SOUTHERN DIGEST

Two Digest Features .... Forceful Purpose - and a Printing Mag

John U. Hart, of New Orleans, has called for an urgent meeting of the Board of Directors of the National Association for the Advancement of Colored People to consider the present situation in the States of Georgia and Mississippi, and to take whatever action may be necessary to ensure the protection of Negroes in those States.

RACIAL INTEGRATION BY COURT DECREE

By JUDGE L. H. PECK

Young Men's Jobber's Club in New Orleans, La., Dec. 29, 1954

In dismissing the subject of racial segregation in this country and particularly in the South, the only sensible and practical approach must be objective and not merely critical from a standpoint of one's personal opinion.

Without considering what the computed ability of segregation, or integration of the races by court order actually means.

The United States Supreme Court had occasion to pass upon the subject and purpose of the FOURTEENTH AMENDMENT with regard to the segregation of the negro under State laws in several cases prior to the decision of May 13, 1954.

On May 18, 1954, the court, in considering the segregation statute of the State of Louisiana, with only Justice Harlan dissenting, held:

"The purpose of the amendment was undoubtedly to enforce the principles of the Constitution by abandoning the caste system, and the manner in which it could be done was stated in the introductory clause of the Fourteenth Amendment: "nor shall any State . . . deprive any person of life, liberty, or property, without due process of law." The power of Congress was given by the Fourteenth Amendment to enforce the rights enumerated in the first section of the Amendment. It was recognized by the court in Pearson v. Louisiana, 1924, that the purpose of the Fourteenth Amendment was the protection of the negro against the control of the states and to legislate upon the subject where the states had previously denied negroes equal protection of the laws."

The United States Supreme Court has also with the motive that the Bible is a tool of God's Nation for the Advancement of Colored People, with the same sinister implication, letters glare forth in the same longly preach that the National Association for the Advancement of Colored People is practicing sacrilege.

The decision of the court in Pearson v. Louisiana, 1924, that the purpose of the Fourteenth Amendment was the protection of the negro against the control of the states is standing against the world. In quoting directly from the Pearson v. Louisiana, 1924, the following passage is brought to the attention of the reader:

"The record shows that the Southern Digest makes its debut in the United States Supreme Court by the decision of May 13, 1954, which, to the knowledge of the Commission on Constitution, is the first case in which the Supreme Court of the United States has ever passed upon the question of segregation in public schools.

"As Judge Learned Hand has said, "in this enigmatic country, there is no such thing as a question settled."

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** "The education of the people in schools maintained by state taxation is a public duty belonging to the respective states, and any interference, on the part of Federal authorities, with the maintenance of such schools cannot be justified except in cases of flagrant or flagrant disregard of the provisions of the Fourteenth Amendment."

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