SHOTGUNNING IN RULEVILLE; TWO INJURED IN AMBUSH

Last week's FREE PRESS quoted Bob Moore as saying that while he and another person were working on the railroad tracks they heard a noise come out of the Ruleville street, a pickup truck turned around, and came back. The driver, who identified himself as Ben Reed, asked Mr. Moore, "You are the folks who are encouraging people to vote here?" When he was told that he were, they 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 the attacks through the normal channels of notifying the Justice Department, Mississippians that their homes have been threatened and protection was necessary, No protection was provided.

Last Monday night tangible evidence that the threats were not idle was furnished by a shotgun fired into three homes. Two young college girls were struck and seriously injured in Jackson. A third was struck in the leg and Marian Burke, 20, received a head wound and had to be taken to Jackson, where she had to undergo a serious operation.

Victims Not Active

Hill is the granddaughter of Horace Moore, the local leader of the Mississippi Freedom Democratic Party, and the local state registrar. She had come from her home in New Orleans, Miss., accompanied by Marian Burke, 20, and Minnie Pardue, 19, to be taken to Jackson by Sisco in order to register at Jackson State Col-

Seeing the need to be home to be active in the voter registration campaign.

The next day, Joe MacDonald and his wife. Neither were hurt, but the bullet struck a window in their home where some of the students were ringing. Fortunately, they were out. Next the gun-

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 being discouraged. The following are some of the quotes that were given:

"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 not worth fighting for."

"Ain't going to turn me around."

"This just shows that we have to change things around here. And we are going to do it, 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 bales to the field. The mayor talked with MacDonald, who informed Mr. Doher that he had been hurt and wanted workers to get him some food.

The Union Gets A Contract In Louisiana

The American Baker's and Confectioners' Unions, which has been attempting to gain recognition in the Harris bakery in Jackson released to the FREE PRESS via wire that the union had 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 complete agreement with the Baking Companies without the use of a strike.

Although the contract was not signed in May, the workers stayed on while the negotiations were in progress. The two companies in the settlement, Wolf's and Continental, agreed to give the workers a twenty-cent raise over a period of three years.

Lowest $1.52

This means that the rate for the lowest paid workers in the factory is now $1.52. In two years, the workers will receive $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 was a union. "A man earns $1.52.

Circuit Court Decision Upheld; Ole Miss Registration On 19th

Supreme Court Justice Hugo Black ruled on Monday that the University of Mississippi must admit Negroes on Wednesday, September 19.

Court Members O.K. Decision; Koss To Fight

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

Continued Black, "Although I have 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 next year and six years the following:

Leaves $1.52

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Koss To Fight

The State of Mississippi seems to be running out of rope.

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 60 days in jail. If Lynd, upon his release, if he continues to ignore the Court, a civil contempt charge may be levied against Lynd. The court is also able to impose a civil fine 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 first of its kind attempting to enjoin registration for refusing to register applicants under the Civil Rights Act of 1957. Sitting in the Fifth Circuit Court of Appeals will be three out-of-state judges who will determine whether Lynd disobeyed Court orders of April 18 and June 13 forbidding him to discriminate in the registering of applicants.

On the Ole Miss campus, early arrivals for the full term seemed more interested in getting the state university remain open. Meredith's admission blocked. A new university ruling specifically, if students are found guilty, "they shall be dismissed from the university."
Word From Jackson
By Dave Dennis
New Analysis
The Special Leg: Reapportionment

Need: Federal Protection

We hear much criticism from the conservatives of the community in regard to Federal intervention. They say that it is not the state's business to deal with its own problems. They believe that they are right; they are not dealing with any problems, rather than ignoring them, or in some cases perpetuating them.

Unfortunately Mississippi has chosen to perpetrate the problems of the society rather than deal with them in a corrector 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 will, perseverance and brains in settling about the task of neither doing nor improving their society's 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 do we use that the officials of this state initiate change in the society from which they have not been reared. What we do expect is that the officials cooperate with efforts of those members of the community that arise for the necessary change. And when the response and cooperation is withheld, we demand outside Federal assistance.

We wish to make very clear that we speak of the parts of the society from which the officials come, we do not mean the white community and the "other parts." This is not 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, but 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 aberrant blasts.

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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 issues important to the Federal Government. We are encouraged to clip the articles and save them for future reference and study.

Editorial Page
Tenoth 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" or "authority" of State law. On the other hand we are not protected by federal law against such infractions by private individuals. It is the Fourteenth Amendment to the Constitution that is designed to protect: us against such acts. Otherwise, States have been slow to react to punish such individual violations.

Still there are pressures, threats of violence which might be brought to bear on us, so as to urge the State into action.

In connection with the Fourteenth Amendment, Congress was 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 primarily a body composed of three members from each of the sections. It is the Fourteenth Amendment with its provision for representation of the states is one way of creating an impartial body.

Harrison Suit

The recent suit case in Mississippi has been brought up by a suit filed in Harrison County in the Supreme Court by a Mr. Harrison, a member of the Hinds County Chancery Court. That suit concerns Mr. Harrison's position of reappointment in the court. Harrison went to the legislature for reappointment of his position, and the legislature responded with a bill that would place Mr. Harrison in his place, or a reasonable facsimile. Hence the calling of the suit.

Horton's plan calls for the reappointment of a State United States Senator, and the Senate on a strictly population basis. His is the Fourteenth Amendment notion that all legislation is on a strict equality of the states; it is the population notion of the number of legislators; it is the right of the people to elect a legislature.

The legislature stands to divide into two factions in the reappointment of a government officer. On the one hand, there is the rural, old-line custom of reappointment. On the other, there is the urban, modern reappointment, which is in favor of Mr. Horton's plan, and which is favored by the Negroes and the people of the city and rural counties, being represented by urban Hinds County.

Rural Plan

The rural plan has introduced its own plan, however. This plan calls for moving the Senate to on Senator from every county, and primarily reappointing senators who are currently appointed to fill vacancies in every county at least one reappointment. Thus the Senate, and the remainder of the seats in the House would then be distributed on a population basis.

Thus the rural faction's reappointment plan was an attempt to retain power in the rural areas, or, at least, to keep it from being centralized primarily in the cities. Mississippi apportionment today finds the north with part of the state receiving representation far in excess of its actual population. This apportionment was drawn up in 1850, following the "Three Crowns Division" plan of the state.

State In 2 Areas

In this plan, the state was divided into three areas, each having 44 representatives. Like the rural plan, the Constitutional Convention, this was an attempt to minimize the voting power of the Negro population concentrated in the Delta, in that it could increase by more than a third of the House.

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

Whenever one experiences discrimination in voting, he must get in touch with the Federal Bureau of Investigation, both in Washington and in his own State. A phone call to Washington will often help to speed the process of law enforcement in many cases in the State.

One should also be aware of the fact that there are a number of agencies in Washington, and in many States, who can help. 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 the telephone company. Also should a man running for political office in the State be denied equal time on radio or television, he should complain to the F.C.C. There have been instances in recent months where many have been tampered with in the State. Against this tampering, the Postmaster General in Washington should be notified.

The Department of Labor, the Equal Employment Opportunities Commission 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 the things we can do. But when we do know the people to see, what we can do, we are often of vital importance that each and every one of us get an equal share of the United State's civil rights be reported to the authorities.
The History of Clyde Kendall

The sixth in a series of articles on Clyde Kendall, a young Negro man who unashamedly testified to Mississippian Southern College, Clyde Kendall is now serv- ing out a 7 year sentence at Parchman Work Farm. By Ronald A. Holland.

Free Press Feature Writer
Not only did the State attempt to prove that Clyde Kendall had detailed knowledge of the manner of locking the rear doors of the Coop. it also tried to show that he was ac- quainted with the schedule of night watchmen at the Coop.

The watchman on Saturday nights, only, was a Mr. Kitch- en. His responsibilities included several other establishments besides the Coop. Saturday nights were the only time that the kitchens were employed by the Coop. The other six nights of the week the Coop had its regular watchman on duty. The prosecution attempted to show that this man was aware of the schedule information. It inferred that Ken- neld wasn’t aware of it.

From The Record
Q. (Fanch for the State) . . . Kendall said he was never there, then, on Saturday nights.
A. (Johnny Lee Roberts) Kendall.
Q. You know that, didn’t you?
A. (Nawshin). I didn’t know, didn’t I.
Q. Why did you pick out Sun- nys’ corner early to go in? Did Kendall 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 Coop knew that.
A. You know it. A. You know it.

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

No Knowledge Seen
Note in this exchange taken from the trial record, itself, that it is clear that Kendall 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 attempted to close 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 in- stance has any definite knowledge been shown to exist. And if Roberts, an employee, did not know the schedule of watchmen at the Coop, certainly Kendall could not have. Roberts also testified that it was Kendall who suggested him to the manner in which the rear doors of the Coop could be locked. Yet Kendall denied that this was the case.

By Me Tellin’
Roberts even testified that the only way Kendall had knowledge of the doors was fastened on the inside” was by me tellin’ him. However, there was no demonstration that they did their best to muddle this point.

Q. (Bohn for the defense in cross examination) Do you know of your own knowledge whether Clyde Kendall has been inside the warehouse.
A. I didn’t know.
(Next week: Further analysis and conclusion.)

The Activist
A Quarterly Publication of Student Opinion.

IN THIS ISSUE
• The Civil Rights and Enforcement of the Law
• Carey McWilliams on Kennedy and the Lost Dream
• The function of the southern black church
• Academic Freedom and Political Education
• Commodities and Money in Education
• The State and Conscientious Objectors
• Poems
• Reviews
• Jules Feiffer

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Harts Officials Call Meetings

The strike by employees of the four Harts baking companies, now in its twelfth week, seems to be headed for a close. Union leaders told the FBI’s, one of the company officials had called the meeting together in order to bring about a deal on 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 strike.

Recognition in Jackson

The question of whether the men who walked out of the Hart’s plant will get a contract apparently has still not begun to be discussed. The labor leader believes that they should not accept a strike. The strike is the most effective, until the men in Jackson were recognized as a group and are given a satisfactory contract.

Small But Strong

Although the group in Jackson has small, they hold the same aura 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 a number of picketers, the city is so unfamiliar with 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.

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JACKSON POLICE, Judge Sued On CR Count

Saturday, September 15, 1962

Last week during the Free-

Rides Rallies at the Jackson Police Force

building became a symbol of the police

hosts who awaited the Rider

upon their entrance into bu-

and train terminals. It was Ray

who was in charge of most of the

arrests of the Riders made

here in Jackson. Last Monday a

fternoon a suit was filed charging Ray, two other police

officers, and police justice

James L. Johnson with "de-

privation of civil rights and false arrest and imprison-

ment.

The suit was filed by Jackson

attorney William L. Higgs. The

plaintiffs named in this suit are

civilian clergyman who entered a suppoosed "White Only" waiting

room and were arrested and

jailed as a consequence: Rob-

ert P. John Morris, James Breeden, and James Jones. Jones is the son-in-

law of Governor Rockefeller of

New York.

The case was filed in District Court in Jackson. The suit is a challenge to the state law that provides for the removal of a superior. The suit claims deprivation of civil liberty.

The plaintiff’s were arrested

last September 13, 1961, by

Ray, after the refusal to board "on-

m," when ordered out of the "White Only" waiting room on the Conto

tinental Trailways. The bus was in Jackson. The four, along with three other

civilian clergyman, were arrested for "traveling while white.

"They were taken from New Orleans to De-

troit to attend the General Con-

vention of their church.

At the time of their arrest, all

four possessed tickets to Chic-

ago, and at the time of their ar-

rest, they were refused to a Char-

police captain, and the four

were arrested by Ray, who was

arrested by Ray, who was

arrested by Ray. The four, facing

the Jackson City Court.

Convicted By Spencer

The four were convicted by Spencer on September 19 after a jury

find it guilty of violating the law, and

that, with danger of a breach of

the peace at hand by their actions, the four "did . . . un-

lawfully fail or refused to dis-

perse and move on . . ."

A subsequent appeal in the

County Court that may saw the

familiar of the ease against 

Ray and Jones on the grounds that the evidence

showed no violation of the law.

The City Prosecutor im-

meately moved the dismissal of

the charges against the re-

main 14 clergyman, as the

evidence of their case 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 of the contractual and legal status and laws of the United States in that the Defendants have been arrested, convicted and sent-

enced to Prison to jail and con-

fined to the Mississippi state prison in the sole purpose of enforcing the segregation laws, customs, policies, and usages of the State of Mississippi."

The suit claims that the suit al-

legations were violated are guar-

anteed, in particular, by Article 1, Section 8, Clause 3 and by the 14th Amendment of the Constitution of the United States.

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