

NATION STILL SPLIT ON BLACK ISSUE AS FIRST REACTION TO TALK IS SEEN AS FAVORABLE

Ashurst Refuses Comment, Hinting He May Sit in Impeachment Trial; 'I Did Belong to Klan. I Resigned,' Justice Says.

(Continued from Page One)

was to make a statement of fact from a man who was and would remain a Justice of the Supreme Court. At the end, he said:

"When this statement is ended my discussion of the question is closed."

Constitutional authorities agreed that there was no possibility of successful impeachment proceedings against Justice Black. They said that past affiliation with the Ku-Klux Klan was not grounds for impeachment.

In Boise, Idaho, Senator Borah (R.) said that he hoped the entire matter would be dropped.

"Justice Black stated the matter of his relationship with the Klan as I understood it to be when I spoke on the subject in the Senate," Senator Borah said. "I understood then he had been a member but had dropped his affiliation about 11 years ago."

"He will take his seat as a mem-

BLACK'S SPEECH BEFORE F. D. R.

President Believed Studying Text and Gauging Nation's Reaction.

(Mrs. Roosevelt's Column, Page 9)

WITH ROOSEVELT EN ROUTE TO GRAND COULEE DAM, Oct. 2 (U. P.)—President Roosevelt, who missed Justice Hugo L. Black's radio statement of his one-time affiliation with the Ku-Klux Klan, today was believed studying both the address and the country-wide reaction to it.

The President was aboard his special heading back to Washington. Today he will speak at the Grand Coulee dam site.

There still was no comment from the President. James Roosevelt, his son, told reporters his father didn't hear the speech. While Justice Black spoke in Washington Mr. Roosevelt rode in an open car, reviewing the garrison of Ft. Lewis, Wash. When he went aboard his radio-equipped railroad car the speech was ended. However, it was believed a transcript of Justice Black's talk in which he said he had "dropped, discontinued and abandoned" the Klan was ready for the President.

This morning when the President arose it was thought the comment of scores of editorial writers and the observations of Justice Black's former congressional colleagues also was available for his study.

Ignored Black Speech

Senator Homer R. Bone (D. Wash.), who was riding with Mr. Roosevelt at the time of Mr. Black's speech, said that the President did not once give any indication that the subject was on his mind.

Mr. Bone said: "We didn't hear the speech. There was no radio in the car."

Some persons were inclined to attach significance to the fact that Mr. Roosevelt shifted to the car without a radio, and that his schedule would have put him in Tacoma at the moment that Mr. Black began to speak, had it been adhered to. Although the Presidential party was near its schedule most of the time, there was a long delay at Olympia when Mr. Roosevelt visited the State executive mansion, and he arrived in Tacoma an hour behind time, when it was too late to hear the speech over his railroad car radio.

'Man in Street' Leans Slightly To New Justice After Speech

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After Justice Hugo L. Black finished his radio speech last night, United Press reporters went into the streets of the major cities and asked persons at random what they had thought of it.

The replies follow:

Salt Lake City: L. C. Horsley, Railroad Stenographer—"I thought he was all right to begin with, since Roosevelt appointed him. I don't think he left any doubt in anybody's mind where he stands on the question."

O. A. Roche, Taxi Driver: "I used to belong to the Klan, but that's no reason for holding anything against a person. Black was gallant. Anybody who gets that high is bound to make enemies."

New York City: Aaron Levy, Dressmaker—"He sounded okay to me. I guess it's okay."

R. J. Hendricks, Clerk: "I got no use for a Ku-Kluxer, past, present or future."

Irene Frank, Hostess: "If President Roosevelt says he's all right, he's all right with me. It sounded like a swell speech."

Cleveland: Daniel J. Wallace, Switchboard Operator—"Justice Black claimed he always has been tolerant, liberal-minded and unprejudiced. He couldn't have been 15 years ago."

Admires His Honesty

Harry Andrew, Store Keeper—"He was frank about it, and I admire his honesty. But my opinion is unchanged. No judge of the Supreme Court should have any taint of prejudice about him."

Charles Coys, Restaurant Manager: "He presented his case well but that doesn't change my opinion."

Text of Address

WASHINGTON, Oct. 2 (U. P.)—The text of Justice Hugo L. Black's radio address last night:

Ladies and Gentlemen:

The Constitution is the supreme law of our country. The Bill of Rights is the heart of the Constitution.

The Constitutional safeguard to complete liberty of religious belief is a declaration of the greatest importance to the future of America as a nation of free people. Any movement or action by any group that threatens to bring about a result inconsistent with this unrestricted individual right is a menace to freedom.

Let me repeat:

Any program, even if directed by good intention, which tends to breed or revive religious discord or antagonism, or which spreads with such rapidity as to imperil this vital constitutional protection of one of the most sacred of human rights.

I believe that no ordinary maneuver ever executed for political advantage would justify a member of the Supreme Court in publicly discussing it. If, however, that maneuver threatens the existing peace and harmony between religious or racial groups in our country, the occasion is a free people.

"Any movement or action by any group that threatens to bring about a result inconsistent with this unrestricted individual right is a menace to freedom."

Speaking very slowly he repeated the last sentence.

Then, remarking that "no ordinary maneuver executed for political advantage" would justify a member of the Supreme Court in making a speech such as he was delivering, he cited the events which occurred while he was abroad for a vacation.

Occasion Is Not Ordinary

"If, however, that maneuver threatens the existing peace and harmony between religious or racial groups in our country," he said, "the occasion is not an ordinary one. It is extraordinary."

"An effort is being made to convince the people of America that I am intolerant, and that I am prejudiced against people of the Jewish and Catholic faiths, and against members of the Negro race."

Such insinuations, he said, were refuted by the record he could during his two terms in the Senate. "It is a record," he declared, "that I was of that group of liberal Senators who have consistently fought for the civil, economic and religious rights of all Americans, without regard to race or creed."

Included among his friends, Justice Black asserted, are "many members of the colored race," while "some of my best and most intimate friends" have been Catholics and Jews.

"The insinuations of racial and religious intolerance made against me are based on the fact that I joined the Ku-Klux Klan about 15 years ago," he said. "I did join the Klan. I later resigned. I never rejoined."

Dropped the Klan

"Before becoming a Senator I dropped the Klan. I have had nothing whatever to do with it since that time. I abandoned it. I completely discontinued any association with the organization."

To contribute my part in averting such a catastrophe in this land dedicated to tolerance and freedom, I break with precedents of the past to talk with you tonight."

An effort is being made to convince the people of America that I am intolerant, and that I am prejudiced against people of the Jewish and Catholic faiths, and against members of the Negro race. These insinuations are advanced despite the fact that, for the last 11 years, I have served in the Senate of the United States under constant and microscopic public scrutiny.

I DID JOIN KLAN

My words and acts are a matter of public record. I believe that my record as a Senator refutes every implication of racial or religious in-

it will bring the political religion back into the undeserved and perilous influence in affairs of government. It will resurrect practices and arguments from which this country suffered sorely in the 1920's. It will revive the spirit which, in 1928, caused a national campaign to be waged largely upon issues unworthy of a free people. It will bankrupt many businessmen whose sole offense is that they have religious beliefs which do not accord with the prevailing religious and commercial practices of the country.

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IT IS IN THIS SPIRIT THAT I NOW BID

those who have been listening to me goodnight.

BEST FRIEND JEWISH

I number among my best friends many members of the colored race. I have watched the progress of its members with sympathy and admiration. Certainly they are entitled to the full measure of protection accorded to the citizenship of our country by our Constitution and our laws.

Some of my best and most intimate friends are Catholics and Jews. Shortly after I moved to Birmingham, more than a quarter of a century ago, I formed one of the most valued friendships of my life with a son of Jewish faith. He was one of my closest associates and strongest political supporters. Months of our lives were spent together, much of the time in his home. He stood so nearly in the place of a father to me that while in the army in 1918 I designated this trusted Jewish friend as sole executor of my will.

My campaigns for public office his counsel and assistance were always mine. His widow, who was a guest in my home at the recent inauguration of President Roosevelt, was one of the first to congratulate me upon my nomination to be a justice of the Supreme Court.

When this statement is ended my discussion of the question is closed.

I believe the character and conduct of every public servant, great and small, should subject to the constant scrutiny of the people. This must be true if a democracy serves its purpose.

It is in this spirit that I now bid

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