

[June 1963 - Oct 1964; 1965, Feb. 7]

Fact Sheet on Voter Registration and Freedom Days

N.B. The information from which this is taken is very sketchy and far from complete. Secondly, a great deal of intimidation of potential registrants is not listed on this sheet. Most of the material needed to make a report can probably be found in the testimony of the case against Foote Campbell by the Justice Department in August of 1964.

In 1955 there were approximately 600 Negro voters on the books; all voters were removed from the books at that time, and there are at the time of this fact sheet approximately 300 Negroes on the registration books out of a potential 12,000. Nearly 5,000 whites are registered out of slightly over 6,000 eligible.

1963 (June-August largely from Dave Dennis's report)

June-August: Approximately 5,000 people were contacted in Madison County through workshops, canvassing, etc. 275 of those have gone to the courthouse: of these, 27 were registered, 188 flunked and 66 not even tested, because the registrar refused to open his office on several occasions, as well as the expected procrastination. Dennis lists the discriminatory practices by the registrar as follows: Flunking 188 out of 204 applicants, flunking people because they wrote Mr., Mrs. or Miss before their names, telling Negroes to return in a month, a year or two years, closing his office when he liked (twice on a blind man), and making people afraid by getting the sheriff to come over and talk to Negroes while they were taking the test.

Aug. 3: Welton Stokes from the Farmhaven area reported intimidation attempts by a group of white men to stop Negroes who felt they had been unfairly refused the right to register or vote from ~~xxxxx~~ registering by affidavit.

Aug. 8: Dave Dennis sent a letter of complaint to Burke Marshall, protesting the refusal of the Polling Manager and the registrar to accept affidavits on the right to vote, as provided for in the Mississippi Code. Dennis states that some thirty people made this attempt to register by affidavit. Mr. Welton Stokes was one of the thirty.

Aug. 7: Mrs. Devirdys Kane was told by the registrar that she couldn't register when she went to his office.

Aug. 10: Larry Lee Smoot went to the Courthouse to register to vote with his mother, Carrie Smoot. When they told the registrar that they wanted to register, he told them that he was filled up and was busy and that they should come back later; he did not say what "later" meant.

Aug. 10: Mrs. Mackie Dearon, sixty-six years old, went to register

at the Courthouse at 3:30 P.M. No one was there, although she waited five minutes and came back forty-five minutes later.

1964

Feb. 21: In preparation for the Freedom Day on February 28, a letter was sent to Mayor Matthews protesting the city anti-circular ordinance and requesting an immediate answer to the letter and a reconsideration ~~of~~ of the ordinance by the city. The leaflet enclosed read, "Citizens of Madison County, February 28, 1964 is the day when everyone should be at the courthouse in unity, to express to everyone that Negroes do and will vote in Madison County. No one knows the frustration Negroes encounter when attempting to register. It is high time to make known our dissatisfaction with the procedure of the Circuit Clerk when registering Negroes. Negroes do not register nor vote freely in Madison County. We know it; America must know it. Go to the County Court House on February 28. We will be there to help you register to vote. Madison County Movement." The letter also quoted from the Supreme Court decision of Jamison v. Texas, 313 U.S. 413: "...One who is rightfully on a street which the state has left open to the public carries with him there as elsewhere the constitutional right to express his views in an orderly fashion. This right extends to the communication of ideas by handbills and literature as well as by the spoken word."

Feb. 23: Having received no answer to the letter sent by certified mail to Mayor Matthews, a delegation went down to County Attorney Goza's office. Nothing was done.

Feb. 27: An article in the Jackson Daily News stated that fifteen (?) NCC ministers would be on hand for the Freedom Day: Revs. Thomas, Dwinnel, Kleeme, Huston, McRae, Wright, Simmons, Atkins, Gutierrez, Stone, Maier, Sherman, Buckner and Vail. The article also quoted CR workers as saying they had sent a letter to Foote Campbell, requesting him to place additional registrars on duty but received no reply. It stated that twenty-four full time officers would be on hand along with "an unannounced number of auxiliary officers... and highway patrol/men/" The Clarion Ledger quoted Chief Thompson as saying he was keeping the two police dogs "as a last resort" and that fire-fighting equipment would be on a stand-by alert basis.

Feb. 28: Dorothea Horton was told to leave the registration line because she had registered once before. This was true, but she had registered before in 1954, before the books were cleared.

Feb. 28: Robert Griffin stood in line about three hours waiting for a chance to register. He finally got in the courthouse and was waiting outside Campbell's office, when a highway patrolman came up to him and asked him his name and whether he was married. Griffin replied that he was not married but was living in a house "with a lady." A little later W.S.Cain said to him, "Look, boy, didn't

you know that it was against the law to live with a lady you haven't married?" He replied that he didn't know; Mr. Cain then said, "Yes, you're going to wish you had known..." Griffin was taken to the County jail and stayed about two hours. When he was let out, a deputy said to him, "Clean up your own mess. I'll know you next time I see you."

Feb. 28: A girl who came with her family to register was pulled out of line and told she would be expelled from Velma? Jackson High School.

Feb. 29: George Washington Reid came back for the second day in a row and was told he couldn't come back for thirty days. A deputy followed him and, according to one report, chased him with a gun.

Feb. 29: A new Orleans paper reported that 250 Negroes had taken part in the Freedom Day on the 28th. It said that the line, made up of "mostly elderly" Negroes, stood for 5½ hours in cold weather; it added that, by the end of the day, four people had completed the test. The CL headlined the story with "Canton Negroes Agitate" and said the line was headed by Rev. Elton B. Cox. It added that "armed deputies...stood on duty in the courthouse" (with only one Negro at a time allowed to take the test and ~~to~~ allowed to wait inside) and that "Law enforcement ~~authorities~~ authorities questioned each of the Negroes lined up outside." The Madison County Herald took pride in the fact that there "were no incidents"; it stated that the demonstration "involved only around 250 Negroes..." It also editorialized that things had gone "orderly and faultlessly" and that the situation was "resounding to the credit of all involved" including "the good colored citizens of Canton."

March 3: Calude Sitton reported in the Washington Star on the futility of the Freedom Day, with the "Support you Citizens' Council" sticker on the door of Foote Campbell's office. He mentioned sullen mutterings by whites but emphasized that there was no violence. Finally, he added that "The long lines outside the Madison County courthouse are, in fact, suggestive of the failure of the Civil Rights Acts of 1957 and 60" and that "...there is little evidence that the situation will improve even if Washington passes the voting section of the civil rights bill already approved by the House."

March 5: The Justice Department filed a complaint against Foote Campbell (U.S. v. L.F. Campbell, Circuit Clerk and Registrar, Madison County, Mississippi, and State of Mississippi): 1. "...the acts and practices of the defendants as described in this Complaint were and are racially discriminatory..." It asked for an injunction to halt depriving citizens of the right to register and vote, acts to delay and hinder registration, different

registration standards for white and Negro and failure to register Negroes who have the same qualifications as the least qualified white registered voters.

March 7: Dave Dennis, in the Mississippi Free Press, noted that there were between 50 and 100 policemen for the Freedom Day and that "They could have hired three more registrars and three less police...there clearly was no lack of funds for it." Later he stated that "At this rate it would be years before a fair number of them would be registered."

March 13: An NAAUP Newsletter mentioned the fact that a group of about 100 potential registrants were not permitted to march from Pleasant Green Church as a group; they had to go two by two some thirty yards apart. The newsletter mentions that "several of the police officers were witnessed telling the Negro citizens to go home and not bother to vote."

March 10: A letter was sent by the ministers of Madison County to Mayor Matthews protesting the "actions and conduct of the police department on Friday, February 28. We did not like the rudeness, rough handling, and general harrassment." They also protested the rude language used to clear the sidewalks, the unwillingness to set up extra registration facilities, the implied intimidation by police officers in making people give their names and the imprisonment of Milton Esco.

March 12: COFO workers talked to Robert Moore of the Justice Department, who told them that Foote Campbell would not be in his office on March 13 for the Freedom Day, since he had to appear at a hearing in Jackson.

March 13: By 10:00 A.M. there were about 150 people at Pleasant Green church; the meeting decided to send ~~down~~ 15 down to the courthouse as a token gesture at 11:15, by which time there were over 200 people at Pleasant Green. On the way to the courthouse the police stopped the cars, so they circled the block and went another way. When they got to the courthouse, the police told them that they didn't want any "gang" there. They were told that the registrar wouldn't be there until after lunch, so they went out to lunch and came back. The police let only one car unload at a time to line up. The group waited outside the courthouse in the rain, because Billy Noble wouldn't let them on the porch. After about three-quarters of an hour the first person went in to register. The police let only one person in at a time, so some of the group had to wait until almost 4:00 P.M. The police questioned them as they were standing in line- names, addresses and why they were there. One policeman told Mr. Nance Conway, after Conway told him that he was there to sign up for freedom, that he wouldn't get it there. Mrs. Mary Jane Thornton, Mr. Roby Luckett, and Mrs. Luckett stated that they had no trouble in registering. Mrs. Maggie Body said that a policeman asked the group why they had let a group of people from New York and all over "push all

of this nonsense into our heads." He had said earlier that they were looking for trouble. Joseph Williams stated that as he was leaving the courthouse Red McFater, the game warden, asked him if he had taken the test. He told him, after learning that he had, to "get out of the courthouse here into the streets and don't come back."

March 13: At the courthouse Mendy Samstein, a SNCC worker, was taken out of Mr. Bennett's car. The sheriff talked with and questioned him for some time. He told Samstein that he wasn't needed and was rather angry when Samstein told him he was trying to overcome Negro fear. His reply was, "Fear! You're the one creating all the fear!" The sheriff also asked him if he "slept with niggers" at the Freedom House. He then turned to a man behind him and told him to look at Samstein's face so he would be sure to recognize him if he ever saw him again. The conversation ended when Sheriff Cauthen told Samstein to get out of town; if he didn't, he wouldn't last through the week.

March 21: The Pittsburg Courier had an article on the Justice Department's suit against Foote Campbell. The article stated that at that time there were more than 10,000 Negroes of voting age, of whom about 150 were registered, while there were about 5,600 whites of voting age, of whom more than 5,000 were registered. The article stated that, according to the suit, Campbell has processed as many as 49 whites in one day, but that he took Negroes only on a one-at-a-time basis- as in the February 28 Freedom Day, when several hundred Negroes stood in line, but only seven were permitted to take the test.

March 23: Mr. Shelby Scott, Mrs. Scott and Lucy Pickett went to the courthouse to register. Foote Campbell told them that only two could be in the office at one time, so Miss Pickett waited outside. Mr. Scott said that after he had finished only the first page of the application, Foote Campbell took the form away from him, although he had been working on it only about five minutes. Scott left.

March 26: Mr. Nancie Conway stated in an affidavit that he went to the registrar's office to register. He told Foote Campbell that he could read and write, but that he needed glasses so he couldn't read the application. Foote Campbell told him to go to an eyedocotor and get a prescription.

March 27: John Newman went to the registrar's office at about 2:30 in the afternoon to find out the specific boundaries of voting precincts. He said, in a notarized affidavit, that Mr. Campbell looked up at him and said, "What do you want?" When Newman stated, in reply to Campbell's question, that he worked for a civil rights organization in Canton, and that he wanted the information so that the organization could inform Negroes as to what precinct they lived in, Campbell said loudly, "that I wouldn't get any information from him. I asked him, 'Don't you think Negroes ought to know what precinct they are residing

in?' He replied, 'No.' I asked him again whether he would tell me the information he replied, 'You won't get anything from me, ever!' He raised his voice to say this. Then the uniformed man sitting next to him said, 'You'd better quit asking questions, or...' After some more questions, Newman left.

April 14: Mrs. Inez McLain White reported that a number of people were waiting in the courthouse, when the sheriff came in and told everybody to get out. He said that only one person could wait in the courthouse at a time. A lot of people left.

May 26: The Madison County Movement sent a letter, signed by Wilbur Robinson (Vice Chairman), Rev. McRee (Executive Secretary) and Mrs. Annie Devine, to Foote Campbell. The letter stated that the movement planned to have a large number of people at the courthouse on May 29 and since he had complained that physical limitations had prevented him from registering large numbers of people, the letter suggested the following steps: "1. Hire sufficient deputy registrars to allow hundreds of people to be registered. If the County can not pay them we will pay them for registering people that day. 2. Open the public schools for the deputy registrars to work in. 3. If there are not enough schools we will, at your request, obtain churches for the deputy registrars to work in." No answer was received.

May 29: At the courthouse, where Mrs. Oneta Holston went to register, she estimated that there were about 45 or 50 people between 1:30 and 3:30. After waiting this long, she was allowed to take the test; on her way out she saw about thirty more people in line. She stated that, while in line, a deputy sheriff approached her and asked her for her name, address and age. Apparently, the police were asking all of the potential registrants those questions.

May 29: The following people were arrested on their way to the courthouse to picket it; these 52 people were held incommunicado for two days before their arraignment on June 2. Some of them were going to attempt to register (as well as the above-mentioned picketing); many were singing freedom songs on the way to the courthouse. McKinley Hamblin, as stated in the fact sheet on intimidation and arrests, was beaten, given inadequate medical treatment and refused medical attention offered by a licensed doctor of the State of Mississippi- James Anderson. The charges on the fifty-two are as follows:

For parading without a permit: (from a Canton City ordinance)
Earls L. Alexander, Wendall E. Bartoo, James Bennett, Edward Blackman, Charles Ray Brown, Carl Kenneth Brown, Mozie Cole, Ike James Davis, Edward Drain, Jr., Liza S. Esco, Roby B. Harris, Jr., Joe Lee Hawblue, Ed Hollander, Glen B. Hosman, Jr., Mary Johnson, Willie B. Jones, Closie McCullough, J.T. McMerty, Charles Mory, Susie Nichaolls, Mack Owens, Betty Jean Shell, Marvis Sonall, Ben J. Washington, and Frank Washington. (25 in all)

For picketing: (Miss. House Bill #546, approved 4/8/64)
Christine Austin, Willie C. Bennett, John Lee Body, Barbara Jean

Brown, Shirley M. Brown, Sears Buckley, Jr., Annie Pearl Clay, Jessie Mae Dawson, Herman O. Dawson, Gladys Mae Drain, Marie Evans, Wyatt Adam George, Dewett Grant, Brabara Ann Gray, Lorraine Hamblin, Ernestine Hollis, Percy Johnson, John Lacey, Barbara Nell Lockett, Leon Lockett, Jack Milton, Rosa Mae Small, Sonny Lee Walker, and James Alwin Washington. (24 in all)

For obstructing the sidewalk:
Connie Ray Smith and Robert Thomas.

For disturbing the peace and resisting arrest:
McKinley Hamblin

These 52 people filed a petition for removal (Edward Blackman vs State of Mississippi) in the U.S. District Court for the Southern District of Mississippi. This petition states, in part, "Conviction of petitioners on the charges against them has and will punish them for the exercise of rights, privileges, and immunities secured them by the federal Constitution and laws, and has and will deter them and others similarly situated from the future exercise of these rights, privileges and immunities, for, if the Mississippi statutes under which they are prosecuted make petitioners' conduct criminal, those statutes are unconstitutional on their face and as applied, whereas if the statutes are construed so as to save their constitutionality under the federal Constitution, there is no evidence upon which petitioners may be convicted consistent with the due process of law required by the Fourteenth Amendment."

June 2: Mrs. Marion Robinson stated that she, as poll watcher in the West Ward of Canton (Beat One)- appointed by Mrs. Victoria Gray (a filed candidate for the U.S. Senate from the State of Mississippi), entered the polling place at about 9:30 A.M. She presented her credentials to the election officials, who then said they did not know what a poll-watcher was. They stated that she couldn't wait inside, although she could stay outside on the porch. Mrs. Annie Devine had the same experience.

June 6: The Mississippi Free Press ran an article on the May 29 Freedom Day. It stated that "The new 'lawful' tactics entails turning back aspirant voters before they reach the courthouse. Law forces now station themselves around staging points to turn back, arrest, intimidate or 'otherwise' dissuade would be voters' ...". It added that about fifty people who went directly from their homes or "otherwise eluded the 'law barrier' managed to reach the courthouse."

Sometime after June 28 Mrs. Carrie Smoot went to the courthouse with a group of people to try to register. The group went into Foote Cambell's office and said they wanted to register. Campbell said he was busy and told the group to come back later. Mrs. Smoot said that there were several people sitting around the table, but they were not doing anything.

Aug. 1964: A voter registration suit against Foote Campbell was tried by the Justice Department. It resulted in a temporary injunction against discriminatory practices in registration.

Oct. 30: Mr. Walter Nichols, armed with a letter from the Justice Department, went to Foote Campbell's office. Campbell looked at the letter and said he was "the wrong fellow." He asked for the letter back and left the office. The letter read, in part, "The judge of the United States Federal District Court in Jackson has directed me to let you know that if you go to the Circuit Clerk's office in Canton this week to sign the registration book, you will be registered in time to vote for the election on November 3, 1964. You may bring this letter with you and show it to Mr. Campbell." It was signed by Burke Marshall- the attorneys for the Justice Department were Robert Moore and Frank Schwell.

Feb. 7, 1965