

ANTI-PICKETING LAW PASSED IN MISSISSIPPI TO COMBAT CIVIL RIGHTS ACTIVITIES

On April 8, 1964, Gov. Paul E. Johnson of Mississippi signed into effect House Bill No. 546, An Act to Prohibit the Unlawful Picketing of State Buildings, Courthouses, Public Streets, and Sidewalks. This bill was rushed through the legislature in less than one month in reaction to civil rights activities in the Mississippi towns of Hattiesburg and Greenwood. In those two cities, Negroes recently held Freedom Days in which picket lines were set up at County Courthouses to protest the refusal of local officials to register Negroes to vote on an equal basis with whites. The situation in both counties is serious. The Registrar in Hattiesburg (Forrest County) is under Federal Indictment for refusing to register Negroes. Nonetheless, city, county and state officials combined to limit the ability of Negroes to protest their disenfranchisement. On April 9, the day after Gov. Johnson signed the new law into effect, 52 people were arrested for picketing in Greenwood. The next day, 55 were arrested in Hattiesburg. Among those arrested in Hattiesburg was Rev. John E. Cameron, a Negro minister from Hattiesburg who is running against Rep. William Colmer in the Democratic Primary on June 2nd for the 5th Congressional District Seat. Presented below are, first, the text of the anti-picketing law itself, and then a detailed account of the events in Hattiesburg and Greenwood.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. It shall be unlawful for any person, singly or in concert with others, to engage in picketing or mass demonstration in such a manner as to obstruct or interfere with free ingress or egress to and from any public premises, State property, county or municipal courthouses, city halls, office buildings, jails, or other public buildings or property owned by the State of Mississippi or any county or municipal government located therein or with the transaction of public business or administration of justice therein or thereon conducted or so as to obstruct or interfere with free use of public streets, sidewalks or other public ways adjacent or contiguous thereto.

SECTION 2. Any person guilty of violating this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in jail not more than six (6) months, or both such fine and imprisonment.

SECTION 3. This act shall take effect and be in force from and after its passage.

HATTIESBURG AND GREENWOOD. On Freedom Day, January 22, Negroes in Hattiesburg were successful for the first time in establishing a picket line at the Forrest County Courthouse. They carried signs protesting the failure of Forrest County officials to allow Negroes to register to vote. On March 25, Negroes in Greenwood followed suit. They also held a Freedom Day and were able to set up a picket line at the Leflore County Courthouse. In both cases success was due in large part to the presence of white ministers from the North who joined the picket line. Local officials were apparently unwilling to risk the adverse national publicity that might result from arresting the ministers together with large numbers of local citizens.

From the beginning, however, there were attempts by Greenwood and Hattiesburg officials to limit the extent of picketing. In Hattiesburg,

demonstrators were told after a few days that they would be allowed to picket only in a barricaded area on one part of the sidewalk in front of the courthouse. In Greenwood, the same pattern was followed. Picketing was allowed for four days all the way around the courthouse. But on the afternoon of March 30, the picketers were advised that they would have to confine picketing to the west side of the courthouse starting March 31 because "white people in the community had told police that they were afraid to come to the courthouse while the pickets were there. The Greenwood leaders felt that the west side of the courthouse, facing a residential district, was not prominent enough to allow effective presentation of their demands. When they refused to limit picketing to the west side on the morning of the 31st, fourteen demonstrators were arrested and charged with Disorderly Conduct. Their bond was set at \$500 apiece. Picketing was suspended, but a new Freedom Day was scheduled for April 5.

Meanwhile, state officials were already at work to ensure that even limited picketing rights would be abolished. Rep. Jones of Forrest County introduced House Bill 546, the purpose of which according to the Jackson Clarion-Ledger was "to make it illegal to picket public buildings in Mississippi." The bill passed the House unanimously. When the bill reached the Senate, Sen. E.K. Collins of Laurel told his colleagues the measure was "an emergency bill for Greenwood." According to the Jackson Daily News (April 2, 1964) after Sen. Collins' remark, "there was no further discussion of the measure, which was designed to outlaw activities by civil rights groups." The bill was passed unanimously in the Senate. On the evening of April 8, the night before the second Greenwood Freedom Day, Gov. Johnson signed the bill into law.

As already noted, 52 pickets were arrested the next morning in Greenwood. Those demonstrating were first asked to move to the West side of the Courthouse. They complied with this request. But they were then told that only ten local Greenwood residents would be allowed to picket. Refusing to accept this further limitation, the picketers were all arrested. Among those arrested were two local Negro ministers and eight white ministers from Pennsylvania and Ohio. Also arrested were five school children aged 9, 10, 11, 11, and 13. They were taken to the Police Station and later released to their parents. As the children were released, police told the parents that if the children picketed again, the parents would be arrested and the children sent to Reform School. The picketers were charged with Unlawful Picketing and Refusing to Obey an Officer. Charges were dropped later in the day, and all 47 adult demonstrators were released.

Also on April 9, in Hattiesburg, the picket line was stopped at 4:30 p.m. by police. A deputy sheriff read the new anti-picketing law to the demonstrators and told them that if they did not disperse they would be arrested. As there were few picketers on the line, they chose not to make a stand at that time and dispersed. When picketing resumed at 9:45 the next morning, 37 demonstrators were arrested immediately. They were not informed as to the reason for their arrest and as of evening no charges had been preferred. During the day, the number of those who attempted to picket and were arrested rose to 55. Among those arrested were seven white ministers from Pennsylvania, Connecticut, and Colorado. As mentioned above, Rev. John E. Cameron, Negro candidate for Congress in the 5th Congressional District, was also arrested.