

# POLITICAL M



# HANDBOOK.



MISSISSIPPI  
FREEDOM  
DEMOCRATIC  
PARTY.

ISSISSIPPI

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## I. VOTING AND ELECTIONS --A. Who can vote

In order for a person to vote in Mississippi in any election, local, state, or federal, he must first be a "qualified elector." A qualified elector is defined as an inhabitant of the state who, by the date of the general election (normally, the first Tuesday after the first Monday in November, except for municipal elections which are usually held on the first Tuesday after the first Monday in June, and special elections) of the year in which he offers to vote, will be 21 years of age or older, has lived two years in Mississippi and one year in the election district (precinct) in which he offers to vote, has been duly registered as an elector by passing a test requiring him to read, write and interpret any section of the State Constitution and to give a reasonable statement of the duties of a citizen, and has paid poll taxes on time (i.e., on or before February 1 of each year) for the two (2) preceding years unless he was excused from paying them. One should particularly note that the Mississippi State Constitution has a total of 285 sections, some of which are extremely difficult, long and tedious. It should also be noticed that the circuit clerk, who is by virtue of his office the registrar of voters, has the power to decide whether or not one has passed the test. The test may be taken any number of times, though it is advisable for one wishing to take it again to wait a day or two. A recent federal law does require that the circuit clerk keep a permanent record of all tests given. And the federal law also provides relief through the federal courts if the circuit clerk applies the test unfairly.

Regarding voting qualifications in Mississippi it is important to note that very soon the voting bill will pass and most of the above qualifications will become things of the past. The voting bill calls generally for just 3 or 4 qualifications for voting in any election--federal, state or local--in the country. These are as of now:

1. Age of 21 years or more by the date of the next general election;
2. Residence in the state of 2 years and in the election district of 1 year;
3. Nonconviction of a serious crime;
4. Ability to fill out the registration form with reasonable help.

As of yet, it is not clear whether or not the poll tax will be declared illegal by the bill or whether it will be tested in the courts first. Either way, in Mississippi it may very well become illegal soon. Under this bill it will also be very easy to get help from the federal government. Upon complaint of any 20 people in the election district, a federal registrar will be appointed to register the voters in that district, whether it be the state, county, or city. All courtcases involving the right to vote will be handled by a single, favorable court--the federal district court in Washington, DC.

One should observe that the crucial date is that of the general election, which is always on the first Tuesday after the first Monday in November, (except for municipal elections). In other words, if a person is 21 on or before that date, then he may vote in that general election and in all primary elections leading up to that general election.

A primary election is an election normally held from a few days to several months prior to a general election. Its purpose is to select candidates of particular political parties to run in the general election. Of course, in practice in Mississippi there is only one political party of serious consequence, the Democratic party. For this reason the selection of the Democratic Party candidate in the Democratic primary has always been the real election. Except in special cases (municipal and special elections) the Democratic primary is held the first Tuesday after the first Monday in August, followed by a second primary (run-off election) three weeks later. A run-off election is always held when no one candidate gets an absolute



majority of all votes cast; or, in the cases of municipal officers, justices of the peace, constables, and state representatives in some counties (e.g. Hinds County), a candidate is elected when he receives a majority of all votes cast divided by the number of positions that are to be filled.

A person may not vote--either in a general election or a primary election preceding a general election unless he has registered four (4) months prior to the general election, which cut-off date is the first week in July.

If the citizen moves from one precinct to another or from one county to another, then he must wait a year before he can vote again. For this reason many people continue to vote in the same precinct or town even though they live elsewhere. In this way they continue to vote without interruption. It is suggested, however, that one should change his registration with the circuit clerk whenever he moves to a new district; and it might be advisable to wait to make this change until a year in which no important election is being held.

#### B. The conducting of the General election

The general election, except those for municipal officers, is conducted on a state-wide basis by the State Board of Election Commissioners, which consists of the Governor, the Secretary of State, and the Attorney-General. Every even year in September the State Board of Election Commissioners appoints three (3) election commissioners for each county to conduct the general election in that county. These county election commissioners are important primarily because they have the power to examine the registration and poll books and to decide what persons are properly registered and are qualified voters. They also appoint the general election managers and clerks for each voting place. Three sets of books are kept for each precinct or voting district. The registration book is a permanent record of those persons who have passed the requirements for registration. (All books are kept in the circuit clerk's office.) The names of those persons on the registration book who are qualified electors (i.e., have also paid their poll taxes, at least until the passage of the voting bill) are then transferred to the general election poll book and the primary election poll books, which books are then taken to the various voting places and are used at the polls. An entry is made beside each person's name in the poll book as he votes. If his name does not appear in the poll book, he may not vote automatically but must prepare his ballot subject to further checking. If a person's name does not appear on the poll book in a primary election, he should nevertheless go ahead and vote. He may do so by signing an affidavit saying he was illegally denied registration, the affidavit to be placed in the ballot box with the ballot (section 3114, Mississippi code of 1942). The county commissioners of election also appoint persons to hold the election at each polling place in the county. The commissioners have the power to hear all appeals from the circuit clerk's refusing or denying a person's registration. An appeal from their decision may be taken to the circuit court and finally to the State Supreme Court. But in making the appeal the person appealing must file a \$100 bond with the circuit court clerk, payable to the state in case he loses his appeal.

#### C. The conducting of the Primary election

The primary election machinery is on a state-wide basis under the supervision of the state executive committee of the particular party that is holding the primary. Since in Mississippi the Democratic party is the only significant party now, the Democratic party will be used as the example. The State Democratic Executive Committee furnishes to each county Democratic executive committee the names of all state and state district candidates who have qualified for the Democratic primary elections and also furnishes a sample of the official ballot to be used in the election.

The county Democratic executive committees are always in charge of the actual grass-roots holding of the primary election. The county committee acts exactly as the board of county election commissioners acts in the general election, except that it has no power to revise



the registration or poll books. In particular, the county committee has the power to appoint all managers and clerks of elections at the various polling places throughout the country. For obvious reasons, such as patronage (political jobs) and the influencing of elections, the control of these jobs is quite important.

#### D. Becoming a candidate

There are several principal things which must be done for one to become a candidate for office in the Democratic primary. The prospective candidate must give his name, accompanied by a filing fee, to the secretary of either the State Democratic Executive Committee or the county Democratic executive committee (depending upon whether or not he is running for a state office or state district office, or a county or a county district office), sign an affidavit stating that he has read the State Corrupt Practices act, and sign an affidavit that he has not been a member of certain subversive organizations (ie, the Ku Klux Klan, the Communist Party, the Knights of the White Camellia, etc.). Candidates for state or state district offices file these affidavits with the Secretary of State. Candidates for county or county district (supervisor's district or beat) offices file with the circuit clerk of the county. The fees for filing--raised 2, 3 and 4 times their previous amounts in 1962--are as follows: \$300 for governor and U.S. senator; \$200 for other state and state district offices; \$100 for circuit judge, chancellor, and district attorney; \$15 for state senator or representative, county judge, sheriff, chancery and circuit clerk, tax assessor, county attorney, county superintendent of education, member of the board of supervisors; and \$10 for county surveyor, county coroner, ranger, justice of the peace, constable, county board of education. A candidate must qualify at least sixty (60) days prior to the primary election. A candidate for Governor or Lieutenant Governor or U.S. senator must be at least 30 years of age. Other state-wide officers such as the Secretary of State must be at least 25 years of age, as must also U.S. representatives and state senators. Supreme Court judges must be at least 25 years of age; and other judges, except the justices of the peace, must be at least 26 years of age. All other officers including constables, municipal officers, state representatives, county supervisors, etc., must be only qualified electors. (The age at the time of taking office is what counts.)

A person may, however, qualify for office as an independent candidate and run in the general election by filing a petition with either the state or county board of election commissioners (depending on which office is sought). If a state-wide office is involved, 1,000 qualified electors must sign the petition; if a Congressional district, 200 qualified electors; if a circuit or chancery court district, 100 qualified electors; if a county-wide district, a senatorial or floterial district or a municipality of 1000 people or more people, 50 qualified electors; and if a county district or a municipality of under 1,000 people, 15 qualified electors. The petition must be filed at least 40 days prior to the general election in November, or June, in the case of municipalities. The candidate can have participated as a voter or as a candidate in the prior primary election of any party immediately preceding the general election in which he desires to run. In effect, this provision gives a second chance to run candidates for a particular office. (In municipal elections this is not true, for the last day for filing the petition comes before the primary election.)

#### E. Times of elections and voting hours

The polls open at seven o'clock in the morning and close at six in the evening. The general election is always held each year on the first Tuesday after the first Monday in November, except for municipal general elections, which is held in most cities on the first Tuesday after the first Monday in June in 1965 and every 4 years following. The primary election for the election of state officials, except for judges, is held every 4 years on the first Tuesday after the first Monday in August, and the second primary is held three weeks later. The next such election will be in August, 1967. The primary election for U.S. congressmen at the present time is held on the first Tuesday after the first Monday in June of even numbered



years, the second primary being held three weeks later if necessary. Elections for judges and U.S. senators (whenever a senator's six-year term expires) are held at the same time as the Congressional elections. Chancery, circuit, and county judges are elected every four (4) years, the next election being in 1966. Supreme Court judges are elected as their eight-year terms expire. The election for the senate seat now held by Senator James Eastland will be in 1966.

#### F. Election costs

The expenses for the holding of the primary elections are paid out of the county treasuries, unless the party holding the primary failed to receive one-third of the total vote cast in the entire state in the preceding Presidential election. The general election costs are paid by the county governments in all cases.

## II. PARTY ORGANIZATION AND POLITICAL CAMPAIGNS

### A. In General

In Mississippi a candidate is nominated for the general election in November by winning the party primary election, usually held several months earlier. Since, as mentioned before, the Democratic party is for most purposes still the only political organization in the state which can put their members in state and local offices, the person who wins the Democratic party primary election is normally elected automatically at the general election in November to the office to which he was nominated in the Democratic primary election. In other words, winning the Democratic nomination up until now has been the same as winning election to the offices. The actual Democratic primary election process has been described in the preceding section. It is the purpose of this section to deal with the party machinery that conducts party affairs in general and the Democratic party primary elections in particular.

### B. The county and state executive committees

At this point will be considered briefly the county Democratic executive committee.

The county Democratic executive committee, by Mississippi law, is chosen in the years of the election of the President. In the process of selecting delegates to attend the Democratic National Convention, county executive committees and the state executive committee of the state Democratic party are chosen for the next 4 years. Usually during the months of February, March or April of presidential election years the chairman of the state Democratic executive committee calls precinct meetings for precinct elections across the state for the election of delegates to attend county conventions about a week later. At these county meetings delegates from precinct conventions choose the delegates to the congressional district conventions, and the county executive committee for the next 4 years is also nominated and ratified. This committee has 3 people on it from each of the 5 supervisors districts in every county. This committee chooses its own chairman, and may elect 3 more people to itself from anywhere in the county if it wishes. Thus the committee consists of from 15 to 18 people. (This committee does not have to serve for all 4 years. It may submit the choice of its successors to the next primary election held for other purposes and the members elected at this election serve until the next county Democratic convention.

At the congressional district meeting--there are 5 districts in Mississippi, so 5 meetings--delegates elected from the county conventions select some of the delegates to the National Democratic Convention and some delegates to the State Democratic convention in Jackson; and they also choose 3 people to serve on the state executive committee. These people are ratified at the state Democratic Convention in Jackson, although candidates for the state committee may



be nominated from the floor of the convention. The people elected and ratified at the State convention elect their own chairman and serve for the next 4 years until another presidential election year.

The county Democratic executive committee meets two weeks before any Democratic primary election and appoints the managers in charge of each pollign place in the county. This is a valuable patronage power. Also the manager frequently assists the electors in voting when they have any difficulty. It used to be that by law the county Democratic executive committee was required to appoint managers evenly among the supporters of the candidates for those offices which are the leading contests. (This law was rewritten by the legislature in 1962 and the law no longer stipulates that the managers should be appointed evenly from among the leading candidates supporters.) By law every candidate has the right to have at least one of his supporters observe the conduct of the election at each polling place and at the canvassing (counting) of the returns. This is an important right, since it assures a degree of fairness in the election. The county Democratic executive committee is in charge of canvassing the returns and declaring the results of all Democratic primary elections. The committee also has certain powers as to acceptance or rejection of a voter's ballot. Such a decision, however, is made in the first instance by the manager at the precinct polling place. The county Democratic executive committee, as well as the state Democratic executive committee, serves for four years until the next convention.

The state Democratic executive committee--elected every 4 years--in addition to its earlier mentioned duties, has general charge of the supervision of the Democratic primary elections on a state-wide basis. It is also technically in charge of the campaigns for election of all state-wide and state-district Democratic candidates in the November general elections. However, since in Mississippi--for just a little while longer--the Democratic nomination is tantamount to election, this latter function is only performed during Presidential campaigns. A similar campaign function is the responsibility of the county Democratic executive committee, though this almost never occurs and for the same reason.

#### C. Mississippi political campaigns

In Mississippi, because of the effect of the Democratic primary, political campaigns are normally waged within the Democratic party among factions backing particular candidates in the Democratic primary. (This will be less and less true as the Republican party--which won some local city offices this last June 8--and the FDP gets some voting members with the new voting bill.) Formal party campaigns in the general election have been non-existent in the past, and campaign machinery has been formed on an ad hoc personality basis. For example, one refers to "the Coleman organization" or to "the Eastland organization." It would seem that there is a great need today in the state of Mississippi for something more than mere individualism in political organizations. This situation results in an election decided by personalities and not by issues.

The Mississippi Corrupt Practices act of 1935, as amended, technically covers the campaign activities of all candidates. However, it is rarely observed in practice, and its violation is even less frequently punished. A brief reading of some of its unrealistic provisions readily shows the reason for its lack of enforcement. For example, a limit of \$25,000 is placed upon expenditures that may be made by a candidate for Governor of the state. Seasoned political observers in Mississippi have estimated that at least as much as \$250,000 is frequently spent on such a campaign.

#### D. Municipal elections

Primary elections in municipalities are run by municipal Democratic executive committees. These committees are elected in the primary elections for municipal officers, or in a mass meeting held in the city or town. The committee elects its own chairman, and do not have a predetermined number of people on them, but they are usually about the size of the county and state committees. This committee performs the same function as the county executive committee in relation to the municipal elections--i.e., they canvass the votes



after the election and they appoint the election managers and clerks for the municipal polling places. This committee holds the same patronage power in the city as does the county executive committee in the county.

Municipal primary elections are held on the second Tuesday in May preceding the general municipal elections, and the run-off election, if one is needed, is held on the third Tuesday in May preceding the municipal general elections.

General elections in municipalities for city officers is held on the first Tuesday after the first Monday in June of 1965 and every 4 years afterwards. All municipal officers elected in these elections serve for 4 years. (It should be pointed out that in the 15 or 20 cities which have special or private charters (city codes or constitutions) municipal primary and general elections often are not held at the same times of the year as stated above, and in a few cases in different years.) The municipal general election is run by 3 election commissioners who are appointed by the governing authorities of the city--i.e., the mayor and councilmen, commissioners, aldermen, etc. These men play the same role as the county election commissioners appointed by the governor. They can revise the municipal election books, they hear appeals from the city registrar on the matter of persons who feel they were illegally or unfairly denied registration, they appoint the managers and clerks for the polling places in the municipal general election, they canvass the votes after the election, and they issue certificates of election to the winners. Before 1962 the city election commissioners had to be appointed from different political parties if there were people from different parties available in the city. The legislature changed this law in 1962.

## III MISSISSIPPI GOVERNMENTAL STRUCTURE

### A. State government

#### 1. The executive branch

Mississippi state government is divided into the traditional three branches, the executive, the legislative and the judicial, and is constantly increasing its other area of state and governmental activity, that of state boards and commissions. This administrative area might be called the fourth branch of state government. Each of these branches will be considered separately.

The head of the executive branch and the chief executive officer of the state is the Governor. In Mississippi the Governor does not have as firm a control over the executive establishment as he does in many other states. Here the Lieutenant Governor, the Secretary of State, the Attorney General, the State Auditor, the State Treasurer, and several other less important state-level executive officials are all elected by the people in the general election every 4 years, concurrently with the election of the Governor. These officials are largely independent of the Governor and on occasion openly oppose him. However, the very large number of administrative agencies and boards, such as the Highway Patrol and the Board of Trustees of Institutions of Higher Learning, are wholly or largely subject to the Governor's appointive and removal powers. Therefore, he is quite powerful for this reason and frequently makes very advantageous use of this patronage. The Governor's power of pardoning convicts is not an unimportant one and has frequently been used to his substantial advantage. The Governor also has control of the National Guard, which may be used to enforce the state's law. He, as in most states, has the veto power. If he disapproves a bill passed by both houses of the Legislature, he vetoes it, and the bill may then be passed over his veto only by a two-thirds vote of both houses. He also has the power to convene the legislature in special session. This is normally done every two or three years, in addition to the regular session, which convenes in January of every even year. The Governor has many additional powers as a result of the common arrangement in Mississippi of making him chairman of several



boards by virtue of his office (ex officio), such as the State Budget Commission and the Agricultural and Industrial Board (A&I Board).

The Lieutenant Governor succeeds the Governor upon his death or absence from the state. He presides over the state Senate and has the very important power of appointing the committees of the Senate. He also is an ex officio member of several boards and commissions.

The Secretary of State supervises the corporation laws, is in charge of election returns and certification, and is responsible for the publication and storage of various types of state documents and reports. The Attorney General has a staff of approximately ten attorneys. His duty is to enforce the laws of the state by advising local law enforcement officers, such as the sheriffs and chiefs of police of municipalities, and, when necessary, to resort to the courts for judicial enforcement of the state laws. His office also assists in drafting legislation and in advising the Governor and other state agencies. He represents the State of Mississippi in all courts and defends all agencies of the state. The State Auditor of Public Accounts and the State Treasurer, respectively, audit the accounts of the various state agencies and pay the warrants issued upon the state treasury. There are various other minor elective state-wide offices, the most important of which is the Superintendent of Education, who exercises general control over the state's segregated system of public schools.

## 2. The legislative branch

The legislative branch of the state government is composed of the two houses, the House of Representatives and the Senate. The House consists of 122 members; the Senate, 52. House members are normally elected from a particular county, and a few counties elect more than one representative. Senators are elected from senatorial districts which normally comprise two or more counties.

The House of Representatives is presided over by the Speaker of the House, who is elected by the House itself every four years in January after the general election. This official is extremely powerful, as he may (and does) succeed himself. The present speaker is Walter Sillers from Bolivar county, who has been in the House of Representatives since 1916, and has been speaker of the House since 1944. He appoints all committees of the House, including the all-powerful House Rules Committee (which decides what bills shall be considered by the full House); he decides to which committee a bill should be referred; and he decides whom to recognize from the floor; and he has still many other important powers. Many political observers consider this office in its present form subject to abuse.

In Mississippi there is no majority or minority party as yet. Therefore, in the legislature now the leaders who are considered to represent the viewpoint of the administration (the Governor) are often grouped together and those who are frequently opposed to the administration are grouped together. All but 1 or 2 of the present members of the legislature are Democrats. The legislature meets every two years, always convening in January of each even-numbered year. Frequently a special session is called by the Governor prior to the regular session in January. Sessions normally last from two to four months, although in 1962 and 1964 they reached to almost 6 months. State representatives receive \$3,000 for each regular session (every even year), plus \$22.50 for each day of a special session, plus \$100 per month except months in session, plus liberal travel allowances.

The state Senate, as mentioned earlier, is presided over by the Lieutenant Governor. This official, Carroll Gartin, has powers similar to the Speaker of the House except for the very important exception that he does not have the power to appoint the Senate Rules Committee. These bodies, like their counterparts in the U.S. House of Representatives, control the flow of legislation to the floor. They may defeat a bill simply by refusing to permit its consideration, and normally a two-thirds vote is required to reverse the rules committee. The State Senate also has some confirmation power over the Governor's appointments, but these are of little consequence.



## 3. The judicial branch

The judicial system of the state is antiquated in many respects and will be considered at this point for state, county and city levels of government. The state's eighty-two counties are each divided into five supervisor's districts, each district having at least one justice of the peace and at least one constable. The justice has jurisdiction over all civil cases involving fines of up to \$200 and of criminal cases that are only misdemeanors involving less than one year in jail. The justice court does not keep a work-by-word record of its proceedings, and only the final results are recorded. Ordinarily the justice court does not have a jury. The constable is the lowest law enforcement officer of the state and is responsible for enforcing the law in his supervisor's district. He attends the justice court, delivers its papers, and carries out its judgements.

In addition to the justice of the peace courts, in the cities there are often police courts. Any city over 10,000 must have a police court, with a judge who must be an attorney at law and a qualified elector of the city. Cities under 10,000 may have a police court if they wish, and the mayor may act as judge. The jurisdiction of this court is similar to that of the justice court, although it deals only with enforcing the law within municipal limits, on things like municipal ordinances and traffic violations. The police court, like the justice court, is not a court of record. The attending officer of the police court is the police chief or marshal, or his deputies, and their relation to the police court is much the same as the constable's to the justice court.

Many counties in the state also have county courts. These courts have general jurisdiction over all cases involving up to \$3,000, and all criminal and civil matters on appeal from justice courts and police courts are re-tried in the county court, where either party (or, in a criminal case, the defendant alone) may have a full twelve-man jury, if he desires.

The state's basic trial courts are the circuit court and the chancery court.

The circuit court is the court of general residual jurisdiction and corresponds to the English Common Law courts in which the judge states the law and the jury applies it to the facts. The circuit court handles all matters in which only damages are involved and many special types of cases such as appeals from the board of supervisors of a county or the municipal board or city council of a municipality. There are nineteen (19) circuit court districts in Mississippi. The circuit court also has jurisdiction over all criminal matters (unless, of course, a misdemeanor is involved, in which case the case goes first to the justice of the peace or police court and may then be retried in its entirety in the circuit court. However, this retrial takes place in the county court if there is one, and the circuit court hears appeals from the re-trial in the county court.). A jury trial may always be had in the circuit court. A circuit court judge is elected for a four-year term and, with one exception, circuit court districts comprise two or more counties.

Of equal standing with the circuit courts are the chancery courts. However, these courts are presided over by chancellors who are elected and serve in a similar manner as circuit judges, but who sit always, except for a minor exception, without a jury and themselves decide not only the law but also the facts of a case. Their jurisdiction extends to special classes of cases, such as those involving land, domestic relations, wills and estates of deceased persons, incompetent persons, and minors, suits for injunctions to prevent people from doing certain things, and suits in general for particular types of relief such as creating a drainage district or extending the city limits. There are 17 chancery court districts in Mississippi.

The state Supreme Court consists of nine judges, who normally sit in groups of five each. Cases are heard from September through June on Monday of each week. The court hands down its opinions at the beginning of that day. The court almost always is up to date in its hearings, and not infrequently a decision is rendered two or three weeks after it is argued. The court is composed for eight-year



terms. The senior judge on the court serves as Chief Justice; his immediate junior serves as Presiding Justice. One presides over Division (group) A; the other over Division B. Appeals come to the Supreme Court from the chancery courts or the circuit courts. If all five of the judges in a Division do not agree upon the disposition of a case, then the case is decided by all nine judges (i.e., en banc).

The state and its many subdivisions such as the counties, the municipalities, and the various circuit court districts are represented in criminal matters in the several courts by prosecuting attorneys. There may be a city prosecuting attorney, normally appointed by the city council, who handles criminal matters before the city court. If there is a county prosecuting attorney for the county court criminal cases, he is commonly an elected official. There is always a district attorney who handles criminal matters before the circuit court and who is elected by the voters of the circuit court district. The Attorney General handles criminal matters on the state level in the state Supreme Court.

#### 4. The administrative branch

There are many state boards and agencies that perform various public services. The Agricultural and Industrial Board has the responsibility of bringing industry into the state and of helping the state's economy. The Budget Commission is responsible for preparing a state budget every two years. The Board of Institutions of Higher Learning has jurisdiction over the colleges and universities. The State Employment Security Commission administers through its system of employment offices the program of helping unemployed citizens to find jobs. It also handles unemployment compensation payments and the administration of some of the federal programs in the state. All of the above programs are substantially financed by federal funds.

Another sort of state agency is the State Sovereignty Commission, with Governor Johnson as the chairman. This body has as its function the preservation of the segregated system of society that exists in the state. It employs investigators and keeps files on many citizens of the state who differ with the official state policy of segregation. Up until spring of this year, the Sovereignty Commission had given a total of \$193,000 to the White Citizens Council since 1961.

#### B. County government

The governing body of each of the 82 counties is the board of supervisors. One supervisor is elected from each of the five supervisor's districts of every county. The board has such general powers as hiring a county police force, deciding upon the boundaries of the various voting districts (precincts) in the county, hearing appeals from the county tax assessor, authorizing the submission of various bond issues for the approval of the electors of the county to construct various projects such as county parks and hospitals, and levying county taxes. Each supervisor has jurisdiction over the roads in his district and maintains a road shop for this purpose. This gives him extensive political power in his district, since he decides whose roads will be paved.

Another important county official is the county superintendent of education. He has jurisdiction over the county schools and over the various 16th section lands of the county, which are set aside for the benefit of the schools. He decides who rents the land and for what price.

The sheriff is a third county official. In addition to being chief law enforcement officer of the county, he is also the tax collector. He enforces the law in the county and executes all orders of the various courts that apply to people of property in the county. One of his deputies attends sessions of both the county and circuit courts. He has jurisdiction over the county jail. His compensation is through fees for all services that are performed by his office, varying from the collection of real estate taxes to the holding of a particular person in jail. There are several sheriffs in the state



of Mississippi who make over \$100,000 a year legally. In addition to his legal income, through his law enforcement powers he has the discretion of whether or not to raid illegal liquor-selling places in his county. This means that he has a lever whereby he can extort payments from the owners of these illegal businesses. This is considered to be common practice. At present though there is a fight in the state government to change the law which does not allow the sheriffs to succeed themselves. It is easy to see why sheriffs would want to continue in office. The governor supports the sheriffs, but many people oppose the sheriffs and the governor on this issue.

The county tax assessor is another official of importance. It is up to him to assess the value of the various pieces of real estate in the county (subject to appeal to the board of supervisors) and to apply to this assessment the rate of taxation that has been fixed by the board of supervisors. This tax is then, of course, collected by the sheriff's office.

Two more very important county officials are the circuit clerk and the chancery clerk. The circuit clerk handles all papers involving the circuit court. He also has charge of issuing marriage licenses and, most important, of registering voters and keeping the election books. It is with him that all persons running for county or county-district office must qualify. To repeat: It is in his office that all persons must now register to vote. And under the present state law, it is up to him to decide whether or not a person has satisfactorily completed his registration tests. The judgement roll is also kept in his office. It is in this book that all judgements of the circuit court and decrees of the chancery court may be entered so as to tie up the real estate (land) of the particular person who has lost a law suit. His office is open every day of the week except, in some counties, on Saturday; and he or one of his deputies is required by law to register any person who comes into his office during those times and who has the required qualifications. It is against state law as well as federal law for him to delay the registration process in any way.

### C. Municipal government

The governing body of a municipality in Mississippi may be either a city commission, a city council, a board of selectmen, or a city manager together with a city council. All of these forms except the city manager for generally have a mayor who is the chief executive officer of the municipality. In general, however, the governing body meets frequently enough (usually weekly) so that it can exercise general and final supervision over most activities of the municipality.

There is also the city clerk, who may be appointed or elected, depending on the municipality. This official is responsible for registration of voters in the city. In other words, a voter living in the city must not only register with the circuit clerk of the county but, after registering first with the circuit clerk, must register with the city clerk of the municipality. This official keeps the minutes and the record of the proceedings of the city governing body, and the various election books of the city.

There exists usually a city tax collector and a city tax assessor, all under the absolute jurisdiction of the governing body of the municipality.

There is generally a city police chief, who has jurisdiction over the police department and of arrests for all crimes and misdemeanors that might be committed within the city limits. He may be elected or appointed by the governing body of the city, depending on the particular city.

There is normally a municipal police court presided over by a city judge in which misdemeanors committed inside the city are tried. This court hears not only traffic violations, but also such other matters as charges for the breach of peace. This municipal court is almost exactly like the justice court. It normally does not have a jury and is not a court of record. And if one is convicted here, he



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has a right to a complete retrial before a full twelve-man jury on appeal to the county court, if that county has one, or to the circuit court, if that county does not have a county court.

Each municipality may also have a city prosecuting attorney who represents the city in criminal cases before the municipal court and frequently before the county and circuit courts. Each municipality almost always has a city attorney who represents the municipality in general legal matters. He frequently will serve as prosecuting attorney in small municipalities.