

ARTHUR W. MITCHELL:

A BLACK NEW DEALER

1934 - 1942

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PREFACE

Arthur W. Mitchell, the first black Democrat elected to the House of Representatives, assumed office in the depression years. Although economic relief was the paramount goal for the black community, the Afro-Americans also had hopes of political and social equality. With the current dispute over "black power movements," an investigation of Mitchell as a policymaker is a more germane study than it would have been before.

This thesis will examine how a black politician viewed racial discrimination during the New Deal Era from 1934 to 1942. Elected in a bi-racial district, Mitchell found himself in a unique position, but that position also created criticism from black leaders, black-edited newspapers, his constituents and NAACP. It is therefore imperative that the writer include in her thesis the historical background of the Negro prior to the New Deal as well as an analysis of the Negro's changing political thought during the twentieth century. The focal point of this essay, however, will be on how Arthur W. Mitchell attempted to elevate his race in American society through legislation.

Sources to be used in assessing Mitchell's contribution to his race will be his private papers, newspapers, Chicago's voting results, the Congressional Record and relevant secondary material.

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CHAPTER I

HISTORICAL BACKGROUND OF THE PERIOD

The Negro Prior to the New Deal

The Negro population of Chicago increased progressively after the Civil War with the greatest influx beginning at the time of World War I. A growing need for labor, curtailment of immigration and southern crop failure encouraged the movement of rural blacks to Chicago.¹ Economic deprivation was the major impetus for the black migration to the urban metropolis, but gradually this motivation became "a flight to freedom from the post-Reconstruction caste-system."² Advertisements, frequently appearing in the black edited Chicago Defender, became the media between the sharecropper and the urban world. By the 1930's more than 2,000,000 blacks had abandoned the farm for the Northern ghettos.³

Because the railroads through Chicago serviced all Southern states, the city soon had a rapidly increasing black population.⁴

¹Rita Gordon, "Change in the Political Alignment of Chicago's Negroes during the New Deal," Journal of American History, LVI (December, 1969), 585.

²Arnold Schuchter, White Power, Black Freedom: Planning the Future of Urban America (Boston: Beacon Press, 1968), p. 55.

³Lerone Bennett, Jr., Confrontation: Black and White (Chicago: Johnson Publishing Co., 1965), p. 114.

⁴The writer will use the terms black and Negro interchangeably.

By 1930 blacks constituted 23 percent of the total population,⁵ but they were largely confined to the near North, West and South sides of Chicago, although over half of them lived in two wards.⁶ The solidarity of the ghetto offered political opportunity to the Negro; it also afforded the white politicians a potential bloc vote. Because of the factionalism in the Republican Party in 1927, William Thompson used the vote of the Negro Community to secure his election as Mayor. In return for their votes, he assured them jobs and protection.⁷ A few blacks were elected and appointed to city government positions during his administration, but Mayor Thompson and local party politicians opposed full participation of blacks in Chicago politics. Blacks, however, envisioned full participation including the election of federal officials. To achieve this, several obstacles had to be overcome. One obvious obstacle was Martin Madden, a white Congressman from the First District. Elected with bi-racial support, he had held office for 24 years, during which time he kept most of his constituents satisfied by financially assisting black businesses.⁸ Discontent among black leaders gradually surfaced when William Dawson, a spokesman for the black Community, was the first to challenge Madden. During the 1928 Congressional

⁵Samuel Lubell, Future of American Politics (New York: Harcourt, Brace and World, 1964), p. 88.

⁶Junius Wood, Negro in Chicago (Chicago: Chicago News Publication, 1916), p. 6. See Appendix I for a map of the black wards of Chicago.

⁷St. Clair Drake and Horace Clayton, Black Metropolis: A Study of Negro Life in a Northern City (New York: Harcourt, Brace and World, 1945), p. 346.

⁸Henry Lee Moon, Balance of Power: Negro Vote (Garden City, New York: Doubleday and Co., 1948), p. 78.

Campaign, Dawson questioned a white man's ability to handle affairs for blacks and stated that he was more qualified to meet his people's needs than the incumbent. Dawson was black and a resident of the First District; Madden was neither. Dawson received only 29 percent of the votes cast in the primary election, but it was enough to concern the Republican Party. Mayor Thompson tried to project the future meaning of the election returns to a meeting of several hundred white Chicagoans. "In a few years," he commented, "a Negro might go to Congress and after serving twenty years become chairman of a powerful financial committee."⁹ It created bitterness in the audience.

The Republican Party's concern over the rising popularity of black leaders and their inability to provide a candidate was temporarily solved when Madden suddenly died. Dawson was expected to fill the position left by Madden's death, but a more experienced black politician, Oscar De Priest, came forth. De Priest, a ward committeeman and member of the nominating committee for Congressmen, expressed his desire to be a candidate to both the committee and the Mayor. Due to De Priest's support of Martin Madden and racial factionalism in the previous First District primaries, his request was granted.¹⁰ Oscar De Priest won the November elections and became Chicago's first black Congressman.

De Priest's election encouraged the blacks to again vote Republican in the 1931 election. The incumbent Mayor Thompson

⁹ Ibid., p. 79.

¹⁰ Edward T. Clayton, Negro Politician: His Success and Failure (Chicago: Johnson Publishing Co., 1964), p. 54.

was being challenged by Democrat Anton Cermak. Throughout the campaign, Republicans described Thompson in the black community as the public servant; Cermak, the public master.¹¹ The Republicans continued to promise jobs while the Democrats remained silent. The career of William Thompson illustrates the loss of the Republican Party's power in Chicago. Democrats labeled Thompson "The Negro Candidate", and in a cartoon depicted him driving a train filled with hundreds of Negroes heading for Chicago.¹² The cartoon created fear within the white community and therefore assisted in the election of Cermak.

Prior to Cermak's election a strong political machine had not developed in Chicago. Because Chicago had numerous factions, administrative departments, racial cross-currents, and fighting personalities, politicians decided that a powerful machine was necessary to control the complex political structure.¹³ Patronage to all ethnic groups was to be part of this system. Even the Negroes were to be organized into "sub-machines".¹⁴ Although Mayor Cermak was assassinated shortly after taking office, he left a strengthened political organization to his successor, Edward Kelly. It was in the latter's administration that Arthur W. Mitchell became a well-known politician.

¹¹ Drake, p. 351.

¹² Gordon, p. 588.

¹³ "Kelly-Nash Political Machine," Fortune, XIV (August, 1936), 46-52.

¹⁴ Edward Banfield and James Wilson, City Politics, (Cambridge, Massachusetts: Harvard University Press, 1965), pp. 304-5. According to these authors, the Negro Machine began in 1932 with Michael Sheed's election and was completed when William Dawson replaced Joseph Tittenger.

Economic, social and political forces terminated Negro loyalty to the Republican Party. The great depression, the declining interest of the Republicans in the Negro, and the growing awareness of Negroes' potential vote by the Democrats caused the shift of black party association.¹⁵ A turning of the political tide across the nation in 1932 swept Franklin D. Roosevelt into office. Jobs were scarce during the depression, and Negroes being in the lowest economic class, were first to be affected. Millions of them were jobless and the Republican Party seemed little concerned.¹⁶ Roosevelt's programs attracted a large Negro following with a hope for the future.

F.D.R. assumed the responsibility for the welfare of all people. The most significant New Deal Programs to the blacks were: TVA, WPA, CCC, AAA and public housing. Millions of blacks received training and experience in these programs, but they were often passed over for skilled jobs and many times were paid less than the minimum wage. These programs assigned vast power to local officials; therefore, discrimination was easily introduced at the local government level, particularly in the South. Even with these deficiencies, most historians agree that the New Deal policies benefited Negroes.

The growing relationship between Negroes and Democratic Party was more visible than the declining Republican interest. Opposition toward blacks was voiced to the selecting committee

¹⁵Elmer Henderson, "Political Changes among Negroes during the Depression," Social Forces, XIX (May, 1941), 538-46.

¹⁶Clayton, p. 54.

because two Negroes had been elected to represent Georgia at the 1928 National Republican Convention. Roscoe Pickett, a former national committeeman, suggested that another election be held to replace the blacks with whites. As a result, there were two sets of elected delegates to the National Convention. To relieve local tension, the Georgia Convention decided to send both sets of delegates to the Convention and let the National Committee decide which set would represent Georgia.¹⁷ To gain white southerner's support, the National Committee ignored the black leaders and seated the white delegates. The Negro newspapers denounced the scheme and expressed their allegiance to the Democrats.¹⁸

With the proposed appointment of Justice John J. Parker to the U.S. Supreme Court, President Hoover increased Negro resentment against the Republican Party. Earlier in his career, Justice Parker was quoted as saying, "The participation of the Negro in politics was a source of evil and danger to both races."¹⁹ The NAACP asked the President to withdraw Parker's nomination. The President refused, but the U.S. Senate refused to confirm the appointment. As the racial tensions became more acute, the Democrats urged their future candidates to campaign for a "Promise of no discrimination on the basis of race and

¹⁷William Nowlin, The Negro in American National Politics (Boston: Stanford, 1931), pp. 64-65. At the Democratic Convention the only black delegate had been segregated by a chicken wire.

¹⁸Louis E. Lomax, The Negro Revolt (New York: New American Library, 1962), p. 240.

¹⁹Benjamin Quarles, Negro in the Making of America (New York: Macmillan, 1967), p. 208. If the southern white Democrats would vote Republican, Herbert Hoover promised he would terminate Negro patronage.

creed." The shifting political affiliation of Negro leaders on the national scene was reflected on the local level. Black urban ghettos provided votes to the Republican Party prior to the depression, but economic, social and political factors caused blacks to transfer their loyalty to the Democratic Party. But Democrats had to find the right black leader to attract the black masses. It was within this context that Arthur W. Mitchell rose to power.

Mitchell's Campaign of 1934

Different epochs in Negro history have produced varied problems, solutions and types of leadership. The twentieth century was a period of transition in Negro thought. The older aristocratic leaders were declining, but their ideas were still very much a part of contemporary thought. The Congressional Campaign in Chicago's First District in 1934 was significant because it illustrated a changing party alliance for the black community. The two principal candidates for office were Arthur W. Mitchell and Oscar De Priest. Mitchell advocated the philosophy of Booker T. Washington, while De Priest favored that of W. E. B. Du Bois. In the campaign both men were vying for political power and attempting to establish a racial philosophy for the black community.

Mitchell was born in Roanoke, Alabama, 22 December 1883, of ex-slave parents. He left home at 14 to reduce the family's financial debt. He walked 65 miles to Tuskegee Institute to attend school, worked as Booker T. Washington's office boy, and assimilated the master's philosophy. After graduation, he taught school for seven years, founded an agricultural school, and later

studied law at Harvard and Columbia Universities. Mitchell moved to Washington, D.C. in 1919 to practice law and transferred his practice to Chicago in 1928. In Chicago he joined the Republican Party, but followed the black leaders when they shifted parties in late 1928.²⁰

Mitchell decided to become a candidate for the Democratic nomination for Congress in the 1934 primary election. Harry Baker, the Democratic machine candidate defeated him, but Baker died before the November election. The nominating committee met at the Morrison Hotel to name A. W. Mitchell as Baker's successor. Mitchell's supporters were soon vigorously spreading propaganda about his qualifications for office. John McDuffie, Ward Committeeman and enthusiastic endorser of Mitchell, sent letters to James Farley, Chairman of the Democratic Convention, and Mayor Edward Kelly of Chicago requesting their support of Mitchell. McDuffie wrote the latter that:

I do not know any colored man in the country
who is a more active and loyal Democrat. . . .
There is a probability of his succeeding
Oscar De Priest. . . . I endorse him.²¹

Farley and Kelly apparently had not supported Mitchell in the primaries but with Baker's death Mitchell was the only possible candidate that could seriously challenge the incumbent, Oscar De Priest. McDuffie continued to introduce Mitchell to party leaders, such as Patrick Nash, National Committeeman, who in turn introduced him to Precinct Captains of the Second Ward.

²⁰Richard Bardolph, Negro Vanguard (New York: Random House Publishing Co., 1959), pp. 197-8.

²¹Letter, John McDuffie to Edward Kelly, June 29, 1933, Chicago Historical Society, Mitchell's Papers, Box 1.

Nash's letter to Precinct Captains of the Second Ward, reveals his confidence in Mitchell's ability to attract votes. Nash wrote:

I believe our choice should be Arthur W. Mitchell who polled in the last election 6,813 votes, only 424 less than those polled by the late Mr. Baker. We are certain that if Mitchell is named as candidate there will be no split in our ticket; and there will be enough support from Republicans who are displeased with the present congressman to make Mitchell's election certain.²²

Mitchell himself appealed to Mayor Edward Kelly for support. His request was expressed in terms of the advantages a black politician would afford him as leader of the city as well as for the Democratic Party. He indicated in a letter to Kelly that professional black people would wish to visit Chicago simply because that city's leaders recognized minority leadership. This in turn would bring admiration to him, the city and the Party that supported a black politician. With the approval of Patrick Nash, the captains of the Second Ward wrote Kelly that:

We as Democratic workers are interested in building up our vote and know that to reach the mark set for us we must have the support of the leaders downtown, i.e., center of politics in Chicago. We feel that with the name of only one colored man on our entire Democratic ticket, we are at a disadvantage to the Republican opposition. . . . In filling the vacancy of Harry Baker, we know that a colored man of standing should be named.²³

With the endorsement of Patrick Nash, Joseph Tittenger, Second Ward Committeeman, and Joseph Geary, Fourth Ward Committeeman,

²²Letter, Patrick Nash to Precinct Captains of the Second Ward, n.d., 1934, Mitchell's Papers, Box 1.

²³Letter, Second Ward Precinct Captains to Edward Kelly, n.d., 1934, Chicago Historical Society, Mitchell's Papers, Box 1.

Mitchell's name was placed on the Democratic ballot for the November election. Mitchell had convinced the Democratic machine that a black Congressman would have advantages for the Party, but he had to persuade the electorate in the First District that a black Democrat had more to offer them than a Republican with experience.

The campaign involved widespread "mudslinging." Both parties used unscrupulous publicity to ensure their candidate's victory. The Democrats used both positive and negative approaches in their campaign which were illustrated in their handbills. The positive handbills stressed the necessity of new leadership which Mitchell could provide.

The best interests of the Negro citizens require constructive social leadership of that new order. . . . Mitchell is a politician of the new order. . . . His election would help bring the New Deal closer home to Negroes of Chicago and the country at large.²⁴

The negative approach struck at the weakness of the Republican candidate. "Mr. Voter: Is De Priest the same man who was twice indicted for graft and corruption? Don't let the Republicans fool you."²⁵

The Democratic negative propaganda encouraged Chicagoans to reevaluate their leader. Although De Priest was interested in improving the Negro's lot, he found himself involved in decisions that even crossed Party lines at the neglect of his original goal to assist the black community. Most voters of the First District of Chicago were willing to change Party

²⁴Democratic National Handbill, 1934. See Appendixes VII-X for other examples.

²⁵Ibid.

affiliations. The Chicago World stated:

. . . The majority of colored people of the First District are said to be tired of Oscar De Priest and want to see him replaced regardless of his party. The Democratic candidate is in high favor with the people of Chicago.²⁶

A Democratic victory was predicted because of three things in their favor:

1. There were three colored men on their ticket.
2. The President favored colored people. Therefore the colored people would vote Democratic.
3. There existed dissension within the Republican Party.²⁷

Although a Democratic victory seemed certain, the Republicans were unwilling to admit defeat. The politics of the 1930's was not a game for the timid. At best it was for the skilled; at worst it was cold and ruthless.²⁸

The Republican candidate, Oscar De Priest, was an experienced politician. Shortly after his arrival in Chicago, he was introduced to the city's machine politics. He was elected to the Cook County Commission in 1904, was a delegate to the National Convention in 1908 and held several local offices. The scene, however, was not the same in 1934. The Republican politicians had been replaced by the Democrats on both national and local levels. De Priest's candidacy was a final attempt by the Republican machine to regain the confidence of the ghetto blacks. A desperate attempt was made by the black-edited newspapers, magazines and campaign managers to retain blacks' fidelity to the Republican Party.

²⁶Chicago World, April 10, 1934.

²⁷Ibid., February 2, 1934.

²⁸Clayton, pp. 54-5.

The newspapers and magazines printed articles stating his loyalty to the black community, while the campaign managers reiterated it through the handbills. Similar to the Democrats, the Republicans used negativism in their campaign literature. They set out to equate the Democratic Party of 1934 with that of the pre-Civil War days. Oscar De Priest emphasized the loyalty of Republicans to the Negro cause, and denounced the Democrats. After returning from a tour of the southern states, De Priest reported that

When I was in New Orleans, I saw a slave block where they, the Democrats, bought and sold us as cattle. . . . Now the same Democrats are doing the same thing to the Negroes here in Chicago. The only difference is in the South, they bought and sold us, while here they buy and kick you.²⁹

As the campaign advanced, the literature became piercing. A handbill, in letter form, was distributed freely throughout the ghetto. It was a "friendly" appeal to the public to notice the inconsistency in Mitchell's political career in contrast with De Priest's uninterrupted loyalty to the Republican Party and his role.

One Republican who gave the support to our President in his welfare program was Oscar De Priest. . . . Oscar De Priest gave help to Democrats as well as Republicans. Arthur W. Mitchell was a Republican most of his life and if it were not for the deal of being placed on the Democratic ticket, he would still be a Republican.³⁰

²⁹Harold Gosnell, Negro Politician (Chicago: University of Chicago Press, 1935), p. 291. De Priest is quoted in this text.

³⁰Republican National Handbill, 1934.

Regardless of newspapers and magazines' predictions, both candidates expected victory. De Priest had confidence in the old power of the Republican Party, while Mitchell was confident that the First District inhabitants were seeking to join a new Party.³¹ The latter proved to be more correct, and De Priest reluctantly conceded victory to Mitchell on 3 November 1934.³²

Mitchell's election was based upon two factors -- the black community's adoption of a new affiliation and the schism within the Republican Party on the local level. A quarrel between Oscar De Priest and Rufus King, a black politician, over a local election contributed greatly to De Priest's defeat. De Priest had endorsed William Dawson, his assistant, over King for the position of Alderman. Rufus King acquired the office, controlled the Second Ward, and refused to assist De Priest because of the previous incident. De Priest could not hope to be victorious without the votes of the Second Ward.³³

The election indicated both a new trend and interest on the part of black citizens in the First District. Approximately 30 percent more people voted in 1934 than in 1928. Mitchell secured 53 percent of the votes cast and De Priest received 47 percent.³⁴ The election returns indicated to the Democrats

³¹Afro-American, March 17, 1934.

³²See Appendix IV for complete tabulation of the election returns.

³³Gosnell, p. 190.

³⁴Chicago Tribune, November 8, 1934. For a complete tabulation of the election returns, see Appendixes III and IV.

CHAPTER II

RACIAL THOUGHTS OF A CHANGING SOCIETY

Mitchell's Racial Thought

The role of the black politician in the American political system has caused confusion. Some people consider him a spokesman for his race, others consider him just another representative with no specific racial commitments. Arthur W. Mitchell was elected to office during the transitional stage of Negro thought in twentieth century. As a result, he was one of the most controversial figures the black community has produced. He was never a "popular" Congressman because he did not display the vigor of his predecessor; yet he did strive toward eradicating the injustices perpetuated against his race. In analyzing his contributions to the progress of blacks, one must consider his attitudes on race relations and how he applied them during the New Deal Era.

Mitchell belonged basically to the traditional school of Booker T. Washington. In a letter to the Mayor of Roanoke, Alabama, he stated his views:

I am in thorough accord with his [Washington's] theory of education and race relations. I believe that the Negro has a larger opportunity to work out his problems in the South than he has anywhere else in the world.¹

¹Letter, Arthur W. Mitchell to Mayor of Roanoke, Alabama, September 4, 1937, Chicago Historical Society, Mitchell's Papers, Box 32.

under any previous administration.⁶ According to more radical leaders, the New Deal only issued false hopes. Equality was not a reality when discrimination could be seen on government projects, in legislation and executive orders. But most Negroes of the 1930's would accept the leader, party and method that promised effective progress toward equality.

Mitchell's intention was to be that leader, but his political career was threatened between Oscar De Priest and William Dawson, who were both more dynamic and radical leaders than himself. Washington's traditional philosophy of segregation was not relevant in the 1930's; therefore most black leaders advocated integration. Mitchell believed in a gradual integration of the Negro into American society; De Priest and Dawson advocated immediate integration. The diverse views on integration created dissension among the leaders in the black community. The radical leaders' response was to destroy the traditional philosophy of Washington indirectly through Mitchell. Once this was accomplished they could indoctrinate the black community with their philosophy of demanding immediate integration. Attacking Mitchell, a closer follower of Washington than themselves, would enable the militants to repudiate Washington without ever mentioning him. Their plan was to make Mitchell appear as though he were unconcerned about black progress, when in reality, his actions only reflected his moderate approach to politics. His moderate philosophy can be illustrated in:

⁶ Gilbert Osofsky, Burden of the Race: Documentary History of the Negro-White Relations in America (New York: Harper and Row, 1967), p. 326.

- 1) Appointments to U.S. Naval Academy at Annapolis;
- 2) Segregation in restaurants;
- 3) Franklin D. Roosevelt's appointment to Supreme Court;
- 4) Discriminatory factors in New Deal policies.

Appointments to Annapolis

A Congressman can propose appointments to the U.S. Army and Naval Academies. Because Chicago's First District composition was bi-racial, Mitchell made the policy of alternating recommendations according to race. To his critics, this policy limited the possible number of "black appointees" to the Academy because they believed that a black Congressman would propose only black candidates. Indifferent to the critics, he rigidly retained the policy. Whites also criticized his policy. Mitchell refused to propose a name submitted by Mayor Edward Kelly because it was not a "white" candidate's turn. In a letter addressed to Mayor Kelly, he tried to make the appointment policy clear:

I have tried to make it plain that I have definitely promised this appointment to a colored boy. . . . I think you will understand how important it is that I keep my promise or I will be embarrassed by my own people in the fall election.⁷

Other tensions resulted from his appointments. The Naval Academy's alleged dismissal of black students caused racial discord.⁸ Two cases demonstrate the point. Midshipman James Lee Johnson had been asked to resign from the Naval Academy. Scholastic insufficiency was given as the reason for his withdrawal. Believing

⁷Letter, Arthur W. Mitchell to Edward Kelly, May 5, 1938, Chicago Historical Society, Mitchell's Papers, Box 38.

⁸Cadets at West Point had also experienced discrimination, but not to the extent of Annapolis.

that the real cause for dismissal was racial, Mitchell took political action when he was officially informed of the incident. Through an agreement with President Roosevelt, Mitchell directed the midshipman to remain at the Academy until a complete investigation could be carried out.⁹

The Representative threatened Congressional action requesting the Secretary of the Navy to transmit to the House all records and papers pertaining to Midshipman J. L. Johnson from the Academy.¹⁰ Mitchell's resolution was ineffective because it did not alter the Academy's decision. After a complete inquiry had been concluded, Johnson still resigned. It did illustrate, however, that Mitchell made a sincere attempt to achieve justice for Johnson because he believed that the Academy had been unfair.

A similar case occurred six months later with Midshipman George Trivers. On 15 July 1937, Trivers stated to the Philadelphia Tribune that "ill health brought about by insults and punishments at the hands of the white youth"¹¹ was the cause of his resignation from the Academy. Captain Todd, Director of the Academy, and Mitchell considered the accusation of prejudice to be untrue. Todd observed in a report sent to Mitchell:

⁹Washington Tribune, February 20, 1937.

¹⁰U.S., Congress, House, Representative Mitchell Speaking for the Resolution that the Navy Transmit all Records of Midshipmen to the House, 75th Cong., 1st sess., February 23, 1937, Congressional Record, LXXXI, n.p.

¹¹Philadelphia Tribune, July 15, 1937.

No unpleasantness of any kind had been reported to me by Midshipman Trivers. He has requested to be excused from the Academy and stated as his reason that he had discovered since entering the Academy that he was unfit for Naval service.¹²

Captain Todd's report was accepted. Mitchell regarded Trivers a spineless, thoughtless youth who had put the whole race in an unfavorable light.¹³ Mitchell noted that there was no place in America where blacks did not meet some degree of prejudice, but it was their responsibility to change that by disproving the existing stereotype.¹⁴

Mitchell's critics, the NAACP and black-edited newspapers, equated the names Trivers and Johnson with black. Because both were Negroes, the critics believed Mitchell should have defended them with equal vehemence. Mitchell, however, saw no similarities. Johnson was a victim of circumstances; Trivers took the line of least resistance. As a result of the Triver's case, Mitchell was accused of discriminating against the blacks and therefore lost black approval.

Segregation in Restaurants

After Oscar De Priest and his friends had been refused service in the House restaurant, he introduced a bill to terminate segregation in public restaurants. The bill, however, was not

¹²Letter, Captain Todd to Arthur W. Mitchell, July 6, 1937, Chicago Historical Society, Mitchell's Papers, Box 31.

¹³Eastern Tennessee News, August 5, 1937.

¹⁴Letter, Arthur W. Mitchell to Clifford Douglas, July 29, 1937, Chicago Historical Society, Mitchell's Papers, Box 32.

placed on the House Calendar until the 74th Congress when De Priest was no longer a Representative. When the bill reached the floor, Mitchell stated he viewed the matter too insignificant to warrant a Congressional debate. W. E. B. Du Bois publicly denounced Mitchell as a racist in the Crisis.

He is not in Congress to represent the Negro race and does not intend to do so. As an evidence of this, he proceeded to condemn soundly the manly fight made in the last session to have Negro Americans served in the House restaurants, operated under the dome of the U.S. Capitol, with funds from all people. . . . He is quoted as saying that protest of race only makes matters worse.¹⁵

Du Bois' statement gave critics added evidence to support their theory that Mitchell was not interested in promoting social justice. Mitchell's position was one of realism. He believed that there were more critical issues confronting blacks than one individual's experience with prejudice, such as re-enfranchising the Negroes of the South and improving welfare of the race.

Supreme Court Appointee

In the fall of 1937, President Roosevelt nominated Hugo Black to be Associate Justice of the Supreme Court. After his nomination, Black was accused of once having been a member of the Ku Klux Klan. Roosevelt stated that he was unaware of Black's past Klan affiliations, and he refused to withdraw his name from nomination.¹⁶ Mitchell heartily en-

¹⁵Crisis, February, 1935, pp. 48-9, Chicago Historical Society, Mitchell's Papers, Box 4.

¹⁶Newport News, September 18, 1937.

dorsed Black. Having observed Black several times, he found him to be fair in his dealings with all races. Whatever Black's past may have been, Mitchell did not think it made him less qualified.¹⁷ He not only supported Black, he sent him a letter of congratulations upon the acquisition of his appointment. Black responded with a statement praising Mitchell.¹⁸ For a white southerner in the 1930's to laud a Negro would seem to indicate racial progress, but to Mitchell's critics, the Congressman had betrayed his race.

In retrospect one might conclude that Arthur W. Mitchell's racial philosophy was that of gradual integration, but many of his actions were regarded as those of an "Uncle Tom" because he did not always meet immediate success. Mitchell considered himself a New Dealer, but to his critics this was not a desirable position because of the discriminating elements in the New Deal policies.

Discrimination in New Deal Policies

That Negroes shared in all New Deal Programs is an indisputable fact,¹⁹ but they shared to a lesser degree than whites. There was discrimination against blacks in the New Deal program, such as Social Security, Federal Housing Act, TVA and CCC. The Social Security Act discriminated indirectly against

¹⁷Oklahoma Eagle, October 16, 1937.

¹⁸Letter, Justice Black to Arthur W. Mitchell, August 25, 1937, Chicago Historical Society, Mitchell's Papers, Box 21.

¹⁹Mabel Morsback, Negro in American Life (New York: Harcourt, Brace and World, 1966), p. 194.

the Negroes because it excluded the Agricultural laborers.²⁰ The Federal Housing Act, which insured mortgages for home buyers, gave the government the power to prolong ghettos. No Negro family who sought a home outside of a ghetto could procure an FHA loan.²¹ On government projects at Norris and Boulder City, Negroes worked on the project with whites, but they were not permitted to reside in the same community.²²

There was considerable protest against the discrimination in the above projects, but the most vocal criticism was made against the CCC.²³ Few Negro instructors or advisers were appointed in the camps. Mitchell became cognizant of this fact from camp officials and interested citizens. Edward Johnson of the 449th Infantry Reserves of Chicago, wrote him on 25 June that:

We, the Negro Reserve Officers have not been selected as official instructors or for administrative duty. We appeal to you, our representative, to take action, so that we as Negro citizens and Reserve officers will be selected as instructors and for administrative duty in the CCC.²⁴

²⁰ Peter M. Bergman, The Chronological History of the Negro in America (New York: Harper, Row Publishing Co., 1969), p. 469. Although large numbers of blacks left the South, the majority of Negro population still resided on farms.

²¹ Leslie Fishel and Benjamin Quarles, The Negro American: A Documentary History (New York: William Morrow and Co., 1967), p. 464.

²² Ibid., p. 463.

²³ John Salmond, "Civilian Conservation Corps and the Negro," Journal of American History, LII (June, 1965), 75-88.

²⁴ Letter, Edward Johnson to Arthur W. Mitchell, June 8, 1935, Chicago Historical Society, Mitchell's Papers, Box 11.

The officers were not alone in observing the prejudice. Citizens in southern states also reacted to the CCC. William Kelso, an Alabama citizen, supplied the following information:

A few days ago there was carried from the city of Alexandria 250 to 300 white boys and not withstanding that about 100 more of our boys made application, not one was accepted. . . .²⁵

Mitchell's reply to such reports was that:

. . . A tremendous mistake is being made by the colored people who believe that every complaint of injustice against them should be filed with me, simply because I happen to be colored. . . .²⁶

The New Deal's policies were causing some discontent among blacks. While resentment was growing, Mitchell labored unyieldingly for a greater appreciation of the President's administration. To revive the enthusiasm of the Negroes, Mitchell wrote an article for Omivon on the President's concern for America's poor.

It seems that a program has been launched by the government under the leadership of the President by which the underprivileged, regardless of race or color are to be given some opportunity of life. . . . The New Deal meant not only equality but justice. . . .²⁷

Mitchell expanded this belief when he spoke before the House on 13 August 1935. In his speech, he requested more communication between all classes of people. The Congressman was firmly convinced that a lack of communication between blacks and whites,

²⁵Letter, William Kelso to Arthur W. Mitchell, June 9, 1935, Chicago Historical Society, Mitchell's Papers, Box 11.

²⁶Letter, Arthur W. Mitchell to H.S. Shepherd, July 17, 1935, Chicago Historical Society, Mitchell's Papers, Box 12.

²⁷Omivon, October (n.d.), 1935.

blacks and blacks, and New Dealers and anti-New Dealers was inhibiting the nation's progress.

A number of congressmen declared that "The New Dealers did not design their programs specifically to improve the Negro's status,"²⁸ and it would be false to suggest that it essentially changed the Negro's role in American society. Mitchell, however, had been entangled in the aura of Rooseveltism and firmly trusted that the Democratic Party, its leaders and New Deal legislation would erase the color line. Discriminatory factors were a reality, but so was the Negro's progress under the New Deal policies. Blacks were comparatively better off economically and politically than they had been the previous decade. It was for this reason that Mitchell believed the Negro's opportunity to be through the New Deal. New Deal legislation was not directly aimed at improving the Negro. Even Mitchell initiated only two pieces of legislation that directly touched the black community, namely, the Anti-lynching and Industrial Commission bills. The failure of these bills were indicative of racism which existed in American society,²⁹ but also bears witness to a black Congressman's effort to elevate the status of his race before that society in spite of heavy criticism.

²⁸Rita Gordon, "Change in the Political Alignment of Chicago's Negro during the New Deal," Journal of American History, LVI (December, 1969), 584.

²⁹Ibid., p. 585.

CHAPTER III

MITCHELL'S ADMINISTRATIVE YEARS: 1934-42

Despite the criticism of Mitchell's inability to act as a spokesman for the black community, he dedicated himself in Congress to exposing the injustices perpetuated against the Negro and sought to enlist the support of his white colleagues on both sides of the Mason-Dixon Line to assist him. In his public statement as Congressman:

He promised to fight to wipe out racial discrimination, said he would do all he could to eliminate idleness, re-enfranchise the Negroes of the South and generally improve the welfare of his race. In more specific terms he announced that his work would concern Anti-lynching legislation and Civil Service Reform.¹

These goals could possibly be achieved in several ways, but Mitchell chose moderation. Like all Congressmen, he had to be a representative of his district. Since Mitchell represented a bi-racial district, he ultimately had to have a racial program which made him concerned with civil rights legislation. Mitchell expressed his position in this way:

I think the best contribution I can make toward the solution of the race problem is to be as good a Congressman as anyone on the floor of the House.

I am not going to Congress as a Negro with a chip on my shoulder, thinking I am an inferior race and that every man's hand is against me.

¹Birmingham News, November 12, 1934. Also Washington Post, January 26, 1935, and Chicago News, November 8, 1934.

I'm going as an American citizen entitled to my rights, no more, no less. I'm going in as a Representative of all people of my district.²

I was elected by the people of the First Congressional District, both white and colored and my first duty is always to them. In a general way, I expect to protect the interests of my race.³

Because of Mitchell's unique position of being a black Congressman of a bi-racial district, conflicting images about his political role arose throughout the nation's ghettos. Some citizens considered him a black Representative, while others considered him the Representative of all blacks. Some distrusted him, others endorsed him. R. W. Coleman, Pastor of the First African Baptist Church of New Orleans, E. P. Davis, President of Howard University, and James Farley, National Democratic Committee Chairman, all expressed their hope for his success. Coleman wrote, "I feel sure that the cause of the race will be sustained by the full weight of your personality."⁴

Shortly after taking the oath of office, Mitchell made several comments which caused black Americans to question his interest in them. On 5 January 1935, the Chicago Defender reported that Mitchell declined an appointment to the House District Committee. Many Negroes had been elated over the appointment because of the control the committee had over the District of Columbia.⁵ Later in the month at an informal meeting in the

²Columbus Advocate, May 18, 1935. See Appendix IX for complete racial composition of First District.

³Evening Star, (Washington, D.C.), January 10, 1935.

⁴Letter, R. W. Coleman to Arthur W. Mitchell, November 30, 1934, Chicago Historical Society, Mitchell's Papers, Box 2.

⁵Chicago Tribune, January 5, 1935. The composition of the committee made a black representative's presence powerless.

District of Columbia, Mitchell explained why he refused the appointment. For him the committee afforded no opportunity for racial progress. He therefore thought he could achieve more for his constituents on a more influential committee. In his conversation he asserted that "He was not a Negro Representative who has to look after the welfare of the Negro population, nor would he be advised by them."⁶ The Chicago Defender reacted strongly to his position. "You were sent here [Washington] by the Negroes and therefore have an obligation to represent them."⁷ The black Republican leaders argued that the whites had 434 representatives in Congress, whereas the Negroes had only one.

Mitchell held his initial premise that he was first a Congressman and secondly a Negro.⁸ He was a black Representative, not a Representative of the blacks. He condemned his predecessor's extremism and immediately became a target of the NAACP for his compromising position on race relations.⁹ Mitchell asserted that the opposition's angry remarks stemmed from their having lost the last election. Oscar De Priest had been

⁶Chicago Defender, January 18, 1934. This newspaper had a Republican editorial policy. Maurice Rochelle, President of the Democratic League of Delaware, assured Mitchell that it was not the thinking of all blacks. In a letter dated 9 February 1935, he stated, "You are not supposed to represent 13,000,000 people."

⁷Chicago Defender, January 18, 1934.

⁸Letter, Arthur W. Mitchell to Elum Perkins, January 10, 1935, Chicago Historical Society, Mitchell's Papers, Box 4.

⁹Richard Bardolph, Negro Vanguard (New York: Random House Publishing Co., 1959), p. 198. De Priest saw himself as a representative of 13,000,000 blacks and not of his First District. Mitchell described his predecessor as "extremist."

envisioned as a hero of the black community, and the new Congressman attempted to expose the failures of his predecessor. He wrote his cousin:

I do not agree with the statement that he [De Priest] accomplished something substantial for the race. I know he did not. I am not moved by nor deeply interested in the criticisms that are now being made about me by persons who think I might not do as well as he did. If I do anything at all, it will be an improvement over what he did. . . .

Aside from having no capacity nor special ability to work for the race, he had no inclination to do so. . . .

I do expect to do some substantial work for my district, for my people and for the nation. . . . Remember human beings are responsible for effort. They cannot be held responsible for results.¹⁰

The conflict over the Negroes' role in politics was a constant issue throughout Mitchell's political career. Mitchell was elected on a platform to support President Franklin D. Roosevelt's New Deal policy. Affirming the effectiveness of the program for American society, but particularly for the Negro, Mitchell embraced most New Deal policies. He, himself, initiated only two significant pieces of black legislation-- an Anti-lynching bill and an Interracial Industrial Commission bill.

Attempted Black Legislation

Anti-lynching

Lynching was adopted primarily with the idea of punishing and checking criminal assaults upon women. Between 1890 and

¹⁰ Letter, Arthur W. Mitchell to his cousin, Emily C. Johnson, December 29, 1934, Chicago Historical Society, Mitchell's Papers, Box 3.

1920 hundreds of people were lynched, but few were convicted of the crime. The NAACP proposed several anti-lynching bills to Congress. Only one, the Dyer bill, met with any success. On 26 January 1922, the bill passed the House but was defeated in the Senate.¹¹ Interest seemed to ebb in anti-lynching legislation until the 1930's. Most southern states defined "killing by a mob" as a statutory crime, but the actual murder often took place while the victim was in the custody of the officials. The NAACP again drafted an anti-lynching bill in 1933 and Senators Edward Costigan (D-Colorado) and Robert Wagner (D-New York) planned to introduce it in the 74th Congress. Representative Mitchell also intended to introduce a similar bill in the House. The Chicago Defender strongly criticized Mitchell for duplicating the work of the NAACP when it stated, "His work looks to be more imitative than constructive. A dozen anti-lynching bills before Congress and he has to introduce another."¹² In the midst of the controversy, Mitchell introduced his bill on 22 January 1935.

To assure persons within the jurisdiction of every state the equal protection of laws and to punish the crime of lynching. . . . Officers, agents, or employers who shall without lawful justification or excuse, suffer or permit such persons to be taken from his custody . . . shall be punished by a fine not to exceed \$5,000 or by imprisonment not exceeding five years, or by both fine and imprisonment.¹³

¹¹Leslie Fishel and Benjamin Quarles, The Negro American: A Documentary History (New York: William Morrow and Co., 1967), p. 427.

¹²Chicago Defender, March 23, 1935.

¹³U.S., Congress, House, Lynching: To Punish the Crime, H.R. 4457, 74th Cong., 1st sess., 1935, p. 784. See Appendix XII for complete transcript.

According to the Washington News Release, the salient feature of the bill was the clear definition of what constituted the crime of lynching.¹⁴

Mitchell's bill generated dissension. Some blacks viewed it as an essential piece of legislation, others thought it too weak and the remainder regarded it as a needless venture. Those who viewed it as a necessary piece of legislation expressed their approval to Mitchell.

I want to congratulate you in the introduction of your anti-lynching bill. We in Tennessee realize the importance of such a law after the recent outbreak.¹⁵

Such enthusiasm over Mitchell's proposed legislation did not prevail throughout the black community. Although Mitchell was determined to fulfill a promise to fight lynching, he was a realist. He warned his constituents that a strong opposition existed against such legislation in Congress. One critic even lied about Mitchell's intent to assist in the passage of anti-lynching legislation. He asked, "Do you know that the sole Negro member of Congress is opposed to anti-lynching legislation?"¹⁶ The critics thought they had a verification for their charges when Mitchell refused to back the NAACP's anti-lynching bill.

According to the NAACP, Mitchell refused to support the Costigan-Wagner bill because he wanted to work for passage of

¹⁴Washington News Release, January 25, 1935, Chicago Historical Society, Mitchell's Papers, Box 4.

¹⁵Letter, J. Jones, M.D., to Arthur W. Mitchell, January 26, 1935, Chicago Historical Society, Mitchell's Papers, Box 4.

¹⁶Chicago Daily News, August 9, 1935.

his own. Walter White, Secretary for the NAACP, claimed he visited Mitchell on 14 December 1935, seeking his support.¹⁷

Mitchell denied any such visit took place and stated he would aid any bill that was able to reach the floor regardless of its origin.¹⁸ Congressman Mitchell, however, did state he believed the NAACP's bill to be unconstitutional.¹⁹

The Senate Judiciary Committee recommended the passage of the Costigan-Wagner bill on 28 March 1934.²⁰ The bill, however, remained in committee. In 1935 a group of senators attempted to command a caucus by procuring 25 signatures.²¹ The senators asked both Mitchell and Farley for their signatures, but both considered the issue outside of their jurisdiction and refused to sign.²² Within the allotted seven day time period, the senators had secured only 24 signatures. The result was the Costigan-Wagner bill died in committee.

While the advocates of the bill were securing signatures, a small group of southern senators organized a filibuster. The filibuster continued until May, and would have blocked the bill

¹⁷New York Age, October 19, 1935.

¹⁸Transcript of a Radio Program, January (n.d.), 1936, Chicago Historical Society, Mitchell's Papers, Box 15.

¹⁹Ibid.

²⁰U.S., Congress, Senate, Judiciary Committee, Costigan-Wagner, Hearings on H.R. 710, 73rd Cong., 1st sess., 1934, n.p.

²¹With twenty-five signatures, it became mandatory for the Democratic leader to call a caucus.

²²Louisville Leader, April 11, 1936.

from a hearing if enough signatures had been obtained to bring it to the floor.²³

The Chicago Defender disregarded this fact when it attributed the demise of the Costigan-Wagner bill to Mitchell, Farley, and F.D.R.

With the exception of one reference to lynchings as "mass murder" during a radio broadcast,²⁴ the President remained uncommunicative on anti-lynching laws. Critics presumed his silence to be out of fear of losing southern Democratic votes.²⁵

Although the President remained reticent, the critics censored him as less responsible for the bill's failure than Mitchell's selfishness. According to the Chicago Defender, Mitchell refused to assist in the passage of the Costigan-Wagner bill because its failure would ultimately make room for his milder bill.²⁶ The Chicago Defender stated that Mitchell advised the Illinois delegates to vote against the bill. Accusations such as these led black Chicagoans to distrust Mitchell, when in reality the Illinois delegates, such as Congressman Adolph Sabboth, disapproved of both the bill and techniques of the NAACP.²⁷

²³ Washington Daily News, April 26, 1935.

²⁴ Washington Tribune, May 5, 1936.

²⁵ Letter, Clayton to Arthur W. Mitchell, October 22, 1935, Chicago Historical Society, Mitchell's Papers, Box 14.

²⁶ Afro-American, April 27, 1935.

²⁷ Letter, Congressman Sabboth to Congressman Mitchell, March 5, 1935, Chicago Historical Society, Mitchell's Papers, Box 6.

Denying all criticisms, Mitchell stated:

I have never been opposed to the Costigan-Wagner bill nor to any other bill which had for its purpose the stopping of lynching. On the contrary, I hope that the bill will be enacted into law.²⁸

And he lashed out against his critics:

Every statement that Walter White made concerning my attitude on anti-lynching is absolutely false and made for no other purpose except to discredit me in Congress.²⁹

Mitchell, in a sense, was a threat to the NAACP. For 30 years the NAACP had been the chief organization for obtaining the rights of their people. It had previously controlled politicians, such as De Priest, but it was unable to dictate policies to Mitchell. His independence challenged their power; thus the organization used the newspapers to oppose him.

Because both the NAACP and Negro press contacted so many black communities, their opposition to Mitchell could prove to be a major obstacle to his future. His contacts with his constituents was limited to a few newspapers, his private correspondence and Congressional speeches.

On 17 May 1935, the St. Louis Argus published an article that contrasted with the position published by the Chicago Defender:

We see in Congressman Mitchell's bill the hope of millions of black folks, of South and North, whose cases never get a hearing before the bar of public opinion. . . . There was a time when

²⁸Letter, Arthur W. Mitchell to E. Wallace, April 4, 1935, Chicago Historical Society, Mitchell's Papers, Box 8.

²⁹Letter, Arthur W. Mitchell to A. Graver, Citizen of Chicago, May 6, 1936, Chicago Historical Society, Mitchell's Papers, Box 9.

some of us thought that government would evolve and apply a remedy to all citizens alike regardless of race or color. . . . We have been trying remedies for the past forty years, and where has it gotten?³⁰

The Argus endeavored to undo the criticisms of several newspapers, but its influence was less extensive than the Chicago Defender. As a consequence, Mitchell frequently used his House addresses to communicate his ideas to the nation on lynching. On 13 August 1935 he stated the law was necessary, but he also saw hope without it.

While I believe it is absolutely necessary and I shall work for the passage of law, I should like to call attention to the fact that no major crime in statute books of this country has been reduced 1/10 as rapidly as has lynching in the past forty-five years. It is my observation that year by year the conditions in the South are improving.³¹

Mitchell pointed out that "as lynching grew in the public's disfavor, lynching declined."³² At the end of 1935 Mitchell still retained a hope that his bill would become law, especially with the added assistance of Senator James Lewis' (Illinois) companion bill introduced to the Senate on 10 May.³³

The chief distinction between the Costigan-Wagner and Mitchell-Lewis bills was where each placed the responsibility for executing the legislation. The Costigan-Wagner bill made

³⁰St. Louis Argus, May 17, 1935.

³¹U.S., Congress, House, Representative speaking for Lynching: To Punish the Crime, H.R. 4457, 74th Cong., 1st sess., August 13, 1935, Congressional Record, LXXIX, 12984.

³²Thomas Gosset, Race: History of an Idea in America (Dallas, Texas: Southern Methodist University Press, 1963), p. 453

³³See Appendix XIII for the complete transcript of the Lewis bill.

the Federal government responsible for its enforcement; the Mitchell-Lewis bills required the states to enforce the law.³⁴

During the second session of the 74th Congress, Mitchell was less hopeful about the passage of his anti-lynching legislation. He tried desperately to force the issue before the public, but with little success. He expressed this feeling in two speeches delivered to the House on 19 May and 20 June 1936.

In his speech, "Lynching, the Blacklist Crime in America Today," Mitchell asserted that:

While more than 5,000 victims of the mob have cried out for justice, it is reasonable to surmise that at least 200,000 lynchers have been permitted to go unpunished.³⁵

He reiterated his plea for the House to enact Federal legislation. On 20 June in his "Suppression of the Mob Violence" speech, he said:

It is my fondest hope and expectation that the horrible crime of lynching will receive the attention of our highest lawmaking body and like kidnapping, it will soon disappear from the records of our country.³⁶

Not one of the proposed anti-lynching bills was passed during the 74th Congress. Mitchell's bill, although considered plausible by the Judiciary Committee, was never placed on the House calendar for discussion. The Representative left the

³⁴Washington Tribune, January 26, 1935.

³⁵U.S., Congress, House, Representative Mitchell speaking on Lynching: To Punish the Crime, 74th Cong., 2nd sess., May 19, 1936, Congressional Record, LXXX, 7557.

³⁶U.S., Congress, House, Representative Mitchell speaking on Suppression of the Mob Violence, 74th Cong., 2nd sess., June 1, 1936, Congressional Record, LXXX, 8542.

74th Congress determined to pursue the issue again in the 75th Congress.

When the 75th Congress opened, Mitchell eagerly reintroduced his controversial Anti-lynching bill. On 8 January the bill was read and sent to the Judiciary Committee.³⁷

Representative Joseph Gavagan also introduced an anti-lynching bill on 5 January 1936. Mitchell promised to support Gavagan's bill in return for the vote on his Civil Service bill. The Judiciary Committee refused to consider the Gavagan bill and thus Gavagan filed a discharge petition on 3 March.³⁸ Walter White, Secretary of NAACP, informed Mitchell of Gavagan's action and reminded him of his previous commitment to aid the bill.³⁹ The Congressman stated he would assist the NAACP's anti-lynching bill, but this did not mean that he would abandon his own. The Judiciary Committee announced hearings on Mitchell's bill on 8 March. With a few minor changes, the bill was favorably reported out of committee. The House nevertheless defeated the bill by a vote of 257 to 122.

One week after the Mitchell bill was defeated, the House passed the Gavagan bill, 277 to 119, despite solid opposition from southern Congressmen. Much of the good fortune of the Gavagan bill could be attributed to Mitchell. He made a

³⁷U.S., Congress, House, Industrial Commission on Negro Affairs and To Punish the Crime of Lynching, H.R. 2250 and 2251, 75th Cong., 1st sess., LXXXI, n.p.

³⁸Walter White, A Man Called White: An Autobiography of Walter White (New York: Viking Press, 1948), p. 172. With 218 signatures, a bill could be called out of committee.

³⁹Letter, Walter White to Arthur W. Mitchell, March 5, 1937, Chicago Historical Society, Mitchell's Papers, Box 28.

speech to the House revealing his personal experiences with lynchings.

I have suffered in the black belt of the South. In Alabama, one night, I stood with a Winchester rifle in my hands and my wife with a pistol, as we waited for a mob to snuff our lives out.⁴⁰

His public appeal for passage of the Gavagan bill brought laudable remarks from Hatton Summer, Chairman of the Judiciary Committee. He stated:

This man Mitchell, who comes from Chicago is a colored man, but a colored statesman. If Mitchell holds himself throughout the years as he did today, he stands a chance to be recognized by historians of the future as the greatest statesman his race has produced in a century.⁴¹

The southern senators almost unanimously opposed the Gavagan bill revealing a strong sectional racism, which still exists in American society.⁴² Senator John Rankin (Mississippi) expressed the typical southern thought on the Gavagan bill when he said:

For my part, I think the bill should be called an encouragement to rape, since that will probably be its ultimate effect. . . . The only solution is to segregate the races.⁴³

Senator Allen J. Ellender (Louisiana) enlarged upon Rankin's solution by saying, "The quicker the Negro people of this

⁴⁰Detroit Tribune, April 17, 1937.

⁴¹U.S., Congress, House, Representative Summer speaking in Praise of Mitchell, 75th Cong., 1st sess., August 18, 1937, Congressional Record, LXXXI, n.p.

⁴²St. Louis Argus, April 30, 1937.

⁴³U.S., Congress, Senate, Senator Rankin Speaking in Opposition to Punish the Crime of Lynching, 75th Cong., 1st sess., n.d., 1938, Congressional Record, LXXXII, n.p.

nation realize that the white men are their superiors, the better off they will be."⁴⁴ These statements were representative of southern attitudes toward race relations while Mitchell's actions reveal an attempt to alter these beliefs through legislation. The southern senators filibustered several weeks, and the Gavagan bill met the same defeat as the Costigan-Wagner bill. It was defeated 41 to 34.

Interracial Commission

Besides the Anti-lynching bill, Mitchell initiated a second piece of legislation that would directly affect the blacks. Just as the Anti-lynching bill caused antagonism so did the suggestion of an Industrial Commission for Negroes. On 22 February 1935 and again on 8 January 1936, Mitchell introduced the Interracial Industrial Commission bill to the House. The bill demanded the appointment of a five member commission, three of which were to be black. The commission would study the Negroes' labor problems, encourage thrift and industry among the Negroes and to propose solutions to problems confronting the Negro race in America.⁴⁵ The proposed bill caused polarization among black political leaders. John Davis, President of West Virginia College, F. Barnett, Chicago lawyer, J. E. Mitchell, editor of St. Louis Argus, Alain Locke, Profes-

⁴⁴U.S., Congress, Senate, Senator Ellender Speaking in Opposition to Anti-lynching, 75th Cong., 2nd sess., n.d., 1938, Congressional Record, LXXXII, n.p.

⁴⁵U.S., Congress, House, Industrial Commission on Negro Affairs, H.R. 2250 and 5733, 75th Cong., 1st sess., LXXXI, n.p.

sor of Philosophy at Howard University, and President Franklin D. Roosevelt supported the bill. Their argument was that labor groups had drawn the color line just as sharply as had been done in social circles, and if a commission could investigate the specific problems of this minority group, industrial progress would come about.

Although the educated blacks considered the bill "The most constructive measure ever proposed for the Negro,"⁴⁶ the NAACP, a black middle class organization, and black press denounced it. David Jenkin expressed their thoughts: "I prefer to have my privileges and activities governed by the same laws that regulate the lives of all other Americans."⁴⁷ The opposition was really opposing a separate commission to investigate only Negro problems because they saw it as a denial of integration. Black leaders published this fact in the Philadelphia Tribune, and their clientele assumed that the intent of the bill was "to reduce the Negro to a ward of the state."⁴⁸ The NAACP also encouraged the blacks in this assumption and asked them to petition their Congressmen to oppose its passage.

Despite the controversy, a hearing was set for 18 June 1935. Some of the most prominent Negro leaders were inter-

⁴⁶Letter, Alain Locke to Arthur W. Mitchell, March 11, 1935, Chicago Historical Society, Mitchell's Papers, Box 7.

⁴⁷Letter, David Jenkin to Arthur W. Mitchell, February 26, 1935, Chicago Historical Society, Mitchell's Papers, Box 6.

⁴⁸Letter, G. A. Perry to Arthur W. Mitchell, March 16, 1935 and Philadelphia Tribune, January 30, 1936, Chicago Historical Society, Mitchell's Papers, Boxes 7 and 16.

viewed during the hearing. In defense of the bill, Professor R. R. Morton, President of Tuskegee said, "The Negro is pretty near the bottom of the economic strata. He has not been in the line of thinking of the average white person."⁴⁹ All others interviewed reported similar conclusions because all saw the necessity of designing a special commission to assist minority groups but especially the lower economic class. Because the NAACP sent no representatives, Mitchell met no opposition in the Judiciary hearings. The bill, however, was delayed in committee several weeks. On 15 July 1935, Mitchell requested an explanation from H. W. Summers, Chairman of the Committee.

I wish to ask if you will please bring the matter to the attention of the committee and see that it is reported out. . . . It is my desire that the bill be enacted into law at the earliest possible moment. . . . In my district alone, we have more than 25,000 colored people on relief.⁵⁰

Summer sent no reply. After almost six weeks without a word from him, Mitchell seriously doubted the possibility of his bill being enacted into law. He revealed to Congressman J. Leroy Adair on 31 July 1935:

There has been no opposition to the bill. On the contrary, it has been hailed by the best thinking and best informed colored people. . . . Whether or not it is enacted into law at this time is another matter, but it would be very heartening and encouraging to the Negroes of the country.⁵¹

⁴⁹U.S., Congress, House, Judiciary Committee, Creation of Industrial Commission for Negro Affairs, Hearings, before a subcommittee of the Judiciary Committee, House of Representatives on H.R. 5733, 74th Cong., 1st sess., 1935, pp. 3-4.

⁵⁰Letter, Arthur W. Mitchell to H. Summers, July 15, 1935, Chicago Historical Society, Mitchell's Papers, Box 12.

⁵¹Letter, Arthur W. Mitchell to J. Leroy Adair, July 31, 1935, Chicago Historical Society, Mitchell's Papers, Box 11.

The bill, unfortunately, never got out of the Judiciary Committee. Discouraging as it was, Mitchell was forced to realize that American society was not yet ready to accept his "major black legislation." Mitchell, however, achieved more recognition from his constituents for his political influence in the following three issues than had been accomplished through either pieces of his proposed "black legislation." The issues are important enough to be cited here:

1. His work on Civil Service Reforms;
2. His work toward a pension for Matthew Henson; and
3. The Chicago Housing Project.

Extended Political Influence

Civil Service Reforms

Repeatedly Mitchell stated that he did not simply represent Negroes, yet being black he could not totally divorce himself from their needs. Through his efforts in promoting anti-discriminatory legislation, Mitchell manifested his concern for black Americans. Discrimination, hypocrisy, and unfair policies were in all governmental agencies, but it was particularly true of the Civil Service Commission. Appointments to the Civil Service had often been made on the basis of race rather than ability. To correct this, Mitchell introduced two related bills. One provided a plan for selecting applicants through competitive examinations, and the other removed the requirement of submitting photographs with application forms.⁵²

⁵²U.S., Congress, House, A Bill to Reform Civil Service, H.R. 3691, 74th Cong., 1st sess., 1936, n.p.

Chicago's Public Housing

During the late 1930's housing became an acute problem for the residents of Chicago's First District. The government Housing Act of 1935 was intended to provide low-income housing. Approximately 50 percent of the planned projects were to be constructed in Negro slum areas.⁵⁷ The First District of Chicago was one of the first selected, but in 1938 the area still had inadequate housing. On 27 May 1938, Mitchell spoke in behalf of the District before the House.

Among the many things that this administration has done to help the most needy of the nation has been in slum clearance projects. . . . I have been greatly disappointed because of the fact that the first government housing project was located in my district and in a section of the city greatly congested because of inadequate housing facilities and in so far as clearance of grounds began more than two years ago, no construction of buildings has yet been started. . . . Several hundreds of families were forced to move out of the buildings.⁵⁸

As a result of Mitchell's appeal, Nathan Stratus, Director of National Housing, visited the Chicago site and surveyed the area. Stratus conferred with President Roosevelt in an attempt to secure funds to continue the building project. On 21 October 1938 Stratus sent a telegram to Mitchell that the President had "approved a loan contract in an amount not to exceed \$8,607,400,000 for low-rent housing and slum clearance in Chicago."⁵⁹

⁵⁷Barton Bernstein and Allen Matusow, eds., Twentieth Century America: Recent Interpretations (New York: Harcourt, Brace and World, 1969), pp. 294-5.

⁵⁸U.S., Congress, House, Representative Mitchell Speaking for low-cost Housing in Chicago, 75th Cong., 3rd sess., May 27, 1938, Congressional Record, LXXXIII, 2201.

⁵⁹Letter, Nathan Stratus to Arthur W. Mitchell, Oct. 21, 1938, Chicago Historical Society, Mitchell's Papers, Box 40.

Neither bill passed the House. The Civil Service Commission did not eliminate racial designation of employees from personnel forms until 1957.⁵³

Matthew Henson's Pension

Few contributions of the black community were known to the American public in the 1930's. If white America knew the accomplishments of outstanding black men, it could improve communications between races. Mitchell, therefore, sought to make the public aware of the contributions of Booker T. Washington and Matthew Henson to society. Most Americans were familiar with Washington; therefore, an occasional eulogy would be sufficient to promote respect for him. This was not the case with Henson, who had accompanied Admiral Peary to the North Pole.⁵⁴ Mitchell introduced a bill into the House seeking a pension for him. The bill also had the purpose of linking Henson's name with a great explorer.⁵⁵ During the Judiciary Hearing, Mitchell read Admiral Peary's statement that Henson "had been an effective member of a serious expedition, and proved his fitness."⁵⁶ Peary's judgment pressured the Judiciary Committee and the House to support the bill, but not the Senate.

⁵³ Ebony ed., Negro Handbook (Chicago: Johnson Publishing Co., 1966), p. 206.

⁵⁴ Gazette, April 25, 1936.

⁵⁵ U.S., Congress, House, To Provide a Pension for Matthew Henson, H.R. 12388, 74th Cong., 2nd sess., 1936, 5750.

⁵⁶ U.S., Congress, House, Committee on Ways and Means, To Provide a Pension for Matthew Henson, Hearing, before a subcommittee of the Committee on Ways and Means, House of Representatives, on H.R. 12388, 74th Cong., 2nd sess., 1936, n.p. Box 19 of Mitchell's Papers.

The residents of the First District were grateful for the negotiation.

In analyzing Mitchell's political influence in the last three cited issues, one could conclude that the Representative was more triumphant because none of these situations directly involved the southern whites. Mitchell's most significant victory for Civil Rights, however, did not come from either his proposed legislations nor his political influence, but rather through a Supreme Court decision.

Jim Crow Railroads

After the long bitter struggle over the anti-lynching bills, Mitchell decided to take a vacation to Arkansas. The Representative was riding with a small group of white friends when the conductor approached him and ushered him to the colored cars.⁶⁰ He had purchased a first-class, round trip ticket from Chicago to Hot Springs, Arkansas, but was not permitted to continue the journey first-class beyond Memphis, Tennessee.⁶¹ The second-class passenger cars were in poor condition. Being in ill health, Mitchell suffered not only indignity but also physically as well.⁶²

If Mitchell had been traveling exclusively within Tennessee or any other state, he would have been an intrastate passenger and subject to Jim Crow laws. He was an interstate passenger and considered his treatment a violation of the Inter-

⁶⁰Journal and Guide, May 15, 1937; Cleveland Eagle, May 14, 1937; Afro-American, May 15, 1937.

⁶¹Mitchell v. Chicago, Rock Island and Pacific Ry., 229 I.C.C. 703 (1938).

⁶²Cleveland Eagle, May 14, 1937.

state Commerce Act. The penalty for violators of this statute was \$5,000 for each offense.⁶³

Blacks had previously filed complaints to the Interstate Commerce Commission. In most cases the decision favored the railroads. The decision from one case, William Council v. Western and Atlantic Railroads in 1887, encouraged Mitchell to pursue his case. The brief from the Interstate Commerce Commission read:

The commission finds that the car which furnished complaints was only second-class in comforts for travel and he [Council] was subject to undue prejudice and unreasonable disadvantage in violation of the act to regulate commerce.⁶⁴

On 10 May 1937, Mitchell filed a suit against the Illinois Railroad. Perhaps this is the most important service he rendered blacks during his political career.⁶⁵ During the court session two factors strengthened the Railroad's case. The Rock Island Company had no first-class accommodations for colored people, and the agents were only complying with Arkansas law in placing the plaintiff in a Jim Crow compartment.

Albert Jones testified for the Railroad that:

A colored person who has a first-class ticket is compelled to ride in the Jim Crow car with all the other colored persons who have second-class tickets. . . . I told the gentleman I would make

⁶³Carl and Louise Hansberry, Jim Crow Cars Abolished: According to the Decision of the Supreme Court (Chicago: Hansberry Foundation Publishing Co., 1941), p. 4.

⁶⁴U.S. Brief for the Interstate Commerce Commission, Council v. Western and Atlantic Ry., Report 1.

⁶⁵Bardolph, p. 178.

a notation and give him a refund of one cent per mile for the difference in services. . . . He refused.⁶⁶

Although the plaintiff presented a sound argument for his position, the railroad won the case. The decision rested upon the fact that the train agent was only carrying out the laws of the state in assigning the passenger his respective coach.⁶⁷

Mitchell, discontented with the judgment of the Interstate Commerce Commission, filed a petition in the Federal District Court on 7 June 1937 which sustained the I.C.C. Mitchell then appealed to the Supreme Court. To reverse the decision of the lower court, Mitchell felt it necessary to secure additional plaintiffs. This, he thought, would elevate the case from one of particulars to one of generalities. Mitchell asked Scipio Jones, Attorney, to

get affidavits from responsible people setting forth what Jim Crow conditions were like on 22 April and prior to that time. . . . Whatever expense it incurs I shall be glad to take care of it.⁶⁸

Jones found the task impossible; people did not want to get involved. Evidently "numbers" was not a decisive factor to the U.S. Supreme Court. On 28 April 1941, Chief Justice Charles Evans Hughes announced the Supreme Court's decision to overturn the lower court's decision.⁶⁹ Colored passengers who bought

⁶⁶Mitchell v. Chicago, Rock Island and Pacific Ry.

⁶⁷Ibid.

⁶⁸Letter, Arthur W. Mitchell to Scipio Jones, October 17, 1937, Chicago Historical Society, Mitchell's Papers, Box 33.

⁶⁹Mitchell v. U.S. (313 U.S. 80, L. ed. 577).

first-class tickets must be furnished with accommodations equal to the whites.⁷⁰

The Supreme Court decision condemned the practice of denying Pullman accommodations to Negroes. After three years of debate in lower courts, Mitchell achieved a partial victory for blacks. "Separate but equal cars" did not provide the Negro with full liberty, but it did indicate a changing attitude in American society. Social Darwinism was diminishing and this denoted progress.

Residual Career

The once powerful Democratic coalition of 1936 was declining. The Anti-lynching bills pointed out the North-South division within the Democratic Party. The growing dissatisfaction with New Deal legislation and Roosevelt's near silence on anti-lynching legislation assisted the Republicans in gaining 80 seats in 1938 election.⁷¹ With party factionalism evident, Mitchell foresaw a difficult 1938 campaign for himself. He had little competition in the Democratic primaries, but met his real opposition in the general election from William Dawson.

The Republican Party was determined to regain the Negro vote and Mitchell's seat. Their literature emphasized the idea, "drive Mitchell out," and enumerated all the reasons why blacks should. For example:

⁷⁰Dallas News, April 29, 1941.

⁷¹David Shannon, The Twenties and Thirties: Twentieth Century America, II (Chicago: Rand McNally, 1969), pp. 352-3. See Appendix VI for election returns.

He is the tool of southern reactionary Congressmen who opposed legislation that makes the U.S. a free country for all men. You cannot run the horse and hound at the same time. Mitchell runs with those who lynched, burned, disfranchised and segregated Negro citizens.⁷²

Although the Republican Party was gaining popularity, it was not enough to counteract the factionalism within the party. In Chicago, William Dawson had narrowly defeated Louis Anderson, a member of the Republican "sub-machine," in the primaries. Because the election was close, Anderson's colleagues demanded a recount.⁷³ An atmosphere of fraud seemed to be part of the whole campaign. This situation plus the slogan, "Jim Crowism is soon to be settled in the highest court of the land," accounted for much of Mitchell's victory in 1938 and 1940 elections. For all effective purposes the New Deal came to an end after the Congressional elections of 1938. Mitchell continued in office two more terms, but because of the nation's preoccupation with foreign affairs, no significant legislation regarding the status of the black community materialized. As a result, he declined to seek renomination in 1942. Upon retiring from public office, Mitchell moved to Petersburg, Virginia with his wife. Here he remained until his death on 9 May 1968.⁷⁴

⁷²Republican Handbill, 1938.

⁷³Chicago Defender, April 16, 1938. The Chicago Defender was beginning to lean toward the Democratic Party.

⁷⁴New York Times, May 10, 1968.

CHAPTER IV

SUMMARY AND CONCLUSION

Prior to the New Deal Era, the black community allied itself with the Republican Party. Due to economic, social and political forces most transferred their loyalty to the Democratic Party. The Negroes' shifting political affiliations only reflected a part of the changing Negro thought of the twentieth century. During this era the blacks began to move away from the traditional philosophy of Booker T. Washington toward one of integration. The methods of achieving this end created conflict among black leaders. Some saw integration being achieved through moderation, while others saw it being accomplished through more radical methods.

Arthur W. Mitchell, a man of broad vision but traditionally oriented, found himself part of this era. In an attempt to evaluate his contributions to the nation and particularly his race, one must be cognizant of his unique position of being a Representative for a bi-racial district. Early in his career, he stated his goals which he saw for himself and his voters.

I am not going into Congress as a Negro with a chip on my shoulder thinking I am an inferior race and that every man's hand is against me. I am going in as an American citizen entitled

to my rights, no more no less, and I shall insist on them. I am going in as a Representative of all the people of my district.¹

He continued:

I don't plan to spend my time fighting out the question of whether a Negro may eat at the Capitol, what I am interested in is helping the grand F.D.R. feed the hungry and clothe the naked and provide work for the idle of every race and creed.²

Throughout his political career, he endeavored to fulfill these goals for all of his constituents but particularly for the low economic class blacks. Mitchell introduced two "major" pieces of black legislation aimed directly at the improvement of the Negroes' place in society. Both his Anti-lynching and Industrial Commission's bills were defeated because of racism still apparent in American society. The Representative also used his political influence to improve the status of the black community. His Civil Service Reform bill, his Pension bill for Henson and improved Public Housing requests met with much less static than did his Anti-lynching and Industrial Commission bills. The reason probably was that none of these issues directly counteracted the thoughts of southern whites or the NAACP. His most significant victory for Civil Rights, however, did not come in the legislative chambers nor through his political position, but through the Supreme Court. After three years of debating, Mitchell

¹Walter Townsend, Illinois Democracy: History of the Party and Its Representatives (Springfield, Illinois, Democratic Historical Association, Inc., 1935), p. 83.

²New York Times, May 10, 1968; Birmingham News, November 12, 1934.

was victorious in overthrowing a decision of the lower courts which had sustained segregation on the railroads. This victory gave the black community hope that future existence would bring integration and equality for all men.

The assessment of his effectiveness in the attainment of his constituent's goals is difficult to judge because of a tendency to evaluate success or failure in terms of one's own values. When values, means of achieving goals and goals differ within a culture, then conflict becomes visible. Mitchell's political career witnessed this conflict in the form of criticism from his constituents, black leaders of Chicago, black-edited newspapers throughout the United States, and the NAACP. The Representative believed in a moderate approach to achieving integration and because of this, his attitudes and actions were sometimes misunderstood by the more radical elements within the black community.

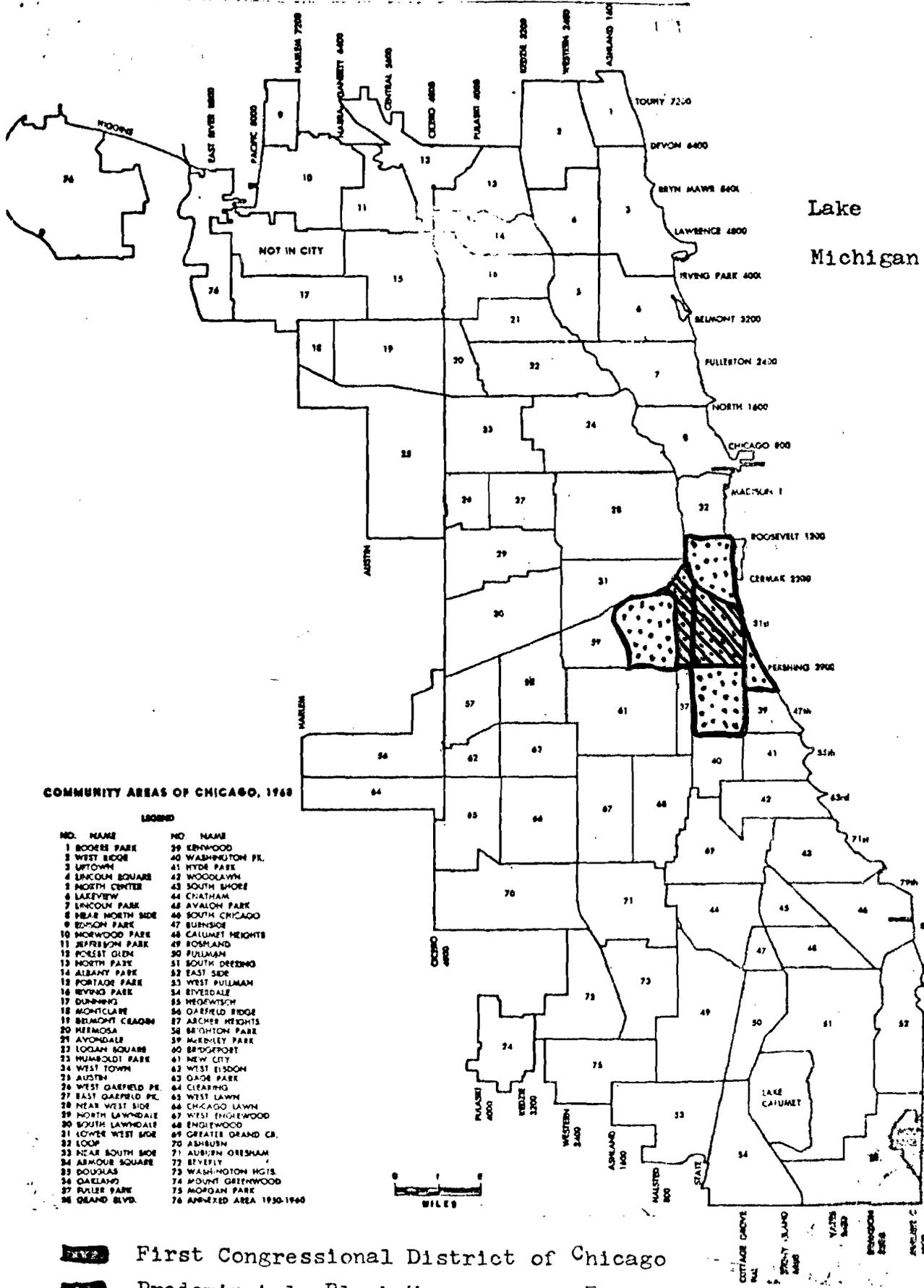
To each of the various factions present in society during the New Deal Era, Mitchell represented different degrees of effectiveness. For the poor Negro, progress under his leadership was slow; for the southern whites it was foreboding. To some of the middle-class Negroes, he represented motion; to others, such as the NAACP, he represented immobility.³ Future generations will continue to judge Mitchell's place in history just as his contemporaries did, according to their own expectations of how a black politician should function in American society.

³Townsend, p. 83.

Because this study is based upon the Representative's private file, it has certain limitations. The random use of an individual's file tends to encourage a biased interpretation. Keeping this limitation in mind, the writer offers the following conclusions as a result of her research.

Mitchell considered his work as a member of the House of Representatives of primary importance. This is not to say that he ignored the problems of his race. Several instances could be cited to verify this point. He initiated an Anti-lynching bill, an Interracial Commission bill, a pension for Henson, a Civil Service Reform, encouraged the building project for Chicago and debated three years in the courts to eradicate segregation on the railroads. In many of these instances he was misunderstood. It is, nevertheless, safe to say that he did strive to achieve justice for the black community through moderate means.

APPENDIX I



COMMUNITY AREAS OF CHICAGO, 1968

LEGEND			
NO.	NAME	NO.	NAME
1	BOORE'S PARK	39	ENWOOD
2	WEST EDGE	40	WASHINGTON PK.
3	UPTOWN	41	HYDE PARK
4	LINCOLN SQUARE	42	WOODLAWN
5	NORTH CENTER	43	SOUTH SHORE
6	LAKEVIEW	44	CRATHAM
7	LINCOLN PARK	45	AVONDALE
8	BEAR NORTH SIDE	46	SOUTH CHICAGO
9	EDMON PARK	47	BURNSIDE
10	MORWOOD PARK	48	CALLUMET HEIGHTS
11	JEFFERSON PARK	49	ROSLAND
12	FOREST GLEN	50	PULMAN
13	NORTH PARK	51	SOUTH DRESSING
14	ALBANY PARK	52	EAST SIDE
15	PORTAGE PARK	53	WEST PULMAN
16	IRVING PARK	54	RIVERDALE
17	DUNNING	55	WEDGEWICH
18	MONTCLAIRE	56	OAKFIELD RIDGE
19	BELMONT CREAM	57	ARCHER HEIGHTS
20	MEEMOSA	58	BRIGHTON PARK
21	AVONDALE	59	MCKENZIE PARK
22	LOGAN SQUARE	60	BRIDGEPORT
23	HUMBOLDT PARK	61	NEW CITY
24	WEST TOWN	62	WEST ELSDON
25	AUSTIN	63	OAKS PARK
26	WEST GARFIELD PK.	64	CLEARING
27	EAST GARFIELD PK.	65	WEST LAWN
28	NEAR WEST SIDE	66	CHICAGO LAWN
29	NORTH LAWDALE	67	WEST INGLEWOOD
30	SOUTH LAWDALE	68	ENGLEWOOD
31	LOWER WEST SIDE	69	GREATER GRAND CR.
32	LOOP	70	ASHBURN
33	NEAR SOUTH SIDE	71	AUBURN GRESHAM
34	ARMOUR SQUARE	72	BRYEVILLE
35	DOUGLAS	73	WASHINGTON HGHS.
36	OAKLAND	74	MOUNT GREENWOOD
37	RILEY PARK	75	MORRISON PARK
38	GRAND BLVD.	76	ANNEXED AREA 1930-1940

 First Congressional District of Chicago
 Predominately Black Wards of the First District (Ward 2 = 96%; Ward 3 = 70%)

APPENDIX II

Ethnic Composition of Chicago's First District

Section	Population	White	Foreign Born White	Negroes	Other
Near South Side	7,844	4,737	888	2,134	85
Armour Sq.	20,629	10,520	4,895	3,536	1,678
Douglas	45,947	3,529	689	41,643	86
Oakland	12,679	6,891	1,340	4,320	128
Grand Blvd.	20,752	1,163	124	19,432	33
Bridgeport	14,385	10,997	3,215	5	168
Loop	7,851	5,425	2,214	98	114

Louis Wirth, Local Community Fact Book of Chicago, 1938.

Wards 1, 2, 4 and 11 are all part of the First District. Bridgeport was the most powerful area of the district.

APPENDIX III

Primary Election of Illinois Congressmen: April 10, 1934

 Democrats

Total Votes

A. Mitchell	6,812
* H. Baker	7,236
E. Brown	1,117
A. Redd	204
F. Staufer	781

 Republicans

Total Votes

* O. De Priest	18,054
C. Owens	1,034

Cook County, Board of Election Commissioners, Official Returns,
1934 Primary Election.

APPENDIX IV

Election Returns for Illinois Congressmen: November 6, 1934

First Congressional District	Votes
* A. W. Mitchell	27,963
O. De Priest	24,829

Cook County, Board of Election Commissioners, Official Returns,
1934

APPENDIX V

Primary Election of Illinois Congressmen

First District: April 14, 1936

Democrats	Total Vote	Republicans	Total Vote
*A. Mitchell	16,322	*C. De Priest	13,095
G. Adams	2,491	L. Anderson	6,496
H. Daly	1,722	R. Ephraim	384

General Election Returns of Illinois'

Second Ward: November 3, 1936

Democrats	Total Vote	Republicans	Total Vote
F. Roosevelt	19,716	A. Landon	21,662
A. Mitchell	35,376	O. De Priest	28,640

* Republican Constituents had shifted party loyalties on local level.

General Election Returns of the Nation

For President of the United States: November 3, 1936

Democrats	Total Vote	Republicans	Total Vote
F. Roosevelt	27,476,673	A. Landon	16,679,538

Cook County, Board of Election Commissioners, Official Returns,
1936

APPENDIX VI

Primary Elections of Illinois' Congressmen

First District: April 12, 1938

Democrats	Total Vote	Republicans	Total Vote
A. Mitchell	6,541	W. Dawson	4,577
A. Williams	1,881	L. Anderson	4,340
J. Durdin	320	O. De Priest	4,057
W. Wallace	4,777	R. C. Simmons	1,703
C. Winbish	1,989	B. Clayton	253

General Elections of Illinois' Congressmen

First District: November 8, 1938

Democrats	Total Vote	Republicans	Total Vote
A. Mitchell	30,207	W. Dawson	26,396

Cook County, Board of Election Commissions, Official Returns,
1936

APPENDIX VII

LET DEPRIEST ANSWER!

-- 1 --

Why did you, on May 14, 1934, vote against the Public Highway Bill which appropriated \$200,000,000 for public highways, thus creating more than 5000 jobs for the people of your state?

-- 2 --

Why did you vote against the Soldier Bonus Bill and later say that the soldiers did no more than their duty in fighting for their country and should not expect to rob the government treasury?

-- 3 --

Do you regard the soldiers who ask for their bonus as robbers?

-- 4 --

General Charles Dawes received \$90,000,000 for his bank while the poor people of your district were denied aid by the former administration of which you were a part. Do you think the rich people of your district are better than the poor jobless people in your district?

-- 5 --

Do you still contend that the splendid ministers of Chicago are Hungry Beggars and that you can buy them and their entire congregations for a Thanksgiving Turkey?

-- 6 --

Why do you refuse to live among the people of the First Congressional District, and give all the jobs to people who do live in other districts?

Citizens New Deal

Mitchell for Congress

Headquarters

APPENDIX VIII

*(Reprinted from the Home News)***Mitchell Declares DePriest****Will Not Tell The Truth**

In his speech last night, Mitchell quoted the following statement made by DePriest in his speech in Cleveland, Ohio and published in the "Pittsburgh Courier" Oct. 4, 1933.

DePriest said at that time:

"I want to congratulate the young man who has sense enough to be a Democrat. Not until our people vote the Democratic ticket more and more will we get any place in politics."

Mr. DePriest went further!

"He stated that he was advocating that the Negroes of the South affiliate themselves with the Democratic Party"

DePriest in Speaking in Newark, New Jersey

and quoted in the "Afro American" Oct. 20, 1934

said:
"Any person voting a Democratic Ticket is a skunk."

Mitchell further said that DePriest is thoroughly alarmed because he knows he is beaten. He is attempting to get back into the good graces of the voters by trying to show that because Mitchell is well thought of by white people in the South, he (Mitchell) would not take care of the interest of the people. But Mitchell has a record of 25 years of service to the race. He has shown his race loyalty and courage, and can be depended upon to stand for the rights of his people under all circumstances.

The only kind of Congressman that can truly serve his people is one that has the ability to make friends, and does make friends!

CITIZENS NEW DEAL

MITCHELL FOR Congress Headquarters

APPENDIX IX

Eleven Reasons Why De Priest Should Not Be Elected to Congress

1. He has shown his inability to represent the best interest of his District and his people.
2. He does not live in the First Congressional District which he represents and treats the voters of this District as puppets, using them only when he wishes to be elected to office.
3. He has shown too little interest in his duties in Washington, spending most of his time traveling and speaking on matters for which he was paid, but which meant nothing to the interest of his constituents.
4. He has shown his incapacity for leadership by destroying the harmony of his own party in the Second Ward—thus creating, unnecessarily, warring factions.
5. He is extremely selfish in his ambitions, which is shown by his effort to put his son in office in the Third Ward over the heads of loyal workers far more able and deserving.
6. His conduct in Congress, in stirring up race prejudice, has injured the best interest of the people and created enemies; thus making it impossible to render service to his people.
7. His opposition to Roosevelt and his Reconstruction program shows his short sightedness and complete lack of statesmanship.
8. He is not entitled to leadership because he arrays race against race. A Congressman representing such a district as this should have the faculty of harmonizing the races rather than stirring up race prejudice and making unnecessary trouble. The race needs more friends.
9. His opposition to the Reconstruction program threatens to stop all relief measures now fostered by the Federal Government.
10. His party is out of power and he is out of favor with the party in power; which makes it impossible for him to help the people in any manner; such as jobs, offices, etc.
11. The District is entitled to the most intelligent, honest and fearless representation possible which it does not now have.

Eleven Reasons Why Mitchell SHOULD Be Elected to Congress

1. Mitchell is a gentleman of the highest order, well trained, and has been an outstanding citizen and leader for twenty years.
2. *Because* he is honest, capable and absolutely fearless.
3. *Because* this is a new era in political life of America and he understands the present needs of the people and will work for absolute justice for all people, regardless of race or nationality.
4. *Because* his election to Congress would help bring the New Deal closer home to the Negro of Chicago and to the country.
5. *Because* of his training for leadership among the people and his work as an educator in the South, he would help the Negro of the South in his struggle to vote and get political recognition in the South.
6. *Because* he has come up from the ranks of the common laborer and will fight for the rights of the laboring people.
7. *Because* the best interests of the Negro citizens of our country require constructive social leadership of a new type, which leadership is most prominent in the ability, character and constructive life of Arthur W. Mitchell.
8. *Mitchell* should be elected for Congress because he is 100% for Roosevelt and the 'NEW DEAL.'
9. *He is already well known* — in Washington and by the leaders of the nation, and because of his high standing with the leaders of the party could bring recognition and jobs to the workers of the First Congressional District.
10. *Because* the people want and are entitled to better representation than they now have.
11. *Because* he is far the better prepared representative and would accomplish much for his District and for his people.

 APPENDIX X

 WHAT THE ROOSEVELT NEW DEAL HAS
 DONE FOR THE NEGRO

1. Given employment to hundreds of thousands of Negroes out of work.
2. Insured bank deposits.
3. Saved many mortgaged homes belonging to Negroes.
4. Fed and clothed destitute families.
5. Given the Negro an equal opportunity to regain his economic standing.
6. Roosevelt advises with a representative cabinet of Negro leaders holding high positions at Washington.
7. Has freed the Colored laborer from the slavery of starvation wages.

VOTE

⊗ DEMOCRATIC

 Under Roosevelt, the "Race Question," as Such, Is
 Finally Eliminated from Politics

The Negro voter, like the white voter, must deal with the New Deal as the dominant economic and political principle now shaping the destiny of the American people. *There must be no turning back to the misery, the destitution, the fear that haunted this country under Herbert Hoover.* There is no human likelihood the Republican Party will win this election. The stars never turn backward in their course. To vote for a Republican candidate at this time is like throwing your vote away. The erstwhile great and glorious Grand Old Party has been reduced to a harassing minority without any firm political principle or reasonable hope.

The loud talk about return to constitutionalism does not interest the Negro; on the other hand, it amuses him.

APPENDIX XI

The Party, which in the plenitude of its power, allowed the human rights provision of the Constitution to be trampled down with impunity, now fills the air with frantic protestations of reverence and devotion at the time of its impatience and defeat. Nor is that portion of the Constitution which is now invoked the part that appeals especially and particularly to the Negro. Whatever of dictatorship may be necessary to put over the New Deal, has no terrors for the black voter. Experience shows that he has no terrors for the black voters. Experience shows that he has gained most from a strong central government at Washington.

Today practically every political job of any consequence held by a Negro appointee from this district was obtained for him through the indorsement of the Second Ward Regular Democratic Organization under the able and progressive leadership of Joseph F. Tittinger, democratic ward committeeman.

Today more than 100 Negro appointees are working on county, city and state payrolls drawing down the handsome salaries of more than \$20,000 per month.

The more Democrats we elect to office, the more jobs we create for ourselves. To elect a Republican at this time is to give the candidate a job and deprive yourself of one.

The election of a STRAIGHT DEMOCRATIC TICKET in this district practically insures more than 100 jobs for deserving workers for at least SIX MORE YEARS. This means these workers alone will circulate \$720,000.00 in this district.

Can the voters intelligently afford to give up 100 jobs and an income of three-quarters of a million dollars merely to give jobs to a few Republican candidates just because they are colored?

The Negro, if he is wise, will not in the fall election vote for a reactionary and obstructive movement against the New Deal, but rather for those candidates who will insist that the New Deal shall be a square deal.

VOTE

⊗ DEMOCRATIC

A REPUBLICAN VOTE FROM THIS DISTRICT PRACTICALLY ELIMINATES ALL NEGROES FROM POLITICAL OFFICES FOR THE NEXT SIX YEARS

Mr. Mitchell of Illinois introduced the following bill; which was referred to the Committee on Judiciary

A B I L L

To assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching.

1 (a) Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled, That if any
3 officer, agent or employee of any State or governmental subdivision
4 thereof shall have any individual in his custody by virtue of his
5 power or authority as such officer, agent or employee and shall,
6 without lawful justification or excuse, suffer or permit such in-
7 dividual to be taken from his custody and injured or put to death
8 or to be unlawfully injured or put to death while in his custody,
9 the said State shall be deemed to have denied to the said person
10 the equal protection of its laws.

11 (b) Proof that any person being in the custody of any such officer,
12 agent or employee was unlawfully injured or put to death or un-
13 lawfully taken from such custody and injured or put to death shall
14 be prima facie evidence that such officer, agent or employee
15 suffered or permitted such person to be so taken from his custody
16 or injured or put to death therein.

17
18 SEC. 2. (a) Any officer, agent or employee of any State or govern-
19 mental subdivision thereof who shall have any person in his custody
20 by virtue of his power or authority as such officer, agent or em-
21 ployee, and who shall, without lawful justification or excuse, suffer
22 or permit such person to be taken from his custody and injured or

2 his custody, shall be guilty of a felony, and upon conviction thereof
3 shall be punished by a fine not exceeding \$5000 or by imprisonment
4 not exceeding five years, or by both such fine and imprisonment.

5 (b) Proof that any person being in the custody of any such officer,
6 agent or employee, was unlawfully injured or put to death or un-
7 lawfully taken from such custody and injured or put to death shall
8 be prima facie evidence that such officer, agent or employee suf-
9 fered or permitted such person to be so taken from his custody or
10 injured or put to death therein.

11 SEC. 3. Any officer, agent or employee of any State or governmental
12 subdivision thereof, acting as such officer, agent or employee
13 under authority of law, having in his custody or control a prisoner,
14 who shall conspire, combine, or confederate with any person to in-
15 jure or put such prisoner to death, or who shall conspire, com-
16 bine, or confederate with any person to suffer or permit any person
17 to take such prisoner from his custody or control, to be injured or
18 put to death, shall be guilty of a felony, and those who so con-
19 spire, combine or confederate with any officer, agent, or employee
20 shall likewise be guilty of a felony. On conviction the parties
21 participating therein shall be punished by imprisonment for not less
22 than one year and not more than ten years.

23 SEC. 4. If any person shall be taken from the hands or custody of
24 any officer, agent, or employee of any State or governmental
25 subdivision thereof and unlawfully injured or put to death, or
26 shall be unlawfully injured or put to death while in the hands or
27 custody of any such officer, agent, or employee, the said state
28 and the said governmental subdivision of the said state shall be
29 deemed to have denied to such person the equal protection of its
30 laws, and the said governmental subdivision of said state shall

1 such person for a sum of not less than \$2,000 nor more than
2 \$10,000, which sum may be recovered in a civil action against
3 such county or other governmental subdivision of a State in the
4 United States District Court of the Judicial District wherein such
5 person is put to death or injured. Provided, that when any such
6 person shall have been taken from the hands of any such officer,
7 agent or employee of any State who is not an officer, agent or em-
8 ployee of any governmental subdivision thereof, the county or
9 other governmental subdivision of said State wherein the said per-
9 son shall have been so injured or put to death shall be liable to
10 the injured person as aforesaid.

11 SEC. 5. If any provision, sentence, or clause of this Act or the
12 application thereof to any person or circumstances is held invalid,
13 the remainder of this Act, and the application of such provision to
14 other persons or circumstances, shall not be affected thereby.

APPENDIX XIII

Lewis Bill on Anti-lynching

S. 2802

Introduced May 10, 1935

by Lewis

The Bill

To assure persons within jurisdiction of every State the equal protection of law and to punish the crime of lynching.

That if any officer, agent, or employee of any State or government subdivision thereof shall have any person in his custody by virtue of his power or authority as such officer, agent or employee and shall without lawful justification or excuse, suffer or permit such a person to be taken from the custody and injured or put to death or to be unlawfully injured or put to death while in the custody of the State shall be deemed to have denied to the person, equal protection of the laws.

Any officer of the State or governmental subdivision thereof who shall have any person injured shall be guilty of a felony and upon conviction thereof shall be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding 5 years. . . . On conviction the parties participating therein shall be punished by imprisonment for not less than 2 years and not more than 10 years.

. . . In event of a death, to legal representatives of the deceased, the sum of not less than \$2,000 nor more than \$10,000, may be recovered in civil action against such county.

April 3, 1937

A COMPARATIVE ANALYSIS OF THE
ANTHONY-LYNCHING BILL, H.R. 2251
AND GAVAGAN BILL, H.R. 1507

MITCHELL BILL

GAVAGAN BILL

Mob (no definition)

"Mob or riotous assemblage", three or more persons acting in concert, without authority of law, to kill or injure any person in the custody of any peace officer. (Sec.1)

Denial of equal protection, if an officer of state or governmental subdivision thereof, without lawful justification or excuse, suffers or permits prisoner to be taken from custody and injured or put to death, or to be unlawfully injured or put to death while in custody. (Sec. 1a)

Denial of due process and equal protection, if a state or governmental subdivision thereof fails, neglects or refuses to provide and maintain protection to the life or person of any individual within its jurisdiction against a mob or riotous assemblage, whether by way of preventing or punishing the acts thereof. (Sec.2)

Prima facie case, proof that prisoner unlawfully killed or injured prima facie evidence that officer suffered or permitted prisoner to be taken from custody and injured or put to death, or to be unlawfully injured or put to death while in custody. (Secs. 1b and 2b ---- deleted by Judiciary Committee)

Prima facie case (no provision)

Felony, fine not exceeding \$5,000 or imprisonment not exceeding 5 years, or both, if officer without lawful justification or excuse, suffers or permits prisoner to be taken from custody and injured or put to death, or to be unlawfully injured or put to death while in custody (Sec. 2)

Felony, fine not exceeding \$5,000 or imprisonment not exceeding 5 years, or both, if officer fails, neglects or refuses to make all diligent efforts to protect prisoner from being injured or put to death by mob or riotous assemblage; or

(no provision)

if officer charged with duty of apprehending or keeping in custody, or prosecuting any member of mob fails, neglects or refuses to make all diligent efforts to perform his duty in apprehending, keeping in custody, or prosecuting to final judgment under the State law all mob members. (Sec.3a)

MITCHELL BILL

Felony, imprisonment not less than 2 years nor more than 10, if officer having prisoner in custody or control, conspires with any person to injure or put such prisoner to death, or to suffer such prisoner to be taken from custody to be injured or put to death. All conspirators guilty. (Sec.3)

(no provision)

Liability against governmental subdivision, not less than \$2,000 nor more than \$10,000 to injured victim or legal representatives, against subdivision whose officer suffered prisoner to be taken from custody and unlawfully injured or put to death, or unlawfully injured or put to death while in custody (?) provided, if victim taken from officer of state who is not officer of any governmental subdivision thereof, the county or governmental subdivision wherein victim injured or put to death liable as aforesaid;

suit in United States District Court of judicial district wherein victim injured or put to death;

(no provision)

(no provision)

GAVAGAN BILL

Felony, imprisonment not less than 5 years nor more than 25, if officer having prisoner in custody or control conspires with any person to injure or put such prisoner to death without authority of law, or to suffer such prisoner to be taken or obtained from custody or control to be injured or put to death by mob or riotous assemblage. All conspirators guilty. (Sec. 3b)

Prosecution of mob members in U.S. District Court of judicial district wherein victim injured or put to death, in accordance with laws of State where injury inflicted or homicide committed, provided (1) state officers charged with duty of apprehending, prosecuting, and punishing mob members have failed, neglected or refused to do so; or (2) jurors obtainable in state court having jurisdiction are so strongly opposed to such punishment that probability that guilty parties will not be punished in such State court.

Failure for more than 30 days after commission of offense to apprehend or indict, or failure diligently to prosecute, prima facie evidence of the failure, neglect or refusal above. (Sec.4)

Liability against county in which victim seriously injured or put to death, not less than \$2,000 nor more than \$10,000 as liquidated damages, to injured victim or legal representatives;

suit in United States District Court of judicial district wherein victim injured or put to death;

suit brought and prosecuted by United States attorney for such district; judgment enforced, if not paid, by United States District Court levying execution on any property of county, or

MITCHELL BILL

CAVAGAN BILL

(no provision)

(no provision)

no abatement of injury if victim dies. (Sec.4)

(no provision)

mandamus or other appropriate process; any officer of county or other person who disobeys or fails to comply with any lawful order of the court in the premises, liable for contempt and other penalty provided by law therefor; proceeds of judgment exempt from claims of creditors of deceased; proceeds distributed according to laws of intestacy of State wherein death occurred. (Sec.5)

Joint and several county liability as above provided, where victim transported by mob or riotous assemblage from one county to another, on county wherein victim seized and county wherein victim put to death.

United States District Judge of the United States District Court wherein prosecution or suit under this Act instituted may order prosecution or suit tried in any place in such district as he may designate by order. (Sec. 6)

Severability clause, in case any provision held invalid. (Sec. 5)

Severability clause, in case any provision held invalid. (Sec. 7)

(It is understood that the Mitchell bill was narrowed by the House Judiciary Committee; the exact text as reported by the Committee is not available.)

Mr. Mitchell of Illinois introducing the following bill; which was referred to the Committee on _____.

TO CREATE AN INDUSTRIAL COMMISSION ON NEGRO AFFAIRS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be created an Industrial Commission, which shall consist of five members, at least three of whom shall be of the Negro race, to be appointed by the President of the United States, who shall hold office for six years unless removed for good cause; that of the five members first appointed after the passage of this act, one shall be appointed for two years, one shall be appointed for three years, one shall be appointed for four years, one shall be appointed for five years, and one shall be appointed for six years, and whose position shall in no way be political; that they shall be nonpartisan; that the salary of each member shall be fixed at \$5,000 per annum, except in the case of the chairman, who shall be designated by the President of the United States, and whose salary shall be fixed at \$7,500 per annum; that said Commissioners shall be entitled to the usual per diem and necessary expenses that are usually allowed officers of the Government when absent from their official station for the conduct of official business.

SEC. 2. That said Commission is authorized to appoint such necessary clerks, agents, or investigators, attorneys and assistants as may be necessary for the conduct of the business for which said Commission is created, or such other work that may be assigned to said Commission by the President of the United States, or any of the departments of the Government of the United States touching any problem or matter affecting the Negro, whose salary shall be fixed by the Commission and approved by the chairman of said Commission.

SEC. 3. That said Commission shall be provided by the Secretary of the Treasury with suitable quarters in the city of Washington, District of Columbia, for the transaction of the business coming before said Commission.

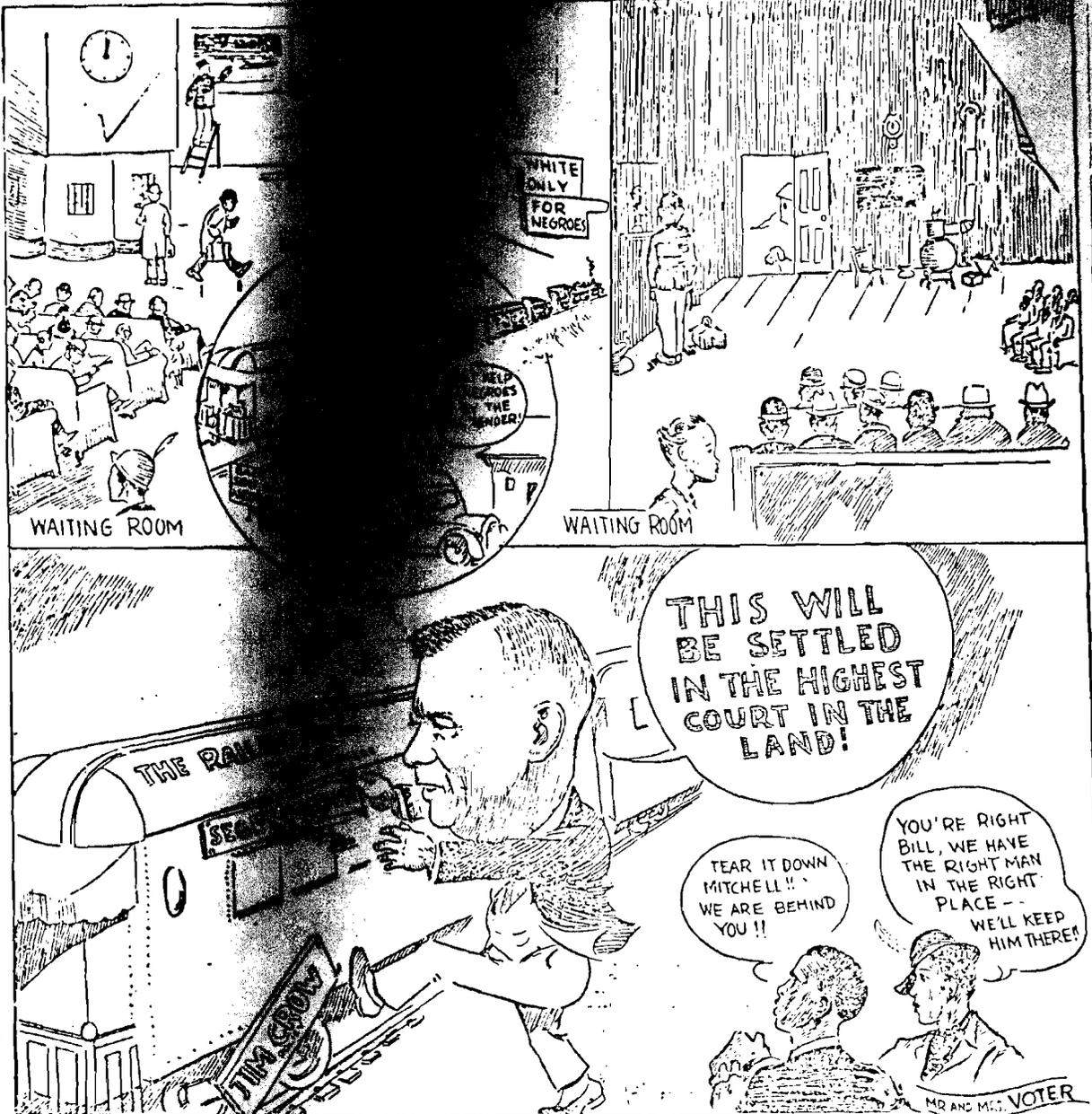
SEC. 4. That the duties of the Industrial Commission on Negro

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Affairs created by this Act shall be to study the economic conditions of the Negro; to study the labor problems in which the Negro is fundamentally interested; to stimulate and encourage thrift and industry among the Negroes of this country; to promote the general welfare of the Negro in industrial pursuits, and to encourage his general uplift; to work out plans looking toward the solution of the different problems confronting the Negro race of the United States; to consider all questions pertaining to the Negro that may be referred to said Commission by any department of the United States Government, and report a suggested solution of any and all problems that may be presented to the Commission by any officer of the United States, the governor or attorney general of any of the States, or labor department of any State in the United States; to recommend what may be necessary for the stability of labor in the different States; to discourage subversive doctrine and propoganda; to work toward the formulation of a policy for mutual understanding and confidence between the races; to report to Congress through the President of the United States all their acts and doings and to make such recommendations for the solution of any problem or problems affecting the Negro that they may deem advisable.

SEC. 5. That for the purposes of the expenses of said Commission there shall be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the first year, the sum of \$300,000, or so much thereof as may be necessary, to defray the expenses of this Commission; and there shall, every year thereafter, be appropriated by Congress such sum as may be necessary to carry out the work of said Commission; that the expenses shall be paid out of the money hereby appropriated, and upon proper vouchers approved by the chairman of said Commission, including the salaries of the Commissioners.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act are hereby repealed, and this Act shall take effect upon its passage and the approval of the President of the United States.



FACTS

1. I was ejected from a pullman car in the State of Arkansas, April 21, 1937 for no reason other than that I was a colored passenger.

2. I returned to Chicago, two weeks later and filed suit in the Circuit Court of Cook County against the Illinois Central Railroad, Rock Island Railroad and the Pullman Company for \$50,000 damages.

3. August 21, 1937, I filed a petition with the Interstate Commerce Commission in Washington, seeking to force the railroads to discontinue their system of Jim Crowing Negroes on trains and busses in the South.

4. Jan. 5, 1938, I introduced a bill in the House of Representatives (H. R. 8621) which makes it punishable by law for any officers of the railroad or any railroad company to discriminate against passengers because of their race. This bill is pending in Congress now. Many of my colleagues in Congress have shown deep interest in this bill and have pledged themselves to me to aid in its passage.

5. March 7, 1938, the I. C. C. of Washington held an examination of the facts and evidence in the case through Examiner Disque, at the Morrison Hotel in Chicago, where a score or more of witnesses gave testimony as to

the Jim Crow conditions in interstate travel in the South.

6. On or about May 8, 1937, Examiner Disque made a report to the I. C. C. in Washington and disregarding all of the evidence given, recommended that the case be dismissed.

7. On or about May 29, 1938, I, through my attorney, filed exceptions to the Examiner's report and recommendation and demanded an oral hearing before the full Commission.

8. On or about June 1, 1938, the Commission authorized oral arguments to be made before the full Commission in Washington, and notified counsels representing all parties to this effect.

9. On July 6, 1938, the arguments before the full Commission were made and the case is now under consideration by the Commission. A decision is expected daily.

10. I have definitely made up my mind to see the case through the Supreme Court of the United States at my own expense, in order to break up this vicious system which has been practiced against the Negro traveling public for the last fifty years.

(Signed) ARTHUR W. MITCHELL

DELECT ARTHUR W. MITCHELL TO CONGRESS, NOVEMBER 8TH

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