

NEWS RELEASE
STUDENT NONVIOLENT COORDINATING COMMITTEE
197 1/2 AUBURN AVENUE
ATLANTA, GEORGIA
688-0331

WASHINGTON, D. C., April 16 - The United States Supreme Court today gave the Justice Department a legal weapon to use in protecting the rights of Southern Negroes trying to register to vote.

In a case involving the arrest of a Negro voting instructor after he was struck with a pistol by a Mississippi registrar, the high court ruled that a Federal Court could block state prosecution of the Negro on grounds that such action is solely aimed at making Negroes afraid to vote.

The voting instructor was John Hardy, a Field Secretary from the Student Nonviolent Coordinating Committee. The Justice Department contended that when Hardy tried to help two Negroes register, John Q. Wood, voting registrar of Walthall County, pulled a gun cursed Hardy and ordered him from the office. As Hardy was leaving the office, the Justice Department said, Wood struck him on the head with the gun. When Hardy complained to Sheriff Ed Craft, he was arrested and threatened with a beating, the Justice Department charged.

The Justice Department said that SNCC staffer Hardy, now a student at Tennessee A & I University in Nashville, had gone to Tylertown on August 18, 1960 to set up a school to teach Negroes to register to vote.

On September 7, Hardy accompanied two Negroes to the registrar's office in Tylertown. The two were told by Registrar Woods that he didn't want to have anything to do with them. Hardy says: "I entered the office to ask why. The registrar had seen me on one other occasion. After telling him my name, he came out very insultingly and boisterously questioning my motives and reasons for being in Mississippi and said I had 'no right to mess in the niggers' business' and why didn't I go back where I came from. He reached into his desk drawer and ordered me out at gunpoint. As I turned to leave he struck me over the head with the pistol. The next thing I knew I was being helped across the street. I felt something running down my head and saw blood dripping on the ground. I saw the sheriff coming down the street. I walked over to him and the sheriff said he had been looking for me, and told me to go with him or he would beat me 'within an inch of your life' I was charged with resisting arrest and inciting a riot, and later disorderly conduct. About 7:30 I was taken to the jail in Magnolia for 'your own protection.' "

On September 20 the Justice Department filed a complaint before District Judge Harold Cox in Meridian, asking for court orders forbidding intimidation of Negroes seeking to vote in Walthall and appealed for prevention of the Hardy trial. On September 21, Judge Cox refused to stop the trial. On October 4, Assistant District

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Attorney Burke Marshall, appealing to the Fifth Circuit Court of Appeals in Montgomery, Alabama, argued that Walthall County is a place of "near lawlessness." He accused Mississippi of arresting Hardy on a "trumped-up charge", which was an "attempt to intimidate them to prevent them from registering to vote."

The Justice Department brought the suit to block the trial under the 1957 Civil Rights Act. Mississippi officials involved in the suit appealed the Fifth Circuit Court's reversal of Judge Cox's ruling, but the Supreme Court upheld the Federal Court.

Two weeks after the Hardy beating, an elderly Negro who had been attending a SNCC voter school in Liberty, Mississippi was shot and killed by State Representative B. H. Hurst. A coroner's jury which heard white but no Negro witnesses, ruled that the killing had been in self defense. Hurst was never booked, charged, or tried.

Another SNCC Field Secretary, Travis Britt, had been beaten the week before Hardy was hit by the registrar. Britt was beaten by a white man, receiving 18 blows in his eye, after he had accompanied four people to the registrar's office in Liberty. Another SNCC Field Secretary, Bob Moses, was beaten by the cousin of the sheriff on August 29.

The Student Nonviolent Coordinating Committee is an independent, autonomous student organization, headquartered at 197 1/2 Auburn Avenue, Atlanta. SNCC workers are located in hard-core areas of the South, working with local citizens and groups in an attempt to "make the American dream of democracy a reality," according to the Atlanta SNCC office.