

SHOTGUNNING IN RULEVILLE; TWO INJURED IN AMBUSH

Last week's FREE PRESS quoted Bob Moses as saying that while he and another person were walking along a Ruleville street, a pickup truck brushed very close to them, turned around, and came back. The driver, who identified himself as Ben Weed, asked if "You are the folks who are encouraging people to vote here?" When he was told that they were, he continued, "OK. I have a plantation and don't try and register anybody on that plantation. I got a shotgun waiting for you."

No Protection

In addition to going through the normal channels of notifying the Justice Department, Moses said that he tried to make especially clear that the lives of people in Ruleville had been threatened and protection was necessary. No protection was produced.

Last Monday night tangible evidence that the threats were sincere came when a man with a shotgun fired into three houses. Two young college girls were struck and seriously injured. Vivian Hilliet, 18, was struck in the leg and Marian Burkes, 20, received a head wound and had to be taken to Jackson, where she had to undergo a serious operation.

Victims Not Active

Hilliet is the granddaughter of Herman Sison, who is active in the local voter registration campaign. She had come from her home in Cleveland, Mississippi, accompanied by Marian Burkes, in order to be taken to Jackson by Sison in order to register at Jackson State College. Neither of the girls was active in the voter project.

The first home to be struck was that of Joe MacDonald and his wife. Neither were hurt, but the shot entered into the room where some of the students working on the registration were rooming. Fortunately, they were out. Next the gunman hit the Sison home with three blasts. Finally he hit the

RULEVILLE CITIZENS STATE DEDICATION

RULEVILLE, Miss.—The day after two young girls were shot here, a FREE PRESS reporter asked some of the citizens whether the incident made them feel more like going ahead or were they more afraid. The following are some of the quotes that came from that question:

"We started in peace and we are going to continue in peace."
 "Not turning back."
 "Going all the way, we are working for nothing as it is now anyway."
 "Ain't going to turn me about!"
 "This just shows that we have to change things around here. And we are going to though it may take some time."

home of Rev. James Tucker and his wife.

Homes Chosen

The homes were chosen, rather obviously, because of their owners connection with the project. MacDonald, who has housed some of the student workers also was followed by the Ruleville mayor, Charles Doher, when he was transporting some cotton laborers to the field. The mayor talked with the plantation owner and MacDonald was informed that he no longer could haul workers to that farm.

It was the Sison home that Moses and Amzie Moore were sighted in front of and later threatened. Sison's participation in the movement probably also made his home a target. Rev. Tucker's church has been made available for the communities mass meetings. Tucker's wife was among the first to register.

Police At Movie

Although a policeman was watching these places carefully for the days prior to the shootings, "he was conspicuous by his absence," said Amzie Moore, Cleveland leader. He stated that the policeman admitted "going to the movies" the night of the blasts.

A mass meeting was held the following evening in which the Ruleville citizens signed petitions asking that the Federal government provide marshalls to prevent further violence.

Free Press Editor Gets Beating In Delta

On his return from covering the Ruleville incident, Charles Butts, FREE PRESS editor was beaten by a gas station attendant in a Delta town where he stopped for gas and a drink of water. Apparently his assailant recognized him from his picture on the front page of the Jackson Daily News. Two weeks ago that paper conducted a smear campaign against various liberals in the state.

Butts, who did not resist the larger man, was not seriously injured but received several cuts and bruises from his five minute encounter. After recovering his damaged glasses he continued on to Jackson.

CORRECTION

On page one of last weeks' (September 8, 1962) issue of the FREE PRESS in the article "Local Daily Smears;" the headline was quoted in the article about the Daily News was to be "Commies" when it should have read "Commie." The same mistake was made in the editorial on page two of the same edition.

Meredith To Enroll; Black Vacates Stay

Union Gets A Contract In Louisiana

The American Baker's and Confectioner's Union, which has been attempting to gain recognition in the Harts bakery in Jackson released to the FREE PRESS that it has successfully completed contract negotiations with another baking company in Shreveport, Louisiana. According to Paul Hagler, the International Representative who acted as negotiator for the ABC union, the union achieved an acceptance contract with the Baking Companies without the use of a strike.

Although the contract ran out in May, the workers stayed on while the negotiations were in progress. The two companies involved in the settlement, Wolf's and Continental, agreed to give the workers a twenty cent raise over a period of three years. Everyone is given a seven cent raise effective as of last May when the old contract expired. Each worker will receive an additional seven cents next year and six cents the following year.

Lowest \$1.52

This means that the rate for the lowest paid worker in the factory is now \$1.52. In two years the lowest wage will be \$1.65; Dough mixers now earn \$2.21 an hour and will be earning \$2.34 in 1964. Hagler pointed out the difference between the wage of a dough mixer in Jackson where there is no union and in Shreveport where there is a union. "A man earns (Continued On Page 4)

Circuit Court Decision Upheld; Ole Miss Registration On 19th

James H. Meredith heard it from a friend who heard it from the radio: Supreme Court Justice Hugo Black ruled on Monday that the University of Mississippi must admit Meredith when it opens for registration on Wednesday, September 19.

Court Members O.K. Decision; Ross To Fight

Supreme Court Justice Black's two-page statement in favor of James Meredith's being admitted to Ole Miss stated that he agreed with the Fifth Circuit Court of Appeals that Judge Cameron's stays could only bring "further delay and injury" to Meredith and that speedy enforcement of the court's order that Meredith be admitted could "do no appreciable harm to the University."

Continued Black, "Although convinced that I have the power to act alone in this matter, I have submitted it to each of my brethren, and I am authorized to state that each of them agrees that the case is properly before the court, that I have the power to act, and that under the circumstances I should exercise that power as I have done here."

Black felt that there was very little chance that the U. S. Supreme Court would hear an appeal in the case because essentially it involved only factual issues.

Ross To Fight

The State of Mississippi seems to be running out of rope (Continued On Page 2)

Black further declared that the University was at once enjoined from taking any steps to prevent enforcement of the Fifth Circuit Court of Appeals' ruling in favor of Meredith. He stated that the circuit court was correct in ruling that Circuit Judge Ben F. Cameron of Meridian, Miss. had erred in granting the state a stay from the circuit court's order.

Meredith, in Gary, Indiana, visiting with his in-laws, said that he was ready to go, that he was returning to Jackson in order to prepare for enrollment. Constance Baker Motley, Meredith's attorney, said "He thought it was wonderful. He's not a bit afraid. He has faith in the goodness of man. I guess we all need a bit of that."

A Better Education

The 29-year-old Kosciusko Air Force veteran has repeatedly emphasized that he wishes to attend Ole Miss "for a better education." and not merely as a "protest." He has previously studied at Jackson State College, where his wife is now enrolled for the fall term.

Meredith's suit was filed in May of 1961 with the backing of the NAACP. Black's ruling represents the culmination of a legal battle which has seen-sawed through the courts for some fifteen months. "I am glad that legal problems have been ironed out," Mrs. Motley stated. "We have been in a kind of legal jungle since Judge Cameron started issuing stays."

In Jackson, Medgar Evers, Mississippi field secretary for NAACP, said that Black's ruling would set the stage for qualified Negroes to attend "all other junior colleges and all the colleges supported by tax money." "We can look forward to the young people applying to the various junior colleges in Mississippi," Evers said.

Ole Miss Calm

On the Ole Miss campus, early arrivals for the fall term seemed more interested in having the state university remain open than in having Meredith's admission blocked. A new university ruling specifies, "If students are observing or standing by, in a mob disturbance, offenders will be immediately dismissed from the university."

As one student put it, "We don't have any rednecks up here now."

HATTIESBURG SEES LYND TRIAL

The trial of Theron C. Lynd, Circuit Clerk and registrar for Forrest County, will convene this Monday, September 17, in Hattiesburg, Miss. Lynd must show cause why he should not be found guilty of criminal contempt for refusing to follow a court order directing him to register qualified applicants.

If found guilty of criminal contempt, Lynd faces 45 days in jail and a \$300 fine. Upon his release, if he continues to ignore the Court, a civil contempt charge may be levied against him. He would then be liable to a jail sentence which could be terminated only by his agreeing to follow the court order.

Justice Dept. Suit

The action stems out of a Justice Department suit alleging that Lynd has refused to register at least nineteen Negroes, including three college graduates and a National Science Foundation fellow.

The suit is the first of its kind attempting to cite a registrar for contempt for refusing to register applicants under the Civil Rights Act of 1957. Sitting on the Fifth Circuit Court of Appeals will be three out-of-state judges who will determine whether Lynd disobeyed Court orders of April 10 and 16 forbidding him to discriminate in the registering of applicants.

Editorial Page

Needed: Federal Protection

We hear much criticism from the conservatives of the community in regard to Federal intervention. They say that it is the right of the state to deal with its own problems. Of course, they are right: provided, they do take care of those problems, rather than ignore them, or in some cases perpetuate them.

Unfortunately Mississippi has chosen to perpetuate the problems of this society rather than deal with them in a corrective way. There are very grave issues that are presently facing this state. The two issues are: providing equal and adequate education for all citizens, and allowing all citizens the right to vote.

In both of these areas, officials of the state have consistently shown wit, perseverance and bravery in setting about the task of neither solving nor improving their societies shortcomings. Both the state officials that are sent to Washington to represent the state and the administrators who remain at home refuse to cooperate in progressive change.

We do not expect nor advocate that the officials of this state initiate change in the society from which they have been reared. What we do expect is that the officials cooperate with efforts of those members of the community that arise from other parts of the society. And when, the respect and cooperation is withheld, we demand outside, Federal assistance.

We wish to make very clear that when we speak of the parts of the society from which the officials come, we do not mean the white community and the "other parts" do not mean the Negro community, but rather the one is the conservative community, content with the present state of the society, and the other, the liberal community which is not content with the present state of the society and wishes to improve upon it.

In the cases of the two issues, education and voting, the attitude of the officials of our state is all too clear. The case of James Meredith necessarily had to be decided in a Federal Court. Although we applaud the assistance of the Federal government, we expect it. The trial of Circuit Clerk Theron Lynd, which also will be decided in a court of Federal judges and is a suit of the Justice Department, we welcome but expect.

It is becoming increasingly apparent, however, that there is a drastic need for more Federal assistance to help deal with the efforts of the society to change. Those people who are striving to register in order to exercise the cherished opportunity to vote, not only are not finding any cooperation or respect from the state and local officials in the protection of their constitutional rights, but, in fact, must struggle to protect their lives in the face of official opposition.

The situation has moved to the brink of murder. (We hesitate to use the word lynch for fear that it has a certain unreal ring to the observer from afar.) Though we strongly feel that Federal protection ought to be extended in less severe situations, we demand, as our voice can, that the Federal Government send marshals into these areas to prevent further shotgun blasts.

Word From Jackson

By Dave Dennis

News Analysis

The Special Leg: Reapportionment

Special to the FREE PRESS

The special session of the State Legislature announced by Governor Ross Barnett in mid-August will convene in Jackson this Tuesday. Called by Barnett to deal with the reapportionment issue, the legislature, at the Governor's suggestion, may also discuss the pending federal suit on voter registration and the Meredith case.

The question of the reapportionment of the state legislature has been brought up, of course, by the spring decision of the United States Supreme Court in **Baker V. Carr**. In that case it was decided that, under the Fourteenth Amendment's equal rights clause, the vote of each citizen must be roughly equal in power to that of any other citizen, on the state as well as the federal level. The courts thus have the power to bring about reapportionment in any state where the population-to-representative ratio of the state congressional districts is felt to be unfair.

Harrison Suit

The reapportionment issue in Mississippi has been brought to a head by a suit filed in Harrison County previous to the Supreme Court decision. That suit was transferred to the Hinds County Chancery Court, where Chancellor Judge Horton outlined a plan of reapportionment. Horton gave the legislature until November 1 to adopt his plan, or a reasonable facsimile. Hence the calling of the special session by Barnett.

Horton's plan calls for the reapportionment of both the House and the Senate on a strictly population basis. His plan does not change the overall number of legislators; it only reapportions them.

The legislature stands to divide into two factions in the coming session. On the one hand, there is the rural, old-guard conservative faction, apparently backed by Barnett. On the other, there is the urban, "moderate" group. This urban group favors Horton's plan. Horton, incidentally was elected by urban Hinds County.

Rural Plan

The rural faction has introduced its own plan, however. This calls for increasing the Senate to one Senator from every county, and primarily reshuffling the House, giving every county at least one representative. The remainder of the seats in the House would then be distributed on a population basis.

Thus the rural faction's reapportionment plan is an attempt to retain power in the rural areas, or, at least, to keep it from being centered primarily in the cities. Mississippi apportionment today finds the north east part of the state receiving representation far in excess of its actual population. This apportionment was drawn up in 1890, following the "Three Grand Divisions" plan.

State In 3 Areas

In this plan, the state was divided into three areas, each having 44 representatives. Like much done in the 1890 Constitutional Convention, this was an attempt to minimize the voting power of the Negro population concentrated in the Delta, insuring that it could never elect more than a third of the House.

Citizen Education Workshop:

Our Federal Protections - Part II

The Mississippi FREE PRESS presents a workshop on several topics of importance to all Mississippi citizens. The articles deal with many facets of the political structure of the state. Readers are encouraged to clip the articles and save them for future reference and study.

Tenth of a Series

By PROF. LIBRUS

Perhaps the most important thing to remember about the Fourteenth Amendment to the Constitution of the United States is that it protects us as individuals from violations of our civil rights by the States or by officers acting under the "color of" State law. On the other hand we are not protected by federal law against such incursions by private individuals. It is the State itself which is supposed to protect us against such acts. Oftentimes, States have been slow to react to punish such individual violations.

Still there are pressures which might be brought to bear so as to urge the State into action.

In connection with the Fourteenth Amendment, Congress passed legislation creating the United States Civil Rights Commission. This Commission has six members, three Democrats and three Republicans, three northerners and three southerners. It is truly a bi-partisan commission, which meets monthly and holds hearings in the field of civil rights. It should be noted that the Commission specializes in the area of voting rights and is particularly interested in hearing complaints regarding violations in this field.

Thus one of the first things an individual should do upon a violation of his civil rights, is send a letter to the U. S. Civil Rights Commission, Washington, D. C. In the letter he should outline in complete detail all of the things that happened.

In addition to the Commission itself, there have been set up in the several states, advisory committees on civil rights, which hold hearings themselves, and report the results of these hearings to Washington. Thus in Mississippi there is the State Advisory Committee on Civil Rights, headed by the Rev. Murray Cox of Gulfport. Again whenever there is a violation of one's rights, he should send a detailed report to the State Committee, c/o Reverend Cox, Gulfport, Miss. There is also a special division of the Justice Department which specializes in civil rights violations. This division is headed by Mr. Burke Marshall, and letters should be sent to him in Washington, D. C.

Recently the Justice Department has been very active in Mississippi. Just last month for example, they brought suit against a local school board which had allegedly fired one of its school teachers for having tried to register to vote. It also is the Justice Department that has filed suit against the State of Mississippi for the discriminatory sections in the state constitution in regard to voter qualifications. The suit is the most far-reaching in the struggle for the free ballot.

Whenever one experiences threats of violence, he should get in touch with the Federal Bureau of Investigation, both locally and in Washington. A phone call to Washington will often help to speed the process of law enforcement in many areas of the State.

One should also be aware of the fact that there are a number of agencies in Washington, specializing in particular areas. Thus, for example, if one finds that his phone is being tapped, he should send a letter to the Federal Communications Commission, in Washington as well as making a complaint to the telephone company. Also should a man running for political office in the State be denied equal time on radio or television to reply to his opponent, he should complain to the F.C.C.

There have been instances in recent months where mails have been tampered with in the State. Again the Office of the Postmaster General in Washington should be notified. Where a firm involved in a government contract employs discriminatory practices in hiring, the President's Committee on Equal Employment Practices should be informed immediately.

Often as individuals we feel helpless when our rights are being violated. This is mainly true because we do not know what to do about it. Even if we do know the people to see nothing gets done. However, it is only true that it often takes a great many violations to make people act. Thus it is of vital importance that each and every violation of an individual's civil rights be reported to the authorities.

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Court Members . . .

(Continued from Page 1)

in its 15 month battle to prevent Meredith's entrance to the state University. Said Mrs. Motley, Meredith's attorney, "this is the end of the road for the University." But Governor Ross Barnett indicated that he would attempt to block Meredith's admission, although he declined to elaborate "for fear of endangering the case."

Barnett, of course, has statutory authority under a fairly new state law, to close any or all state universities, colleges, or public schools to prevent integration. He is reported to have said that Black's order was illegal—"just as illegal as if the Supreme Court of Kansas had issued it."

The Governor could attempt to revive the doctrine of interposition. This 1956 act holds that Mississippi is a sovereign state and has never "delegated to the federal government its rights to educate and nurture

its youth and its power and right of control over its schools, colleges, educational and other public institutions and facilities."

"Of No Lawful Effect"

The act, passed in response to the Supreme Court ruling invalidating "separate but equal" school facilities, contends that the 1954 ruling is "unconstitutional" and "of no lawful effect within Mississippi." Barnett said he would "take action when the attorney general's office finishes with the case." Meanwhile, Attorney General Joe Patterson declined initial comment on the ruling, saying, "I'll have to read it first."

Although a special session of the State Legislature is scheduled to convene on Tuesday, the Governor's executive counsel, former Senator Boren, indicated to the FREE PRESS that it was unlikely that the Meredith issue would be broached. "This session has been called only to consider reapportionment," Boren said. He did not rule out the possibility, however, of another special session being called to consider Black's ruling and its consequences.

The History Of Clyde Kennard

The sixth in a series of articles on Clyde Kennard, a young Negro man who unsuccessfully applied to Mississippi Southern College. Clyde Kennard is now serving out a 7 year sentence at Parchman State Penitentiary.

By Ronald A. Hollander, Free Press Feature Writer

Not only did the State attempt to prove that Clyde Kennard had detailed knowledge of the manner of locking the rear doors of the Co-op, but it also tried to show that he was acquainted with the schedule of night watchmen at the Co-op.

The watchman on Saturday nights, only, was a Mr. Kitchens. His responsibilities included several other establishments besides the Co-op. Saturday nights were the only time that Kitchens was employed by the Co-op. The other six nights of the week the Co-op had its regular watchman on duty. The prosecution attempted to show that this schedule was common knowledge. It inferred that Kennard was aware of it.

From The Record

Q. (Finch for the State) . . . Now the regular watchman was never there, then, on Saturday night?

A. (Johnny Lee Roberts) Nawsuh.

Q. You knew that, didn't you? A. Nawsuh, I didn't know dat, but—

Q. Why did you pick out Sunday morning early to go in? Did Kennard suggest that time to you?

A. Well, I thought maybe the night watchman wasn't around.

Q. That's right. Everybody down there that did business around the Co-op knew that, didn't they?

A. Yassuh.
Q. You knew it?
A. Yassuh.

Q. The customers knew it?
A. Yassuh.
Q. And you felt like that would be the safest time to go in and not get caught?
A. Yassuh.

No Knowledge Seen

Note in this exchange taken from the trial record, itself, that it is not even proved that Roberts had knowledge of the schedule of night watchmen. Roberts clearly says that he didn't know whether or not the regular watchman was there on Saturday nights; he only thought that he was not.

Finch attempts to distort this into the fact that everybody knew "that"; both customers and Roberts knew "it." Finch points out. But in all cases, the "it" and "that" can refer only to Roberts' statement, ". . . I thought maybe the night watchman wasn't around." In no instance has any definite knowledge been shown to exist. And if Roberts, an employee, did not know the schedule of watchmen at the Co-op, certainly Kennard could not have.

Roberts testified that it was Kennard who suggested to him the manner in which the rear doors of the Co-op might be left unbarred so that entrance could be easily made Sunday at dawn. Yet it is doubtful whether Kennard ever had this information to give. Kennard had never worked for the Co-op, never had occasion to be in the store room in the warehouse. (Customers place their orders at the office across the street. At no time is it necessary for them to be in the warehouse.)

"By Me Tellin'"

Roberts even testified that the only way Kennard had knowledge of "how the door was fastened on the inside" was "by me tellin' him." However, the prosecution and the court did their best to muddle this point.

Q. (Brown for the defense in cross examination) Do you know of your own knowledge whether Clyde Kennard has been inside the warehouse,

back there where the feed and everything is kept?

A. Nawsuh.

Q. He has never been inside there so far where the feed is kept?

A. Dat's right.

Q. Then, could you tell the Court Clyde Kennard had any knowledge—you couldn't tell the Court then, that Clyde Kennard had any first hand knowledge of how the door was fastened on the inside, could you?

A. Well, by me tellin' him.

Q. But you didn't know he had any first hand knowledge.

BY MR. FINCH: Court please, we object. He would have first hand knowledge if he told him. He'd have a right to answer that.

BY THE COURT: Yes. Overruled.

No Finger Prints Taken

The Hattiesburg police force was familiar with and had the materials for carrying out finger printing techniques as an aid in crime detection. Doyle Harvison, investigator for the police department who took charge of the incriminating feed ticket found at Kennard's chicken house, testified that the paste board ticket would "keep" a print, but he didn't know for how long.

Yet there was never any attempt made to secure finger prints, whether from the ticket or from the door of the chicken house or from the feed hoppers. Not only couldn't Harvison say for a positive fact whether Kennard had even touched the ticket, but no attempt was even made to verify or substantiate Roberts' story. When Kennard's attorney asked Harvison whether or not he had ever come across a case with planted evidence, an immediate objection was raised.

Harvison offered no reason for not having attempted to secure finger prints. When asked, "Wouldn't it have been logical to have taken prints to see who had handled the ticket?" Harvison unexplainedly answered, "No."

(Next week: Further analysis and conclusion.)

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Court Gets . . .

(Continued from Page 1)

eighty-one cents more per hour for doing the same work. Certainly that is not right. I think this points up the great need for unions here in Jackson," he said.

More Benefits Of Contract

Hagler went on to show that the contract had many other benefits in addition to wage increases. He stated that there were six holidays with pay, a minimum of 10 hours rest between shifts. Any work before six in the morning or after six at night, rates six additional cents per hour; rights come with seniority. Time and a half for any work over eight hours in one day or any forty hours in one week. Double time for work on a seventh day in one week.

Vacations

Each worker who has been employed for a year receives one week vacation with pay. Ten days for anyone who had worked from three to five years. For any one between five and ten years, the paid vacation is 2 weeks. A three week vacation is awarded anyone who worked ten years or more.

The contract also states that all workers will receive a ten minute break every two hours. The company also provides and launders the uniforms. In the event of a grievance, a group of workers can be sent to the company officials with the power to negotiate the problem. The company provides a health and welfare plan.

Hagler emphasized that the values of the union to the family are more than just higher wages. It is an assurance that a regular schedule will be kept except in emergencies, in which case compensation would be made. Also vacations are paid and regular.



Mr. Robert Sanders

Meeting On Sunday Sees Fla. Speaker

A mass meeting sponsored by the Jackson branch of the NAACP will be held this Sunday, September 16, at 3 P.M. in the Masonic Temple. The meeting has been organized with two objectives in mind: 1. To protest the "reign of terror" instituted against Mississippi Negroes who want to register to vote. 2. To support the parents who have recently petitioned to desegregate the Jackson Public Schools.

Featured speaker at the meeting will be Mr. Robert Sanders, NAACP Field Secretary for the State of Florida. Mr. Sanders, a native of Florida, has had past experience as a labor union official with Ford Local 600 UAW-CIO of Detroit. He holds a B.A. from the Detroit Institute of Technology, and also attended the University of Cincinnati in journalism, and the University of Detroit College of Law.

Harts Officials Call Meetings

The strike by employees of the four Harts baking companies, now in its twelfth week, seems to be moving toward a close. Union leaders told the FREE PRESS that company officials had called the union heads together in order to bring about a halt to the striking and picketing. The union men felt that this was probably an indication of the companies desire to meet the workers demands.

In meetings earlier in the week, Harts agreed in Memphis to take on all of the now fired picketers with the exception of four. The union refused to settle for anything less than a contract that assured equal benefit for all who participated in the striking.

Recognition in Jackson

The question of whether the men who walked out of the Harts plant in Jackson will get a contract apparently has still not begun to be discussed. The labor leaders have repeatedly stated that they would not settle in Memphis, where the strike is most effective, until the men in Jackson were recognized as Local 305 and are given a satisfactory contract.

Small But Strong

Although the group in Jackson has been small, they have shown great "heart" said one of the Picket Captains. The number of strikers in Jackson is small for two reasons. First the total number hired in the plant is only a few over twenty. The second reason is according to one of the picketers, "the city is so unfamiliar of unions and their significance that they do not give the support that a city where strikes are not such a rare thing." Many stores in Memphis are continuing to refuse to buy bread from Harts, until the settlement is made. Apparently more stores in Jackson have stopped buying Harts. Though Jackson has not been affected as has Memphis between eight and ten stores have cancelled their orders with Harts until the contract is made.

Jackson Police, Judge Sued On CR Count

Last year during the Freedom Rides the name of Captain Ray of the Jackson Police force became a symbol of the police "hosts" who awaited the Riders upon their entrance into bus and train terminals. It was Ray who was in charge of most of the arrests of the Riders made here in Jackson. Last Monday afternoon a suit was filed charging Ray, two other police officers, and police justice James L. Spencer with "deprivation of civil rights and false arrest and imprisonment."

The suit was filed by Jackson attorney William L. Higgs. The plaintiffs named are four Episcopal clergymen who entered a supposed "White Only" waiting room and were arrested and jailed as a consequence: Robert Pierson, John Morris, James Breeden, and James Jones, Jr. Pierson is the son-in-law of Governor Rockefeller of New York.

\$44,000 In Damages

Damages to the extent of \$44,000 are claimed in the suit. This is believed to be the first time in the South that police officers and a police justice have been named as defendants in a suit claiming deprivation of civil liberties.

The plaintiffs were arrested last September 13, 1961, by Ray, after refusing to "move on" when ordered out of the supposed "White Waiting Room Only" on the Continental Trailways Bus Station in Jackson. The four, along with 11 other Episcopal clergymen, were traveling in a "Prayer Pilgrimage" from New Orleans to Detroit to attend the General Convention of their Church.

At the time of their arrest, all four possessed tickets to Chattanooga, Tennessee. The plaintiffs and the other clergymen were arrested first by officers Griffith and Nichols, included as defendants in the suit, upon their refusal to move on when so instructed. Ray then repeated the order, the plaintiffs against refused, and Ray arrested the four, taking them to the Jackson City Jail.

Convicted By Spencer

The four were convicted by Spencer on September 15, on affidavits of Ray's which charged that, with danger of a breach of the peace at hand by their actions, the four "did . . . un-

lawfully fail or refused to disperse and move on . . ."

A subsequent appeal in the County Court that may see the dismissal of the case against clergyman Jones on the grounds that the evidence "showed no violation of the law." The City Prosecutor immediately moved the dismissal of the charges against the remaining 14 clergymen, as the evidence in their cases was the same as that presented against Jones, and the motion was granted.

Based On Constitution

The suit claims that the four plaintiffs suffered "deprivation of rights, privileges and immunities secured by the Constitution and laws of the United States in that Defendants have arrested, convicted and sentenced Plaintiffs to jail and confined Plaintiffs therein for the sole purpose of enforcing the segregation laws, customs, policies, and usages of the State of Mississippi."

The rights which the suit alleges were violated are guaranteed, in particular, by Article I, Section 8, Clause 3, and by the 14th Amendment of the Constitution of the United States.

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