

① Effected by this person
 ② Called amended
 ③ Motion to file
 PARTIES:
 Amended or law
 SHCCT

Amended
 enclosed
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 SHCCT.

A. Plaintiffs:

1. Plaintiff, COUNCIL OF FEDERATED ORGANIZATIONS, hereinafter referred to as "COFO", is a coordinated organization of all civil rights organizations in the State of Mississippi. It is dedicated to the achievement, through lawful and constitutional means, of the freedom and equality of Negro citizens of the State of Mississippi guaranteed to them by the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution of the United States. Plaintiff COFO sues for itself and on behalf of all of its constituent affiliates and cooperating organizations and on behalf of all citizens of the United States, Negro and white, in the State of Mississippi who are endeavoring to assist in its program of activities designed to achieve the full rights of American citizenship for the Negro citizens of Mississippi, including the right to vote and to participate equally in the processes of political democracy guaranteed to them by the Constitution of the United States.

MRS
 2. FANNIE LOU HAMER, MRS PEGGY
 JEAN CONNOR, MRS MARY ROBINSON and JOHN GOULD, Sr.
 and are citizens of the

United States and residents of the State of Mississippi.

Plaintiff

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; plaintiff

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Additional
Plaintiffs

3. Plaintiff S

, and are citizens of the United States and inhabitants of the State of Mississippi. They are COFO staff and volunteer workers who are endeavoring to assist, through lawful and constitutional means, the efforts of the Negro citizens of the State of Mississippi to achieve equality, freedom and the right to vote, which rights are guaranteed by the Constitution of the United States and presently denied to the Negro citizens of that state by the authorities of the state in open defiance of the Constitution of the United States and the law of the land. Plaintiffs Moses, Morey, , and sue individually and on behalf of all other staff and volunteer workers similarly situated throughout the State of Mississippi, which class is too numerous to bring before the Court.

4. Plaintiff REVEREND R. EDWIN KING is a citizen of the United States and a resident of the State of Mississippi. He is a white citizen and is actively concerned with assisting the efforts of the Negro citizens of this state to achieve freedom, equality and the right to vote. He sues individually and on behalf of all other white citizens of Mississippi similarly situated.

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. They are all members of the

Negro race and sue individually and on behalf of all Negro

citizens of the State of Mississippi, which class is too numerous

to bring before the Court.

B. Defendants:

5. Defendant L.C. RAINEY is the Sheriff of Neshoba County, Mississippi. He is a citizen of the United States and a resident of Philadelphia, Mississippi. Defendant CECIL PRICE is the Deputy Sheriff of Neshoba County, Mississippi. He is a citizen of the United States and a resident of Philadelphia, Mississippi. They are sued individually and as representative of each and every one of the sheriffs and deputy sheriffs of the 82 counties of the State of Mississippi. This class is too numerous to bring them all before the Court.

6 7 1. Defendant T.B. BIRDSONG is the Commissioner of Public Safety of the State of Mississippi and in charge of the Mississippi State Highway Patrol. He is a citizen of the United States and a resident of the State of Mississippi. He is sued individually and as representative of all of the members of the Mississippi State Highway Patrol, which class is too numerous to bring before the Court.

6. Defendants BARNARD L. AKIN, JIMMY ARLEDGE, HORACE DOYLE BARNETTE, TRAVIS MARYN BARNETTE, OLEN LOVELL BURRAGE, JAMES T. HARRIS, FRANK J. HERNDON, JAMES E. JORDAN, EDGAR RAY KILLEN, BILLY WAYNE POLEY, ALTON WAYNE REBERTS, JIMMY MCGREW SHARPE, JIMMY SNOWDEN, JIMMY LEE TOWNSEND, HERMAN TUCKER and RICHARD ANDREW WILLIS, are, ~~with residence of~~ upon information and belief, white residents of the State of ~~Mississippi and~~ of Neshoba County, Mississippi. Defendant WILLIS is a patrolman. Upon information and belief, defendant WILLIS was and is a police officer of the City of Philadelphia, Mississippi.

11. Defendants JOHN DOE and RICHARD ROE are ~~members of~~ ~~the defendant KU KLUX KLAN~~ whose true names are unknown to the plaintiffs, are white citizens of the State of Mississippi who, on information and belief, are members of ~~the defendant KU KLUX KLAN.~~ They are sued individually and as members of the class of members of defendant KU KLUX KLAN.

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bring before the court.
PAUL SMITH + FRANK JONES

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8. Defendant KU KLUX KLAN is an association with members in Neshoba County, Mississippi, ~~Lauderdale County, Mississippi~~ and, on information and belief, in each of the 82 counties of the State of Mississippi. On information and belief it is a clandestine, terroristic organization whose members are committed to the use of force, violence and terroristic acts to deter, punish and intimidate all American citizens, Negro and white, who seek to utilize constitutional means to obtain equality, freedom and the right to vote for the Negro citizens of the State of Mississippi.

9. Defendant AMERICANS FOR THE PRESERVATION OF THE WHITE RACE is an association with members in Neshoba County, Mississippi, ~~Lauderdale County, Mississippi~~, and, on information and belief, with members in many of the 82 counties of the State of Mississippi. On information and belief it is a clandestine, terroristic organization whose members are committed to the use of force, violence and terroristic acts to deter, punish and intimidate all American citizens, Negro and white, who seek to utilize constitutional means to obtain equality, freedom and the right to vote for the Negro citizens of the State of Mississippi.

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10. Defendant ~~ASSOCIATION OF CITIZENS COUNCILS OF MISSISSIPPI~~ ^{ASSOCIATION OF CITIZENS COUNCILS OF MISSISSIPPI} is an association with members throughout the State of Mississippi. It is an organization dedicated to impeding and deterring by all means the lawful efforts of Negro citizens of Mississippi to achieve the federal constitutional objectives of freedom, equality and the right to vote.

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8. Defendant JOHN DOE and RICHARD ROE are members of the State Police of the State of Mississippi and/or the State Highway Patrol of the State of Mississippi, and/or the Sheriff's offices of the various counties of the State of Mississippi, and/or the local police

Class of members
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forces in the towns and municipalities throughout the State of Mississippi, and/or the auxiliary police organizations and other public or quasi-public law enforcement organizations residing both in Neshoba and Lauderdale Counties and throughout the State of Mississippi. On information and belief they are members of defendant KU KLUX KLAN and/or defendant AMERICANS FOR THE PRESERVATION OF THE WHITE RACE and/or defendant ~~WHITE CITIZENS COUNCILS~~ ^{ASSOCIATION OF CITIZENS COUNCILS OF MISSISSIPPI}.

9. Defendants JOHN SMITH and PAUL JONES, whose true names are unknown to plaintiffs, are private white citizens of the State of Mississippi who, on information and belief, are either not members of the defendants KU KLUX KLAN, AMERICANS FOR THE PRESERVATION OF THE WHITE RACE or ~~WHITE CITIZENS COUNCILS~~ ^{ASSOCIATION OF CITIZENS COUNCILS OF MISSISSIPPI} or, if so, are not acting in such capacity, but who are committed to the use of force, violence and terroristic acts to deter, punish and intimidate all American citizens, Negro and white, who seek to utilize constitutional means to obtain equality, freedom and the right to vote for the Negro citizens of the State of Mississippi.

Jurisdiction

14 ~~10~~. The jurisdiction of this Court arises under the Constitution of the United States and, in particular, under Article IV thereof, and the First, Thirteenth, Fourteenth and Fifteenth Amendments thereto, and under the laws of the United States and, in particular, Title 28, U.S.C., Sections 1331, 1343 and Title 42 U.S.C., Sections 1971, 1981, 1983, 1985, 1988 and 1989, ^{and 2000 et seq.} ~~as well as under the Civil Rights Act of 1964.~~ ^(C.R.A.)

Cause of Action

15 ~~11~~. The defendants, together with numerous persons presently to the plaintiffs unknown, for many years up to and including the present date, have combined and conspired under color of statutes, ordinances, regulations, customs and usages of the State of Mississippi to subject or cause to subject the plaintiffs, being citizens of the United States, to the deprivation of rights, privileges and immunities secured by the Constitution and laws of the United States.

16 12. Furthermore, the defendants, together with numerous persons presently to the plaintiffs unknown, for many years up to and including the present date, have combined and conspired for the purpose of depriving the plaintiffs and the classes of persons they represent,

of the equal protection of the laws and of equal privileges and immunities under the law, including their right to register and vote in elections for, among others, the President, Vice-President and members of Congress, and for the purpose of preventing, persuading, hindering or subverting the constituted authorities of the State of Mississippi from giving and securing to all persons within the State of Mississippi the equal protection of the laws.

18 13. Pursuant to this conspiracy, the defendants, for many years up to and including the present day, have planned and conspired to, and did in fact, utilize illegal force, violence and terroristic acts to intimidate and deter the Negro citizens of the State of Mississippi from exercising their constitutional rights to associate together in efforts to achieve the constitutional objectives of freedom and equality as American citizens and the fundamental right to register and vote guaranteed under the Constitution of the United States to all American citizens regardless of race or color.

Pursuant thereto, the defendants, or some of them, including defendants acting under the color and authority of the State of Mississippi, have engaged in widespread terroristic acts including beatings, arson, torture and murder in a concerted effort to intimidate, punish and deter the Negro citizens of the State of Mississippi as well as any white persons who have dared to assist them in their efforts to achieve the federal constitutional objectives of freedom, equality and the right to register and vote regardless of race and color. This concerted, planned and organized conspiracy to utilize these terroristic acts of violence has continued and accelerated up to and including the present date. The existence of this concerted plan to utilize acts of violence has been reported by agencies of the United States government and by personal representatives of the President of the United States and is well-known throughout the State of Mississippi.

18 14. Prior to 1955, Negroes in most rural communities and in many urban communities of Mississippi did not offer themselves as voters and did not seek to register or participate actively in political life in Mississippi because of the accepted pattern of life in Mississippi reinforced by the terroristic acts of these defendants. Beginning shortly after 1954, in part as a result of the decision of the Supreme Court of the United States in Brown v.

Board of Education, the Negro citizens of Mississippi began efforts to participate in the political processes of the state. In response to this development from 1955 until the present time, various members of the executive and legislative branches of the government of the State of Mississippi, who controlled and dominated the same, have engaged in numerous attempts, through legislation and otherwise, to bar or greatly limit any increase in Negro participation in the political life of Mississippi. Similarly these defendants and others acting in concert with them have intensified their conspiracy to utilize force, violence and terroristic acts to intimidate and deter the Negro citizens of Mississippi from exercising their rights of American citizenship.

18. Furthermore, the defendants, together with numerous persons presently to the plaintiffs unknown, have recently planned and conspired to utilize these acts of violence in an effort to deter the Negro citizens of the State of Mississippi from exercising their fundamental, federally protected

constitutional rights of free speech, free press, freedom of assembly and of association and the right to petition their government for redress of grievances, all of which rights are guaranteed to these volunteer workers and to the Negro citizens of the State of Mississippi under the First Amendment to the Constitution of the United States. In open defiance of the Constitution of the United States and of the laws of the United States, these defendants, with numerous persons presently to the plaintiffs unknown, have conspired to organize and set up clandestine terroristic organizations throughout the various counties of the State of Mississippi for the purpose of planning, preparing and carrying out illegal terroristic acts of violence against the plaintiffs and all citizens, Negro and white, in the State of Mississippi who are presently attempting to utilize their federally protected rights to achieve their federally protected goal of freedom, equality and the right to vote.

20. Plaintiffs further state that pursuant to the intensification of this continuing conspiracy and as an overt act thereof, the defendants, ^{Rainey and Price} ~~or some of them~~, together with persons presently to the plaintiffs unknown, did, ^{on June 19, 1964} on the evening of June 19, 1964, conspire, plan and did, in fact, go secretly and in disguise upon the highways of Neshoba County, Mississippi, and with force and violence and the use of armed weapons did brutally and with malice aforethought and without any justification whatsoever, beat and inflict serious injuries upon several Negro citizens of Neshoba County, and did then and there burn to the ground a Negro house of worship, all of which illegal and terroristic acts were solely for the purpose of intimidating and deterring these Negro citizens and the Negro citizens of Neshoba County from exercising any of their fundamental rights under the Constitution of the United States. This terroristic act committed by the defendants or some of them, and others presently to the plaintiffs unknown, was in open defiance and violation of the Constitution and laws of the United States.

20. ^{revised} Plaintiffs further state that pursuant to the intensification of this continuing conspiracy and ^{act} ~~as an overt act~~ thereof, commencing on or about January 1, 1964 and continuing to on or about December 4, 1964, defendants ^{defendants} RAINEY and PRICE, together with BERNARD L. AKIN, JIMMY ARLEDGE, HORACE DOYLE BARNETTE, TRAVIS MARYN BARNETTE, OLEN LOVELL BURRAGE, JAMES T. HARRIS, FRANK J. HERNDON, JAMES E. JORDAN, EDGAR RAY KILLEN, BILLY WAYNE POSEY, ALTON WAYNE ROBERTS, ^{JERRY} ~~JIMMY~~ McGREW SHARPE, JIMMY SNOWDEN, ^{and} JIMMY LEE TOWNSEND, HERMAN TUCKER, RICHARD ANDREW WILLIS, within the Southern District of Mississippi conspired together, with each other and with other persons to the plaintiffs unknown to wilfully subject MICHAEL HENRY SCHWERNER, JAMES EARL CHANEY and ANDREW GOODMAN, ~~each~~ an inhabitant of the State of Mississippi, to the deprivation of their

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22. Plaintiffs further state that, in pursuance of and intensification of this continuing conspiracy, defendants RAINEY and PRICE, etc. conspired together, with each other and with other persons to the plaintiffs unknown, wilfully to subject MES, JEC and AG, to the deprivation of their rights, privileges and immunities secured and protected by the Fourteenth Amendment to the Constitution of the United States including the right ^(a) ~~not~~ the rights now to be deprived of life or liberty without due process of law by persons acting under color of the laws of the State of Mississippi; (b) to be secure in their own persons while in the custody of the State of Mississippi and its agents and officers; (c) to be immune from summary punishment without due process of law and to be tried by due process of law for alleged offenses and, if found guilty, to be punished in accordance with the laws of the State of Mississippi; ~~and~~ (d) to ~~vote~~ for and to urge and encourage others to register to vote and to vote for and to urge others to and encourage others to register to vote and to vote for candidates for state and federal municipal, county, state and federal offices and (e) to ~~assemble for the purpose of education and discussion with respect to the political processes incident upon such right to register to vote and to vote.~~ speak, publish, petition and assemble for the purpose of education and discussion with respect to the political processes incident upon such right to register to vote and to vote. and

(f) To be insulated against the chilling effect on free expression of ~~the~~ the ~~the~~ ~~the~~ virtues, for illegal force, violence + terrorist acts or the threat thereof

21. Plaintiffs further states that Upon information and belief, that the continuation and intensification of the aforesaid aforesaid subjection of MBS, JEC and AG to the deprivation of their rights, privileges and immunities as secured and protected by the Fourteenth Amendment to the Constitution of the United States was a continuation and intensification ~~of the conspiracy~~ by the defendants of the conspiracy referred to above; that the primary purpose of said continuation and intensification at the time thereof was to ~~de~~ deter and prevent the well-known intensification of voter registration activities and well-publicized intensification of voter registration activities throughout the State of Mississippi by plaintiff COFO through ~~its~~ its 1964 Mississippi Summer Project whereby ~~staff and volunteer members thereof~~ approximately 1000 staff and volunteer members thereof, ~~from throughout the United States,~~ many of whom resided in states other than that of Mississippi, had volunteered to assist, through lawful and constitutional means, the efforts of the Negro citizens of the State of Mississippi to achieve equality, freedom and the right to register to vote and vote, which rights are guaranteed by the Constitution of the United States and ^{are} ~~pre-~~ then and presently denied to the Negro citizens of that state by the authorities of the state in open defiance of the Constitution of the United States and the law of the land.

22. Upon information and belief, defendants, or some of them, well knowing that

3 *up to 11/6* *of said & Price* *and encouragement*
23. Plaintiffs further allege ~~that~~ that, in pursuance to this conspiracy, and as an overt act thereof, defendant PRICE, with the knowledge, consent and agreement of defendant RAINEY, at a time when MHS, JEC and AG were in his custody ~~his-ss~~ imprisoned and in ~~his~~ custody in the Neshoba County Jail, Philadelphia, Mississippi, was to release them from such custody so that ~~they could be intercepted by defendants Price etc~~ as they left the area of the shortly after their departure from the area of the said Neshoba County Jail they could be intercepted ~~by~~ waylaid, ~~shot and~~ assaulted, shot and killed by defendants Price etc. *all of*

24 *further*
24. Plaintiffs ~~further~~ allege that in pursuance of this conspiracy and ~~as~~ overt acts thereof;

his (a) Defendant Price accosted, stopped and took into the afternoon of his custody said MHS etc on or about June 21, 1964;

(b) Defendant Price thereupon caused said MHS etc to be ~~confined~~ *imprisoned* in the Neshoba County Jail from on or about the late afternoon of said June 21, 1964, until approximately 10:30 p.m. thereof;

(c) Defendant Price thereupon transported said MHS etc in an automobile south on Highway 19 from Philadelphia, Mississippi;

(d) Defendant Price thereupon ~~stopped the said~~ brought the said automobile to a stop on Highway 492 at a point between said Highway 19 and Union Miss, caused said MHS etc to be removed therefrom, and to be transferred to an automobile belonging to the Office of the Sheriff of Neshoba County.

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Subsequent to the said killing of MHS etc,
3. Upon information and belief, defendants, or some of

them, well knowing that COFO-plaintiff-COFOs- volunteer and staff members of plaintiff COFO, who have ~~volunteered once more volunteered~~ *continued* to from throughout the United States, have ~~once more volunteered~~ to assist, through lawful and constitutional means, ~~the~~ the efforts of the Negro citizens of the State of Mississippi to achieve ^{the said} equality, freedom and ~~the~~ right to register and vote, ^{with their own} ~~which rights are still~~ ^{-yet still} ~~and presently being denied to them,~~ ^{highly denied in the state} and that, during the coming summer of 1965, ~~still~~ additional volunteer and staff members of plaintiff COFO, in response to, among other things, the ~~urging~~ plea of the President of the United States that the achievement of full equality for all citizens is this country's most ~~pressing~~ imperative objective and goal, will enter the State of Mississippi for like and similar purposes, ~~have~~ conspired and ~~[are conspiring]~~ together to subject said volunteer and staff workers of plaintiff COFO as well as ~~plaintiffs (Hamer et al) and members of their class~~ the Negro citizens of Mississippi to the deprivation of their rights, privileges and immunities as secured and protected by the Fourteenth Amendment to the Constitution of the United States. include etc. (same as 20)

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23. ~~The defendants~~ Subsequent to the murders of the said ~~MS~~ etc, defendants, or some of them, have continued ~~the same or~~ to conspire to utilize force, violence and terroristic acts to impede, deter and frighten and harass the plaintiffs and the classes they represent from exercising their fundamental rights under the First, Thirteenth, Fourteenth and Fifteenth Amendments.

24. Plaintiffs further allege that, in pursuance of this conspiracy and as overt acts thereof, the defendants, or some of them, ~~have~~ *committed acts of force, violence and* *set fire* or about

(a) On January 24, 1965, in Taylorsville, a church used for voter registration activities ~~COFO meetings~~ ~~was set on fire~~;

or about
(b) On February 6

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in response to among other things, the recent urgent plea of the Pres of the U.S. that the achievement of full equality for all citizens is this country's most ~~pr~~ imperative domestic objective and goal,

26. Upon information and belief, defendants, or some of them, well knowing that volunteer and staff members of plaintiff COFO from throughout the United States will ~~continue~~ ^{enter} ~~throughout~~ ^{the} the coming summer to assist through lawful and constitutional means the efforts of the Negro citizens of Miss- the state of M to achieve the said equality, freedom and right to register to vote and vote, which rights are still being illegally, unlawfully and unconstitutionally denied to them by the authorities of the state, are conspiring together to subject said volunteer and staff workers of plaintiff COFO as well as the Neg. citizens of Miss to the deprivation etc (same as 20)

29 20. ~~That~~ Unless this illegal and unlawful conspiracy is restrained by this court, ^(a) violence and terroristic acts will be used ~~to impede~~ ^{by} defendants to impede, deter, frighten and harass plaintiffs and the classes they represent from exercising their fundamental rights under the 1st, 13th, 14th and 15th amendments, and ~~that~~ said plaintiffs will imminently suffer death, personal injury, property damage, psychological destruction and other immediate and irreparable injuries and continue to suffer same. ^{Moreover,} ~~unless~~ ^(b) said illegal conspiracy is restrained by this court, the said plaintiffs, will (a) etc in 20) ~~Moreover,~~

~~Moreover~~ (c) It will be responsible for the ~~negroes~~ ^{the} Negroes of Mississippi to achieve during the coming summer or thereafter their ~~rights~~ ^{fundamental} rights to register to vote and vote as guaranteed by the ~~15th~~ ^{14th} and ~~15th~~ ^{15th} amendments to the U.S. Constitution.

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20. These terroristic acts were for the sole purpose of attempting to deter, punish and impede the Negro citizens of Neshoba County, Mississippi and throughout the State, ^{and their white supporters} as well as the volunteer and staff workers of COFO, from continuing to exercise their fundamental rights as American citizens through freedom of speech, assembly and association in their lawful efforts to implement and enforce the federal constitutional guarantees of equality, freedom and the right to vote.

21. The defendants and others presently to the plaintiffs unknown, continue to conspire to utilize force, violence and terroristic acts to impede, deter, frighten and harass the plaintiffs and the classes they represent from exercising their fundamental rights under the First, Thirteenth, Fourteenth and Fifteenth Amendments. Unless this illegal conspiracy is restrained by this Court and proper relief granted, the plaintiffs will imminently suffer immediate and

irreparable injuries and continue to suffer immediate and irreparable injuries.

Remedies

22. There is no adequate remedy at law either in the state courts of Mississippi or the federal courts. The immediate invocation of the powers of a federal court of equity are urgently required to protect fundamental federal constitutional rights, privileges and immunities from immediate and irreparable injury.

23. Furthermore, this Court has authority and is required under the facts here set forth in this complaint, to take immediate action pursuant to Title 42 U.S.C. s.1989 to implement and enforce equitable relief against the imminently threatened acts of the conspirators here charged. Title 42 U.S.C. s.1989 provides as follows:

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S. 1989 Commissioners; appointment of persons
to execute warrants

The district courts of the United States and the district courts of the Territories, from time to time, shall increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with the crimes referred to in section 1987 of this title; and such commissioners are authorized and required to exercise all the powers and duties conferred on them herein with regard to such offenses in like manner as they are authorized by law to exercise with regard to other offenses against the laws of the United States. Said commissioners are empowered, within their respective counties, to appoint, in writing, under their hands, one or more suitable persons, from time to time, who shall execute all such warrants or other process as the commissioners may issue in the lawful performance of their duties, and the persons so appointed shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged; and such warrants shall run and be executed anywhere in the State or Territory within which they are issued. R.S. Sections 1983, 1984; Mar. 3, 1911, c. 231 2 291, 36 Stat. 1167.

The facts set forth in this complaint revealing a widespread conspiracy between clandestine terroristic organizations, and members and officers of state and local law enforcement agencies for the purpose of terrorizing, punishing, intimidating and deterring Negro citizens from exercising federally protected rights of citizenship are identical to those contemplated by the Congress of the United States in enacting Title 42 U.S.C., Section 1989. This statute places upon the federal judiciary a duty and responsibility to enforce the laws prohibiting crimes against the exercise of the elective franchise and the civil rights of citizens as set forth in Title 42 U.S.C., Section 1987, under circumstances as here revealed. This duty, prescribed by the Congress, is supplementary to, and in no way a substitute for, the duties and responsibilities of the Executive Branch of the Government to enforce these laws and to protect the exercise of fundamental rights of citizenship, and the Legislative Branch of the Government to investigate the need for new legislation in the area of civil rights and, where necessary, to enact the same.

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Accordingly, the facts set forth herein require that this Court shall forthwith order the increase of the number of United States Commissioners with such appointed deputies as may be required, with the power to arrest as provided by law any persons threatening to violate the orders of this Court or any of the laws of the United States protecting the civil rights of citizens of the United States and the elective franchise, and that these emergency United States Commissioners or their deputies be ordered to be stationed at all times in every Sheriff's office in the State of Mississippi in every one of the 32 counties of Mississippi, as well as in all such other places as their presence may be required to enforce obedience to the orders of this Court and to the laws of the United States protecting the civil rights of citizens and the elective franchise.

32 24. No previous application for the relief sought herein other than that prayed for in the original complaint filed with this Court on July 10, 1964, has been made to this or any other court.

HEREFORE plaintiffs pray:

1. That a permanent ~~and temporary~~ injunction issue enjoining and restraining the defendants, each of them, their agents and representatives, and all others acting in concert with them, from in any way conspiring to utilize or in any way utilizing force, violence or any terroristic act in attempts to deter, impede or punish the plaintiffs and all classes of citizens they represent from exercising their rights, privileges and immunities as citizens of the United States.

2. That during the pendency of such injunctive decrees, pursuant to Title 42 U.S.C. 1989,

(a) an order issue ordering and directing the increase of the number of United States Commissioners in the State of Mississippi and ordering and directing that a United States Commissioner or

Deputy Commissioner with full powers of arrest pursuant to law, be assigned and stationed in each and every office of Sheriff in the 82 counties of Mississippi. *the office of the defendant Rainey* *the fact the state / miss wherever it may be*

(b) and that said special United States Commissioners be directed as provided by law to protect the lawful civil rights and elective franchise activities of citizens of the United States and to provide for the speedy arrest of any persons in the State of Mississippi engaged or threatening to engage in activities in violation of the laws of the United States which protect the civil rights of citizens and the elective franchise; and that *may be* *after* *the* *fact* *thereof*

(c) pursuant to Title 42 U.S.C. 1989, the said special United States Commissioners be ordered and directed to appoint in writing one or more suitable persons who shall be required to serve and execute any such warrants of arrest; and that

(d) wherever required to afford reasonable protection to all persons in their constitutional rights of equality and the exercise of the elective franchise, the said special United States Commissioners or their deputies be temporarily assigned to be stationed in any public buildings or other places throughout the State of Mississippi where their presence may be required; and that

(e) the said special United States Commissioners be ordered to report to this Court at regular intervals any and all incidents of violation of the orders of this Court and any and all arrests, pursuant to Title 42 U.S.C. 1989, for activities of the defendants or others acting in concert with them for violations of laws of the United States protecting the civil rights of citizens and the elective franchise.

3. And for such other and further relief as may be proper and may be prayed for by the plaintiffs as the situation may urgently require.

Temporary injunction, issue. R.D. in Nashville City & City of Philadelphia. & that they be enjoined & put above all

SMITH, WALTZER, JONES &
PEEBLES
305 Baronne St.
New Orleans, Louisiana

By Benjamin E. Smith
Bruce C. Waltzer

L. H. ROSENTHAL,
221 N. President Street,
Jackson, Mississippi

KUNSTLER KUNSTLER & KINOY
511 Fifth Avenue
New York, N.Y. 10017

MORTON STAVIS
744 Broad Street
Newark, New Jersey

By William M. Kunstler
Arthur Kinoy

MAVIN L WOLF
4th
1st

McL WOLF

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3. That a temporary injunction issue ordering & directing the issuance of one or more U.S. Commissions