

6% are registered

ESSENTIAL LEGAL POINTS FOR BRIEFING THE
DELEGATES

I. INJUNCTION

- A. A Mississippi judge ruled on August 21st, that the injunction suit against the Freedom Party has no effect on this Convention because the Convention is the sole and final judge of who sits as its representatives.
- B. The injunction is unconstitutional as applied to the Freedom Party because a party which excludes a group cannot at the same time forbid that group from affiliating with the National Party. (See footnote, #72, page 34.)

II. Registered Voters

- A. There is no rule of the Democratic Convention that requires that the members of a delegation be registered voters in order to be recognized. *87%*
- B. Those of us who are not registered are kept off the rolls by voting registrars whose discriminatory practices have been well documented. 8 out of 9 delegates are registered voters.

III. Why Formed

We formed another party and another delegation solely because we were excluded by the regular Mississippi party. Thus, we could not support the nominees of this convention. (see pp. 5-14)

IV. The Traditional Party May Not Be Seated Because:

- A. The "traditional" party has not met the Rules of the Democratic Party because
 - 1. They cannot pledge to put the nominees of the Convention on the ballot "under the designation and label of the Democratic Party."
 - a. The laws of the state provide for a primary to choose electors for the ballot, and this has been called off. It is now uncertain how anyone will be on.
 - b. The pledge at the "traditional" Convention did not say "under the designation and label" and would be met by placing the nominees on as independents.
 - c. The Convention was adjourned and may withdraw the pledge it made, as in 1960.

2. They are not "bona fide Democrats who have the interests, welfare and success of the Democratic Party at heart. . ." (Both rules on p. 36)

- B. The delegation was unconstitutionally elected.
1. Negroes were excluded at both precinct and county meetings.
 2. There was not a single Negro at the State Convention (pp.47-53).
- C. In "Equity" we must be seated.
1. The regular party is closed; we are open.
 2. The regular party is unfaithful; we are faithful.
 3. The regular party has defied the law and suppressed Negroes; we have followed the law and have been suppressed.

V. THE MISSISSIPPI FREEDOM DEMOCRATIC PARTY IS A LEGAL DELEGATION WHICH SHOULD BE SEATED BECAUSE

- A. It represents over 50,000 people now and has a potential of over 500,000, white and black.
- B. It has complied with the laws of the State of Mississippi, insofar as harassment has allowed, including the holding of precinct meetings, county conventions, and a state convention, and has conformed to the rules of the Convention (pp. 15-20).

(All pages referred to are in the Brief.)