

A Petition

Mims, Florida
September 21, 1946

School Officials
District # 1
Titusville, Florida

Dear Sirs :

We the parents of the transported Mims colored students again wish to call your attention to the crowded condition of the bus that carries our children to Titusville. Most of the boys have to stand up, and some of the girls have to sit on each other. It has been reported that the bus is sometimes so crowded that boys have to stand on the steps.

We ask, therefore, that immediate steps be taken to provide a larger bus for our children.

Parents :

Harry J. Moore
Paul Cuyler
Robert Grant
George Abrams
Floyd Barton

E. H. Grant
H. J. Strickland
J. W. Martin
D. J. Sigler
Eugene Brown
Arthur McKenzie
L. M. Lewis
Lattie Lowe
Sam Ross

Ruby Lee Taylor
Eddie McNeal
Rena Young
Willie James
Viola Neal

for Warren

John Mitchell

Joseph Jones

Went around for

Lillie Lewis

Patricia Lewis

A Petition

Wima, Florida
September 21, 1948

School Officials
District # 1
Titusville, Florida

Dear Sirs :

We the parents of the transported Wima colored students again wish to call your attention to the crowded conditions on the bus that carries our children to Titusville. Most of the boys have to stand up, and some of the girls have to sit on each other. It has been reported that the bus is sometimes so crowded that boys have to stand on the steps.

We ask, therefore, that immediate steps be taken to provide a larger bus for our children.

Parents :

BOARD OF DIRECTORS
OFFICERS

D. D. Rogers, Tampa
R. P. Stewart, Jax
Otis Mumby, Miami
Joe Harris, Daytona B
S. Fluellyn, W. P. B.
C. T. Williams, Orlando
L. L. Youngblood, Delray B.
Mrs. Viola T. Hill, Orlando

Progressive Voters League
of Florida

2912 - 26th STREET
TAMPA 5, FLA.

PROGRESSIVE VOTERS LEAGUE
OF FLORIDA

Mims, Florida
October 9, 1948

STATE OFFICERS

Earl E. Broughton, Pres.
Emma A. Pickett, Sec'y.
Rev. H. J. Fordham, Asst. Sec'y.
R. B. Watman, Corr. Sec'y.
Harry T. Moore, Treas.
M. C. Bodie, Director of Publicity.

Fellow Citizens :

Negro citizens of Volusia County are urged to meet at Mt. Zion A. B. C. Church, on Campbell Street, Daytona Beach, Wednesday, October 14, at 7:30 P. M., for the purpose of organizing a county unit of the Progressive Voters League of Florida. We are particularly anxious for our ministers, teachers, and leading laymen to attend this meeting.

Representatives from Brevard, Flagler, Putnam, and St. Johns Counties are also invited to be present, so that we may make tentative plans for getting units established in those counties.

The Negro's political future is brighter now than at any time since the turn of the century. The United States Supreme Court decision in the Texas Primary Case might well be styled a second emancipation for Negroes in the South. The Florida Supreme Court also has ruled that Negroes have a right to vote in Democratic primaries. We must now organize ourselves to take full advantage of these opportunities.

The things that must be done are (1) We must increase our efforts to gain for Negro citizens all over Florida the right to participate freely in all elections. (2) We must teach the masses of our people the importance of the ballot. These are the two primary objectives of the Progressive Voters League.

Sincerely yours,

Wilton P. Rooks, State President

C. T. Williams, Chairman
Fifth Congressional District

Mrs. Lydia B. Pettie, Acting Chairman
Volusia County

Rev. A. D. Smith, Local Pastor

Harry T. Moore, Executive Secretary

Harry T. Moore

Mims, Florida
September 23, 1942

School Officials
Titusville District
Titusville, Florida

Dear Sirs :

Because of extremely crowded conditions on our present school bus, the Mims Colored P. T. A. has voted to ask for a larger bus to carry our high school children to Titusville.

A petition signed by parents of our high school children, is being presented to the Board, and we respectfully urge favorable action on same. We ask that the necessary steps be taken to provide a bus of the size that is needed to carry these children comfortably.

Respectfully yours,

Samuel Grant
President

Laurie Bell
Secretary

cc :
Mr. J. W. Park
Mr. L. W. Kelder
Mr. H. Crawford Ford
Mr. W. J. Jordan

(names)

(names)

- x Barton 2
- x Taylor 4
- x [unclear]
- x [unclear]
- x [unclear] 1
- x [unclear]
- x [unclear]
- x [unclear]
- x [unclear]
- x [unclear]
- x [unclear]
- x [unclear] (Paul) 1
- x [unclear]
- x [unclear] 1
- x [unclear]
- x [unclear] (Fred) 1
- x [unclear] + James
- x [unclear]
- x Jenkins
- x Abrams (Eugene)
- x Abrams (George)
- x Mc Neal
- x Martino
- x Grant - Robert
- x Grant C. H.
- x Hillie [unclear] 1

- Quinn
- x [unclear]
- x O. Mitchell

Mims, Florida
September 23, 1946

School Officials
Titusville District
Titusville, Florida

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A petition, signed by parents of our high school children, is being presented to the Board, and we respectfully urge favorable action on same. We ask that the necessary steps be taken to provide a bus of the size that is needed to carry these children comfortably.

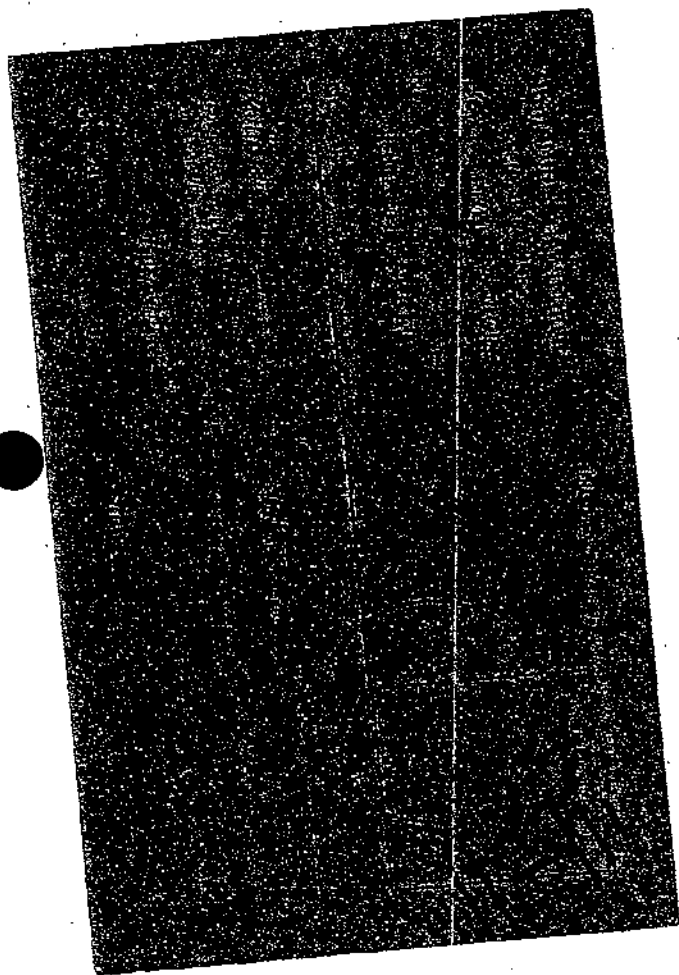
Respectfully yours,

Quanita Grant
President

Laurina Bell
Secretary

cc :
Mr. J. D. Nash
Mr. I. A. Holder
Mr. H. Crawford Ford
Mr. W. J. Darden

STAPLES®



RETURN RECEIPT

This receipt is the property of the Post Office and should be returned to the nearest Post Office if it is not used.

Post Office

Post Office

Post Office

Mims, Florida
September 1, 1946

Board of Public Instruction
And School Trustees, District 1
Titusville, Florida

Dear Sirs :

We note that the bus that carries the Mims colored children to Titusville is extremely crowded. It is quite evident that a larger bus is urgently needed to transport these children.

The parents of these children are submitting a petition to the Board, in which they ask that immediate steps be taken to provide a larger bus for transporting colored children to Titusville. We urge that favorable consideration be given this petition.

Very truly yours,

Joseph Harris, Jr.
Post Commander

William Daugherty
Post Adjutant

cc:

Mr. J. D. Nash
Mr. I. A. Hilder
Mr. W. J. Darden
Mr. H. Crawford Ford

March 12, 1947

Mr. E. M. Callaway,
Attorney at Law,
Lakeland, Florida.

Re: Complaint against a deputy sheriff of
Volusia County - Alleged violation of
civil rights - James Fuller, alleged victim.

Dear Sir:

Your letter of the 10th instant addressed to
Judge Strain has been passed on to me by him with the request
that I write you. He has furnished me copy of the letter
he addressed to you in reply to your letter.

It appears from your letter that James Fuller,
alleged victim, was engaged with others in a gambling game
referred to as "shooting craps", and while engaged in such
game a deputy sheriff by the name of Kitchens flushed them
and arrested all of them except Fuller who ran and, as he
was fleeing, Kitchens, the deputy sheriff, shot him and the
bullet entered the victim's back and resulted in his death.

It is very doubtful in my mind whether prosecution
can be had under Section 52 of Title 18, U. S. C. A.
A sheriff by the name of Screws was prosecuted under this
section along with a deputy and convicted in Georgia and
the Supreme Court of the United States reversed the case on
certiorari, as you no doubt know, and it was sent back for
trial and Judge Strain presided at the second trial and the
jury acquitted Screws. I will argue before the Circuit Court
of Appeals at Jacksonville next Monday a similar case against
Crows, the only difference in the cases being the letter "S".
Crows was a constable and marshal at Bradford and arrested a
man and took him to the Suwannee River and made him jump
in the river, resulting in his death. I prosecuted the
case and Crows was convicted and his attorneys have taken
an appeal and the same is to be argued before the court of
appeals here next Monday.

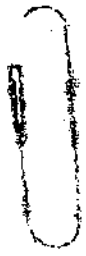
While a majority of the Supreme Court in the Screws
case reversed it for a reason that was never argued in either
the trial court or the court of appeals, I agree with the
reasoning of the minority of the Supreme Court and with Judge

Sibley who wrote a dissenting opinion in the Screws case because I learned the law is laid down by the Supreme Court of the United States in the case of United States v. Cruikshank, decided in 1875 and reported in 92 U. S. Reports, page 542. However, as an official I prosecuted the Crews case and supported the opinion of the majority of the Supreme Court which indirectly held that prosecutions can be had under Section 52 if the facts justify, notwithstanding Section 52 fails to waive any civil right guaranteed by the Constitution.

The proper procedure to be followed in such cases is for interested parties to make a detailed report to the Attorney General for the attention of the Civil Rights Unit. After giving consideration to the matter, they issue to me or the proper United States Attorney such instructions as they may think the facts warrant, and if they think the facts justify it, they direct an F.B.I. investigation. The report of the F.B.I. investigator is then considered by the United States Attorney and by the attorneys in the Civil Rights Unit and it is determined whether the facts justify Federal action or whether the matter should be left to the state.

Very truly yours,

WILLIAM H. PHILLIPS,
United States Attorney



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... ..

Mims, Florida
May 19, 1947

Mrs. Rosalee K. Smith
612 - 7th Street
West Palm Beach, Florida

Dear Mrs. Smith :

I owe you an apology for this delay in answering your letter. I have been on the road most of this month, and my correspondence has lagged.

We appreciate your splendid suggestion with regard to the possibility of carrying an advertisement for the Progressive Voters' League in the Souvenir Program of your State Meeting there next month. But the truth of the matter is that our treasury is about empty. We are now desperately in need of additional funds with which to continue our state work. It therefore will be impossible for us to accept your offer.

The program of the Voters' League is very practical. Our primary objective is to promote the political welfare of Florida Negro citizens. We are fighting for the right to vote in all elections. We are trying to stimulate wholesome political activity among our people. We shall "sound out" the various candidates for political office and recommend those that seem inclined to give our people a fair deal. We hope to get our people so well organized that we can vote with some degree of unity. In this way we can wield the balance of power and thus make our voting more effective.

But it takes money to carry out such a program. As a means of raising funds for the operation of our State Office, we are launching a campaign for members. We are issuing membership cards to persons who pay an annual fee of one dollar. In cases where a local organization sponsors the membership drive, half of the money may be retained by the local organization and half sent to the State Voters' League. Do you think you can get your organization to sponsor a membership effort for us? If so, we shall be glad to send you the number of cards needed. This will be a splendid opportunity for your club to help a worthy cause, and we shall be very grateful for your co-operation.

I had the pleasure of meeting Mrs. Walker a few days ago, and I am accepting her kind invitation to visit your meeting June 8 - 10. We are anxious to work with the women of Florida in this gigantic struggle to secure justice and equal rights for our people.

Sincerely yours,

Harry T. Moore
Executive Secretary

cc :
Mrs. W. H. Walker

March 13, 1947

Mr. E. E. Callaway,
Attorney at Law,
Lakeland, Florida.

Re: Complaint against a deputy sheriff of
Volusia County - Alleged violation of
civil rights - James Fuller, alleged victim.

Dear Sir:

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It appears from your letter that James Fuller, alleged victim, was engaged with others in a gambling game referred to as "shooting craps", and while engaged in such game a deputy sheriff by the name of Kitchens flushed them and arrested all of them except Fuller who ran and, as he was fleeing, Kitchens, the deputy sheriff, shot him and the bullet entered the victim's back and resulted in his death.

It is very doubtful in my mind whether prosecution can be had under Section 52 of Title 18, U. S. C. A. A sheriff by the name of Screws was prosecuted under this section along with a deputy and convicted in Georgia and the Supreme Court of the United States reversed the case on certiorari, as you no doubt know, and it was sent back for trial and Judge Strum presided at the second trial and the jury acquitted Screws. I will argue before the Circuit Court of Appeals at Jacksonville next Monday a similar case against Crews, the main difference in the cases being the letter "S". Crews was a constable and marshal at Branford and arrested a man and took him to the Suwannee River and made him jump in the river, resulting in his death. I prosecuted the case and Crews was convicted and his attorneys have taken an appeal and the same is to be argued before the court of appeals here next Monday.

While a majority of the Supreme Court in the Screws case reversed it for a reason that was never urged in either the trial court or the court of appeals, I agree with the reasoning of the minority of the Supreme Court and with Judge

Sibley who wrote a dissenting opinion in the Screws case because I learned the law as laid down by the Supreme Court of the United States in the case of United States v. Cruikshank, decided in 1875 and reported in 32 U. S. Reports, page 543. However, as an official I prosecuted the Crews case and supported the opinion of the majority of the Supreme Court which indirectly held that prosecutions can be had under Section 52 if the facts justify, notwithstanding Section 52 fails to name any civil right guaranteed by the Constitution.

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Very truly yours,

WILLIAM S. PHILLIPS
United States Attorney

...and it is the duty of the ...
...the ...
...the ...

Mims, Florida
February 22, 1947

Florida Members
United States Senate
Washington, D. C.

Dear Sirs :

Florida's 65 branches of the National Association for the Advancement of Colored People are deeply concerned about two matters now pending in the United States Senate.

The first of these is the question of seating Theodore G. Bilbo, senator-elect from Mississippi. We feel that the evidence presented to the investigating committees last year is sufficient to substantiate the claim that Senator Bilbo's behavior has made him unfit to occupy a seat in such an honorable body as the United States Senate. His dealings with certain war contractors are questionable, to say the least. And his open appeal to racial prejudice in an effort to keep Negroes from voting in the primaries last summer was contrary to all decent principles of democratic government. How can Senator Bilbo take the oath of office - the oath to uphold the Constitution - when he has publicly urged that certain qualified citizens be denied their Constitutional right to vote? An oath under such circumstances would be little more than "sounding brass or a tinkling cymbal". We urge, therefore, that you firmly oppose the seating of Mr. Bilbo. We suggest also that action be initiated to remove such a character from the payroll and thus eliminate this waste of tax money.

We also are intensely interested in the resolutions designed to eliminate the practice of unlimited debate in the United States Senate. The filibuster is undemocratic. In any truly democratic body the will of the majority should prevail. If a small minority can block a vote on important measures and thus defeat the will of the majority, then we have no true democracy. So long as a small minority in the United States Senate can veto the will of the majority, we cannot justly criticize Russia for her exercise of veto powers in the United Nations Security Council. By all means, let us have democratic procedure in the Senate. We solicit your active support of this movement to outlaw the filibuster. We urge that you help to pass a resolution that will make it possible to limit debate by a majority vote, and thus enable the highest legislative body in our country to dispose of measures according to the will of the majority.

Respectfully yours,

Harry T. Moore
Executive Secretary
Florida State Conference, NAACP

Copy

Copies to :
1. Senator Claude Pepper
2. Senator Spessard L. Holland

Mims, Florida
February 22, 1947

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Washington, D. C.

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Respectfully yours,

Harry H. Moore
Executive Secretary
Florida State Conference, NAACP

Copy

- Copies to :
1. Senator Claude Pepper
 2. Senator Spessard L. Holland

Mims, Florida
March 20, 1946

Gov. Millard F. Caldwell
Capital Building
Tallahassee, Florida

Dear Governor:

On Feb. 2 three deputy sheriffs of Volusia County raided a "joke joint" near Pierson. During the raid James Fuller, a Negro was shot to death by one of the deputies. The deputies claim that Fuller had a gun, but other witnesses seem to dispute this. Some claim that Fuller was shot in the back while he was running in an effort to get away.

There also seem to be certain irregularities in connection with the inquest. After Fuller was shot, the deputies made some Negroes help them carry Fuller to Deland. In doing this they passed from one justice of the peace district into another. Negro witnesses believe that Fuller was dead before he was brought into the Deland district. Therefore it seems that the inquest should have been held in the Pierson district. It is felt that a certain political ring in Deland might have helped to hush matters up. There is also some question as to why the sheriff carried some of the witnesses to his office as might for some kind of secret hearing.

Fuller's white employer had hired Atty. M. S. McGregor, Deland, to assist with the prosecution, but because of the secrecy of part of the inquest, McGregor was unable to do much. As you will note from the inclosed clippings, the white people of the Pierson district think that the inquest should have been held there. These clippings are from a Deland daily paper.

We shall be very grateful if you will send a special investigator to look into this matter. We would like to have this case reopened and the inquest held in the Pierson district, where we believe Fuller actually died. For information as to the whereabouts of the witnesses, we suggest that your investigator get in touch with R. C. Hagsten of Pierson or Allen L. Attaway, 406 E. Ohio Ave., Deland.

Please let us hear the results of your investigation.

Respectfully yours,

Harry T. Moore

Mims, Florida
March 20, 1945

Gov. Willard F. Caldwell
Capitol Building
Tallahassee, Florida

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Please let us hear the results of your investigation.

Respectfully yours,

Harry E. Moore

N. A. A. C. P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

20th West 45th Street, New York 18, N. Y.

July 1, 1946

Hon. Tom C. Clark
Attorney General
U. S. Department of Justice
Washington 25, D. C.

Dear Mr. Clark:

I am enclosing herein a copy of a statement of the facts given to me by Deacon Smith, of Perry, Taylor County, Florida, detailing the events leading to the eventual refusal to permit Negroes to vote in the Democratic Primary on May 7th.

Deacon Smith was brought to me by Mr. Harry T. Moore, President of the Florida State Conference of NAACP Branches, Box 4, Mims, Florida. Any further information which you may wish can be secured from the persons named in the statement and also from Mr. Moore.

We request that you immediately investigate the refusal to allow Negroes to vote in the Primary in Taylor County, Florida, and we request a report of the results of your investigation. If the investigation indicates that the facts are as outlined above, we trust that proper action will be taken to prosecute those persons responsible.

Very truly yours,

Marian Wynn Perry
Assistant Special Counsel

MWP:CS
MWP:CS-19-CIO
Enc.

Telegram

Jan. 24, 1948

Florida State Conference 1948, representing over 10,000 members, expresses deep appreciation for your efforts to secure passage of H.R. 211. Please urge members of your party to vote for closure if necessary to break present filibuster.

Harry A. Moore, President
Florida State Conference, 2207
Ave., Florida

Copy to :

1. Robert H. Canisoga, Chairman
Democratic National Committee
Mayflower Hotel
Washington, D. C.
2. Herbert Brownell, Chairman
Republican National Committee
1227 Connecticut Ave., N. W.
Washington, D. C.

Waus, Florida
November 21, 1945

Attorney General Tom Watson
Capital Building
Tallahassee, Florida

Dear Sir:

We are disappointed to learn that Gov. Caldwell finds no cause for the removal of Sheriff Lennie T. Davis from office, even though he admits that Sheriff Davis' stupidity and ineptitude are responsible for the lynching of Jesse James Payne on Oct. 10. Naturally, one is tempted to ask this question: Which is more important, a man's life or a man's job? If Sheriff Davis was stupid and inefficient in permitting the lynching of Jesse Payne, we doubt that his qualities have improved very much. This same thing could happen again before the expiration of Sheriff Davis' regular term of office. Then, why should the lives of other Negro prisoners be risked in the hands of a sheriff who already has proven his ineptness for the office?

A careful reading of the sworn statements of the wife, the mother, and the sister of Jesse Payne makes one doubt that Sheriff Davis is absolutely innocent of any knowledge of the circumstances surrounding the lynching of Payne. According to these statements, the Sheriff's brother-in-law and two nephews "arrested" Payne on July 1 and carried him off into the woods. These statements also disclose that Payne knew about certain irregular activities of Sheriff Davis and his brother-in-law that they were anxious to keep secret. And since the very idea of attempted rape of a five year old girl seems ridiculous, one is tempted to wonder if the whole affair was not just a frame up.

For your convenience we are enclosing a signed copy of the same affidavit that we sent Gov. Caldwell a few days ago. You will note that Payne's wife and sister declare they saw D. L. Goodwin and his two sons, Robert and David, take Jesse by force and carry him off on July 1. Were the Goodwins legally deputized to make such an "arrest"? If not, is there any provision in Florida law under which they can be prosecuted? You will note also that Goodwin has Payne's share of the various crops that had not been marketed. Is there any legal way by which Payne's widow and six-month old daughter can get possession of their share of these crops, or their part of the money therefrom?

If there is any legal action that your office can take in these matters, we shall be very grateful.

Respectfully yours,
Harry T. Moore

cc: Gov. Willard P. Caldwell

N. A. A. C. P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

20 WEST 40TH STREET, NEW YORK 18, N. Y.

Executive Officers

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ROY WILKINS *Assistant Secretary*
THURGOOD MARSHALL *Special Counsel*
ROBERT L. CARTER
MARIAN WYNN PERRY
FRANKLIN H. WILLIAMS
EDWARD R. DUDLEY (on leave)
MILTON R. KONVITZ (on leave) *Assistant Special Counsel*

LONGACRE 3-6890
December 9, 1946

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DR. WILLIAM A. NEILSON

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Ruth Weyand
WILMINGTON, DEL.
Louis L. Redding

Mr. Harry T. Moore, Executive Secretary
Florida State Conference of the NAACP
Box 4
Mims, Florida

Dear Mr. Moore:

I am enclosing for comment a copy of a letter from the United States Department of Justice, Washington 25, D.C., with reference to complaints to the effect that Florida registration officials had refused to register certain Negroes as Democrats prior to the Florida primary of May 1946.

Very truly yours,

Marian Wynn Perry
Assistant Special Counsel

MWP/rg
Enclosure

"COMMITTEE OF 100"

William Allan Neilson, *Chairman*
 William Agar
 Mrs. Ernest R. Alexander
 Joseph Clark Baldwin
 Roger N. Baldwin
 Robbins W. Barstow
 Jacob Billikopf
 Justice Jane M. Bolin
 Abbott Book
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 Fanny Travis Cochran
 William F. Cochran
 Henry S. Coffin
 James Bryant Conant
 Albert Sprague Coolidge
 Mrs. Elizabeth S. Coolidge
 George S. Counts
 Henry Hitt Crane
 John Warren Davis
 Albert Edward Day
 John Dewey
 Albert C. Dieffenbach
 Stephen Duggan
 Samuel A. Eliot
 Edwin R. Embree
 Dorothy Canfield Fisher

Harry Emerson Fosdick
 Leo M. Franklin
 Christian Gauss
 Harry D. Gideonse
 Perry M. Gillfillan
 Joseph F. Guffey
 Herman Hailperin
 S. Ralph Harlow
 Hornell Hart
 James G. Heller
 Harrison Hires
 Bishop Henry W. Hobson
 John Haynes Holmes
 Sidney Hook
 Charles H. Houston
 Paul Hutchinson
 Mrs. Raymond V. Ingersoll
 Mrs. Henry A. Ingraham
 D. V. Jamison
 Charles S. Johnson
 Mordecai W. Johnson
 Rufus M. Jones
 Horace M. Kallen
 Helen Keller
 Paul Kellogg
 Frank Kingdon
 Freda Kirchwey
 Fiorello H. LaGuardia
 John Howland Lathrop
 Bishop W. Appleton Lawrence
 W. Earl Ledden
 Henry Smith Leiper
 Alfred Baker Lewis
 Ira F. Lewis

Alain Locke
 Bishop Francis J. McConnell
 Karl Menninger
 Annie Nathan Meyer
 Carl Murphy
 Harold E. Nicely
 Reinhold Niebuhr
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 Palfrey Perkins
 Ralph Barton Perry
 David Philipson
 Mrs. Gifford Pinchot
 Edwin McNeill Potent
 A. Philip Randolph
 Frederick E. Reissig
 Alson H. Robinson
 J. J. Runyan
 Guy Emery Shipler
 James T. Shotwell
 George N. Shuster
 Bishop David H. Sims
 Arthur B. Spingarn
 Norman Thomas
 Ernest Fremont Tittle
 Carl Van Doren
 Oswald Garrison Villard
 Carter Wesley
 Justice James H. Wolfe
 Mary E. Woolley
 Bradford Young

The "Committee of 100", a voluntary cooperative group of individuals headed by William A. Neilson, has sponsored the appeal of the N.A.A.C.P. Legal Defense and Educational Fund, Inc. since 1943, and has called for public subscription of \$100,000 during 1946 to enable the Fund to meet urgent problems arising out of the post-war emergency.