

DOCKET

I

FEDERAL COURT CASES

A. Removals

ANGUILLA

1. LOUIS GRANT V. TOWN OF ANGUILLA
2. ROBERT WRIGHT V. TOWN OF ANGUILLA

(S. D. MISS.) Crim. Act. Nos. 4373, 4374

Grant and Wright were arrested in Anguilla, Sharkey County, 8/11/64 on a charge of littering. COFO workers, they were distributing handbills urging Negroes to register to vote. They were held in the county jail in Rolling Fork until the next day, and were not permitted to make a phone call. They were released 8/12/64 on \$200 cash bond, trial set for 8/26.

8/24/64 petition for removal filed in federal court. Motion to remand filed 8/29/64. No hearing date set yet.

BATESVILLE

3. BENJAMIN GRAHAM V. CITY OF BATESVILLE, ET AL
4. CLAUDE WEAVER V. CITY OF BATESVILLE, ET AL

(N. D. MISS.) - No. 6454

(N. D. MISS.) - No. 6453

8/3/64 Weaver and Graham, COFO volunteers, were arrested in parking lot of Panola County Courthouse, where they were taking names of potential voter registrants who could not register because registrar's office was closed (counter to order of N. D. Miss. See \_\_\_\_\_). Charged with failure to leave the courthouse and obstructing an officer, each released on payment of \$200 cash bond, pending trial in J. P. Ct., Panola County, 5th beat. 8/7/64 petition for removal filed. Motion to remand filed 8/18. Brief in support of remand filed 8/28. Brief in opposition filed 9/19. Order entered 8/7/64 enjoining and restraining defendants from prosecuting petitioners. State officials, notwithstanding removal went ahead and tried defendants in state court on August 7, 1964. Defendants directed to appear in Federal District Court at Oxford August 19, 1964 to show cause why they shouldn't be held in contempt. Motion to dissolve injunction and temporary restraining order filed 8/19/64. Final order exonerating them of contempt entered by court. District Court in same order held state court null and void.

BELZONI

5. STATE OF MISSISSIPPI V. DAVID CARPENTER, HENRY WARE, WILLIE THOMAS AND JOSEPH LEE. (U.S. Dist. Ct., GCR 64104)

COFO staff persons arrested 10/3/64 for allegedly distributing handbills inviting Negro citizens of Belzoni to attend a

meeting at the COFO house to discuss police brutality problems. They were charged with criminal syndicalism and jailed under \$1000 bond each.

Following federal removal and before surety bonds could be obtained to release prisoners transferred to federal custody in Oxford jail, one petitioner, William Ware, was severely beaten by the Sheriff while in jail, knocked unconscious and rushed to Memphis hospital with brain concussion.

6. STATE OF MISSISSIPPI V. ROBERT BASS, WILLIAM WARE, ELLIS JACKSON AND JOE LEWIS STIGLER

(U. S. Dist. Ct. - GCR 64102)

October 15, 1964, 4 more COFO staff persons were arrested in Belzoni, Humphreys County while merely walking down public streets with leaflets in their hands urging Negro citizens to join the Mississippi Freedom Democratic Party. They were jailed and charged with the offense of criminal syndicalism under Senate Bill 2027 of June 11, 1964. October 19, 1964 a preliminary hearing held and petitioners ordered bound over to grand jury which meets in February, 1965. Bond was set at \$1000 for each defendant.

Petitions for removal filed Federal District Court 10/27/64 along with Motions to Reduce Bail. Hearing on bail Wednesday, October 29th. District Judge Claude Clayton reduced bail to \$500 for each petitioner. Surety bonds underway for petitioners' release.

7. STATE OF MISSISSIPPI V. HENRY WARE, JOSEPH LEE, WILLIE THOMAS, DAVID CARPENTER, JOE LEWIS STIGLER, ROBERT BASS, ELLIS JACK AND WILLIAM WARE. (GCR 64103)

The 8 petitioners - the entire COFO staff in the City of Belzoni - were in jail on criminal syndicalism charges when they were charged with the additional offense of "destroying public property." The jailer alleged that petitioners had broken a chair in the cell and had marred the wall with "freedom slogans." They were tried while in jail without counsel, convicted and sentenced to 6 months in jail and \$100 fine. Bond in the amount of \$1000 was set for each person. October 27, 1964, petitions for removal filed Federal District Court. Hearing to reduce bail held October 29. District Judge Clayton reduced bond to \$200 for each person. Surety bonds underway.

CANTON

8. (14 Defendants) CAROLE MERRITT, ET AL V. STATE OF MISS.  
(S.D. MISS.)

1/23/64 8 defendants arrested while distributing leaflets and charged with disturbing peace and publishing libel. One defendant charged with contributing to delinquency of minor

Two defendants arrested week of Jan. 16 on charges of disturbing peace predicated on alleged intimidation of a Negro woman who refused to support the boycott.

1/24/64 - Carole Merritt, Vassar graduate working for SNCC, arrested for published libel and contributing to delinquency of a minor.

2/7/64 - Two COFO workers arrested for disturbing the peace, for allegedly intimidating a Negro seeking employment at a boycotted restaurant.

Defendants above tried Municipal Court of Canton 2/3/64, except those arrested 2/7/64, tried 2/10/64. Each was sentenced to 6 months and \$500 fine for each offense Bond of \$500 per charge set. Defendants spent over a month in jail because unable to make bail.

Petitions for removal filed - June, 1964. Answer and motion to dismiss and remand August 7, 1964. Hearing Fed. Dist. Court Aug. 14, 1964. Cases remanded. Notice of Appeal from remand order and stay pending appeal. Filed \_\_\_\_\_ Motion to consolidate, 5th Cir. \_\_\_\_\_.

9. (52 defendants) EARNEST L. ALEXANDER, ET AL v. STATE OF MISS.  
(S. D. MISS.)

5/29/64 - Mass arrests occurred during Canton "Freedom Day" when Negroes left Mount Zion Baptist Church to walk to the courthouse to register to vote. Following the arrests, defendants were held incommunicado for 2 days. 25 are charged with parading without permit; 24 with picketing; 2 with obstructing sidewalk. One defendant, McKinley Hamblin, was beaten unconscious, hospitalized, and later charged with disturbing the peace and resisting arrest. Trial set for 6/8/64. Petition for removal filed, June, 1964. Answer and motion to remand filed 7/24/64. Hearing on remand held 8/14/64. Motion to consolidate \_\_\_\_\_

10. STATE OF MISS. v. SOLOFF  
(S. D. MISS.)

8/1/64 - Rabbi Soloff and 5 COFO workers arrested under Canton ordinance prohibiting distribution of printed information without permit. Defendants were passing out Freedom registration forms. Petition for removal filed August 3, 1964.

11. STATE OF MISS. V. C. O. CHINN  
(S.D. MISS)

Chinn, a local person active in civil rights was re-indicted on concealed weapons charge by grand jury of Madison County while serving out a 6 months sentence on same charge. Preliminary motions filed state court. Case removed to federal court first week of October.

12. STATE V. GEORGE RAYMOND - (USDCSO - No. 3647)

Raymond COFO project director in Canton, arrested for interfering with officer October 17, 1964 when he went to aid of COFO worker whose car had stalled in downtown area and who had been given a parking ticket. Jailed and later released on \$500 property bond. Petition for removal filed federal district court November 2, 1964.

#### CARTHAGE

13. STATE OF MISSISSIPPI V. CLYDE HARVEY (No. 3624)  
(S. D. MISS.)

Harvey, a local Negro in Leake County, arrested September 11, 1964, for possession of intoxicating liquor. Harvey was active in the COFO summer project and he recently had given a party for white and Negro summer volunteers where he had served beer. Police found two cans of beer in his home in a search during his absence. Harvey was never given a trial in court but merely entered an informal plea before the Justice of the Peace Jack Adams on his lawn. No trial date was set and Harvey asked the Justice of the Peace on three occasions when his trial would be and what his punishment was but was told not to come back.

He was charged July 9, 1964. Was re-arrested September 9, 1964, told he had been sentenced to 90 days in jail and \$500 fine and that time to file notice of appeal had passed. Harvey denied he had ever had a trial and stated that he did not know that he had been sentenced.

September 22, 1964, petition for leave to file writ of

error coram nobis in Circuit Court of Leake County, Miss., filed in Supreme Court of Miss, requesting that Petitioner Harvey be immediately released on bail and alleging that he had been tried in absentia, if at all. Immediate action requested on the petition, which was refused by the Supreme Court of Miss., which on October 15 dismissed the motions for coram nobis and for bail.

October 7, petition for removal filed in the U S District Court, Southern District of Mississippi, Jackson Division along with motion to set and/or to reduce bail and prayer for habeas corpus. All relief denied by Judge Mize. Hearing on petition for removal originally set for October 12 in the federal district court at Meridian, but<sup>u</sup> delayed until October 14, at which time Judge Mize had full hearing on petition for removal, habeas corpus, and bail. State's motion to remand filed October 12 granted. Notice of appeal from the order sustaining the motion to remand and from denial of bail and \_\_\_\_\_ filed October 19. Motion for stay pending appeal filed in the Fifth Cir., October 20. Application for bail pending appeal filed \_\_\_\_\_. Hearing in application for bail in 5th Cir. held \_\_\_\_\_, 1964, and denied. Hearing on appeal from denial of habeas corpus November 9, 1964, 5th Circuit Court of Appeals.

Upon suggestion of Judge Bell, further exhaustion of state remedies attempted. Petition for writ of error coram nobis completed and taken to Justice of Peace Jack Adams in Carthage for filing. Justice Adams refused to accept papers, said he was "through with Clyde Harvey," threatened George Bradley, U of Penn law graduate, and ran him off his land.

14. A. J. LEWIS V. MARJORIE COLLIER AND CARRIE COLLIER  
(U.S. Dist Court, S. D.)

Mr. Lewis, a Negro resident of Carthage, Leake County, is the father of 6 year old Debora, the lone Negro pupil in recently desegregated Leake County schools. On the day school began, Mr Lewis was fired from his job at a Carthage Lumber company. He was also object of threats sufficiently serious to justify requests for FBI investigation.

October 17, 1964, Mr Lewis was informed by the Colliers that he would have to move from the house he rented from them. October 20, ordered to vacate. October 25, he tendered month's rent but rent refused. Again refused on November 2, 1964. November 3, 1964, summoned to Justice of Peace Court to defend an eviction action brought by Colliers. November 5, 1964, petition for removal filed federal district court.

CHARLESTON

15. STATE V. STOKELY CARMICHAEL - DCR 6430

Carmichael, COFO project leader, arrested July 14 on Highway 32 by Constable Slaton of Tallahatchie County who claimed he'd followed Stokely for several miles and that he'd been driving 90 mph. Stokely denies all allegations and states that he was arrested immediately upon leaving a gas station. Charged with speeding. Petition for removal filed July 17, 1964. No answer.

CLARKSDALE

16. MARY BROOKS, MARY DIXON, and IRMA JEAN MILLER V. CITY OF CLARKSDALE - (N. D. MISS) DCR 6751

7/20/64 - Arrested for trespass when they sought service in the heretofore "white" section of the Hamburger Cafe -

released on bail, \$51 each. 7/23 trial in police court (not a court of record), entered nolo pleas and were fined \$100 each. Released on appeal bond of \$202 each pending trial in Coahoma County Circuit Court. 7/28 petition for removal filed. No answer.

17. MARIE GERTGE V. CITY OF CLARKSDALE

(N. D. MISS.) No. DCR 6448

7/8/64 - 19 year old White COFO worker in Clarksdale City hall to observe a criminal trial was refused permission to enter the courtroom and retired to wait in a stairwell, where she was arrested and charged with taking a photograph in City Hall. At 7/13 arraignment, she pleaded not guilty. Case continued to 7/25.

7/22 petition for removal filed. Motion to remand filed on or about 7/29. Brief in support of remand motion filed 8/15. Brief in opposition filed 9/15.

18. WILLIE GOODLOE V. STATE OF MISS.

(N. D. MISS.) DCR 6450

7/8/64 - Rev. Goodloe was put in Coahoma County Jail in Clarksdale and charged with selling cotton subject to a landlord's lien. Bail set at \$1,000. Petitioner, about 2 years active in civil rights activities, has been harassed by having criminal suits of a similar nature brought against him. He was forced twice to settle claims he alleges he did not owe for a total of \$348.70. He owed \$25.

With full knowledge of the county prosecutor, white local counsel visited Goodloe in jail. Goodloe, however, chose to retain volunteer lawyer.

Petition for removal filed 7/27. Motion to set bail filed 7/27, granted same day. Bail fixed at \$300. Habeas granted 7/27. Released on payment of \$300 7/28. Motion to remand filed 8.28. Brief in support of remand filed 9/15/64. Affidavit in opposition to motion filed August 31, 1964.

19. STATE OF MISS. V. REV. J. D. RAYFORD (Coahoma Cty. Circuit)

(N. D. MISS.) Civ. Act. \_\_\_\_\_

Defendant, active in summer project, was arrested 6/24 in Clarksdale and charged with drunken driving and reckless driving, both of which he flatly denies. At trial in Municipal Court in Clarksdale, 7/2/64, Judge Connell refused to permit out-of-state volunteer lawyers to participate. Rayford pleaded nolo, was found guilty on first count, and fined \$110. Appeal bond of \$220 posted, trial de novo.

Petition for removal filed 7/13/64. Motion to remand filed. In chambers 9/17 Judge Clayton indicated that since, in his belief, the removal petition was improperly filed, state court proceedings are not stayed. Jack Young succeeded in getting appeal issue cleared up and in getting Rev. Rayford's license returned pending determination of case.

20. WILLIE LEE SCOTT, ET AL V. COUNTY OF COAHOMA

(Betty Ruth Brown, Willena Parker, Helen McLaughlin, James R. Sims)

(N. D. MISS. ) DC 6436

Plaintiffs, 5 Negroes, arrested 8/2/63 at lunch counter in Walker's Walgreen Drug Store after being refused service and asked to leave. Charged with trespass, under Miss. Code §3, released on bond. Petition for removal filed 8/5/64, motion to remand filed 8/16/64. Brief in support of remand filed September 18th.

21. CITY OF CLARKSDALE V. STOKELY CARMICHAEL

(N. D. MISS.) DCR 6427

July, 1964 - Head of Greenwood COFO office arrested in Clarksdale as he left COFO house. after abusive language, jailed him and refused permission to make phone call. Charged with failure to signal when turning. Released upon payment of \$18 bond. Trial set for 7/16.

7/15/64 petition for removal filed in FDC, Delta Division. Motion to remand filed 7/21/64. No hearing date set.

COLUMBUS

22. HOWARD B. GLUSHAKOW, ET AL V. STATE OF MISSISSIPPI.

(N. D. MISS.) Criminal Action ECR 6434.

On 7/1/64 Glushakow, a white SNCC worker, was arrested and charged with improper driver's license, registration, inspection stickers, and passing on the right. On 7/8/64, the three co-petitioners, also SNCC workers, were arrested while canvassing voter registrants, and charged with trespass.

Petition for removal filed 7/9/64.

23. STATE OF MISS. V. JOAN QUINN BRISBEN

(N. D. MISS.) Criminal Action No. ECR 6459

White Chicago teacher working for COFO arrested 9/1 at road block on Highway 82, charged with improper license and tag, and failure to have Miss. license inspection sticker. She had valid Illinois license and was within time limit for nonresident drivers. Trial set for 9/5/64 Lowndes County, 5th beat J. P. Ct.

Petition for removal filed 9/3/64 in Eastern Div., N. D. Miss. No answer to date.

24. STATE OF MISS. V. HOWARD SCHULMAN

10/31/64, Schulman, a White volunteer worker with the freedom vote campaign, was arrested while passing out leaflets on the "freedom election," charged with distributing leaflets without permit and disorderly conduct. Released on \$400 bond. Removal petition to Federal District Court filed November 5, 1964.

25. STATE OF MISS. V. RICHARD PHILLIPS

Phillips, local Negro citizen, arrested October 31 in Negro cafe while passing out freedom ballots. Charged with distributing leaflets without permit. Bond set at \$200. Removal petition filed November 5, 1964.

26. STATE OF MISS. V. GORDON WILLIAMSON

Williamson, student at Union Theological Seminary, arrested in the City of Columbus while passing out leaflets when Sheriff saw them in Negro community canvassing. Removal petition filed November 5, 1964.

27. CITY OF COLUMBUS V. STUART EWEN. No. ECR 6466

(N. D. MISS.)

Ewen arrested September 13, 1964 on Highway 82 near Columbus, Miss., by highway patrolman and charged for driving without valid drivers' license. Released on \$200 cash bail. Trial in Justice of Peace Court, Lowndes County set for September 17, 1964, continued until September 22, 1964. Petition for Removal filed September 22. Ewen, a summer volunteer with

N. Y. drivers' license had just returned to Mississippi via Greyhound bus on the morning of his arrest. Was arrested by a patrolman who has harassed civil rights workers in the area all summer.

CRAWFORD

28. STATE OF MISS. V. GORDON WILLIAMSON

29. STATE OF MISS. V. ROY ROBINSON

October 31, 1964, Williamson, White student from Union Theological Seminary and Robinson, local COFO worker, arrested while passing out freedom ballots. Williamson charged with improper drivers tag and no inspection sticker; Robinson with interfering with officer. Next day, both arrested for creating public disturbance arising out of previous day's arrest. Petition for removal filed November 5, 1964.

DREW

30. CITY OF DREW V. HEXTER - (N. D. MISS) GCR 6452

Hexter arrested July 15, 1964 for violation of city ordinances regulating flow of traffic, use of streets and sidewalks. July 16, 1964 appeared Police Court of Drew but trial continued until July 22, 1964. Bond set at \$110. Failed to appear July 22 and warrant issued for arrest. Picked up August 6, entered not guilty plea, convicted and sentenced to 30 days and \$100 fine. Appealed to circuit court Sunflower County - August 13, 1964. Removal petition filed.

31. JOE B. SMITH V. STATE OF MISS

(N. D. MISS.) GCR 6460

On 8/13/64 Smith, a White COFO worker from New York, was arrested for "trespassing on school property" while talking peaceably with two Negroes on Hunter High School Playground in Drew. At 8/14/64 trial in Mayor's Court, he was charged and convicted of "disturbing the peace by conduct which might have lead (sic) to a breach of the peace," and sentenced to 3 months on the Sunflower County Farm and a \$300 fine. Bond pending appeal for trial de novo in Sunflower County Circuit Court set at \$500, which was posted. Trial date not yet set.

8/20/64 - Petition for removal filed. Motion to remand and brief in support of remand, 9/4/64. Brief in support of motion to remand filed September 15, 1964.

GULFPORT

32. STATE OF MISS. V. MILLER }

33. STATE OF MISS. V. GOLDSTEIN }

34. STATE OF MISS. V. CLEVERDON }

(S. D. MISS.)

7/17/64 - Petition for removal filed.

8/15/64 - hearing on motion to remand. Affidavits and counteraffidavits filed. Order to remand entered September 14, 1964. Motion to stay remand order and notice of appeal to 5th Circuit filed September 19, 1964.

HOLLY SPRINGS

35. LARRY RUBIN V. CITY OF HOLLY SPRINGS (N. D. MISS)

Criminal Action WCR 6430

7/26/64 - White COFO worker arrested and charged with reckless driving. Petition for removal filed 7/27, motion to remand filed 8/14/64. Briefs requested.

36. ELWOOD BERRY V. STATE OF MISS. (N. D. MISS.)

Criminal Action WCR 6431

7/24/64 - Berry, white COFO worker, arrested and charged with disturbing the peace by using profane language in public. Released on \$500 bond pending trial in Marshall County J. P. Court.

Petition for removal filed 7/27. Motion to remand filed 8/4. Briefs requested.

37. FRANK CIECIORKA V. CITY OF HOLLY SPRINGS (N. D. MISS.)

WCR 6438

8/12/64, White COFO worker arrested for carrying a sign without a permit. Breach of peace charge added. Arraignment 8/12 in Municipal Court. Petition for removal filed 8/17 in Western Div., N. D. No answer.

38. CLEVELAND L. SELLERS, JR., V. CITY OF HOLLY SPRINGS, ET AL

(N. D. MISS.) Criminal Action WCR 6437

Negro COFO worker was arrested 8/1/64 on premises of Ragsdale Chevrolet Garage, where he and another COFO worker, at all times peaceful, were inspecting the remains of a car in which one COFO worker was killed and another badly injured a few hours before. He was charged with "threatening to do bodily harm, attempting simple assault--Breach of Peace." Released on \$500 cash bail, trial set for 8/8 in J. P. Court, 1st beat, Marshall County.

Petition for removal filed 8/7/64. No answer.

INDIANOLA

39. CHRISTOPHER HEXTER V. CITY OF INDIANOLA

(N. D. MISS.) GCR 6461

Petitioner, a White COFO worker, arrested 8/16/64 while distributing leaflets in the city of Indianola along with several Negroes. Charged with distributing handbills without a license.

Convicted 8/17/64 in Municipal Court and fined \$100. Bond pending appeal to Sunflower County Circuit Court for trial de novo set at \$500. 8/20/64 petition for removal filed. Motion for remand filed 9/3/64. No hearing date set yet. Brief in support of motion to remand filed September 18, 1964.

40. CITY OF INDIANOLA V. OTIS BROWN, JR., ET AL

(INDIANOLA FLICK-IN CASES) (N. D. MISS.)

On Sunday, 9/6/64, a group of 5 whites and 3 Negroes was arrested for trespass while standing quietly on the property of the Bryant Chapel, a Negro church in Indianola. They had attempted to buy tickets at the "White" side of the "Honey Theatre" and, when refused service, returned to the church. When the police chief failed to secure an affidavit from a church trustee, charge was changed to refusing to obey a police officer. They were released on \$100 bond each, on 9/8/64.

Removal petitions for 7 defendants (one left the state) filed 9/12/64. Motion to remand filed September 28, 1964. Answer filed October 5th and brief in support of remand motion filed October 8, 1964.

41. CITY OF INDIANOLA V. DONALDSON, ET AL.

Nineteen defendants arrested while distributing copies of Mississippi Free Press in the Negro community in the City of Indianola on or about October 24, 1963. Tried in Mayor's Court of Indianola, October 25, 1963, convicted and sentenced to 30 days and \$25.00 fine. Released on cash bail in the amount of \$100 each upon filing notice of appeal.

Petitions for removal filed September 14, 1964, in the U. S. District Court for the Northern District of Mississippi from the Circuit Court of Sunflower County. Motion to remand

filed September 22, 1964. State's brief due ten days from September 30. Our brief due 20 days from September 30.

#### JACKSON

42. STEVEN HOLBROOK V. STATE OF MISS. (S. D. MISS.)

43. SOREN SORENSEN V. STATE OF MISS.

8/20/64 - Two defendants accompanied a Negro attempting to register to Circuit Clerk's office in Hinds County Court-house in Jackson. Holbrook took several photographs inside courthouse, was immediately arrested. While waiting on a bench to hear the charges against Holbrook, Sorensen was arrested and charged with disorderly conduct, as was Holbrook; both in violation of House Bill 777, passed by Miss. Legislature 5/28/64. Bond for each defendant was fixed at \$1,000.

Petition for removal filed 8/21/64, along with motion for reasonable bail.

44. STATE OF MISS. V. RUFUS ERIC MORTON

45. STATE OF MISS. V. STEPHEN L. SMITH (S. D. MISS.)

Criminal Action \_\_\_\_\_

7/15/64 - Morton (Negro) and Smith (White) were driving from Jackson to Canton, Miss., with two other persons, both Negro. Smith was driving a rented pickup truck, carrying voter registration material for use in Greenville and Greenwood. Outside of Jackson the city police stopped the vehicle and gave Smith a summons for improper license, later nolle prossed by city attorney.

Truck was later followed and stopped by an unidentified person who refused to state his official capacity. Smith received a speeding summons; the two Negro passengers were told to walk back to Jackson (over 10 miles); Smith and Morton were then taken in separate cars to the Madison County jail in Canton, after Morton had been kicked, punched, and beaten with a gun by two of the Miss. officials. Smith, in police car, was beaten with gun and flashlight.

7/16/64 - at arraignment in Madison County Justice of the Peace Court, Morton was charged with interfering with an officer and resisting arrest; Smith, with reckless driving and resisting arrest. Released on \$150 bond pending trial. Petitions for removal filed, in Morton's on 7/29; Smith's on 7/29.

#### MARKS

46. STATE OF MISS. V. ROSE KENDRICK (Marks Bigamy Case)

(N. D. MISS.) Criminal Action DCR 6456

8/4/64 - Mrs Kendrick attended a meeting for Marks residents and agreed to house summer project people (which she did). 8/15/64, the sheriff and his deputy called on her and told her to be at the county courthouse later that morning. The county attorney (Quitman County) told her she had remarried without a divorce and would be put in the penitentiary for 10 years. On 8/19, she was arrested for bigamy at her home. Bail was set at \$500; LCDC volunteer Tonachel waived a hearing and on 8/20 filed a removal petition, along with writ of habeas corpus. Judge Clayton granted the latter, fixing bail at \$300, which was raised. Mrs. Kendrick was released 8/21. Removal pending; bigamy charge seems unfounded, since her first spouse has been absent for more than seven successive years. Motion to remand filed September 16, 1964 along with brief in support of remand. Brief in opposition to remand filed November 2, 1964.

McCOMB

47. PERCY McGHEE V. CITY OF MAGNOLIA (S. D. MISS)

McGhee, a Negro COFO volunteer, was arrested for loitering 8/22/64 by the Sheriff of Pike County, while drinking a Coa-Cola in the county courthouse. Released on \$55 bond; removal petition filed 8/27/64. No answer.

48. STATE OF MISS. V. WILLIE JOHN DILLON (S. D. MISS.)

Dillon, a Negro resident of Pike County who lives just outside the city limits of McComb, Mississippi, heard an explosion (dynamite blasting cap - the dynamite failed to explode) on the front lawn of his home at approximately 4:00 a.m., August 28, 1964. He called the FBI and the Sheriff of Pike County, R. R. Warren.

When Sheriff arrived in response to Dillon's call, he noticed a car on which Dillon had been working on the front lawn (car belonged to a summer volunteer). Sheriff Warren then arrested Dillon for stealing electricity (having noticed a wire running from the electric post behind Mr. Dillon's house to a light in the yard) and operating a garage without a license.

Mr. Dillon was held literally incommunicado until 3:00 p.m. August 28th, the same afternoon at which time he was tried, convicted and sentenced up to a total of 6 months in jail and fine of \$600.(8/28/64). He was not allowed to see or speak with counsel or his wife. Indeed, the sheriff and county attorney conspired to prevent counsel from seeing or speaking with Mr. Dillon.

Petition for removal filed in federal district court 9/19/64. Answer of Sheriff Warren filed 9/27/64; motion to strike petition demurrer and motion to remand filed 9/28/64. Hearing held U. S. District Court October 8. Remand and Notice of appeal filed November 6th.

49. STATE OF MISS. V. ROY LEE (S. D. MISS.) No. 3589

Roy Lee, a 23 year old Negro resident of McComb, Miss., was arrested August 15, 1964 and charged with obstructing justice, threatening the life of a policeman, and disturbing the peace.

He had gone to the scene of the bombing of a Negro-owned grocery store located approximately two blocks from his home at about 12:50 a.m. August 15, 1964. When he arrived on the scene he fell to his knees and began praying aloud, "Lord, when is it going to end. . ." He was persuaded to leave the scene by his companions (COFO workers). He then went to the Freedom House when he calmed down. He went back to the scene a second time, and again began to pray aloud. A policeman known as "Big John" came toward him while he was on his knees, with a gun or club raised as if to strike Lee. The COFO workers covered Lee with their bodies, imploring the police officer not to strike him. They again took him back to the Freedom House, where he discovered he had lost his house shoe. As he was returning down the street looking for his house shoe, two police officers approached and arrested him.

Case removed August 24, 1964. Motion to remand filed September 1, 1964. Hearing on the motion scheduled September 11, 1964. On that date, Judge Cox continued the hearing, now scheduled for September 24th, Federal District Court, Biloxi, before Judge Mize. Full hearing U S Dist. Ct. - Judge Mize, October 6 & 7th. Motion to remand granted Oct. 7. Notice of appeal and stay pending appeal filed.

50. STATE OF MISS. V. MELVIN PARKER (U.S.D. Ct. No. 3624)

Parker, 21 year old local Negro, arrested May 6, 1964 and charged with "trespass by peeping Tom," for allegedly peeping in white folks windows. He denies allegations. Held in Pike County jail at Magnolia under "5000 bond, indicted by grand jury October, 1964 for two charges of same offense. Unable to raise bail, has remained in jail since May. Petition for

removal filed October 15, 1964 along with motion to reduce bail. Judge Mize reduced bail to \$500 each count. Surety bonds written and Parker to be released momentarily.

51. McCOMB - CRIMINAL SYNDICALISM ARRESTS

Sunday, September 20, 1964, 2 bombings in City of McComb. Negroes arrested and angry as these latest in series of 16 bombings against Negro persons. Many gathered at home of Mrs. Alyene Quinn whose home had been bombed and a few threw rocks and bricks at police when they arrived.

Between September 20 - 23, 1964, City, County and State police arrested approximately 25 persons; held them in Pike County jail under bonds of \$5000 each. No warrants were issued and defendants not told of charge until days later. Carsie Hall was told all were charged with Criminal Syndicalism and 4 additionally charged with illegal possession of explosives.

(a) September 25, 1964, complaint seeking 3 judge court to declare Criminal Syndicalism Act (one of mass statutes passed last spring in anticipation of summer project) unconstitutional filed. No hearing date set though panel consisting of Judges Wisdom, Clayton and Mize to hear case. Motion to dismiss filed October 13, 1964.

(b) September 29, 1964, petitions for removal filed along with motions to reduce bail. Judge Mize on October 1 reduced bail from \$5000 to \$500 for each defendant. October 6, 1964, grand jury of Pike County returned indictments and trial set October 13, 1964, Pike County Circuit Court. Amended petitions for removal filed October 8, 1964. All released on bail (surety bonds) October 19, 1964.

51. McCOMB FOOD ARRESTS

October 24 and 25th, entire COFO staff, 14 persons, arrested for violation of health laws; i.e., handling food. Health inspector said as COFO was cooking for a number of people, required to have permit to operate food establishment. All released \$100 cash bond each. Trial held 7:30 a.m., October 27th. All released except Jesse Harris, project director, who was fined \$100. Notice of appeal filed.

52. McCOMB - MASS COURTHOUSE ARRESTS

October 27th was designated "freedom day" in the City of McComb; COFO workers and National Council of Churches' ministers accompanied local Negroes to Pike County courthouse. They were met by Sheriff Warren and numerous police officers who informed them that registrar's office closed and that they could either leave the courthouse or be arrested. They refused to leave and during the day 40 persons were jailed for trespassing and refusing to obey an officer. Released on \$100 bond each.

October 29th - complaint filed federal district court for temporary restraining order and injunction against further police harassment of civil rights workers. Hearing before Judge Mize October 31st. Mize stayed prosecution of 40 persons arrested and scheduled full evidentiary hearing on TRO and preliminary injunction for November 16th. Hope to present full story of persistent threatenings and terroristic tactics of law enforcement officials against local Negroes attempting to register to vote as well as COFO workers.

MERIDIAN

53 CITY OF MERIDIAN V. FREDDIE LEE WATSON, ET AL (S. D. MISS.)  
(9 defendants)

5/23/64 - Watson arrested while distributing leaflets outside Newberry's Dime Store urging boycott of downtown stores.

5/30/64 - Hosley arrested while distributing leaflets in front of Woolworth's and charged with "interfering a man's business." Released on \$50 cash bond.

5/30/64 - 6 others arrested outside Woolworth's and Kress' after distributing literature. Three defendants were charged with being 'dangerous and suspicious.' Three others placed under arrest for "investigation."

5/31/64 - One defendant arrested in Woolworth's and charged with disorderly conduct.

6/1/64 - Eight defendants arraigned in Juvenile Court without counsel. Bond set at \$50 per person. Trial set for 6/3/64, continued to 6/10/64, charges changed to "conduct likely to lead to breach of the peace." On 6/10/64, the morning of trial, petitions for removal filed Fed. Dist. Ct., S. D. Rejected because not filed in duplicate. State court tried and convicted defendants.

6/12/64 - habeas corpus petition filed Fed. Dist. Ct. and denied. Motion for t.r.o. enjoining city officials from executing sentences granted. Petitions for removal perfected. Motion to remand 6/30/64. Motion for stay pending appeal to 5th Circuit and Notice of Appel to the 5th Circuit filed 7/14/64.

54. CITY OF MERIDIAN V. SUSAN GOLICK, RICHARD LOWENSTEIN, MARJORIE ANN HENDERSON, JEREMEY KEMMERER, AND JOSEPH A GROSS

Five White Oberlin students arrested while passing out "freedom ballots" in "freedom vote" election October 31, 1964. All charged with distributing leaflets without a permit. Released on \$50 bond each. Petitions for removal filed November 6, 1964.

MOORESVILLE

55. STATE OF MISSISSIPPI V. EMILIE SCHRADER

Emilie, a White COFO worker, arrested in rural Mississippi town after being run out by mob. Her car had broken down and she summoned Negro friends from Tupelo to help her from a gas station phone which turned out to be party line. In few minutes, numerous police and local people appeared at station and threatened her. When her friends arrived and hitched her pickup, crowd preceded her on highway and parked. She was stopped, arrested for operating a motor vehicle in reckless manner (car was being towed at time), jailed and released on \$100 bond. Petition for removal filed 11/6/64.

PASCAGOULA

56. PASCAGOULA REMOVAL CASES (S. D. MISS)

62 persons arrested while attending a voter registration meet-  
int 8/4/64 in Pascagoula. 55 charged with breach of the peace,  
7 with possession of obscene pictures. County officials and  
Pascagoula police, after warning the previous week that voter  
registration meetings would be dispersed, arrived 50 strong,  
armed with revolvers, rifles and billy clubs, in bus and cars.  
Also had tear gas. About 40 whites were peacefully watching.  
At one point, police ordered the meeting to disband in 5  
minutes. Upon refusal, all were jailed in Jackson County  
Farm Jail

At 8/5 trial, counsel had only 30 minutes to confer with  
any of petitioners. Continuance granted until 8/10/64. Some  
released on bail, others stayed in jail.

8/11/64, petition for removal filed; amended petitions  
filed 8/25/64. Motion to remand filed 9/16/64. Hearing set  
for 9/23/64. Answer to amended petitions and motion to remand  
filed September 18, 1964. Hearing set U. S. District Court  
September 23, 1964. Postponed until September 28, 1964.  
Motion to remand sustained. Notice of appeal being noted.

PHILADELPHIA

57. STATE OF MISS. V. SCHIFFMAN

Defendant arrested 9/14/64 during "Freedom Day" in Philadelphia. Charged with failure to obey officer. Out on \$500 bond. Trial scheduled for 10/26. Removal petition filed on or about 10/25 64. State Court tried Schiffman anyway, forfeited bond. Contempt proceedings being brought.

RULEVILLE

58. M. C. PERRY V. CITY OF RULEVILLE (N. D. MISS.) GCR 6459

Perry, 11th grade SNCC worker, arrested 8/15/64 for disturbing the peace when he failed to bring a parent with him to Ruleville Negro High School to discuss civil rights activities with principal. Unrepresented by counsel, he was convicted same day in Mayor's Court and sentenced to 30 days on the Sunflower County Farm and \$100 fine.

Incarcerated until 8/15, paid \$500 bond pending appeal for trial de novo in Sunflower County Circuit Court. 8/24/64, petition for removal filed. No motion to remand received as yet.

STARKVILLE

59. RONALD BRIDGEFORTH V. CITY OF STARKVILLE (N. D. MISS.)  
ECR 6458

8/13/64 Bridgeforth, White COFO worker, went to J P Ct. to pay a parking ticket. When told he had to be fingerprinted and mugged, he asked to see the law, and was told there was no copy there. He asked for legal advice, paid the fine, but was jailed.

8/14, \$500 bail paid and judge held Bridgeforth in contempt of court and sentenced him to \$50 fine and one day in jail. Counsel not notified of hearing, which was 8/15. Judge asked if he would be fingerprinted and mugged. When he asked to see a lawyer, the judge held him in contempt again, and sentenced him to \$50 and another day in jail.

8/16 - fingerprinted and mugged when jailer told him his lawyer knew about it. Fines totalling \$100 and \$23 costs were paid. Trial set for 8/18 on charge of refusing to be fingerprinted and mugged.

Petition for removal filed August, 1964.

WEST POINT

60. CITY OF WEST POINT V. LEWIS, BELL, BERNARD, GILMAN & BROOKS

October 31, 1964, 5 volunteer students arrested while distributing freedom ballots. Charged with distributing leaflets without permit. Released on \$100 bond each. Petitions for removal filed November 6, 1964.

B. Affirmative Federal Cases

ABERDEEN

57. LEE F. DILWORTH, ET AL V. T N RINER, ET AL., Civil Action No. 6463

September 5, 1964, 19 Negro citizens of Aberdeen, Monroe County, Miss., entered Tom's Restaurant and requested service. Upon refusal to go around to back entrance, police were called. Defendants arrested and charged with trespassing. All released on bail. Trial set for October 7, 1964, Municipal Court. Complaint under Civil Rights Act to enjoin prosecution of defendants and further discrimination in restaurant's facilities filed September 21, 1964. Hearing on temporary restraining order October 2, 1964 wherein Judge Clayton refused to stay state court prosecutions on grounds he banned by §2283. Notice of appeal from Judge Clayton's denial of injunction relief filed October 6, 1964. As state court trials were coming up October 7, 1964, requested stay from Judge Clayton which was refused. A call to Judge Wisdom of 5th Circuit Court of Appeals who called Judge Clayton resulted in getting stay of State Court proceedings evening of October 6, 1964. The 5th Circuit acted because it "was of the view that legal questions presented are substantial and deserving of adequate briefing and arguments". 5th Circuit ordered October 13, 1964, defendants filed motion for more definite statement. Answer to motion being prepared. Appeal docketed October 21, 1964. Brief due 20 days from this date.

DREW

58. GEORGE WINTER, ET AL V. W. O. WILLFORD, MAYOR, ET AL  
(N. D. MISS.) Civil Action GC 6448

8/14/64, a Friday, Mayor Willford of Drew issued a proclamation that at the end of the working day all civil rights workers be taken into protective custody and held in city jail until the next normal working day of police. Motion filed 8/ /64 Fed. Dist. Ct. for t.r.o. and order to show cause why t.r.o. shouldn't be permanent.

Winter and three others who intended to stay the night at a Negro woman's home were seized and held without charge overnight. Hearing held 8/27/64.

8/28/64 Drew Board of Aldermen met, decided to rescind the 8/14 proclamation, which the mayor did by order 8/31. Judge Clayton dismissed the complaint.

JACKSON

59. TOM ATKINS, ET AL V. ELITE RESTAURANT, ET AL. (S. D. MISS.)

Class action under Title II, Civil Rights Act, Civil Action No. \_\_\_\_\_ to enjoin Elite, two Primos, Lindy's Pancake House, People's Cafe, and Mayflower Cafe - Jackson restaurants, from refusing service to Negroes. Each of the restaurants was tested on 7/30/64. Suit asks \$100,000 damages from each defendant, in addition to costs; filed 8/ /64. No answer.

60. COFO, ET AL V. MISSISSIPPI FAIR COMMISSION (S. D. MISS.)

Suit arose from Commission's failure to rent Coliseum to COFO for August 18th folk festival. White and colored entrances with signs maintained. Motion for t.r.o. filed 8/6/64 seeking preliminary and permanent injunction against further segregation in Coliseum. Hearing 8/14/64. Affidavits requested and submitted. Judge granted injunction against further segregation of premises but denied COFO's request to rent.

JACKSON - continued

61. EVERS, ET AL V. PERMANENT CAPITOL COMMISSION

(S. D. MISS.) Civil Action No. 3624 (J) (C)

Class action filed 8/28/64 calling for desegregation of facilities in state office buildings and capitol in Jackson --rest rooms, water fountains, lunch counters, etc. No answer filed or hearing date set yet. Interrogatories due 10/21/64. Answer filed October 21, 1964.

A D D I T I O N S

COLUMBUS

24a. STATE OF MISS. V. NORMAN CHASTAIN

Trial on traffic violations: improper driver's license and plates. Out on \$33 bail. Rec'd continuance until Monday, Nov. 16. Quiry: Should case be removed or defaulted.

Chastain is out of the state apparently not knowing trial for 11/9/64.

BELZONI

8a. STATE OF MISS. V. DICK SIMPSON, WILLIE SHAW, MATTHEW HUGHES

11/10/64 (on or about) arrested for receiving stolen property. Preliminary hearing - bail reduced to \$500 for Dick Simpson - released waiting grand jury action. Charges on Shaw and Hughes dismissed. Grand jury hearing Feb 1, 1965. Petition for removal being prepared.

II

CRIMINAL ACTIONS IN STATE COURTS

ABERDEEN

62. CITY OF ABERDEEN V. H. L. CLAY  
63. CITY OF ABERDEEN V. WILLIE FEARS  
64. CITY OF ABERDEEN V. J. J. MOORE  
65. CITY OF ABERDEEN V. GEORGE ROBINSON

Defendants, residents of Aberdeen, arrested September 5th, shortly after 19 others had been arrested, at Tom's restaurant. Clay charged with (a) resisting arrest; (b) impeding an officer; (c) public drunkenness; and (d) assault upon an officer. Out on total of \$1350 bond. Settled.

Fears charged with obstructing justice; Moore charged with "following too closely"; Robinson charged with "follow-too closely" and improper muffler.

Trial for all 4 scheduled 9:00 a.m., September 23, 1964 in J P Court of Aberdeen, Judge J. H. Miller. All cases court fines paid.

BATESVILLE

66. STATE OF MISS. V. SAMUEL ECHOLS

Writ of error coram nobis to Circuit Court being prepared.

Arrested for perjury having stated on registration form he had never been arrested before. Records show differently. Fined \$200. Plead guilty under duress without counsel - got 18 months in jail.

BILOXI

67. STATE OF MISS. V. JAMES BLACK (Municipal Court, Biloxi)

8/22/64 - Defendant went with 4 teen-age Negro girls to Baker's restaurant in Biloxi to test Civil Rights Act. They sat at counter, were refused service and told to leave. When they didn't move, police were summoned and Black arrested for trespass. Released on \$300 bond. At 8/27 trial in municipal court, decision reserved pending brief and/or oral argument. Brief noted 9/4. Case still pending. Judge has reserved decision pending U. S. Supreme Court's decision in Maddox.

CANTON

68. STATE OF MISS. V. GEORGE WASHINGTON, JR.

(J. P. Ct., Madison County)

9/17/64 - Defendant arrested, charged with carrying concealed weapon. Out on \$750 bond. Trial set for 9/21/64. Petition for removal filed 9/28/64.

MADDEN (NEAR CARTHAGE)

69. STATE OF MISS. V. HEININGER  
70. STATE OF MISS. V. POLACHEK

Polachek went to the Madden Clinic 7/30/64 - left, after being called a "nigger lover," because of the hostile atmosphere.

Returned next day with Rev. Heininger, NCC minister; they were assaulted by Dr. Thaggard and about ten others. Rev. Beininger knocked unconscious, Heininger and Polachek both prevented from leaving. County constables arrived and arrested them for disturbing the peace. They were put in Leake County jail in Carthage, held a couple of hours without medical attention, released on \$100 bail each.

Trial set for 8/27/64, but continued. Prosecutor told Sokolow, President's Committee, that he wasn't interested in pressing charges. No definite offer from prosecutor yet. Must be checked on. Petition for civil suit drawn up.

#### DREW

71. STATE OF MISS. V. FRED R. MILLER and EDWARD B. WILLIAMS  
(Circuit Court, Sunflower County)

Defendants arrested 7/30/64 in Drew, for allegedly distributing handbills without a permit, though arresting officer had only seen them put some in a pickup truck. On 7/31 they were convicted in Mayor's Court, sentenced to \$100 fines and 30 days at the Sunflower County Work Farm. Appeal bonds of \$200 each were filed for trial de novo in County Court.

#### GREENWOOD

72. CITY OF GREENWOOD V. PETER KAISER

Kaiser was arrested 9/8/64, charged with interfering with an officer. Released on \$200 bail 9/9/64. At trial 9/14, pled not guilty and was acquitted.

#### HATTIESBURG

73. STATE OF MISS. V. LAWRENCE GUYOT (Sup. Ct. of Miss.)

Guyot was arrested in Hattiesburg 1/24/64, charged with contributing to the delinquency of a minor. Convicted and sentenced to 6 months and \$500 fine. County and Circuit courts affirmed conviction. Appeal filed Miss. Supreme Ct. about July 22, 1964. Brief due 10/1/64.

74. STATE OF MISS. V. HENRY HUEY BAILEY (County Ct., Forrest Co.)

Bailey, a COFO worker, was arrested 9/9/64 in Hattiesburg on 5 counts of false pretenses, in that he did "wilfully, and unlawfully and feloniously, with intent to defraud, make, issue, and deliver to Lawrence Hession, Sr., for value" 5 checks without sufficient funds. Arraignment held 9/10. Despite the fact that the name of the person signing the checks was "Henry L. Bailey," and defendant's name is Henry Huey Bailey, and despite the totally different handwriting of defendant from that on the checks, he was bound over for grand jury action in October. Bail of \$1500 per count set-- \$7,500--and Bailey remains in jail. Have requested preliminary hearing, scheduled week of 9/21/64. Case dismissed.

#### INDIANOLA

75. IN RE THEO HARRISON

8/28/64 - Eight juveniles arrested at Negro high school and charged with disturbing peace, entering school grounds. Charges against three dismissed; four declared delinquent, placed on probation for 6 months. Harrison, a 12 year old, was adjudged delinquent and ordered to training school 8/28/64. Juvenile court judge to be contacted re length of sentence. Further action to be taken.

76. CITY OF INDIANOLA V. GEORGE LEE JONES (Cir. Ct., Sunflower Co.)

7/12/64 Jones, local Negro participant in COFO Indianola project, was taken by local Negro policeman to see the police chief in chief's office, where local Negro policeman told him, "We all gwine whup yo ass." Jones asked to get a drink of water and fled, hiding out for a few days. 7/17, officer arrested him downtown, charged him with running from arrest, and jailed him.

7/18. not allowed to use telephone, tried and convicted in municipal court, sentenced to 60 days on county farm. Appeal bond filed 7/24, Jones released pending trial in Circuit Court, Sunflower County.

77. CITY OF INDIANOLA V. GEORGE MARSHALL (J P Ct., Sunflower Co.)

Marshall arrested 9/10/64 in Indianola, charged with "leaf-leting" without a permit. Released on \$100 bail and trial set for 9/17. Bail forfeited, since Marshall did not appear. Effort underway to effect a settlement if possible; forfeiture usually closes a case under Miss. practice and procedure. To check.

JACKSON

78. JAMES EDWARD JACKSON V. SUPT., PARCHMAN STATE PENITENTIARY  
(N. D. Miss.)

6/26/64 - Defendant arrested in Columbus, charged with distributing literature without permit, while passing out leaflets describing Civil Rights Act. 6/29/64, about to be released on bail, he was taken to Lowndes County Circuit Court. In June, 1962 Jackson had been convicted on two counts each of burglary and larceny. He served one two-year sentence and was released 3/12/64 from Parchman. Second sentence was "retired to the file," a quaint Columbus custom common with Negro defendants. Judge Green unretired the prior sentence and Jackson was taken back to Parchman.

Petition for writ of habeas corpus.

MILESTON

79. COUNTY OF HOLMES V. DOW HAMER (J. P. Ct., 1st Dist. Holmes Co)

Hamer, a COFO worker, was arrested 9/13/64 and charged with (1) driving without a license; (2) improper lights on car; and (3) vagrancy. Pled nolo on the first two counts, not guilty on third. At trial 9/18/64 in Lexington, found guilty on all three counts and sentenced to 30 days in jail and \$250 fine on count 1; \$5.00 fine on count 2, and 30 days in jail on count 3. Appeal bonds set at \$400 on count 1, \$50 on count 2, \$500 on count 3, total, \$950. COFO in Mileston is trying to raise money for appeal.

MOSS POINT

80. STATE OF MISS. V. BARBARA FAY KELLY (Municipal Ct., Moss Point)

8/14/64 Barbara Fay, a 16 year old Negro girl of Moss Point, took laundry to Scotch Washeteria, which has two entrances; entered the "white" side and put her laundry in a machine. A white man came up and inquired of her "Haven't you made a mistake?" to which she replied, "No, I would like to wash right here." After more discussion (while her laundry was washing in the machine), police were called. Two officers arrived and asked if she "wouldn't like to go around to the colored entrance." She answered no. They then arrested her for trespassing on private property. Bond was set at \$300, trial set for 9/21/64 in Municipal Court, Moss Point.

Barbara turned over to Youth Court. Nov. 4th hearing, Judge released her in recognizance of her parents.

MOSS POINT - continued

81. STATE OF MISS. V. NETTIE SELLERS, ET AL (Circuit Court,  
Jackson County)

8/26/64 Defendants, six Negroes, were arrested while peacefully picketing the Scotch Washeteria in Moss Point and taken to the city jail, where they were denied permission to notify next of kin and/or counsel. At police court trial the same day, without counsel, they were charged individually with failing to obey an officer and obstructing the public way, and were summarily convicted. 8/27/64 after considerable harassment, bonds of \$250 each were accepted and defendants were released pending trial de novo in County Court. Removal contemplated.

NATCHEZ

82. CITY OF NATCHEZ V. JESSIE BERNARD, JANET JERMOTT, and CARVER ("CHICO") NEBLETT

(Municipal Court, Natchez)

Defendants arrested and charged with vagrancy 9/11/64. Charges clearly without basis. Released on \$100 bail each, 9/11. Trial set for 9/18, petitions for removal prepared. 9/17 police justice and city attorney decided to dismiss the charges because "the city did not have enough to go on." Return of bail sought.

STARKVILLE

83. CITY OF STARKVILLE V. STEPHEN C. FRASER

(Mayor's Court, Starkville)

8/1/64 White COFO worker arrested for speeding and jailed. Police chief's brother told prisoners "Kill him." Released \$15 bail. At 8/3 trial, mayor continued case to 8/10. Again continued indefinitely.

YAZOO CITY

84. CITY OF YAZOO CITY V. LENORA THURMAN

(Circuit Court, Yazoo City)

Defendants arrested 11/3/63, charged with distributing handbills without permit. 11/4/63 trial in municipal court, convicted and sentenced to \$100 fine and 15 days in jail. Released on \$100 appeal bond pending trial de novo in Yazoo County Court. No trial date set yet.

III

FREEDOM DEMOCRATIC PARTY

INJUNCTION

85. STATE EX REL, JOE T. PATTERSON V. EDWIN KING, ET AL

(Chancery Court, Hinds County)

8/12/64 - Chancery Court of Hinds County issued ex parte injunction without notice enjoining ten named defendants, delegates and alternates of the FDP, from using the word "Democratic" in party's name and from otherwise acting as representatives of the party. The complaint alleged FDP had not complied with state law governing organization of political parties. Defendants served five or six days later. August 22, 1964, hearing date set September 14, eve of delegates' departure for Atlantic City. Answer and motion to dissolve and for an accelerated hearing filed chancery court. Court modified so much of injunction as prohibited delegates from going to Atlantic City.

September 14th, hearing date rescheduled for October 5, 1964, chancery court.

November 17th - full hearing on injunction including exclusion of Negroes from regular Democratic Party. October hearing held just on issue of law.

November 11, 1964:

Motion to be signed and order to be filed adding additional party complainants.

McCOMB

86. STATE OF MISS. V. LEE GARRETT, JOHN & MARY DOE

Ex parte injunction issued by chancery court of McComb September 1964, enjoining all persons from acting in the name of or on behalf of FDP. Motion to dissolve being filed. Hearing set December 14, 1964.