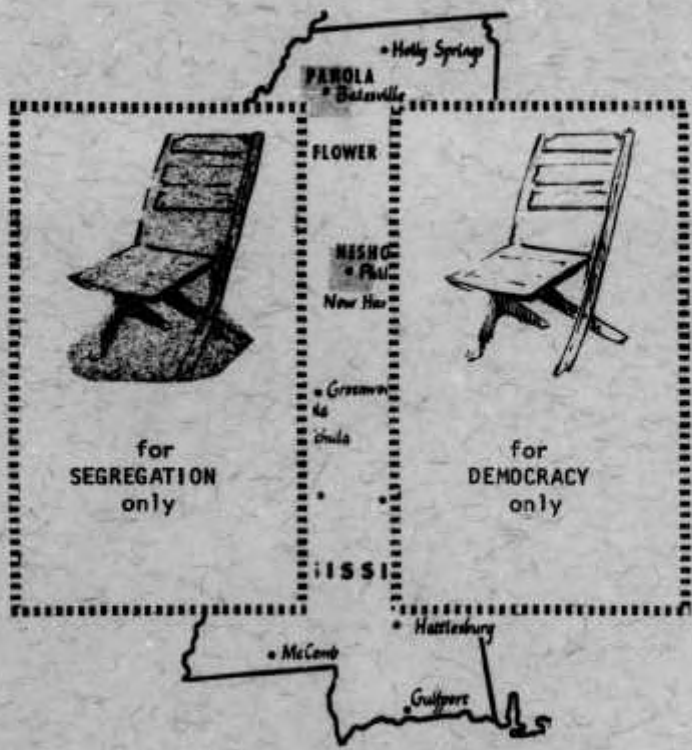


[C MAY 17, 1965] x

# CALIFORNIANS FOR THE CONGRESSIONAL CHALLENGE

- \* MURDER !
- \* TERRORISM !
- \* POLICE BRUTALITY !
- \* ECONOMIC REPRISAL !
- \* UNEQUAL VOTING TEST !



"THE CHOICE IS YOURS"

.....

"... they cannot win 'elections' from a system based on murder and then claim the right to govern free men." ....Congressional Record 1/4/65, page 50



# CHALLENGE

Over 400,000 Negroes of Mississippi are denied the right to vote by an oppressive system of officially sanctioned racism. For a century now, our Congress has accepted the pretense that the men from Mississippi who sit among them are representatives of the people.

The Challenge of the Mississippi Freedom Democratic Party asks of this Congress and of the American people to put an end to this mockery; to say that the people of Mississippi are not now being represented in the United States Congress and will not be until the alleged representatives are unseated, and free and open elections are held. As Representative James Roosevelt said on the opening day of this Congress, "... they cannot win 'elections' based on murder and then claim the right to govern free men."

On December 4th, in accordance with a Federal Statute (Title 2, U.S. Code, Sections 201-226) which governs procedures for contesting congressional elections, representatives of the Mississippi Freedom Democratic Party served proper Notice of Challenge on the five Mississippi Congressmen and to the Clerk of the House, claiming those congressional elections were illegal by the fact of systematic disenfranchisement of Negroes by the use of terror, violence and harrassment.

On the opening day of Congress, 151 members - only 67 votes less than a majority - voted against a motion to seat the Mississippians. The other Congressmen merely accepted a plan to tentatively seat the Mississippians, pending the outcome of the Challenge.

Since that time, over 125 volunteer lawyers from throughout the nation went into Mississippi and collected testimony from over 700 witnesses, including

local Negroes, Justice Department officials, and State and Citizens' Council officials. In making these depositions, amounting to over 15,000 pages of evidence, the Negro people of Mississippi have again come forward to risk reprisals of violence and terror. However, these depositions, formally signed and witnessed, are an incontrovertible body of evidence proving that the general elections of November, 1964, in Mississippi were unconstitutional. The Mississippi Congressmen have been able to submit no evidence whatsoever to refute this testimony.

In July, the House of Representatives must again vote on the fitness of the Mississippians to sit. The Negro people of Mississippi who have risked much in participating in this Challenge, will be waiting eagerly for the verdict of the Congress. The evidence of mass terror, economic slavery and police brutality is conclusive.

It will be up to us, the American people, through our Congressmen to decide whether men elected by fraud and oppression will continue to sit in Congress, or whether Congress will call upon Mississippi to hold free and democratic elections for those seats.

#### SOME QUESTIONS AND ANSWERS

##### 1. WHAT IS THE MISSISSIPPI CONGRESSIONAL CHALLENGE?

The Congressional Challenge is a legal procedure based simply on the fact that the Congressmen of Mississippi were illegally elected in November, 1964, and should, therefore, be unseated from the House of Representatives.

##### 2. WHY WERE THE 1964 MISSISSIPPI CONGRESSIONAL ELECTIONS ILLEGAL?

The facts are that over 400,000 Negroes in Mississippi, almost half of the population 21 years

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and over, were denied the right to vote through a system of murder, intimidation, terror, loss of jobs, police brutality, unequally applied voting tests, beatings, jailings and lynchings.

3. WHAT IS THE LEGAL BASIS FOR THE CHALLENGE?

The Congressional Challenge is based upon provisions within the Constitution of the United States of America, and also under a Federal Statute in the U.S. Codes which provides procedures for contested Congressional elections.

4. WHAT EVIDENCE HAS BEEN PRESENTED FOR THE CHALLENGE?

Over 4,000 pages of legal testimony have been presented as evidence to the House of Representatives supporting the Challenge. This impressive body of evidence proves conclusively that the elections of 1964 in Mississippi were illegal. The challenged racist Congressmen have presented no testimony in opposition to this evidence.

5. WHO ACTUALLY DECIDES WHETHER THE CONGRESSMEN SHALL BE UNSEATED?

The House of Representatives has clear constitutional authority to determine who shall and who shall not have seats in the House. No State can claim any right to decide this matter; no court, either State or Federal, can be appealed to with respect to this.

Therefore, the House of Representatives, by



majority vote, can instruct the State of Mississippi, in detail, just how its Congressional elections must be conducted if the State of Mississippi wants its Representatives seated in the House. The House can determine who shall and who shall not vote in such elections, under what conditions persons shall register to vote in those elections, and when and where the elections are to be conducted. In other words, your Congressman will decide.

#### 6. WHO ARE THESE ILLEGALLY ELECTED CONGRESSMEN?

Thomas Abernathy, Representative since 1942; Jamie Whitten, Representative since 1941; John Williams, Representative since 1946; and William Colmer, Representative since 1932. These four Democrats, because of their seniority, occupy positions of considerable importance and power. Prentiss Walker, Republican Congressman, elected in 1964, is following in the footsteps of these four segregationists. His first appearance after his election was a speech before the Americans for the Preservation of the White Race. The APWR is a white racist-terrorist organization.

#### 7. WHAT ABOUT THE VOTING RIGHTS BILL?

The Voting Rights Bill is not retroactive. That is, it does not affect the elections of 1964 in the State of Mississippi. While the Voting Rights Bill will hopefully insure equal voting rights in the future, the fact is that these five Congressmen from the State of Mississippi were illegally elected.

#### 8. WHAT IS THE CONGRESSIONAL TIME-TABLE FOR THE WEEKS AHEAD?

The Challenge is now in the Sub-Committee on Elections of the House Committee on Administration. There is a House Rule stating that all



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contested elections must be reported out of committee within six-months of the convening Congress. (July 4th)

Therefore, in July, the House of Representatives must vote on the fitness of the Mississippians - men elected by fraud and oppression, to continue to sit in Congress.

The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States. It is only when the Congress unseats the Mississippians and calls for and conducts free and open elections in Mississippi for these seats that the Negroes in the State will be free to participate. It is only when Congress takes these actions that the Political forces in the South opposed to Negroes' voting will understand that Congress and the Nation are serious about guaranteeing the rights of Negroes to fully participate in the processes of government. It is absolutely imperative that your Congressman does not waiver in his obligation to you.

#### WHAT CAN YOU DO TO HELP?

The House of Representatives is the only group which has the power to unseat the Mississippi Congressmen.

Our Congressman is:

HON. CRAIG HOSMER  
HOUSE OFFICE BUILDING  
WASHINGTON 25, D.C.

Urge him to vote to unseat the five illegally elected Mississippi Congressmen.

Note: People in other areas should direct their attention to their elected Congressmen.

1. Petitions: To be delivered directly to Congressmen. Everyone should be urged to sign. Petitions can be obtained from: CALIFORNIANS for the CONGRESSIONAL CHALLENGE.
2. Letters: Urge your Congressman to vote to unseat the five illegally elected Mississippi Congressmen. Ask him for his position. You should receive an answer.
3. Telegrams: Through Western Union, 214 Locust, Long Beach, HE 6-9013, send a reduced-rate Public Opinion Message, only 90 cents plus tax for a 15-word message, urging your Congressman to vote to unseat the five illegally elected Mississippi Congressmen.
4. Contact: Newspapers urging them to give coverage to the Challenge, to take their own editorial stand, and to request a public stand from Congressman Craig Hosmer; plus radio and TV stations.
5. Support: The nationwide efforts of hundreds upon hundreds of people throughout the United States who will be going to Washington, D.C. to personally urge Congress to unseat the Mississippi Congressmen.
6. Join: Hands and work with the:

CALIFORNIANS FOR THE CONGRESSIONAL  
CHALLENGE  
205 East Broadway  
Long Beach 2, California  
436-4426

Who can be reached for any information, forms, petitions, or any other assistance.



CAN YOU.....

- \* Answer phones?
- \* Get Petitions signed?
- \* Staff the local office?
- \* Call people?

YOU CAN HELP!!



"The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States. I, therefore, again pledge myself and the Southern Christian Leadership Conference to the fullest support of the Challenge of the Mississippi Freedom Democratic Party and call upon all Americans to join with me in this commitment."

DR. MARTIN LUTHER KING  
May 17, 1965





**CCC**  
**FREEDOM IN MISSISSIPPI**  
**DEPENDS ON YOU**