

The Sipuel Case

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At the time *Sooner* goes to press, the case in which Ada Lois Sipuel Fisher, Chickasha Negro graduate of Langston University, is seeking admittance to the University of Oklahoma still is unsettled.

Through a fight which led to the Supreme Court of the United States, this graduate of Oklahoma's University for Negroes attempted to secure the privilege of working toward a degree in law at the state university for whites.

At the end of a two-year quest through the courts, Mrs. Fisher was awarded the decision of the highest court of the land which stated:

"The petitioner is entitled to secure legal education afforded by a state institution.

"To this time, it has been denied her although during the same period many white applicants have been afforded legal education by the state.

"The state must provide it for her in conformity with the equal protection clause of the 14th amendment and provide it as soon as it does for applicants for any other group."

The decision was handed down January 12, two weeks before scheduled enrollment for the second semester at O.U.

This decision was interpreted to mean that a state can open its schools to both Negro and white students, or it can maintain separate school systems, segregating white and Negro students. If specialized training—such as law or medicine—is available for white persons, Negroes, too, must be afforded equal training. A state cannot postpone its obligation by promising to open a school for Negroes tomorrow, next week or next year. If a white student can get that education now, the Negro must be given a chance for an equal education now, according to the decision.

An out-of-state tuition does not fulfill the state's obligation to the Negro student, when a white student can get the desired schooling within the home state.

While the case was being tried before the high court, Justice Felix Frankfurter suggested three ways in which Oklahoma could handle the matter:

1. Let Mrs. Fisher attend law school classes with white students.
2. Let her into the law school on a segregation basis, giving her a private teacher.
3. Admit her according to plan No. 1 or No. 2, but only until a Negro state law school could be established.

After reviewing the Federal Supreme Court decision, the state Supreme Court ordered the state regents for higher education to establish a law school for Negroes to be available by the time for regular second semester enrollment at O.U.

The regents announced on January 20 that such a school was being established in the state capitol to be known as the Langston University School of Law. The plan was to make use of three committee rooms of the state senate. Plans also included use of the state law library on the first floor of the capitol, and employment of faculty members. This was accomplished in the appointment of Jerome E. Henry, '28law, dean of the school at a salary of \$6,000 a year. Randell S. Cobb, '19law, former state attorney general, was named professor at \$5,000 a year, and Arthur Ellsworth, '38ba, '41law, was named professor at \$4,500 a year. All three are Oklahoma City attorneys. They agreed to devote the full time required to conduct the law school and afford any Negroes entering full opportunity, but each will continue his private practice.

Roscoe Dunjee, a national director for the National Asso-

ciation for Advancement of Colored People and editor of the *Black Dispatch*, Oklahoma City, weekly publication for Negroes, declared immediately after announcement of the regents' action there would be "no acceptance of a Jim Crow Law School."

He said that Mrs. Fisher, whose case was tried under her maiden name of Ada Lois Sipuel, would not attempt to enroll in the Langston branch school, but would stand on her application for admission to the Norman institution. The legal staff of the NAACP apparently will await final action of the regents in setting up the law school at the capitol before determining future court action in the fight of Negroes for admission to the University of Oklahoma School of Law.

Dr. George M. Johnson, dean of Howard University Law School and a member of the NAACP legal council, denies that the hastily established law school at the state capitol would have adequate facilities to provide education equal to that for white students at O.U. Langston is not an accredited University.

Meanwhile, the executive board of the Oklahoma Council of Churches released a statement urging that Mrs. Fisher be admitted to the University of Oklahoma.

Also making a stand on the issue were approximately 500 Farmers Union delegates meeting in Oklahoma City a few days after the Council of Churches released its statement. The farmers advocated equal and separate education facilities for Negroes.

At the University the issue has been the main topic of conversation. The first issue of the *Oklahoma Daily*, student publication, following the high court decision came out with a screamer head in 96 point type, a size reserved for such announcements as "War Declared." The headline read "Sipuel Wins Case!" All of the front page and most of the editorial page was devoted to related news of the case.

On the same day the decision was handed down in Mrs. Fisher's favor, The Stephenson Survey, directed by Gallup-trained Larry Stephenson, *Sooner* staff member, released results of a poll conducted on the issue.

The poll was taken on the campus during the week the trial was in session in Washington, all ballots being taken before the decision was handed down. A 500-student cross-section was interviewed by a scientific method based on the Gallup and other well-known systems.

The survey indicated that 43.6 percent of the student body favored admittance of Mrs. Fisher as a student in the University School of Law. Of this percent, 20.6 percent felt that Negroes should be admitted to all phases of white educational institutions, grammar and high schools included. Another 13.4 percent would restrict them to attending all phases of white colleges and universities, while the other 9.6 percent of the 43.6 percent favored admitting them to white institutions for graduate study only.

Favoring equal but segregated education in the state was 50.6 percent. Another 5.2 percent favored furnishing adequate funds for paying out-of-state fees and tuition in out-of-state colleges or universities for state Negroes unable to receive training at Langston in a desired course which is offered at state white institutions. The remaining six-tenths of one percent favored neither equal education within the state nor tuition for out-of-state education.

Indicating, perhaps, the liberalizing effects of education was the survey results which showed that 29.7 percent of Freshmen favored admittance of Mrs. Fisher, as contrasting with 40.8 percent Sophomores, 49.5 percent Juniors, 54.0 percent Seniors, and 63.5 percent of O.U.'s graduate students.

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Delta Phi, law fraternity. They are at home in Norman.

CLARK-MARSHALL: Joan Clark, Oklahoma City, became the bride of Alton J. Marshall, '46-'47, in a ceremony performed in Oklahoma City. Mr. Marshall is a student in the University School of Law.

BASSETT-FRITCH: Virginia Bassett, '45-'47, became the bride of John Edward Fritch, '47, in a ceremony performed in late October in the St. Joseph Catholic Church of Norman. Mrs. Fritch is a junior in the College of Business Administration. Mr. Fritch is a premedical student. They have established a home in Norman where both are continuing their studies.

CISCO-BATIS: The marriage of Mary Cisco, '45-'47, and Wirt Batis, '41-'43, both of Ardmore, was an event of October 24 in the home of the bride's grandmother in Ardmore. Mrs. Batis is a member of Chi Omega Sorority and Mr. Batis was affiliated with Sigma Chi Fraternity. They have established a home in Ardmore.

FARLEY-MERVELDT: Patricia Ann Farley, '46-'47, Chicago, Illinois, formerly of El Reno, and LeRoy Merveldt, '46, El Reno, were married late in October in the El Reno First Presbyterian Church.

MARTIN-YOUNG: The marriage of Deloris Martin, Shawnee, to Eugene Young, '47, was solemnized at the home of the bride's sister in Shawnee. Mr. Young is a senior in the School of Geology. They have established a home in Shawnee.

CLAY-DODSON: Mary Virginia Clay, '47ba, Oklahoma City, became the bride of Melvin H. Dodson, '39-'41, '47-'48, Mangum, in a ceremony performed November 26 in the home of the bride's parents. Mrs. Dodson is a member of Psi Chi, national honorary psychology society, and Delta Gamma Sorority. She is now employed in the sociology department at the University. Mr. Dodson is a senior in the School of Geological Engineering and is a member of Phi Kappa Psi Fraternity.

WALDEN-HUFFSTETLER: Joan Walden, '47 bs, Hugo, became the bride of Joseph R. Huffstetler, Gastonia, North Carolina, August 30 in Hugo. Mrs. Huffstetler was a member of the Y.W.C.A., Pick and Hammer, and Oklahoma Society of Women Engineers. They have established a home in Gastonia.

WEBB-CROY: Mary Ann Webb, '45-'47, Kiowa, and Murray Croy, '47eng, Minco, were married December 7 in the home of the bride's mother. They have established a home in Oklahoma City.

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As the magazine goes to press the case seems far from solved. As a matter of fact it is further complicated by the application of six more Negroes to various schools at the University. Applications were received from them for higher education in architectural engineering, business administration, education and biology.

The University Board of Regents tossed the hot potato into the lap of Mac Q. Williamson, state attorney general, after he had said "the Board of Regents would be justified in declining the admission at this time of the six."

In holding that the regents would be justified in declining the admission, Williamson had said circumstances were not the same as in the Ada Lois Sipuel Fisher case in which immediate action was directed. She had filed for admission two years before. The other six filed during regular enrollment, thus the state has had no time to make facilities available.

After an all-day session on January 29, the University Regents adopted a resolution asking "Williamson to state specifically whether the Regents may lawfully admit qualified Negroes when other facilities for Negroes are not available in the state. The board further directed President Cross to fol-

low the opinion and to admit Negroes to the University if the attorney general answers *yes* and to deny admission if the attorney general answers *no*.

Dr. Cross was told to defer action on all applications made by Negroes until the opinion is received.

The latest development in The Sipuel Case was a statement by Attorney General Mac Q. Williamson that Negroes may not lawfully be admitted to the University at this time. Under orders from the Regents, President Cross must deny enrollment applications made by six Negroes January 28.

On the day the Regents met, a mass meeting was called in front of the Administration Building by a group of students to advocate throwing the University doors open to would-be Negro students. Howard Friedman, government senior from Oklahoma City and spokesman for the group, urged contributions to the NAACP to help finance their fight. He also urged letters to be sent to the Regents demanding admission of Negroes.

In declaring that the fourteenth amendment was dead in the state because of failure of Oklahoma to recognize it, Jack Bales, arts and science sophomore, set fire to a copy of it held by Wanda Lou Howard, arts and sciences junior. Then, singing "The Battle Hymn of the Republic," approximately 350 students marched to the campus corner post office where the "remains" of the fourteenth amendment were mailed to President Truman.

Anti-Negro elements struck back the following day with a mass meeting also in front of the Administration Building. This meeting was organized by Stanley D. Smith, Norman Arts and Sciences Senior, and George Rainey, Maud Arts and Sciences Senior.

Orators for both sides argued the issue over the "mike." Cries of "Heil Hitler," "That's tellin' 'em Bilbo," "You sho' said a mouf full white chile," and other such heckling were common.

Most speakers for those opposing admission of Negroes at O.U. were in favor of equal education to be provided in state Negro institutions.

On the third day still another demonstration was held on the icy steps of the Administration Building—this time to ridicule and point out the utility of all demonstrations. This one advocated "Equality for the Irish."

Master of ceremonies Clee Fitzgerald, Caddo law freshman, introduced the speakers to an audience of perhaps 100 students, most of whom wore green arm bands. Ferrill (O') Roger, Stillwater law senior, and Tom (O'Shanter) Brett, Ardmore law senior, amused the audience with their pleas for recognition in Oklahoma of the "Railroad Act of 1872 which assured Irishmen of certain rights in laying railroad ties." A copy of the "act" was burned and mailed to the head janitor of the Union Building to be disposed of "as he sees fit."

Fort Sill was established in 1869 as the base of operations against the Plains Indians.

Dr. Roben Landa, newly-appointed University of Oklahoma Spanish professor, is a former president of the "Institute Luis Vives," Mexico City.

* Leonard Haug, director of the University of Oklahoma band, conducted his first concert at the age of 12.

The University Symphony Orchestra was organized in 1903 at the University of Oklahoma by the late Fredrik Holmberg, first dean of the College of Fine Arts.

The oldest organization on the University of Oklahoma campus, the Congress Club, was founded the year the University had its beginning. Purpose of the oratory group for men is to encourage the art of public speaking.

Letters from 'Bud'

For paid-up members of the University of Oklahoma Alumni Association only.

Such was the football letter prepared by Sooner Coach "Bud" Wilkinson every week. Following each of the Saturday grid contests, "Bud" went to work on his communique to O.U. alumni—that is, to those who had paid their Association dues.

In his four-page letter, the popular coach—who piloted the Sooners to seven victories, one tie and a Big Six Conference co-championship in ten games—pointed out errors of the Saturday before, patted players on the back, gave the team statistics and individual running figures, before giving his readers an idea of what to expect the following weekend.

THREE "R's" PLUS RELIGION

Although not required, religion is one of the "R's" on the schedule for most University of Oklahoma students. Thirty denominations are represented in the student body of more than 12,000 students, it has been announced by Ted Ledeen, secretary of the Y.M.C.A. Hundreds of students take part in the programs of Norman churches and the Student Christian Associations.

Dr. George L. Cross, University of Oklahoma president, is a member of the board of trustees of the Southern Association of Science and Industry.

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