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# The OBSERVATION POST

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## Judge Delany Quits Alumni Anti-Bias Body; Blasts Administration Inaction

### Excerpts of Letters

The following quotations are from Judge Delany's letters to the Alumni Board and to Prof. Mead, announcing his resignation as a chairman of the special committee to investigate the Davis and Knickerbocker cases and any other cases of discrimination at the College.

...I did heretofore, as I do not now, believe that the administration and the faculty, had the desire and was attempting to achieve the goal to which our College along with all other educational institutions, and to which our ideals of democracy are dedicated. I heretofore believed that we were attempting to create an atmosphere in which administration, faculty, and students could live, work, and learn — an atmosphere free from any discrimination on account of race, creed, color, or national origin.

I have recently changed my views. This change has been brought about because when indications and evidence of acts contrary to the stated ideals of the College have been brought to the attention of the administration and the faculty, these acts have not been faced or dealt with in a forthright manner. Instead of admitting grave concern about such matters, the attempt has been made to either pretend that they did not exist, or when proven, as in the Davis case, to pretend that segregation and discrimination is not so evil a thing, and that Mr. Davis really had no evil intent, but just used bad judgement, and that his removal as assistant to the President was not only a sufficient condemnation for the offense, but that even if it were not a sufficient condemnation, the administration was powerless to take further action since Mr. Davis held tenure of office.

...I hope that both you (Prof. Mead) and he (Pres. Wright) will realize that I am not at odds with the President as a person — nor do I charge him with being prejudiced. As a person, I like Pres. Wright. I do, however, disagree with his failure to take an aggressive stand in the Knickerbocker and Davis cases.

You will recall that at my conference with you and the President last June, it was clearly indicated that Mr. Davis held tenure.... At no time during this conference did the President indicate that Mr. Davis did not have tenure, and that he could have summarily removed him on the basis of findings of the Faculty Committee. At no time did the President indicate that when he was to be returned to the Economics Dept., his salary would be increased to the maximum for staff of the instructional rank.

You must agree with me that the action of the President in increasing the salary of one so recently found guilty of segregation and discrimination by the Faculty Committee, above the salary he received when he left his rank in the Economics Dept., amounts to a reward and the placing of a stamp of approval upon a member of the staff who has been found guilty of violating what should

(Continued on page 2)

### Noted Negro Jurist, in Letters to Prof. Mead, Condemns 'Stamp of Approval' On Discrimination; Questions Tenure of Davis

By Phil Scheffler

Judge Hubert T. Delany, Chairman of an alumni committee to investigate discrimination at the College, has resigned his post and sharply criticized the administration and faculty for their inaction in the Davis and Knickerbocker cases. Judge Delany stated his resignation in a letter to Prof. Nelson Mead, President of the Associate Alumni, which was distributed by Hillel at last Friday's Student Council meeting.

The letter of resignation was accompanied by a previous letter to Prof. Mead and a

memorandum to the "President and Board of Directors of the Associate Alumni." In the earlier letter Judge Delany said, "There is really no answer to the question people are asking today, 'If there is no discrimination at the City College why should anybody be a'raid of any investigation into a matter which is non-existent?' It is because I know that the action of the administration in dealing with the Knickerbocker and Davis cases cannot be upheld, and will create great strife in the future unless dealt with in a forthright manner, that I consider that those who are interested in the future of the College, decide that forthright action in these cases is necessary, and now."

One of the major issues raised by Delany in his letters was that of the tenure of Davis. The judge says that Pres. Wright had led him to believe that Davis had

### Assembly Denies Regents' Control Of NY State U

An impeding distintegration of the status quo in education appeared last week when the Board of Regents was unsuccessful in its attempt to control the state university system, with its integration of 32 colleges and schools of higher learning. The Assembly's defeat of the Condon-Barret bill, 93 to 40, allowed a board of trustees to commence governing April 1st, 1949.

#### No Barriers

According to Dr. Alvin C. Eurich, appointed president of the system, there must be established, "without interference of old ideas a university system that will make higher education possible for any one . . . we want no barriers of any kind." He thought that this would be the best investment of a democracy, although some people would always resist a change.

Should the Board of Regents discontinue its efforts to "suppress" the Board of Trustees, many colleges will undoubtedly be established throughout the state. Two free state medical schools are expected to go into operation shortly after the trustees take charge. One will be situated upstate while the other will be in New York City, possibly the Long Island College of Medicine.

Also planned within the next five years are a series of two-year junior colleges; several four-year liberal arts and professional schools; and an institution of higher learning, a la Sorbonne. The entire building and revamping of the university system will cost \$200,000,000 with facilities for 60,000 students.



Judge Hubert T. Delany

### Council Probing Delany Charges

Judge Herbert T. Delany's charges against the College administration will be investigated by a five-member special committee established by Student Council at its meeting last Friday. The chairman of the group is Robert Oppenheimer, who introduced the charges in the Council, and its members are George Gasetas, Shirley Lay, Levy Galperin and Tom Andrews.

In a relatively quiet meeting which barely managed to retain a quorum during its last few hours, Council approved the charters of the following new organizations: "Guardians of Our Tomorrow," Sigma Alpha, the Student Branch of the American Society of Heating and Ventilating Engineers, and "Equity."

National Student Association alternates who were elected at the meeting are Al Tauber, Murray Abrams, Mark Shiovitz and Joseph Clancy, Jr.

### 'No Comment'

When contacted by this newspaper yesterday afternoon, administration officials declined to comment. Although Judge Delany's letter of resignation was dated March 8, Dean Theobald said that his office had not officially received a copy.

tenure, during a conference in June, 1948. But, Delany points out, the alumni committee was informed some time later that Davis had not had tenure at the time he was dismissed as administrator of Army Hall and does not have it as yet.

Judge Delany received his AB from City College in 1923 and in 1925 was graduated from the NYU Law School. From the following year until 1932, he was Asst. U. S. Attorney, and subsequent to that he was appointed as a judge to the Domestic Relations Court by Mayor LaGuardia.

### 'Pleased to Announce . . .'

The Managing Board of the "Observation Post" is pleased to announce that the following organizations have been elected to its policy-making Board of Directors:

- American Institute of Electrical Engineers
- Bushville Chemical Society
- Hillel Foundation
- Psychology Society
- Student Christian Association

In accordance with the "OP" Charter, these five organizations after approval of the Student Council, will join the three representatives of "OP" and the representative of the American Veterans Committee in the writing of official for this newspaper.

As we go to press, it is not yet known which individuals will be selected by their organizations as members of the Board.

# OBSERVATION POST

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All opinions expressed in the editorial column of this newspaper are determined by a majority vote of the Board of Directors.

## We Demand an Answer

WHAT STARTED AS A pure and simple series of charges of discrimination against two members of the faculty is now taking on implications that are much more serious.

Judge Hubert T. Delany's resignation from the Alumni investigating committee has brought to light an ugly situation in which the College administration is indicted as the active and conscious defender of bigotry. No longer can they pose as disinterested observers, searching for the truth—they are now accused of being the real culprits, guilty not only of hiding the truth from the students, faculty and alumni, but also of subverting the ideals upon which the College was built and supported by the community.

Judge Delany's charges support the accusations that have previously been brought against the administration, and lend credence to the hitherto-whispered rumors of official complicity with bigotry.

The situation now calls for immediate, strong action from all parties concerned.

We call upon the administration:

To dismiss Mr. Davis unconditionally;

To suspend Prof. Knickerbocker from his chairmanship and insure that legal action is brought immediately to settle the case satisfactorily.

We call upon the Student Council:

To instruct its newly-elected committee to investigate courses of action by the students with the aim of bringing the cases to a head as soon as possible. In the event that Council doesn't issue such instructions, we propose that the committee bring back such a report on its own.

The administration's refusal to comment on the charges because they haven't officially seen them yet is irrelevant, but we're willing to go along. If the administration doesn't answer Judge Delany's letters, they tacitly admit their guilt. We demand that they reply openly and honestly, with full faith in the intelligence of the student body and the community. The College papers stand ready to open their pages to a full discussion by all concerned.

Judge Delany's questions must be answered by us all. Is this College really interested in ending discrimination and bigotry? Is it interested in living up to its professed ideals?

Now is the time that we can and must find out!

# Dramsoc Scores Hit With Gershwin Musical Comedy

Alan E. Goldberg

It is amazing to what degree a fresh spirit can serve as a substitute for deft comedy techniques and draw from a delighted Pauline Edwards Theatre audience laughter and applause beyond the measurement of a reaction meter.

"Girl Crazy," the light-headed and light-hearted tale of love and "politics" and "bad men" in dude infested Arizona and an unlikely Mexico, gave the greatest of opportunities, last weekend to these tongue-in-cheek actors in the cast. Howard Caine as Gieber Goldfarb, displaced taxi-driver and unwilling candidate for sheriff of Custerville, handled his richly comic lines in an easy manner. Egon Dumler as Siick Fothergill, Goldfarb's partner in humor, applied all the skills of the comic art to be learned by an acute observer of the passing cafeteria parade. Both worthies romped through their parts with obvious pleasure.

### Dance Stops Show

Wonderful was the work of Carol Sawyer as Kate Fothergill, a part given life in the original 1930 production by Ethel Merman. The combination of the sophomore Egon Dumler and the Ethel Merman-esque Miss Sawyer, in an effervescent comedy dance number, stopped the show.

Larry Stevens' specialty dances call forth many superlatives. The audience feasted its collective eye upon his gratifying style. Miriam Raphael's dance arrangements were efficient.

### Serious Roles

The more serious parts were carried through by Bill Summers as Broadway dandy, Danny Churchill, and Carrie Caldwell playing postmistress Molly Gray, the role which put Ginger Rogers on the road to Hollywood. Summers, endowed with a pleasant voice, has an overdeveloped sense of theatrical gesture. His adept footwork, without benefit of dance rhythm, as well as his oversimplified portrayal of emotion detoured the interests of this reviewer.

Excepting comparatively minor technical flaws and some injection of the schoolish atmosphere, Director Eli Bloom has presented a musical bringing Gershwin up to date with interjections on Truman and Palestine, and successfully accomplishing its mission—to evoke joyful laughter.

## Excerpts of Letters (Cont.)

(Continued from page 1)

be looked upon as the sacred ideals of the College

...The Alumni Committee has not itself accomplished much, because most of our sessions have been concerned with long and irrelevant arguments on procedure and continual statements by members, who ask that they be shown the proof that Professor Knickerbocker is guilty, instead of permitting us to go to work and do the investigating work which we are appointed to do, in order to arrive at a fair conclusion.

While some may think it is questionable as to whether Jews are discriminated against in their efforts to secure positions on the teaching staff and in their efforts to advance... no one can say that the paucity of Negroes on the staff indicates that there is not and has not been widespread discrimination in admitting qualified Negroes to the teaching staff... No one would now say that Professor Knickerbocker has the full confidence of the faculty in his department or of the student body. Why then is he not removed as administrative head of his department as the Hart Committee recommended? Why attempt to stand by the head of a department who has not been able to obtain sufficient confidence of the faculty of his own department or of the

student body to enable him to function effectively? To stand by Prof. Knickerbocker permits people to draw the same inference that can be drawn and is being drawn from the action of the President in standing by Mr. Davis... This inference to put it bluntly, indicates that there is no real determination on the part of the President to say in no uncertain terms that the City College means it when it says it has as its ideal no discrimination on account of race, creed, color, or national origin.

Those who are interesting in purifying the atmosphere at the College are not too worried about men like Mr. Davis... While it is difficult to prove an attitude of mind, one's actions and attitude if one is prejudiced can be determined. The people at the College who are more dangerous in a way are those people who know that prejudice exists... who are willing to look at prejudice and deal with prejudice as not so evil a thing, and take the attitude that we are better than the other colleges, so why raise such a fuss about it. It is this attitude that permits those who are prejudiced to a small degree to feel that it is all right to be prejudiced to a larger degree and that nothing serious will happen if they are.

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