

Clyde Kennard Dying Of Cancer; Charge Refusal Of Medical Care

Challenge Gulf Coast School Segregation

U.S. Files Suit To Desegregate Schools In Biloxi And Gulfport

The United States government has filed a suit against the school boards of Biloxi and Gulfport, Mississippi, charging that their segregated schools are unconstitutional and harmful to the service and morale of federal employees whose children attend them.

The suit seeks to end discrimination against the children of Negro military and civilian workers at Keesler Air Force Base and the Veterans Administration hospital in Harrison County.

U. S. Aid To Jim Crow Schools

The government charges that it has given the Biloxi and Gulfport Municipal Separate School Districts more than \$6,850,000 to help them accommodate the youngsters whose parents are stationed or work at the federal installations, however, in spite of the board's assurances that all children would get equal educational opportunities, Negroes are forced to attend separate schools, in violation of the 14th amendment.

About 3,600 children of military personnel and federal civilian workers attend the Biloxi schools; 250 of them are Negroes. There are about 2,000 children of servicemen and U. S. civilian employees in the Gulfport schools, including 130 Negroes. The Negro students are sent to schools located further from their homes than the white schools.

Families Separated

The federal suit charges that the segregated school systems separate families because some

(Continued on Page 3)

Cox Refuses To Disqualify Himself From Picket Case

U. S. District Judge Harold Cox has denied a petition aimed at disqualifying him as judge on the case of anti-discrimination picketers.

Cox was asked to excuse himself from the case on the grounds that he is prejudiced in favor of segregation. Attorney William Kunstler who filed the motion had said that he would take the question to a higher court if the motion was denied.

Labor Leader Gives Qualified Support To Reapportionment Bill

The Mississippi AFL-CIO Labor Council and the Jackson Central Labor Union have given qualified support to SCR 101, the reapportionment amendment up for a vote February 5. The labor groups stated that the measure was inadequate, but was the best that could be expected from the current legislature.

Not The Best

State labor leader Claude Ramsey declared that seats in the law-making body had not been apportioned as fairly as possible, but said, "This proposal is probably the best that could be passed by a legislature which is itself so badly apportioned."

The president of the Jackson Central Labor Union, Lonnie Daniel, stated that the amendment was a "move toward equitable representation," but said

(Continued On Page 2)

Federal Court Orders Lumber Firm To Pay Workers Fair Wages

A Franklin County firm has been told to stop underpaying its employees in violation of the U. S. minimum wage law.

The O. V. Clements Lumber Company of Bude, Mississippi, was accused of failing to pay its workers lawful wages of \$1 and \$1.15 an hour and of illegally employing them for more than 40 hours a week without time and a half for overtime.

An injunction was granted by U. S. District Judge Harold Cox after U. S. Secretary of Labor W. Willard Wirtz charged the company with disobeying the Fair Labor Standards Act.

\$1.15 An Hour Minimum

The employees of the firm process and transport lumber and wood products and handle the clerical work of the company. The Labor Department suit charged that between April

(Continued on Page 4)



Clyde Kennard

Ask J.F.K.'s Committee To Stop Job Bias In Pascagoula-Moss Point

Mississippi NAACP Field Secretary Medgar Evers has sent a telegram to Vice-President Lyndon Johnson calling for federal action against discrimination in Pascagoula-Moss Point. Johnson is chairman of the President's Committee on Equal Employment Opportunity.

Evers stated that from 45 to 50 complaints have been filed with the Committee but the federal agency has done nothing but acknowledge the receipt of the charges.

No Response From Govt.

The telegram declared "complaints filed September 11, 1962

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Oxford Jury Fails To Indict General Walker For Rebellion

The Oxford Grand Jury has declined to indict General Edwin Walker on counts growing out of his actions during the Ole Miss riots and the federal government has withdrawn its charges against the right-wing leader.

The jury indicted four men and declined to hand down indictments of seven others. However, the seven, including Walker, can be indicted by another grand jury before five years goes by.

Arrested For Rebellion

Walker was arrested October 1 for rebellion and insurrection, conspiracy to oppose the authority of the United States, and interfering and impeding federal officers.

He had called for 10,000 volun-

Enter Plea To State Supreme Court For End To Hard Labor

An attorney for Clyde Kennard Tuesday filed a petition in the Mississippi Supreme Court to save the life of the young man who is dying of cancer. The petition filed against Mississippi State Penitentiary Superintendent C. E. Breazeale, asks the court to order Kennard admitted to the University of Mississippi Hospital for treatment and care.

Jackson attorney R. Jess Brown charged that Kennard is forced to work at hard labor in a camp for hardened criminals reputed to be the toughest one in the penitentiary, although he is so weak that he has collapsed several times during the 2 or 3 mile walk to work. He has been in Parchman Penitentiary since December, 1961.

Refuse Medicine

The petition also accused Breazeale of refusing to give Kennard medicine prescribed for him by the University Medical Center and of forcing him to eat regular prison food harmful to his health.

The request includes medical reports from the University Hospital which give the 34 year old prisoner only a 1 in 5 chance of living another 5 years. The hospital sent a letter to Breazeale June 21, 1962 urging that Kennard be granted a parole.

The letter asked that, in the event Kennard wasn't released, he be sent to the Hospital Tumor Clinic every 3 months for at least 5 years, "assuming he lives that long."

Mos. Since Hospital Visit

However, Kennard was not permitted to keep his September 19 appointment. October 17 Breazeale wrote the hospital that the "patient will not keep return appointment." It has been more than 7 months since Kennard's last visit to the hospital.

Kennard's mother and his sister, Mrs. Ida Tarpley, via

(Continued on Page 4)

State Court Reverses Convictions Of Boycott Leaders In Clarksdale

In the first state court action ever to rule in favor of civil rights defendants, the Mississippi Circuit Court of Appeals has reversed the conviction of five Clarksdale residents charged with restraint of trade last year.

The five include Dr. Aaron Henry, R. L. Drew, John Melchor, J. W. Wright and the late Rev. Theodore Trammell.

Charged With Conspiracy

State Appeals Judge E. H. Green found the defendants innocent "after mature consideration of the case and because of reversible errors in the record." They were convicted last January of conspiracy to commit acts injurious to public trade because of their leadership in a boycott of downtown stores.

The group was sentenced at that time to \$500 fines and 6 months in jail. Attorney Jack Young appealed the decision.

Right Of Protest

Dr. Henry told the Free Press

(Continued On Page 2)

Federal Court To Rule On Segregation Signs

A federal appeals court is now considering the legality of the segregation signs which sit on the sidewalks outside the Jackson bus stations.

U. S. District Judge Sidney Mize ruled that the signs merely point out the separate waiting rooms for those who want to voluntarily segregate themselves.

However, government attorneys told the 5th U. S. Circuit Court of Appeals January 16 that Jackson officials enforced the signs through their power of coercion in violation of the Constitution.

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SOCIAL JUSTICE . . . IN MISSISSIPPI

Editorial Page

We Speak In Sorrow

We learned with shock and sorrow of the fatal illness of Clyde Kennard, a brave young man who was cruelly framed and imprisoned when he sought to enter Mississippi Southern University.

The reported actions of the Parchman authorities who refuse to permit Kennard medicine or hospital attention are completely inhuman. They could only be the result of a system so corrupt that it degrades the very humanity of those who enforce it.

We again urge immediate action by the U. S. Justice Department which has failed to take any notice of the case since Kennard was first arrested in 1959.

And we call on our readers to add their voices to a nation-wide chorus demanding justice for Clyde Kennard.

Walker Is Guilty

While Clyde Kennard languishes in prison, a man who "visited Oxford" goes free. General Edwin Walker, who helped incite a mob of rabble-rousers to violence the night of September 30, failed to be indicted by the Oxford Grand Jury.

Walker seemed clearly guilty of the very rebellion and insurrection which he ironically charges his liberal opponents of plotting.

The blood of Oxford is on his hands, and the jury might have used more integrity in reaching its verdict. The pro-segregation prejudices of the jurors weighed too heavily on the scales of justice, it seems to us.

\$1.15 Minimum Wage

Justice did triumph, however, when a federal court ordered the Clements Lumber Company to stop underpaying its employees.

The United States has a minimum wage law which requires all companies with an inter-state business to pay workers \$1.15 an hour, with time and a half for overtime.

While \$1.15 is little enough to pay a man for his labor, many Mississippi firms break the federal law by paying subsistence wages—\$25 and \$35 for a full week's work.

If you earn less than \$1.15 an hour, check to see if your company is engaged in inter-state commerce. Write the U. S. Department of Labor, Washington, D. C.

Deadline February

Sometimes Mississippi seems hopeless. How can we get better living standards, justice and equal educational opportunities?

We can vote for laws to protect workers; we can sit on the juries that decide the law; we can elect the men who mete out justice; and we can make the policies which govern our universities.

But only if we vote.

You have only one more week to pay your poll tax. When you receive the next issue of the FREE PRESS, it may be too late. The deadline is February 1.

If you've registered and paid your poll tax, you can vote on the reapportionment proposal February 5. If you pay your poll tax now, you can help decide who will be the next governor of Mississippi.

Others risk their lives so that Mississippi will one day be free. You can pay a \$2 poll tax.

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From Arkansas

Administration Fails To Promote A True University Discipline

This article is reprinted from the editorial page of Little Rock's Arkansas Gazette.

Student "discipline" at the University of Mississippi has broken down into the spectacle of a lone woman English instructor, threading her way among the cafeteria tables at some risk to what we envision as her pince nez glasses, and threatening to "take the names" of any of her own students found among the more stridently vocal of the Southern gentlemen assembled there.

No Help From U.

Alas, we fear that if the lady really expects to get anything accomplished, she'll have to bring her broly next time, and start laying about on her own, for she apparently cannot count on very much help from the University's administrators.

To put the question of student discipline in somewhat better focus, let us imagine what would have happened had a hundred or so easily identifiable male students converged upon the living quarters of one of the school's recent "Miss America" contest winners with larcenous designs on her small clothes.

The villains would have been back among the crossroads' cotton gins in time for Saturday night's revels or, at the very least, bound henceforward by the strictest sort of campus probation.

What Can Be Done?

We frankly do not know what can or ought to be done about the University of Mississippi as a supposed center of humane studies. If the school had been worth much in the first place, it is unlikely that William Faulkner would have left Oxford for Charlottesville and the University of Virginia once he had yielded to the pedagogic virus.

Through It All

One dubious advantage of being a faculty member at a place like Ole Miss is that if you've lived long enough you've been through it all before. It was roughly 30 years ago that the late Theodore (The Man) Bilbo, then governor, decimated the University faculty almost for the fun of it; now, not at all surprisingly, the exodus is on again.

When the process goes far enough, the Southern Association of College and Secondary Schools will have no choice but to force Ole Miss's "disaffiliation" (to borrow from the language of John L. Lewis' secession from the CIO) and in time, we suppose, the National Collegiate Athletic Association will have to take steps, too.

One Dept. Left

If it is to remain in business, the New Oxford then will have little choice but to apply for membership in the National Football League, where the students and dons left in the one remaining department (Phys Ed) will have to come to grips with the same old problem.

Fortunately, from the example of the innumerable Ole Miss grads already performing in the pro leagues, the player suddenly thrust out into the world finds that the dilemma is easier solved in terms of an NFL or AFL paycheck than in terms of what the over-paternalistic Mississippi legislature thinks is best for growing (and we mean growing!) boys.

Use This Form To Report Violations Of Your Rights

Mississippians are often afraid to exercise their constitutional rights for fear of reprisal from racist whites. The police and other segregationists regularly intimidate Negroes in order to keep them scared—to make them accept the lie that "politics is white folks business."

Police brutality, economic pressure and the denial of the right to vote are common in our state. But people are beginning to stand up and say, "We have had enough. Politics is our business and freedom is our goal."

The U. S. Justice Department and the U. S. Civil Rights Commission want to know of any cases where Negroes have been denied their civil rights. If you suffer police brutality, if you are arrested or kept in jail too long without reason, if you face harassment or economic pressure, they want to know.

If you are denied your right to register and vote, or if your rights are violated by any individual or law enforcement officer, write to the Justice Department and to the Civil Rights Commission.

Copy this form and send one copy to the Civil Rights Division, U. S. Department of Justice, Washington 25, D. C. and the other to the U. S. Civil Rights Commission, 726 Jackson Place, Washington, D. C. Make one copy for yourself and send the others in as soon as possible after the incident happens.

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COMPLAINT

To: U.S. Commission on Civil Rights To: Civil Rights Division
725 Jackson Place U.S. Dept. of Justice
Washington, D. C. Washington 25, D. C.

From: _____
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(address)

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(sex)

(amount of education)

(where employed)

(wife's name)

(Number of children)

Description of Incident

(Describe the incident, giving, among other things, the exact time, place and manner in which it happened. State whether officers were involved, whether force was used or threatened, and whether any personal or property damage resulted. List witnesses, if any. List possible evidence, if any. Give names of all persons involved, if known. Use back of sheet or another page if necessary.)

(sign here)

I also certify that I am unable to have this complaint notarized for fear of reprisals. Once my action is learned by any available notary.

(sign here)

Labor Leader . . .

(Continued from Page 1)

he made "no claim that this is the 'perfect plan'."

No Provision For Future

Ramsey also criticized the measure because it does not provide for mandatory reapportionment in the future. "Without such a provision," he said, "future reapportionment will, without a doubt, have to be settled in the courts."

The State AFL-CIO President opposed the provision for a maximum of 122 seats in the House of Representatives and the section requiring a 2/3 vote for future reapportionment. "The legislature should be able to rearrange legislative seats by a simple majority of both Houses," he said.

Ramsey declared that "it will be virtually impossible to have representative government in Mississippi" unless counties are consolidated. This will be the answer to problems of reapportionment.

Predicts Future Court Action

In spite of its belief "the proposal falls far short of being a true reapportionment measure," the State Labor Council declared that "many of the glaring inequities of malapportionment have been eliminated." It said, "Any improvement in the immediate future will

evidently have to come from the courts."

The State labor body stated that "it would be unwise to pursue this matter before the courts at this time" because of the need to avoid the election this fall of another legislature chosen under the present system.

The statement suggested that future proposals provide for annual sessions of the legislature with definite time limits. "Forty-five days each year should be sufficient time to take care of the state's business," it said. "The lengthy sessions of the past year have already forced the resignation of one Senator and will probably cause other members not to seek reelection."

State Court . . .

(Continued from Page 1)

that the higher court's decision "accentuates what we had already known. The right of protest is guaranteed by the first amendment to the Constitution, spelled out in the article on freedom of speech.

"We intend to continue with the boycott until discrimination against Negro customers and the lack of employment above the menial level end for every Negro—from the teacher in the classroom to the farmer at the plow."

Clarksdale Grand Jury Does Not Indict Youths Seized On Drug Charge

The Coahoma County Grand Jury has refused to indict two students charged with the possession of drugs when they brought aid to needy Delta residents December 27.

Ivanhoe Donaldson and Benjamin Taylor, both students at Michigan State University, had faced up to a year in prison if found guilty of violating the state's narcotic act. The two were first held in \$15,000 bond each, but were later released for \$1,500 apiece.

The Council of Federated Organizations, which organized the drive for food and clothing, had charged that the arrest was intended to harass and intimidate Negroes seeking better conditions in Mississippi. The medicine the youths carried was said to contain nothing stronger than aspirin.

The effort to collect food and clothing continues, with supplies being sent to the Emergency Welfare and Relief Committee, Haven Methodist Church, 400 Yazoo Avenue, Clarksdale, Mississippi.



KENNARD'S MOTHER, shown here working around her Hattiesburg home, is deeply emotionally upset by her son's suffering.

Ask J.F.K.'s . . .

(Continued from Page 1)

against Ingalls Shipyard Corp. and AFL-CIO Metal Trade Dept., against International Paper Co. and Pulp Sulphite and Paper Mill Workers Union, AFL-CIO, and against B.V.D. Corp., have brought no adequate response."

NAACP Labor Secretary Herbert Hill and Evers met with 200 Negro workers January 18 in Pascagoula-Moss Point to receive their complaints.

Ingalls Corp. Discriminates

Evers said that Ingalls discriminates in its apprenticeship program and in facilities in the yard. In November the Free Press reported the story of Lamar Turnipseed who was fired by Ingalls because he applied for apprenticeship training. Another Ingalls worker, Mr. Goodloe, was fired when he drank out of a water fountain which was not marked "colored."

The B.V.D. Corporation is accused of refusing to hire Negroes at all. The International Paper Company is charged with maintaining segregated plant facilities and with refusing to advance Negro workers. Negroes are said to remain in the laborer classification in

spite of the jobs they do. Many do the same work as whites at a fraction of the wages.

Lower Pay For Some Work

Charges against the Metal Trades Department assert that Negroes are denied admittance to the apprenticeship training program and to the union. The Pulp Sulphite and Paper Mill Workers Union is accused of maintaining separate locals. Negroes often do the same jobs as whites, but the work has different classification and lower pay.

Hits Inaction

The telegram said: "Economic welfare of entire Negro community in Pascagoula and Moss Point, Mississippi directly affected by inaction of President's Committee. Organized Labor and Industrial Management blatantly violate anti-discrimination pledges throughout Mississippi."

The President's Committee on Equal Employment Opportunity was formed to end discrimination in firms doing business with the government. Ingalls builds nuclear powered submarines and other craft for the U. S. Navy. Last Saturday it launched a \$24 million polaris submarine.

Challenge . . .

(Continued from Page 1)

servicemen send their children to schools outside the state in order to avoid subjecting them to discrimination.

The government is seeking an injunction to force the Biloxi and Gulfport school boards to stop discriminating against these children. The suit was filed by Assistant Attorney General Burke Marshall, U. S. Attorney Robert Hauberg, Justice Department Attorney St. John Barrett and Justice Department Attorney David Marlin.

Since 1950, Biloxi has received over \$4,515,000 in federal assistance for the construction, maintenance and operation of schools, and Gulfport has gotten over \$2,338,000 for the same purpose.

Racists Will Fight Suit

Governor Barnett and the school superintendents of the

Methodist Clergyman Gets Attacks, Support

One of the Methodist Ministers who signed a statement opposing discrimination has received two disapprovals and a vote of confidence from his congregations.

Members of the Cooks Chapel Methodist Church and the Heaters Chapel Methodist Church voted to dismiss Rev. James Bush, while the congregation of Mars Hill Methodist Church voted to retain the Philadelphia clergyman.

two districts refused to comment on the suits. Attorney General Patterson said that he was ready to fight the actions. Senators Eastland and Colmer attacked them, declaring that the aid to areas with military installations had only passed with the understanding that segregation would be maintained.

In Washington, Attorney General Kennedy stated that the federal government was not saying to the school districts, "Desegregate or the government will take its money back," an assurance that federal aid would continue even if the schools remained segregated.

Similar suits have been filed in Birmingham and Mobile, Alabama, and in Shreveport, Louisiana.

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Clyde Kennard . . .

(Continued from Page 1)

ited him in Parchman last Sunday. He was so weak that two other prisoners had to help him dress and carry him out to the visitors' room.

Mother Deeply Upset

He wept when he saw his family—and they wept too. Kennard's step-father is dead and he has been the main support of his mother. She is deeply emotionally upset by his imprisonment and illness.

Kennard is denied letters or visits from anyone but his family, and is also prohibited from having books or other sources of information, it is reported.

Surgery For Tumor

Kennard received treatment last on June 20. He was operated on April 13, 1962 for a tumor in the colon. His illness began 10 years ago while Kennard was in the armed services. He served in Europe, Asia and Korea from 1949 to 1956. Kennard has a history of anemia and has undergone numerous blood transfusions.

Kennard cannot be considered for parole until March 26, 1963 unless the time he has spent in jail, before prison, is considered as part of the time served. He has been in Parchman since December 1961.

Attorney Brown, reported that he secured the medical reports with difficulty.

Oxford Jury . . .

(Continued from Page 1)

dith's enrolment. They will be tried in May in the U. S. District Court of Northern Mississippi.

Injunction Against Barracks

In other developments, Chancellor William Anderson has issued a temporary injunction against the construction of barracks for federal troops at the University-Oxford airport.

The State of Mississippi and the Board of Trustees of State Institutions of Higher Learning filed the suit because they said the companies hadn't obtained permission to build or occupy the area. Soldiers presently live in tents.

For Soldiers' Comfort

The Army says that they do not seek to build permanent barracks. They merely want to winterize the temporary facilities for the comfort of the soldiers.

Mississippi Senators Eastland and Stennis have introduced a Senate bill to bar construction of the barracks.

On the University campus, student editor Sidna Brower, who has been nominated for a Pulitzer Prize in journalism for her treatment of the Meredith story, wrote in an editorial that it is "regrettable" that "a few hundred persist in disturbing the peace" as most students try to study for exams.

Take Card

Chancellor Williams threatened "the strictest disciplinary action" against student troublemakers and University officials announced that they had taken the identification card of a student caught distributing the "Rebel Underground."

Suit Charges Vote Discrimination In Sunflower, Eastland's County

Sunflower County

The Justice Department has filed a suit to end voter discrimination in Sunflower County, the home of Mississippi's Senator James Eastland. The suit charges Sunflower Registrar Cecil Campbell with refusing to register qualified Negro applicants while registering whites with similar qualifications.

The suit seeks a preliminary injunction to end the discrimination. It declared that although more than half of the 8,785 whites in Sunflower are on the poll books, only 114 out of 13,525 Negroes can vote.

The government said that it tried to get Campbell to voluntarily end the discrimination but he had had no success.

Clarke County

Federal Judge Harold Cox is considering a Justice Department request to find the registrar of Clarke County guilty of discriminating against Negroes.

Justice Department attorney John Doar said that the ruling was needed to give Negroes legal proof that they had been illegally denied registration; they could then apply to the courts to be registered.

Only 3 Negro Voters

Doar said that while 5,000 of 6,000 whites are on the poll books, only 3 Negroes can vote. He declared that many whites were registered without taking required tests.

The Justice Department is also seeking an injunction to prevent Circuit Clerk A. L. Ramsey from future discrimination.

High School Students Asked To Apply For Free Science Study

High school students who like science have an opportunity to add to their knowledge in a free summer program offered by Tougaloo College. A special six week session will feature study in biology, chemistry and physics.

Tuition, fees, room and board will be provided by a \$17,310 grant from the National Science Foundation. Students who wish to attend will get travel assistance of up to \$25 round trip.

Scientific Opportunities

The purpose of the summer program is to give bright high school youngsters a chance to meet college teachers and research scientists. It will help students who are interested in becoming scientists by giving them advanced instruction and making them aware of their abilities in the field of science.

The Summer Science Training program will be held from June 10 through July 20. Students who would like to apply for the session should write to the director, Dean A. A. Branch, Tougaloo Southern Christian College, Tougaloo, Mississippi.

Federal Court . . .

(Continued from Page 1)

20, 1960 and September 3, 1961, 41 employees were paid less than the legal minimum wage of \$1 an hour. Since September 1961, they have received less than the minimum of \$1.15 an hour.

The suit also declared that 50 workers had been employed for longer than 40 hours a week without receiving time and a half for overtime.

The company was, in addition, accused of failing to keep employee records showing wages, hours and working conditions.

Firm Didn't Answer Charges

The Company, its president W. M. Seabroough and its mill superintendent, Duane Clements, did not answer the charges or defend themselves. They agreed to accept the judgment which was handed down by Judge Cox. Cox ordered them to obey the wages and hours laws now and in the future.

Note to Free Press readers:

Any firm which does business in other states must pay its workers at least \$1.15 an hour, with at least \$1.72 for each hour above 40 hours a week. If you earn less than \$1.15 an hour and you think that your company might be involved in inter-state commerce, write to W. Willard Wirtz, Secretary of Labor, U. S. Department of Labor, Washington, D. C. to find out if your rights are being violated.

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Loans on Savings Accounts	14,968.63
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Investments and Securities	4,300.00
Cash on Hand and in Banks	72,735.91
Accrued Interest Receivable	2,000.00
Office Furniture, and Equipment, Less Depreciation	3,709.82
Other Assets	60.00
Total Assets	\$579,857.98

LIABILITIES

Savings Capital	\$573,053.12
Advance Payments by Borrowers for Taxes and Insurance	2,408.50
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