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... the Democratic Party and in the State of Mississippi moving forward in order to deal with the economic and political problems that face all Mississippians to vote to change the illegal laws by which Mississippi officials were elected.

# OFFICIAL BALLOT

STATE OF MISSISSIPPI

SPECIAL ELECTION

AUGUST 17, 1965

CONSTITUTIONAL AMENDMENT

SENATE CONCURRENT RESOLUTION No. 103

This is the bases for the Congressional Challenge which was filed by the Mississippi Freedom Democratic Party - It is impossible to illegally conduct free and open elections.

\_\_\_\_\_ Precinct  
\_\_\_\_\_ County

When the record of a contested election case, as here, reveals that the operation of unconstitutional registration laws coupled with an atmosphere of terror and intimidation, results in the wholesale disenfranchisement of Negro citizens and their exclusion from the political processes of the State, the House, acting upon its high constitutional responsibility, has voided such elections, requiring the holding of new Congressional elections. The remedy in such cases where the massive disenfranchisement renders the results of the election doubtful has been not to seat the contestants but to unseat the sitting members, void the elections and declare the seats vacant to be filled in new elections. This is because the almost total exclusion of the class of Negro voters has prevented, in the words of the Chairman of the Election Committee of the Forty-Seventh Congress, Representative McCall of Massachusetts, "this great body of voters from expressing their will at the polls". 54 Cong. Rec. 5901. Only the vacating of the elections, the unseating of the sitting Member and the requirement of new elections can remedy this situation. As Chairman McCall pointed out to the 47th Congress, "The difficulty is that a system exists the principle of which is to disfranchise the colored voters". The remedy which Chairman McCall proposed to meet this "system" head on and which the House adopted in 1896 was that "in cases like this, when a State sends Representatives here, claiming a seat in this House, the House should deny representation to such voters". 54 Cong. Rec. 5901. The remedy adopted by the House in 1896 to meet the problems of a "system ... the principle of which is to disfranchise the colored voters" is as powerful and effective now as then. It needs only to be enforced by this House. To vacate these elections, to unseat the sitting Mississippi Members, and to require the holding of new elections conducted according to "fair methods of ascertaining the will of their voters" is, in the words of Chairman McCall on the floor of this House seventy years ago, "a duty which we owe to this Government and even to the State-to refuse to seat members chosen in such a manner". 54 Cong. Rec. 5901.

We maintain that the systematic disenfranchisement of Mississippians will not be condoned by the Congress of the U.S. We feel that a positive vote on August 17th is an individual acknowledgement of the illegal manner in which the contested officials were elected. We ask that you support both the challenge and the August 17th referendum. ONE IS USELESS WITHOUT THE OTHER.

### OTHER ORGANIZATIONS THAT SUPPORT THE CALL FOR UNSEATING OF THE MISSISSIPPIANS AND FOR FREE ELECTIONS IN MISSISSIPPI:

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| SNCC   | National Catholic Conference for Interracial Justice            |
| CORE   |   |
| National Council of Churches (Commission on Religion and Race) | 4th General Assembly of the Unitarian Universalists Association |
| American for Democratic Action                                 |   |
| UAW Local 136X, AFL-CIO  |   |