



Daniel Jeremy Silver Collection Digitization Project

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MS-4850: Daniel Jeremy Silver Papers, 1972-1993.

Series II: Subject Files, 1956-1993, undated.

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Martin Luther King Action Fund for Cleveland, correspondence
and legal agreement, 1968.

The Proposed Poor Peoples Partnership

Representatives from the Circle of Afro-American Unity, Welfare Rights Movement, Cleveland Tenant Union, and The Domestic Workers of America, along with persons from Project Need, met at the Legal Aid Society Office, 118 St. Clair Avenue on Tuesday, April 9, 1968, to discuss a partnership of organizations to work together in memory of Dr. Martin Luther King, Jr.

1. It was decided that they would become involved in an action program to achieve gains and benefits for the poor in memory of Dr. King.
2. The groups that would form the nucleus of the partnership would be:
 - a. Welfare Rights Movement and Grievance Committee
 - b. The Domestic Workers of America
 - c. The Circle of Afro-American Unity
 - d. Spanish American Committee for a Better Community
 - e. Health Grievance Committee
 - f. Cleveland Tenant Union
3. The Structure of the Partnership
 - a. A Board of Directors will be the policy makers for the partnership.
 - b. This board will be made up of two members selected by each group making up the partnership and eight members at large from the indigenous community.
 - c. Civil Rights groups, civic organizations, other boards representing the poor, and neighborhood community organizations, projects, and centers will be called upon for support of the poor peoples partnership.
 - d. The Board of Directors will make decisions as to how the community will be mobilized and participate with the partnership to move for change that will benefit the poor.
4. Goals and Objectives
 - a. Work for decent and sanitary housing to create environment for a wholesome community where poor and disadvantaged in this society might live and participate fully.
 - b. Organize the community to support the ideals for which Dr. Martin Luther King, Jr. is now a symbol, and to bring a new awareness to Black People of the present struggle.
 - c. To effect change in Public Assistance Legislation to improve the quality of life of welfare recipients.
 - d. To gain rights and benefits for underemployed workers, domestic workers, etc., who are the forgotten people of this society.

- e. To bring poor people together in an organization to effect change in institutions that effect their lives.
5. Suggestions for group consideration
- a. Other groups of poor people should be invited into the partnership to form an assembly which can help give direction to the Partnership of Poor People.
 - b. The Board of Directors of the Partnership should be a part of the Board that will govern the Memorial Fund to be raised in Cleveland.
 - c. The Legal Aid Downtown facilities should be utilized as the office of the Partnership immediately. (These facilities have been offered by the Legal Aid Society).



19313 Longbrook Road
Cleveland, Ohio 44128
April 7, 1968

Rabbi Daniel J. Silver
The Temple
Cleveland, Ohio

Dear Rabbi Silver:

This morning's Plain Dealer reported that Mayor Carl Stokes has taken steps to establish the Martin Luther King Memorial Action Fund to further the civil rights movement, mentioning you as one of those attending the organization meeting. I wonder if we are not missing the full scope of Dr. King's work and dedication by defining his efforts solely in terms of civil rights. Above all else, in my mind, Dr. King strove for peace and brotherhood among men of all races and all nations and for an end to war as a way of resolving world problems.

Have you noticed, as I have, a complete silence (embarrassed perhaps) in the many eulogies for Dr. King regarding his courageous support for non-violent resistance to this country's Vietnam war policy? A year ago he was widely criticised by many prominent Americans for "mixing" civil rights with the peace movement. In his mind it was not possible to plead for non-violent methods to solve the race problem here while remaining silent in the face of his own government's use of massive violence to solve the Vietnam problem. Here are Dr. King's own words delivered in New York City on April 4, 1967, exactly one year before his assassination:

"As I have walked among the desperate, rejected and angry young men I have told them that molotov cocktails and rifles would not solve their problems, maintaining my convictions that social change comes most meaningfully through nonviolent action.

"But they asked, and rightfully so, what about Vietnam? They asked if our nation wasn't using massive doses of violence to solve its problems, to bring about the changes it wanted.

"Their questions hit home, and I knew that I could never again raise my voice against the violence of the oppressed in the ghettos without first having spoken clearly to the greatest purveyor of violence in the world--our own government."

I am concerned that in our sincere efforts to honor the memory of Martin Luther King we will reduce the giant stature and world outlook of the man so we lesser men will feel more at ease and less called upon to recognize the arduous task facing us if we wish to attain the high ideals set forth in Dr. King's doctrine of non-violence and world brotherhood.

I ask you to give consideration to my viewpoint and will welcome any comments you care to make.

Sincerely,

Elmer S. Newman
Elmer S. Newman

April 9, 1968

Mr. Elmer S. Newman
19313 Longbrook Road
Cleveland, Ohio 44128

Dear Mr. Newman:

I want to thank you for your kind letter. I admired Dr. King for many reasons, not the least of which was the breadth of his concern and his views on Vietnam which I shared and share fully. There will be, I am sure, many testimonials to him. The fund we have in mind is directed to our own community and the ways of making effective here a better structure of relationships between all peoples. I think you will find these monies will be used wisely.

With all good wishes, I remain

Sincerely,

DANIEL JEREMY SILVER

DJS:rvf

April 12, 1968

Mr. Abe Luntz
18975 Van Aken Boulevard
Shaker Heights, Ohio 44122

Dear Abe:

I want to thank you for your generous contribution. These monies will be turned over to the Action Fund, and, as you know, will be put to good use. As always, I am grateful to you.

Sincerely,

DJS:mgm

Daniel Jeremy Silver

\$150

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

W. P. MARSHALL
CHAIRMAN OF THE BOARD

TELEGRAM

R. W. MCFALL
PRESIDENT

SYMBOLS

DL = Day Letter

NL = Night Letter

LT = International Letter Telegram

1968 APR 12 PM 2 58

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

254P EST APR 12 68 CTE 126

CT CLY080 CLZ3

CLZ3 NL PD 4 EXTRA CLEVELAND OHIO 12

RABBI DANIEL SILVER

THE TEMPLE UNIVERSITY CIRCLE AND SILVERPARK CLEVE

791-7755

YOUR ORGANIZATION IS INVITED TO SEND ONE REPRESENTATIVE TO AN ORGANIZING MEETING OF THE BOARD OF DIRECTORS OF THE MARTIN LUTHER KING ACTION FUND OF CLEVELAND AT 730 PM TUESDAY APRIL 16 IN THE JOHNSON ROOM OF THE CENTRAL YMCA 2200 PROSPECT AVENUE. IN COOPERATION WITH MAYOR STOKES THE FUND IS SPONSORED BY BISHOP CLARENCE ISSENMAN RABBI DANIEL SILVER AND DOCTOR ROBERT COURTNEY REPRESENTING CATHOLIC PROTESTANT AND JEWISH FAITHS. FUND IS TO SUPPORT POOR PEOPLES MARCH ON WASHINGTON AND OHER ACTIVITIES RELATED TO DOCTOR KINGS GOALS

WALTER BEACH AND REV CHARLES RAWLINGS ACTING CO-CHAIRMAN.

4/13 TO LD
BY AK AT 950 TO Med
CALLS

April 12, 1968

Mr. Jack Green
13769 Cedar Road
Cleveland, Ohio 44118

Dear Mr. Green:

This will acknowledge receipt of your contribution to the Dr. Martin Luther King, Jr. Memorial Action Fund. Your generosity is much appreciated. As you know the fund will stimulate the organization of people at the grass roots and will be used by them to achieve a larger justice.

Sincerely,

DJS:mgm

Daniel Jeremy Silver

\$5

GREATER CLEVELAND GROWTH ASSOCIATION

690 Union Commerce Building

Cleveland, Ohio 44115

216-621-3300

April 26, 1968

Robert N. Courtney, President
Greater Cleveland Council of Churches
2230 Euclid Avenue
Cleveland, Ohio 44115

Dear Mr. Courtney:

The Greater Cleveland Growth Association is receiving requests for information from its members concerning the Martin Luther King Memorial Action Fund and its solicitation program.

In order that we may furnish our members the current factual data, we would appreciate receiving any information relative to the aims, objectives, direction, management, budget, financial statements or any other material which you deem advisable to send us.

Your assistance and cooperation in this matter will be appreciated.

Very truly yours,

Ralph E. McGeorge, Manager
Solicitations Department

blc

*Rabbi Silver, would you give me your candid
opinion about this for our Committee.
Thank you*

R. E. McGeorge

May 3, 1968

Mr. Ralph E. McGeorge
Greater Cleveland Growth Association
690 Union Commerce Building
Cleveland, Ohio 44115

Dear Mr. McGeorge:

The Martin Luther King Memorial Action Fund was brought into being by Bishop Issenmann, Dr. Courtney and myself. These funds once raised will be given to the partnership of the poor which is being coordinated by Walter Beach. The monies are to be used by them for projects of their own selection, having to do with the organization of grass roots activity in the war on poverty. I do not know what else I can tell you except to suggest that you can find out more by contacting Mr. Beach.

Sincerely,

DANIEL JEREMY SILVER

DJS:rvf

MEMORANDUM

TO: The Most Rev. Clarence G. Issenman, Dr. Robert H. Courtney,
Rabbi Daniel J. Silver

FROM: Rev. Charles W. Rawlings

Attached to this memo are five executive copies of the trust agreement governing the Martin Luther King Memorial Action Fund For Cleveland. According to the attorney, each of you is to put your full name on the first page in one of the blanks and you are to sign in one of the spaces on the last page. This is to be done on all five copies. These copies are being transmitted first to Dr. Courtney second to Bishop Issenman and lastly to Rabbi Silver. May I ask that each of you take responsibility for transmitting the five copies to the next trustee after you have signed them as indicated.

The trust agreement is identical with the earlier copy placed in your hands last week with the exception of pages 7 & 8 which have been changed to reflect the agreement reached in the Mayor's chambers Wednesday, April 10.

When the last party has signed all five copies I would appreciate their being returned to my office at 2230 Euclid Avenue.

THE MARTIN LUTHER KING ACTION FUND FOR CLEVELAND

THIS DECLARATION OF TRUST made as of the 9th day of April, 1968, by _____, _____, and _____,

_____, all of Cleveland, Ohio, who hereby declare and agree that they have received this day from _____, of Cleveland, Ohio, as Donor, the sum of Ten Dollars (\$10) and that they will hold and manage the same, and any additions to it, in trust, as follows:

FIRST: This Trust shall be called "THE MARTIN LUTHER KING ACTION FUND FOR CLEVELAND".

SECOND: The Trustees may receive and accept property, whether real, personal, or mixed, by way of gift, bequest, or devise, from any person, firm, trust, or corporation, to be held, administered and disposed of in accordance with and pursuant to the provisions of this Declaration Of Trust, whether or not the same is conditioned or limited so as to require the disposition of the income and/or principal for a particular use or purpose; but no gift, bequest or devise of any such property shall be received and accepted if, in the opinion of the Trustees, any terms thereof jeopardize the Federal income tax exemption of this trust pursuant to Section 501(c)(3) of the Internal Revenue Code of 1954, as now in force or afterwards amended.

THIRD: A. The principal and income and all property received and accepted by the Trustees to be administered under this Declaration of Trust shall be held in trust by them, and the Trustees shall make payments or distributions from income or principal, or both, to or for the use of such charitable organizations, within the meaning of that term as defined in paragraph C, in such amounts and for such charitable purposes of the trust as may be selected and determined by the Board of Directors, hereinafter appointed; and the Trustees shall make payments

or distributions from income or principal, or both, directly for such charitable purposes, within the meaning of that term as defined in paragraph D, in such amounts as may be selected and determined by said Board of Directors without making use of any other charitable organization; provided, however, that the Trustees shall at least annually distribute such part of the current income or past accumulation of income as is necessary to avoid unreasonable accumulation of income within the meaning of Section 504(a)(1) of the Internal Revenue Code of 1954 as now in force or afterwards amended. The Trustees shall also make payments or distributions of all or any part of the income or principal to states, territories, or possessions of the United States, any political subdivision of any of the foregoing, or to the United States or the District of Columbia, as selected and determined by said Board of Directors; but only for charitable purposes within the meaning of that term as defined in paragraph D. Income or principal derived from contributions by corporations shall be distributed by the Trustees for use solely within the United States or its possessions. No part of the net earnings of this trust shall inure or be payable to or for the benefit of any private shareholder or individual, and no substantial part of the activities of this trust shall be the carrying on of propaganda, or otherwise attempting, to influence legislation, or the participation in, or intervention in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

B. The trust shall continue forever unless the Trustees terminate it and distribute all of the principal and income, which action may be taken by the Trustees in their discretion at any time, and shall be taken at the direction of the Board of Directors. On such termination, the trust fund as then constituted shall be distributed to or for the use of such charitable organizations, in such amounts and for such charitable purposes as may be selected and determined by said Board of Directors. The Donor authorizes and empowers the Trustees to form and organize a non-profit corporation limited to the uses and purposes provided for in this Declaration of Trust, such

corporation to be organized under the laws of any state or under the laws of the United States as may be determined by the Trustees; such corporation when organized to have power to administer and control the affairs and property and to carry out the uses, objects and purposes of this trust. Upon the creation and organization of such corporation, the Trustees are authorized and empowered to convey, transfer and deliver to such corporation all the property and assets to which this trust may be or become entitled. The charter, by-laws and other provisions for the organization and management of such corporation and its affairs and property shall be such as the Trustees shall determine, consistent with the provisions of this paragraph B.

C. In this Declaration of Trust and in any amendments to it, references to "charitable organizations" or "charitable organization" mean corporations, trusts, funds, foundations, or community chests created or organized in the United States or in any of its possessions, whether under the laws of the United States, any state or territory, the District of Columbia, or any possession of the United States, organized and operated exclusively for charitable purposes, no part of the net earnings of which inures or is payable to or for the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation, and which do not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office. It is intended that the organization described in this paragraph C shall be entitled to exemption from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954, as now in force or afterwards amended.

D. In this Declaration of Trust and in any amendments to it, the term "charitable purposes" shall be limited to and shall include only religious, charitable, scientific, literary, or educational purposes within the meaning of those terms as used in Section 501(c)(3) of the Internal Revenue Code of 1954 but only such purposes

as also constitute public charitable purposes under the law of trusts of the State of Ohio.

E. Notwithstanding anything to the contrary herein appearing, non-substantial portions of the trust fund may be used from time to time for the purpose of influencing legislation, or to support others who are engaged in influencing legislation, designed to further the specific purposes for which this trust has been organized.

FOURTH: This Declaration of Trust may be amended at any time or times by written instrument or instruments signed and sealed by the Trustees, and acknowledged by any of the Trustees, provided that no amendment shall authorize the Trustees to conduct the affairs of this trust in any manner or for any purpose contrary to the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954 as now in force or afterwards amended. An amendment of the provisions of this Article FOURTH (or any amendment to it) shall be valid only if and to the extent that such amendment further restricts the Trustees' amending power. All instruments amending this Declaration of Trust shall be noted upon or kept attached to the executed original of this Declaration of Trust held by the Trustees.

FIFTH: Any Trustee under this Declaration of Trust may by written instrument, signed and acknowledged, resign his office. The number of Trustees shall be at all times not less than two (2), and whenever for any reason the number is reduced to one (1), there shall be, and at any other time there may be, appointed one or more additional Trustees. Appointments shall be made by the Trustee or Trustees for the time being in office by written instruments signed and acknowledged. Any succeeding or additional Trustee shall, upon his acceptance of the office by written instrument signed and acknowledged, have the same powers, rights and duties, and the same title to the trust estate jointly with the surviving or remaining Trustee or Trustees as if originally appointed.

None of the Trustees shall be required to furnish any bond or surety. None of them shall be responsible or liable for the acts or

omissions of any other of the Trustees or of any predecessor or of a custodian, agent, depositary, or counsel selected with reasonable care.

The one or more Trustees, whether original or successor, for the time being in office shall have full authority to act even though one or more vacancies may exist. A Trustee may, by appropriate written instrument, delegate all or any part of his powers to another or others of the Trustees for such periods and subject to such conditions as such delegating Trustee may determine.

The Trustees serving under this Declaration of Trust are authorized to pay to themselves amounts for reasonable expenses incurred but shall serve without compensation for services rendered in the administration of this trust.

SIXTH: In extension and not in limitation of the common law and

statutory powers of Trustees and other powers granted in this Declaration of Trust, the Trustees shall have the following discretionary powers:

a) To invest and reinvest the principal and income of the trust in such property, real, personal, or mixed, and in such manner as they shall deem proper, and from time to time to change investments as they shall deem advisable; to invest in or retain any stocks, shares, bonds, notes, obligations, or personal or real property (including without limitation any interests in or obligations of any corporation, association, business trust, investment trust, common trust fund, or investment company) although some or all of the property so acquired or retained is of a kind or size which but for this express authority would not be considered proper and although all of the trust funds are invested in the securities of one company; provided, however, that the Trustees shall not invest the property of the trust in such a manner as to violate Section 504(a)(3) of the Internal Revenue Code of 1954 as now in force or afterwards amended. No principal or income, however, shall be loaned, directly or indirectly, to any Trustee or to

anyone else, corporate or otherwise, who has at any time made a contribution to this trust, nor to anyone except on the basis of an adequate interest charge and with adequate security.

b) To sell, lease, or exchange any personal, mixed, or real property, at public auction or by private contract, for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relating to the trust property, as they consider advisable, whether or not such leases or contracts may extend beyond the duration of the trust.

c) To borrow money for such periods, at such rates of interest, and upon such terms as the Trustees consider advisable, and as security for such loans to mortgage or pledge any real or personal property with or without power of sale; to acquire or hold any real or personal property subject to any mortgage or pledge; and to assume any mortgage or pledge on or of property acquired or held by this trust.

d) To execute and deliver deeds, assignments, transfers, mortgages, pledges, leases, covenants, contracts, promissory notes, releases, and other instruments, sealed or unsealed, incident to any transaction in which they engage.

e) To vote, to give proxies, to participate in the reorganization, merger or consolidation of any concern, or in the sale, lease, disposition or distribution of its assets; to join with other security holders in acting through a committee, depositary, voting trustees, or otherwise, and in the connection to delegate authority to such committee, depositary, or trustees and to deposit securities with them or transfer securities to them; to pay assessments levied on securities or to exercise subscription rights in respect of securities.

f) To employ a bank or trust company as custodian of any funds or securities and to delegate to it such powers as they deem appropriate; to hold trust property without indication of fiduciary capacity but only in the name of a registered nominee, provided

the trust property is at all times identified as such on the books of the trust; to keep any or all of the trust property or funds in any place or places in the United States of America; to employ clerks, accountants, investment counsel, investment agents, and any special services, and to pay the reasonable compensation and expenses of all such services in addition to the compensation of the Trustees.

SEVENTH: The Trustees' powers are exercisable solely in a fiduciary capacity consistent with and in furtherance of the charitable purposes of this trust as specified in Article THIRD and not otherwise.

EIGHTH: In this Declaration of Trust and in any amendment to it, references to "trustees" mean the one or more Trustees, whether original or successor, for the time being in office.

NINTH: The primary charitable purposes for which this trust is created are relief of the poor and distressed or of the underprivileged, lessening of neighborhood tensions, elimination of prejudice and discrimination, defending human and civil rights secured by law, and combatting community deterioration and juvenile delinquency.

In order that these primary charitable purposes may be carried out in an expedient manner and in accordance with the principles hereinabove set forth, there shall be a Board of Directors having the duty of directing the Trustees to make the payments and distributions hereunder for charitable purposes, as hereinafter set forth. The Trustees shall maintain records showing the names and addresses of the members of the Board of Directors.

TENTH: The Board of Directors shall consist of thirty (30) persons, who shall initially be named by majority vote of the Trustees. At least twenty (20) of the initial members of the Board of Directors shall be formal representatives named from the following organizations:

Circle of Afro-American Unity
Cleveland Tenants Union
Congress of Racial Equality (Cleveland)
Domestic Workers of America
Hospital Grievance Committee
~~National Association for the Advancement of~~
~~Colored People (Cleveland)~~

Negro Industrial and Economic Union
~~Southern Christian Leadership Conference~~
Spanish-American Committee for a Better Community
United Pastors Association
Urban League of Cleveland
Welfare Grievance Committee
Welfare Rights Movement of Cleveland

After it has been initially named by the Trustees, the Board of Directors shall have the power to fix the terms of service of its members, the method by which its members may be elected or re-elected, ~~the size of the Board of Directors~~, and the method of removal of a Director from office, provided that all such actions may be taken only with the affirmative vote of a majority of the then-acting members of the Board.

Except with reference to any of the actions referred to in the next preceding paragraph, (with reference to which a quorum shall be a majority of the then-acting members of the Board) a quorum of the Board shall be not less than one-third of the then-acting members thereof.

The Board of Directors shall have such officers as may be deemed appropriate by the Board of Directors, which may determine the manner for the election and duties of and the term of office for such officers.

ELEVENTH: The Board of Directors shall meet from time to time as

required in order to determine the payments and distributions to be made hereunder. The Board of Directors shall determine the amounts of income and/or principal to be paid and distributed, the person or persons to whom distribution shall be made, and the terms and conditions of such payments and distributions, all of which shall be consistent, however, with the other provisions of this Declaration of Trust, and with the conditions and limitations, if any, of the gift, bequest or devise, pursuant to which the property to be paid and distributed was accepted and received by the Trustees. After ~~such~~ determination has been made, the Board of Directors shall direct the Trustees in writing to make the payments so determined, and the Trustees shall forthwith make such payments and distributions, subject only to the provisions of Article THIRD hereof.

TWELFTH: Notice of all meetings of the Board of Directors shall be given to each member of the Advisory Board at least five (5) days in advance of the meeting, unless waived in writing prior to or after said meeting. Notices of meetings may be given by depositing a written notice thereof in the mail postage prepaid addressed to each member of the Board of Directors at his address as shown on the records of the Trustees at least five (5) days prior to the date set for such meeting. Such notice may be given by any three (3) or more members of the Board of Directors , or by an officer of the Board of Directors.

THIRTEENTH: Any person may rely on a copy, certified by a notary public, of the executed original of this Declaration of Trust held by the Trustees, and of any of the notations on it and writings attached to it, as fully as he might rely on the original documents themselves. Any such person may rely fully on any statements of fact certified by anyone who appears from such original documents or from such certified copy to be a Trustee under this Declaration of Trust. No one dealing with the Trustees need inquire concerning the validity of anything the Trustees purport to do. No one dealing with the Trustees need see to the application of anything paid or transferred to or upon the order of the Trustees or the trust.

FOURTEENTH: This Declaration of Trust is to be governed in all respects by the laws of the State of Ohio.

x _____

x _____

x _____