin, director of instrumental music at Virginia State College. Accompanying Professor Gatlin on the piano was Curtis Mayo, head of the Department of music at St. Augustine College.

The Glee Club opened the program with "Hallelujah! There Be Light" by Haydn, followed by "O Holy Night" with Bernice Upchurch and Lydia Thomas as soprano soloists. The Glee Club concluded the first part of the program with the singing of the spiritual, "Wasn't That a Mighty Day?" arranged by John Work.

The program closed with the presentation of gifts as tokens of appreciation for encouragement, patience, kindness and cooperation. Recipients were Mrs. E. M. Kelly, Mrs. F. E. Simmons, Mrs. Johnson, Mrs. Priscilla Mebane, and C. H. McClean. Among the visitors were Supt. Jesse O. Bainderson and the supervisor, H. A. Hobbs.

Girls League in Action

With soft Christmas music played in the background, the Girls League gave its annual Christmas luncheon on Tuesday. The teachers and guests were presented with gifts. Mrs. L. P. Perrin, adviser of the club, was presented a necklace.

The Home Economics Department of the Washington School hold open house at which time the work done during the past six weeks was on display. In the foods department, the room was decorated with a Christmas tree, cards and scrapbooks made by the pupils. Attractive looking and tasty cakes and cookies also were on display. In the clothing department, aprons, dresses, pillowcases, and towels were exhibited. Other articles were waste paper baskets, pocketbooks, pajamas, dresses, hats, caps, dolls, belts, aprons, blouses, table sets and other useful household articles.

Seal Campaign Ended

The Crown Jewel Beauty Club brought the Christmas Seal campaign to a close with an assembly program Dec. 20. Certificates were awarded to all homerooms. First and second place honors were won by Miss Hicks's homeroom and Mr. Williams's homeroom. Mr. and Mrs. Christmas Seal were won by William Hicks and Gwendolyn Adams. Total collection for the campaign to date is $578.15.

Mrs. J. C. McLendon, librarian, was hostess to members of the Library Club at a Christmas party last Wednesday. Games were played and riddles were asked. Prizes were given to Barbara J. Ray and Rosa Copland for forming the largest no. of words from the words, 'Merry Christmas.' The school closed with a series of homeroom parties.

Four Florida Fraters at National Meetings

TALLAHASSEE, Fla.—Three Greek letter student organizations of Florida A and M College will be represented at their respective national conventions by four student delegates.

To the general convention of the Alpha Phi Alpha Fraternity, held in Atlantic City, Marshall Jenkins and Robert Wood will represent the Beta Nu Chapter. At this convention, Charles Z. Smith, corresponding secretary of Beta Nu Chapter, will serve as convention secretary.

In Philadelphia, the Zeta Phi Beta National Boule will meet. Gamma Alpha Chapter will be represented by Miss Drucilla Williams.

At the Omega Psi Phi National Convention in Columbus, O., Richard McCoy will represent Upsilon Psi Chapter.

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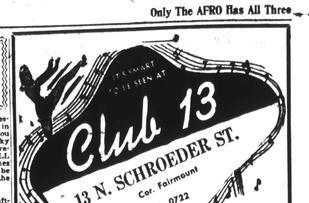

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Sante Fe Porter-Brakemen Win Job Fight in 7th Circuit Appeals Court

Ruling Hailed as Providing Legal Ammunition to Brakemen's Group Rebuffed in Texas Case

CHICAGO—(ANP)—The rights of porter-brakemen of the Sante Fe Railroad to continue in their jobs were upheld here last week in a three-judge court in the U.S. Circuit Court of Appeals, 7th Circuit.

Judges Major, Sparks and Lindley ruled that an order and award, entered April 20, 1942, by the National Railroad Adjustment Board, First Division, was void. This award, known as "award 6540," called for the removal of the porter-brakemen and their replacement by white trainmen.

Sustained District Court

On Feb. 6, 1948, U.S. District Judge Walter J. LaBuy issued a temporary injunction against the railroad company and the Brotherhood of Railroad Trainmen, keeping them from enforcing that award.

Richard F. Westbrooks has been the attorney for the colored workers in their fight for their jobs since the issue first came up originally in 1942.

The action against the Santa Fe Railway, the Railroad Adjustment Board and the Brotherhood of Railway Trainmen has been prosecuted by the Brotherhood of Sleeping Car Porters in the interest of its members employed by the Santa Fe Railway.

Decision Hailed by Railmen

The case of the Brotherhood was based upon the contention that the constitutional rights of the colored porter brakemen on the Santa Fe Railway had been invaded when said order and award deprived them of the time they have gained held from her.

This is a notable and far-reaching victory for all colored railroad workers. A. Philip Randolph president of the Brotherhood said: "Since it struck down the last vestige of racial prejudice with respect to democratic employment in the railroad industry."

Court's Ruling Significant

In the unanimous decision of the Circuit Court of Appeals the following fundamental and significant statement was made:

"While we are of the view that the award is void because the board exceeded its authority, we place our decision primarily upon the ground that it was made without notice to the porters as the statute requires, and that their constitutional right to a hearing was denied.

Set Back in Texas Case

In another Federal court decision rendered last week in Fort Worth, Texas, by the Fifth U. S. Circuit Court of Appeals, colored brakemen fighting for their jobs suffered a set back.

This court affirmed the decision of the U.S. District Court for the Western District of Texas in its ruling that colored brakemen cannot by-pass the National Railroad Adjustment Board and sue in the Federal courts upon grievances with their employer.

The brakemen had contended that only in this manner might they obtain a degree of impartial consideration, inasmuch as they are barred from membership in the labor members of the NRAB.

Attorneys for the colored brakemen, S. K. Whittaker of Houston, Oliver W. Johnson of San Antonio, and Charles H. Houston and Joseph C. Waddy of Washington, have filed a motion for a rehearing.

Court Sees No Bias

The appellate court denied the charge of the brakemen's counsel that the structure of the First Division of the Railroad Adjustment Board is "fatally tainted with race discrimination."

The court, in its opinion, declared that "the dispute here involves no racial element whatever."

"The fact that the brakemen in one group are colored, in the other white, has no bearing on the demands of the BRT (Brotherhood of Railroad Trainmen) lodges that they be allowed to run off accumulated mileage."

It has no bearing on the insistence of the colored railway trainmen that none of them should be displaced, the court held.

"The doctrine that in circumstances of this kind a person is entitled to a special tribunal or special treatment because of the color of his skin has never prevailed in this country, in or out of the courts," the decision set forth, adding:

"If the position taken here should be sustained, the United States and every State must redraft all its laws, remake all its appointments."

The colored brakemen who sued are employed by the St. Louis, Brownsville & Mexico Railroad and are members of the Colored Trainmen of Allegany. They sought to enjoin the enforcement of an award of the First Division of the NRAB against the San Antonio, Uvalda and Gulf Railroad and the white Brotherhood of Railroad Trainmen.

The First Division found that the white trainmen were due 229,000 miles accumulated because colored brakemen had been permitted to run on the St. Louis, Brownsville & Mexico over 17 miles of San Antonio, Uvalde & Gulf lines.

The Brotherhood asked the First Division to permit the white brakemen to run off this accumulated mileage. The only way this could be done was by displacing the colored brakemen.

Group Denied Hearings

The First Division refused to allow colored brakemen to intervene in the controversy between the brotherhoods and the San Antonio, Uvalde and Gulf over the passenger miles the white brakemen had accumulated.

It also refused to allow the colored brakemen to present evidence that they had accumulated 330,000 miles by reason of yard jobs given white brakemen.

The colored brakemen brought suit. They challenged the structure of the First Division of the National Railroad Adjustment Board on the ground that five of its ten members represented unions which barred colored railroad workers from membership.

Howard, Meharry Get Psychiatry Funds

WASHINGTON (NNPA) — The Howard University Medical School and Meharry Medical College are among 49 medical schools which are to receive Federal funds totaling $1,498,333 for developing or expanding training in psychiatry for undergraduate medical students, Oscar R. Ewing, Federal Security Administrator, announced last Friday.

The applications of the schools were approved by Dr. Leonard A. Scheele, surgeon general of the Public Health Service, upon recommendation of the National Advisory Mental Health Council, which met here recently.

The size of each grant was determined by operating the requirements of the school against the funds appropriated for the purpose under the National Mental Health Act. Howard will receive $37,500 for three years, and Meharry, $37,463 for a similar period.

Christian Education Session Set for '50

NEW YORK (ANP)—The next world convention on Christian education, formerly the World's Sunday School Convention, will meet in Toronto, Canada, Aug. 10-16, 1950, it was decided here last week by the North American administrative committee at Hotel Pennsylvania.

Judge Lewis L. Fauwett presided over the meeting and discussion was led by Drs. Paul H. Vieth of Yale Divinity School and Elmer G. Homrighausen of Princeton seminary.

Fund Sends for 100

Dr. Henry Allen Boyd of the National Baptist Convention in America sent $750 for the registrations of 100 delegates at latest the Baptist group. However, Dr. Boyd did not attend the committee meeting.

Dr. Forrest L. Knapp, New York is the North American secretary, and Dr. James Turnbull, London, is the European secretary. Among those participating in the sessions were Drs. H. James Stone, AME Church, Dr. James W. Eichelberger, AME Zion Church, and the Rev. S. S. Tuilsovurri of the Fiji Islands, who is studying at Drew University.

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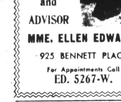

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