

Press Releases--March 13

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LAST RITES HELD FOR
DR. LONNIE E. SMITH,
VOTE CASE PLAINTIFF

March 13, 1971

NEW YORK. — The death of Dr. Lonnie E. Smith in Houston recently recalls the pivotal role he played in the regaining of the vote for disfranchised southern Negroes. Funeral services were held for this vote case plaintiff in Houston, March 10. He died on March 7.

In a telegram to his widow, NAACP Executive Director Roy Wilkins hailed Dr. Smith's successful challenge of the South's white primary system noting that "the millions of new Negro voters in the South owe their franchise to Dr. Smith."

Barred from the Democratic primary because of his race Dr. Smith, a Houston dentist, asked the U.S. District Court in 1941 for a declaratory judgment ordering the Democratic party to cease barring black citizens from voting in the party primary, the only meaningful elections in Texas and elsewhere in the South.

This was the beginning of the celebrated *Smith v. Allwright* case which culminated in the United States Supreme Court decision of April 3, 1944. The 8 to 1 decision broke the backbone of the white primary system throughout the South. The decision by Justice Stanley Reed declared: "The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any state through casting the electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could thus be indirectly denied.

The case was argued in the Supreme Court by NAACP Attorneys William H. Hastie and Thurgood Marshall.

The full text of Mr. Wilkins' telegram follows:

YOUR HUSBAND LEFT A LASTING LEGACY TO HIS PEOPLE AND TO AMERICAN DEMOCRACY THROUGH HIS SUCCESSFUL CHALLENGE OF THE FINAL AND DECIDING SMITH VERSUS ALLWRIGHT WHITE PRIMARY CASE, RESULTING IN VICTORY IN THE UNITED STATES SUPREME COURT IN APRIL 1944. THE MILLIONS OF NEW NEGRO VOTERS IN THE SOUTH OWE THEIR FRANCHISE TO DOCTOR SMITH. THE VOTING RIGHTS ACT OF 1965 WAS A CONSEQUENCE OF THE EXPOSURE IN SMITH VERSUS ALLWRIGHT OF THE EXCLUSION OF NEGRO VOTERS FROM THE VOTING PROCESS. THE RACE MUST NEVER FORGET THE PIONEERS WHO WENT TO COURT TO UPSET THE OLD UNFAIR SYSTEM. AMERICA WAS HELPED TO A VINDICATION OF ITS DREAM OF A NATION OF, BY AND FOR THE PEOPLE BY YOUR HUSBAND'S COURAGE. WE OF THE NAACP JOIN MILLIONS WHO REMEMBER IN SENDING YOU OUR SINCERE SYMPATHY AT HIS PASSING.