

Dear Friend:

The NAACP Legal Defense and Education Fund, Inc. has recently been organized, and, by ruling of the U. S. Treasury Department, contributors ~~contributions~~ to this corporation may deduct their contributions for income tax purposes. This corporation has been active in the struggle to secure full justice for Negroes in the courts, equal educational opportunities for Negro youth, and the full integration of the Negro in the National Defense Program.

It has recently been successful in forcing the War Department by legal action to accept Negroes in the Air Corps. Negroes are still excluded from all branches of the Navy except the messmen division, from the Marine Corps and many branches of the army. Many plants with government contracts under the defense program refuse to hire Negroes, all of which is set out in the enclosed reprint of "This is Our Country, Too"

In many sections of our country local police officers continue to torture ^{innocent} Negroes charged with crimes, ~~who are innocent~~. All of this is in flagrant violation of the U.S. Constitution. The enclosed reprint from the Crisis magazine gives a short story of a typical case of torture. We are now appealing this case and funds are needed for this purpose;

Never before in the history of our country has the need for preserving our democracy been more urgent. ~~The~~ The survival of our form of government depends upon the granting of full citizenship rights to the largest minority group. We earnestly solicit your cooperation in this endeavor.

Sincerely yours

Secretary.

Reprinted from THE CRISIS for March, 1941

Tortured With Charred Bones!

THIS man, 20 years of age, was convicted on January 31, 1941, of murdering a white man, his wife and 4-year-old child, on the night of December 31, 1939, near Fort Towson, Oklahoma.

Lyons is supposed to have "confessed" to the crime. The "confession" was secured by placing the charred bones of the dead people in his lap, and by rubbing Lyons's arm with the teeth and jaw-bone of the dead woman!

Immediately after the crime, committed with a shotgun and axe, with the bodies of the victims burned up as the house was set afire by the killer, a white prison camp convict is said to have made a full confession. His statement that convicts were worked as prisoners by day, but permitted to roam freely at night, was so scandalous politically that it was hushed up and the word went out: "get a Negro and get him quick!"

School Children at Trial

Lyons was arrested, but was held without trial all during the political year of 1940. For four days, beginning January 27, 1941, N.A.A.C.P. attorneys defended him during his trial, which the presiding judge described as a "gala" affair. Schools for white children were dismissed and the youngsters admitted to the courtroom.

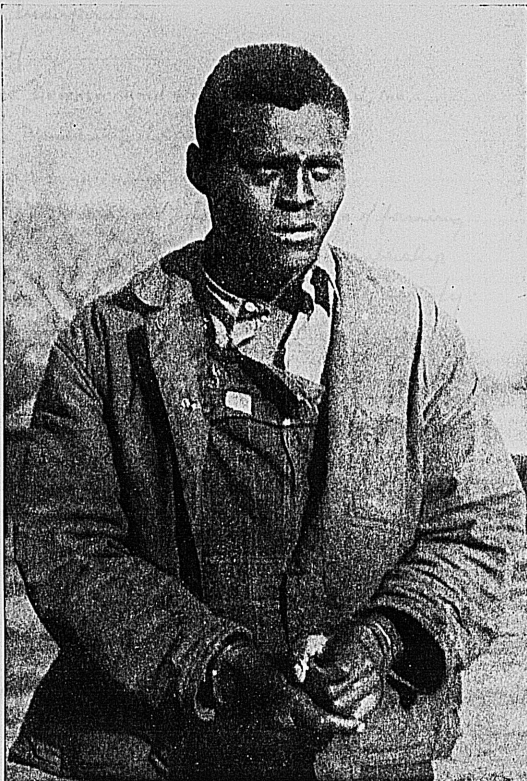
Thurgood Marshall, special counsel of the N.A.A.C.P., who went from New York to appear for Lyons, along with Stanley Belden, a white attorney, was the first Negro attorney to act in the courthouse in Hugo, Okla., in its entire history.

Lyons was found guilty by a jury with recommendation of mercy. When a white jury in Oklahoma finds a Negro guilty of shooting a white family to death, hacking the bodies to pieces with an axe, and then setting fire to the home and burning the bodies—and still recommends mercy—something is rotten in Denmark!

Defense Fund Needed

The N.A.A.C.P. is appealing for funds to carry this case to higher courts and perhaps to the United States supreme court. White and colored people who live near Lyon's home already have contributed \$360 to the expenses. It will take about \$5,000 to finance the appeal in this case alone.

But, while we are talking about the beauties of democracy and the necessity of strengthening our American system



W. D. LYONS

by giving justice to all, why not make a contribution to this Lyons case a testimony to our faith in democracy and our determination that it *shall* work? Why not a defense fund for all the black men the N.A.A.C.P. is called upon to defend? Why not \$10,000?

Contributions should be sent to the

N.A.A.C.P. Legal Defense and Educational Fund, Inc., 69 Fifth Avenue, New York, N. Y. Contributions to this fund are deductible for income tax purposes. Checks also may be made payable to Mary White Ovington, treasurer, with a notation that the money is for the "Inc. Fund."

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