

SELECTED SECTIONS OF A NAACP PRESS RELEASE ON  
THE FREEDOM VOTE CAMPAIGN, August 6, 1963

...Attempts to vote under the provisions of this law are planned in the cities of Jackson, Clarksdale, Greenwood, and Tchula, at which time Negroes will attempt to dramatize their disfranchisement and to gain their right to vote in the primary election.<sup>1</sup>

Predictably enough the reaction of Mississippi officials has been extremely antagonistic to this latest attempt to gain equal voting rights. Informed by Hinds County clerk [H.S.] Ashford that thousands of previously unregistered Negroes were expected at the polling places on primary day, State Attorney General Joseph Patterson publicly threatened arrest and prosecution for those who attempted to exercise their right to vote under the Mississippi law.

The pro-segregationist Jackson Clarion-Ledger in a feature article on Sunday, August 4th headlined "'Vote Crasher' Ruling is Issued By Patterson" quoted the Attorney General as saying, "Section 3114 only applies to situations wherein palpable mistakes or errors have been made in effectuating the registration of one who has made a lawful attempt to register and was in fact lawfully registered except for error on the part of someone transposing his name to the poll book..." Any other interpretation of Section 3114, which has not in fact been given any interpretation whatever by any state court previously, would be unconstitutional according to Attorney General Patterson.

Patterson, himself hard-pressed for re-election as Attorney General in the upcoming primary, promised election officials that those attempting to vote under the provisions of Section 3114 would be subject to fines of \$100 and imprisonment up to one year under other sections of the Mississippi Code, which make it a crime to procure registration unlawfully. One Negro leader pointed out, however, that Negroes were not seeking to register under any of the provisions of the Mississippi Code. Rather, they intended to offer their vote in the August 6th primary with the full realization that they would remain unregistered until they were qualified through the ordinary process.

1 The text of the law, which was enacted during Reconstruction to protect white voters from the Carpetbaggers and Scalawags who controlled the elections in the state, is quoted as follows from the Mississippi Annotated Codes(1942):

If any person offering to vote in any primary election whose name does not appear upon the poll book shall make an affidavit before one of the managers of election in writing, that he is entitled to vote, or that he has been illegally denied registration, his vote may be prepared by him and handed to the proper election officer, who shall enclose the same in an envelope with the written affidavit of the voter and seal it and mark plainly upon it the name of the person offering to vote and, in canvassing the returns of the election, the executive committee shall examine the records and allow the ballot to be counted, or not as shall appear legal.

Note: The movement took advantage of such statutes whenever it could in trying to use Mississippi laws against the white power structure in order to participate in the electoral process, which at this time included only about 28,500[6.7%] registered Negro voters of a total nonwhite voting population of 422,256 in 1960.