

STUDENT NONVIOLENT COORDINATING COMMITTEE
6 Raymond Street, N.W.
Atlanta, Georgia, 30314

FACT SHEET : HATTIESBURG, MISSISSIPPI

HATTIESBURG, MISSISSIPPI, the county seat of Forrest County, lies half-way between Jackson and the Gulf cities of Southeastern Mississippi, in the Fifth Congressional District.

FORREST COUNTY has a population of 52,722 (34,989 in Hattiesburg), compared to a median income of \$5,986 for families throughout the United States, Hattiesburg's white families earn a median of \$4,232. Negro families earn only \$4,004.

31% of the Negro families earn less than \$3,000. 85% of the farm owners in Forrest County are white. The Board of Health lists malnutrition as a major health problem. Of Mississippi as a whole, the Civil Rights Commission, in its report entitled, VOTING 1961, says:

"In Mississippi, whites comprise 69.0% of the population 18 years of age or over; nonwhites 30.2%... In Mississippi, less than 10% of the voting age Negroes are registered... in 1954 according to a survey made by then Attorney General J.P. Coleman, there were 500,000 voting age Negroes, but only 22,000 (or 4.48%) were registered..."

Out of 7,406 Negroes of voting age in Forrest County, only 12 are registered voters according to the Commission report. 77% of the manufacturing laboring force in Hattiesburg is employed by three firms, the Hercules Powder Company, employing 1,000 people; the Reliance Manufacturing Company, employing 1,100, and its wholly owned subsidiary, Stadium Manufacturing Company, employing 325.

The city has a history of trade unions, and until 1948--when voter rolls were purged--some Negro political activity.

Efforts by the Federal Government to force Forrest County Registrar Theron C. Lynd to register qualified Negroes as voters began in August, 1960, when federal officials tried to obtain access to Forrest County voting records. They were unsuccessful, and turned to the courts. Failing to get an order from District Judge William Cox, they appealed to the Fifth Circuit Court of Appeals.

In July 1961, the government sued to enjoin Lynd from discrimination against Negro applicants. The suit met with delay in the courts, and a hearing was not held until March 1962, eight months later. The government showed that:

- (1) Lynd had never registered a Negro;
- (2) prior to January, 1961, no Negro was permitted to apply; and
- (3) after July, 1961, obviously qualified Negroes were rejected.

The government then asked for a temporary injunction against such discrimination. The court refused to act and an appeal was made to the Fifth Circuit Court of Appeals. The Fifth Circuit ruled the government had made a clear showing and granted the injunction, barring Lynd from failing to register Negroes on the same basis as whites. This order was to become effective on April 1, 1962.

On July 15, 1962, the Court affirmed the temporary injunction, Registrar Lynd was convicted of contempt and given two weeks to purge himself. That same month the Fifth Circuit found Lynd guilty of civil contempt and gave him ten days to purge himself by:

- (1) registering 43 named Negroes;
- (2) ceasing to require Negroes to interpret sections of the Mississippi Constitution more difficult than those assigned to white applicants;
- (3) halting the rejection of Negro applicants for errors or omissions on their applications if they had met certain other specified qualifications;
- (4) allowing federal agents to inspect his records.

Lynd appealed this latest order, and the United States Supreme Court refused to review his conviction on January 6, 1964.

His attorneys--employed by the State of Mississippi--have asked the Fifth Circuit to withhold judgment until the Supreme Court rules on whether a defendant in such cases is entitled to a jury trial or not. (The case in this instance is that of former Mississippi Governor Ross Barnett, charged with civil and criminal contempt for his part in trying to block the admission of James Merideth to the University of Mississippi.)

Theron Lynd has to this date (January 20) not complied with the injunction or purged himself of contempt. In August 1963, 10 of the 43 named qualified Negro applicants submitted affidavits to the Court that they were, despite the Court order, denied the right to vote and that their names had not been placed on the voting rolls.

Contrary to the Court's instruction, Lynd does not point out errors in the application to applicants, does not limit questions to the specified articles of the Constitution, and has not registered the named 43 Negroes he was instructed to register retroactive to the date of their first filing.

It has been as difficult for voter registration workers to operate in Hattiesburg as it has been for Negroes to register there. Workers from the Student Nonviolent Coordinating Committee have faced continuous arrests, mostly on traffic charges. White workers have been special targets of Hattiesburg's police force.

24-year-old attorney Oscar Chase, from Queens, New York, was arrested Monday, January 13, for "breach of the peace" and "vagrancy" after he entered the "Negro" side of the Hattiesburg Bus Station (the I.C.C. prohibits such segregation), and the 25-year-old Peter Stoner, from Berlin, Pennsylvania, arrested Friday, January 10, and Saturday, January 18--both times on traffic charges, although the first arrest also carried an additional charge of "possession of narcotics" which was later dropped.

Police harassment of legitimate voter registration activity was especially evident during the "Freedom Vote" Campaign for Governor, sponsored by the Council of Federated Organizations (COFO) in November, 1963. Police made arrests for "distributing leaflets without a permit," "parking too far from the sidewalk," and a variety of other charges. Five white students from Yale University were held without being charged for five hours. The Freedom Vote candidate for government, Mr. Aaron Henry, was followed by policemen as he walked through the streets. Police pressure caused two churches to cancel planned mass meetings; at one church, three fire engines and a police car--with their sirens on--remained outside during the course of a mass meeting.

The harassment did not prevent 3,560 Negroes from demonstrating their desire to vote by casting their "Freedom Ballots" in churches and poolrooms in Hattiesburg.

For further information contact:

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