

Dawn of Tomorrow

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Editorial

Texas "White Primary"

We have before us the reply brief filed by the attorneys of the National Association for the Advancement of Colored People to the state of Texas in the "White Primary" case. This important and historic document sets forth its case in a clear logical and concise manner, and if ever a brief were convincing in its presentation, truly this one is doubly so. The argument of the state that a primary election is not an election within the meaning of the constitution was shown to be a mere farce, and a subterfuge, while the "white primaries" was proven beyond all doubt to deny the rights to colored citizens to vote simply because of their color. The legislature of Texas, after declaring that all bona fide members of the Democratic party who are qualified voters under the law and constitution of the State of Texas, have the right to participate in the Democratic primaries, ordains that "in no event shall a Negro have that right." Here, as the brief sets forth, is thus a literal denial and abridgement of the right of a citizen to vote. Here we have a bold and flagrant abridgement of the 14th and 15th amendments in both letter and spirit.

And again, as the brief so ably sets forth: "It is thus evident that in these states, including Texas, party lines are so drawn that a nomination in the Democratic primary is equivalent to an election. The real contest takes place in the primary or preliminary election, the general election is nothing more than a gesture, in which but few participate, everything having been determined for all practical purposes at the primary election; so much so that the Republican party, such as there is, contents itself by occasionally going through the motions of voting, so that in effect the Democratic candidates chosen at the primary election are unopposed at the general election. If, therefore, Negroes who are in good faith attached to the principles of the Democratic party and are otherwise qualified are prevented from voting at a Democratic primary, they are virtually denied the right to vote,

so far as the right possesses any value. The mere fact that they, too, may go through a form of casting a vote at the general election, in ratification of what has been done at the primary is a tragic joke. Their voice is not heard. They have the alternative of absents themselves from the polls or of voting for candidates who may be inimical to them. They are prevented from casting their votes in the primary for such candidates as may appreciate their problems and sympathize with them in their difficulties, and to some extent, at least, may desire to relieve their hardships. Though citizens, they are rendered negligible, because their votes, to all intents and purposes, have been nullified. To them the right of suffrage would cease to be that thing of substance which it was intended to be, and would be converted into a useless toy, a Dead Sea apple, the lifeless corpse of a constitutional right, if the legislation now under consideration were to be upheld."

But this is not the only point on which the reply brief is superb. It states the case from every possible angle. Its language and presentation are such that a mere child may see the justice for which it pleads. It shows beyond a shadow of doubt that under the primary system there is scarcely a possibility that any person will or can be elected to office unless he shall be chosen at a primary election, and that therefore a primary election must be regarded as an integral part of the process of choosing public officers; that it (the primary) is an election within the meaning of the constitution. It then proceeds to ask: "Of what use is there to enforce the constitution only in general elections in this state in the choosing of public officials?"

And later, rising to the very height of eloquence which must touch each human soul that looks upon all men—each soul as an end within itself, it continues: "These illustrations relate only to material things. In so far as they are concerned, the elasticity of the constitutional language has been marvelously vindicated. It is possible that the language of the same constitution relating to human rights and intended to bring about the noble conception of human equality and the prevention of hateful discrimination shall be crippled, hampered and deprived of its very life by a narrow interpretation, which would defeat its underlying purpose? Is it possible that the expression of an exalted human purpose shall, after half a century, be made meaningless by the employment of an artificial mechanism?"

If the National Association for the Advancement of Colored People had done nothing this year more than the securing of such legal talent which drew up this excellent and comprehensive brief, its work would be counted worthy and well done. Only the future and future historians will ever adequately appreciate the real worth of this Association to the race, to America and to the world at large. It fights for a cause which appeals to all right-thinking minds. Its object is to make possible that all nations, all races and all men shall realize the best there is in them.

Letters to the Editor

R. R. No. 5, Dresden, Ont.,

March 5, 1927.

Mr. J. F. Jenkins, Sec. C.L.A.C.P.,
Glenwood Ave., London:

Dear Sir.—I take great pleasure in informing you of the motion of approval passed by the local League regarding your recent editorial in the DAWN OF TOMORROW, headed "Wm. McCathern." We hereby commend you on this tactful, timely and most appropriate article.

The local branch has appointed a committee consisting of Rev. Penick, Rev. J. C. Browning and Mr. Percy Carter, whose duty it is to raise funds to help finance the appeal on behalf of McCathern. This committee plans to work locally by means of a subscription and also by a general rally of the League.

They have asked me to inform you of the following: That they want you to hold all the funds raised for this purpose and upon request of said committee, place them in the hands of Lawyer Foley, Chatham, Ont., counsel for the defense; that they wish you to arouse all other branches of the League to help finance this cause; that they would like a statement of the receipt and amount of such funds published in the DAWN OF TOMORROW.

We consider the meting out of equal justice in this case most important, as an unfavorable decision would undoubtedly form a precedent upon which all future penalties upon our race would be based. We therefore anticipate your hearty co-operation in obtaining finances to support the appeal.

Respectfully yours,
(Rev.) J. H. Penick, Pres.
Hilda Carter, Secretary.

North Buxton, Ont.,
February 22, 1927.

Mr. J. F. Jenkins,
Editor DAWN OF TOMORROW,
London, Ont.

Dear Mr. Jenkins.—Allow me to congratulate you on the timely editorial in THE DAWN OF TOMORROW of the 19th issue re the remarks made by Mr. Justice Fisher in passing sentence upon McCathern, when he congratulated the citizens of Chatham for not lynching McCathern. There have been comments from all sides justifying the judge in giving the unfortunate man the extreme penalty and there have been comments unfavorable to the punishment meted out; but as the law has been framed that such a penalty should be meted out to such crimes, it is for us to abide by the law and thank the Toronto Globe for what that paper has said referring to the wisdom in administering such a penalty to a member of the colored race. I would not in any way criticize the sincerity of the judge in passing the sentence in that it was done to show the seriousness of the offence and that such a penalty would be a deterrent to future crimes of that nature. But it is regrettable that the learned judge did make any reference whatever to race or color.

After reading the sentence it was my intention to comment on it through the local daily but your editorial has given entire satisfaction and has covered the subject in a very splendid manner. This editorial of yours has been reproduced in the

Chatham Daily News which I read in yesterday's issue. THE DAWN OF TOMORROW is to be congratulated for the stand it takes in championing the cause of the race so fearlessly.

If our people were more appreciative and would stand together unitedly THE DAWN could render invaluable services in our behalf, one hundred per cent more than what it is doing now; but how frail and unwilling we are to see the great necessity of "getting together."

Sincerely yours,
W. C. Perry.

Chatham, March 7, 1927.

Mr. J. F. Jenkins,
95 Glenwood Ave.,
London, Ont.

Dear Sir.—Your telegram of the 2nd inst. came duly to hand and was appreciated highly by our entire branch, as also your editorial on the McCathern case was.

As you may know by now from newspapers, decision in the case of appeal has not been given out yet. The matter seems to be well in hand now so far as we can see, and we think the best thing to do now is to wait on the decision. We shall be glad to communicate with you very promptly in case of necessity for further appeal or petition and we thank you for the kind offer made in your telegram.

I wish to report to you for publication at a convenient time the organization of the Colored Ministerial Union of this city. Said union was organized Saturday, October 16, 1926, in the parsonage of the Campbell A. M. E. church where the meetings still are held the first and third Saturdays in each month. The following officers were elected: President, Rev. W. T. R. Nelson, pastor Campbell A. M. E. church; vice-president, Rev. H. A. Patrick, pastor First Baptist church; secretary, Norman G. Brown, pastor B. M. church; Rev. W. B. Holden, pastor St. John's A. U. M. P. church, treasurer. The meetings all have been harmonious and helpful. The ministers of the city have come to understand each other clearly through this medium and very effectively have been able to prevent conflicting of large activities of the several churches thus bringing about a spirit of hearty co-operation. Pulpits are exchanged here freely and frequently and recently a three weeks revival meeting was held here, all ministers participating. At a recent meeting Union voted to report its activities to the DAWN OF TOMORROW for publication. A paper by Rev. H. A. Patrick on "The Holy Ghost," if not enclosed with this letter, will follow shortly.

We shall endeavor, through the Ministerial Union and the Chatham Branch, to increase noticeably the circulation of THE DAWN OF TOMORROW.

Executive committee meets shortly to frame constitution and by-laws for local branch. I am taking care of the copy you left with me. Notify me should you need it.

With all best wishes and full appreciation for your continued interest in us here, I remain,

Very sincerely yours,
Norman G. Brown.

The dea known res very sudd the reside Mary Leg survived b ters, Mrs. jorie Ford Falls, N.Y. port, N.Y. brothers a of Lockpo Fred and The funer deche Mc Rev. H. F. vices. Th Bell, Alex good and Maurice, I Interment Lawn cem

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