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What Is The Status Of The Negro Lawyer? Is He Gaining Or Losing?

Unless Negro Business and Race Communities Organize To Support Negro Lawyers, There Will Not Be A Dozen Outstanding Attorneys In Southern Territory In The Next Ten Years

By FLOYD J. CALVIN

DURHAM, N. C., Aug. 23.—What is the status of the Negro lawyer in America, North and South? Especially, what is the Negro lawyer's status in the South? Is he gaining or losing? Is he advancing or going back?

There is probably not a better posted lawyer on what is going on in his field all over the country than Attorney Robert McCants Andrews, a Harvard man practicing in the South. Located in Durham, the center of Negro Southern enterprise, and with an intimate knowledge of conditions in the North and East, where he was educated, as well as in his native South, I felt him an ideal man to ask for a survey of the Negro in the legal field. A short, stocky, Vandyked man, sitting in his suite in the Royal Knights of King David Building, 809 Fayetteville street, with eight years of legal practice behind him and a record for industry and thoroughness in handling the affairs of his clients, 70 per cent of which is civil practice, I found him eager and most willing to talk about his profession.

Surveys Legal Field

ATTY. R. McCANTS ANDREWS

"The development of the legal profession today among Negroes is a matter of geography and population," he said. "A Negro lawyer is becoming as scarce in the South as he used to be in the North. The shift of Negro population to urban centers of the North and West has created lucrative fields in a hundred cities and made the South the poorest legal field for the Negro practitioner. It is safe to say that there are less than fifty outstanding Negro lawyers in the entire South today, whereas Chicago alone has more than 100, New York 75 or 80 and all of the other large cities a proportionate number. Norfolk, Va., has the largest Negro bar in the entire South, with fifteen members. It is also notably true that many of the older Southern attorneys have, like the doctors, followed the trend of the migration. It is an alarming situation when it is realized that the mass of the race live in the South. At least 50 young men have been admitted to practice in North Carolina in the last ten years. Less than a dozen of them are practicing in this state; the majority took the North Carolina bar for the purpose of reciprocity. I prevailed especially with one of them, a native of this state, to settle in his home city. He settled in the Southwest and is reputed to have earned $100,000 in six or seven years. There are a few brave souls who, at the time of my last inquiry, were still living and practicing in the South, and I know personally twenty or more of these men. In Virginia there are Diggs, Land and Harrison of Norfolk; Newsome of Newport News; Carter and Pollard of Richmond and Dolphin of Roanoke. In North Carolina, Fitts of Winston-Salem; O'Hara and Williamson of New Bern; Bell of Plymouth and Thompson of Durham. In South Carolina, Frederick of Columbia; Washington of Beaufort, and Platt of Spartanburg. In Georgia, Walden of Atlanta and Lemon of Savannah, McGill is very much in Florida. Scipio Jones is the mainstay of Negro business in Arkansas and young Clanton of Little Rock has joined the field. Atkins and his firm were formerly in Oklahoma but are now in Texas. There are other older and younger men of whom I have heard or whom I have met casually; but this is the center of the Southern bar. I think they constitute one of the most courageous and public-spirited groups in the American republic. A Negro lawyer who does not love his profession and his race, who is not self-sacrificing and who has not an abiding sense of humor, would certainly not live in the South today under its present organization—or lack of organization."

As I said before, Attorney Andrews is a native of the South. He was born at Sumter, S. C., 37 years ago. He finished Claflin College preparatory at Orangeburg in 1909 and after two years of illness went to Howard and took his A. B. cum laude in '15. He then entered the Harvard law school and spent three years, but did not take a degree because of some credits lost because of absence in the R. O. T. C. during the war. After finishing Harvard he entered the department of Negro economics under Dr. George E. Haynes and trained for field work in labor conditions. He was sent to North Carolina and, working under the late Dr. A. M. Moore of Durham, who was a $1-a-year-man during the war, succeeded in allaying much unrest and getting the Negro worker in North Carolina in better industrial jobs than he had previously enjoyed. Negroes still work in some of the better jobs secured during and immediately after the war under the direction of Attorney Andrews. It was partly due to his work that North Carolina suffered very little migration. When the war closed he was hired by a subsidiary corporation of the Aluminum Company of America at Badin as welfare worker among its Negro employes. He remained in this position only a short while, resigning to come to Durham to sell an issue of stock in the Mechanics and Farmers Bank, when the bank increased its capital from $15,000 to $50,000. Then he took the bar examinations for North Carolina and in the interim wrote a biography of the late John Merrick, founder of the North Carolina Mutual Life Insurance Company. Since beginning practice he has appeared in more counties than any other Negro in the state, about twenty. There are three other Negro lawyers in Durham, but Attorney Andrews' appearance in active court work has been pioneer work.

Speaking further of the South as a field for Negro legal talent, he said: "The main disadvantages of Southern practice today may be briefly summed up as follows: (1) Small population, resulting in small fees, with open competition from white practitioners; (2) color caste and its ramifications, plus the Negro's inferiority complex and fearsomeness; (3) the lack of politics, political preferment and the resulting prestige; (4) the lack of organization on the part of Negro business and the Negro community for the moral and financial support of the Negro practitioner. 'Judge' Carter of Richmond told me in the early days of my practice that I would find my financial returns wholly disproportionate to the amount of service I would be compelled to render. 'Judge' Carter was correct and he is not only an active practitioner but is a bank president and head of an insurance company. The question of politics and its resulting prestige is an important one. I met fifty or more lawyers in Cleveland while attending the Elks' grand lodge in 1926. At least 70 per cent of them had been or were then actively in politics and had held or were then holding positions of influence in political circles. I was one of fifteen lawyers who constituted the committee on law and revision, one of the most important committees of the convention. Most of them were Southerners, but only three were then living in the South. Among the lawyers whom I fraternized with in Cleveland were Perry W. Howard, then assistant to the United States attorney general; William Harrison, assistant attorney general of the state of Illinois; Major A. E. Patterson, assistant corporation counsel, city of Chicago; Stewart E. Hoyt, deputy collector of taxes, city of Boston; Selmo C. Glenn, assistant county prosecutor, Cleveland; Lawrence O. Payne, prosecutor, Central Police Station, Cleveland; Julian P. Rodgers, assistant corporation counsel, department of street railways, city of Detroit; Thomas J. Howard, assistant to the district attorney in Cincinnati; Robert L. Vann, criminal specialist, political leader in Pennsylvania; Harold T. Gassaway, on the staff of Tom Fleming, political leader of Cleveland, and a number of others."

Contrasting the Negro lawyer and the Negro doctor, Attorney Andrews observed: "The situation of the Negro lawyer and the Negro doctor who migrates from the South is quite different in aspect. The young physician locates in the South and makes his fortune and then removes North or West to educate his children and take life more leisurely. The young Negro lawyer gains poise and experience from a difficult practice in the South and then removes North to make his fortune and realise the choice blessings of democracy. It must not be thought, however, that practice in the South is without its advantages. In the first place, no amount of money can compensate the practitioner for the substantial gain he makes in the protection of the civil rights of the race in the South. Frederick in the Aiken cases, Scipio Jones in the Arkansas cases and McGill in defeating the death chair of Florida—these are epochs in the legal history of the race and they transcend the victories of Northern practitioners because of the handicaps overcome. In the second place, the Southern attorney is associated with business institutions and gains an invaluable experience in corporate and business practice and community organization. In the third place, he develops more initiative, a tougher mental fiber and a stronger body of character because of the vexations and proscriptions of Southern life. One of the greatest benefits to the young Negro lawyer is the full association and comaraderie that he has with the big minds and great souls of business and the professions with whom he associates in daily life in the South. The main difficulty with practice in the South today is that Negro business and the Negro community have not been organized for the proper support of Negro lawyers. For example, every Negro insurance company provides for a medical director on a professional basis, just as it provides for actuarial, managerial, clerical and other important departmental agencies. But there is no legal department in any company I know of today which is maintained by any of these companies. It is true that they are helping to support individuals but they are not forwarding the progression as they ought to do. Likewise, the Southern Negro community organizes itself to secure a colored physician or dentist and they pay these professionals in the coin of the realm and the produce of the land. They boost him, they put him in all the fraternal organizations and supplement his earnings in many ways. They do not organize to receive a Negro lawyer and he frequently settles in a community where he is told that, although badly needed, he cannot expect very much support; and they frequently caution him against being too "radical." It is my prediction that unless Negro business and the Negro community organize to support Negro lawyers in the South there will not be a dozen outstanding men in Southern territory in the next ten years."

Next week Attorney Andrews will discuss in this interview the attitude of the courts, judges, police circles, public sentiment and the newspapers in North Carolina.

MASTER OF ARTS was conferred upon Henry Cooke Hamilton of Atlanta, Ga., by the University of Pittsburgh last Friday. Mr. Hamilton is principal of the Harrison High School, Roanoke, Va.

University "Prof." Says There Is No Danger In Races

WILLIAMSTOWN, Mass., Aug. 23.—Speaking before the General Conference of the Institute of Politics here Wednesday Prof. R. D. McKenzie of the University of Washington said, "There is no danger of the rising tide of color. White races have increased faster than all the colored races put together.

"This concern about biological competition is of relatively recent origin and is confined for the most part to white nations of the West. However, it is the colored peoples that have most cause for alarm."

Quotes Figures

Prof. McKenzie quoted figures showing that there is little indication of increase in populations of Asia and Africa outside of Japan and the Dutch East Indies. He described as dying peoples the Indians of America, the Ainu of Japan, the Mongolians of China, the Negritos of the Philippines, the Melanasians of the South Pacific.

"Fear of the white man," he continued, "that Orientals will outbreed him eventually has no basis in fact."

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