

[Summer 1964]

A F F I D A V I T S

The following affidavits were selected to give eyewitness and first person accounts of specific incidents in more formal detail. In several cases the affidavits are excerpted due to length or because more than one affidavit has been used to describe a situation in a given location.

All affidavits included here refer to occurrences this past summer. They are not the most atrocious statements that could have been gathered from experiences of Mississippi Negroes in everyday life or in connection with the movement during the past few years. It is apparent from the Tallahatchie County and Philadelphia-Neshoba County statements that these conditions did not begin this summer.

In most cases affidavits have been selected because they are the best official statements describing a situation or pattern existing across the state.

Highly publicized events such as the beating of Rabbi Arthur Lelyveld and two volunteers in Hattiesburg, or the "reign of terror" created in Jackson by two men one night when two separate shootings and a beating took place, have been omitted. Statements from Silas McGhee have not been included since the -admittedly historic- FBI arrests of three of his attackers broke that story into the nation's press.

Affidavits from Mrs. Fannie Lou Hamer, Jimmy Travis or the widow of Louis Allen, for example, have not been included as it is assumed that most persons who worked in Mississippi this past summer would be familiar with their stories. And since this set of statements is restricted to the summer of 1964 we have not attempted to insert such affidavits as SNCC worker MacArthur Cotton's describing Parchman Penitentiary last year where he was hung by his hands for three hours, or SNCC worker George Greene's statements from Natchez.

It should be kept in mind that affidavits are not available for the bulk of incidents this past summer or, more importantly, from before.

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[The following analysis of violence in Mississippi is excerpted from an analysis of affidavits submitted by plaintiffs in COFO v. Rainey, an omnibus suit filed in the U.S. District Court at Meridian this past summer.]

The use of violence by white men to keep Negroes "in their place" in Mississippi did not begin, as is sometimes asserted, with the coming of the civil rights movement to that state. Violence was basic to the system of slavery, and it has never been abandoned as a means of "controlling" the Negro population. Only the forms have changed.

But there has been an amazing consistency in the forms of organization used by the white man to meet the challenge of civil rights since the freeing of the slaves. The authors of Reconstruction Legislation realized that they must meet two closely related forms of resistance: (1) One was open violence, the use of brute and indiscriminate force by private white citizens and clandestine organ-

izations against the Negro population to ensure that it was permanently terrorized and intimidated from asserting its rights; (2) An equally serious challenge coming from the leading officials of the white community- government officials, law enforcement officers, and members of the judiciary. By their refusal to indict and prosecute those who committed acts of violence, and by their refusal to enforce the newly passed civil rights acts of the Reconstruction Period, they became accomplices in a conspiracy to "keep the Negro in his place" -a conspiracy which constantly resorted to both private and highly organized forms of violence.

...One hundred years later, Negroes in Mississippi and those who have come to help them...face (a situation) fundamentally identical to that which the legislators of 1866 faced in attempting to bring change to the South. Negroes and the civil rights workers in Mississippi today face both open violence and official negligence and complicity, just as they did in 1866...

Note: All affidavits reprinted here were notarized at the time they were sworn out, or in the event no notary public was available, were witnessed by at least two persons.

AFFIDAVIT I.

TALLAHATCHIE COUNTY

In February, 1964, Green Brewer, 29, now a resident of New Jersey, was visiting his parents in Charleston, Tallahatchie County. During this visit, he and his brother Charles went to the Huntly Grocery Store. According to Green Brewer's affidavit:

"Charles went inside the store to get soft drinks. It seemed as if it was taking a long time for him to come out. David Baskin, a friend who was with us, walked to the door, then turned around and started to walk real fast to the road. I then began to hear the sound of some licks. I ran inside the store and saw my brother Charles lying on the floor. He was bleeding. He was unconscious. Mr. Huntly had backed up against the counter, holding an axe handle. Another white man, Mr. George Little, was also holding an axe handle.

"I bent down to Charles, called him twice, and asked him, 'What's the matter? What happened?' There was no response. I then pulled him up and was getting him to the door, and by that time he was beginning to help himself. I then walked back to get the sunglasses that belonged to my brother...Mr. Huntly started to cuss me, saying I better 'get him out before I kill him.'

"Mr. Huntly then got his gun--and started to shake--when I got a blow from behind. I received a fractured skull, broken jawbone, broken nose and a burst eyeball, with little use of my eye. However, I was able to help my brother to the car... A brother, Jesse, met us and drove us to Charleston.

"Later, about a week later, the sheriff, Alex Doghan, came and asked us what happened. Another white man came later and said he was sent by the sheriff, and he interviewed us. Since then nothing has happened on our behalf."

Their mother, Mrs. Janie Brewer, said in another affidavit:

"...A neighbor friend of mine tol me that my sons had just been beaten up by white folks, and I lost my presence of mind for a while. Another son of mine, Eugene, found that my son Charles was in the Charleston Hospital, and that Greene was in the Grenada Hospital. The next day I went to the Charleston Hospital and saw my son Charles. I tried to talk to him. He would cry, and then lose consciousness, in and out. He would only say: "Where is my brother---and why?"

In Tallahatchie County, County Registrar William Cox is currently under a court injunction to determine the qualifications of Negro registrants by the same standards as whites, not to limit Negro registrants to coming in one at a time, and to not use the constitutional interpretation section of the registration form.

This summer marked the first attempt by SNCC to "move into" Tallahatchie County.

On August 4, 1964, four members of the Brewer family attempted to register to vote. According to some SNCC spokesmen they were the first Negroes to try to register since Reconstruction; they were certainly the first in several decades.

The next night, according to an affidavit from Mrs. Melinda Brewer, a member of the Green Brewer family, a black pickup truck drove around past her house and the house of her brother-in-law, Jesse James Brewer. It stayed in the area 25 minutes.

On August 6, she stated, a green pickup truck drove by at about 1 or 2 a.m. and cruised around. She continued:

"As they were driving I could see them using a searchlight on the trees like they was hunting animals...One of the men, about 7 or 8 of them, got out of the truck and walked over towards my bedroom window. He asked me if I had seen Jesse Brewer or Earl Brewer. I said I hadn't and asked why he was looking for them. He said he just wanted to see them. He left and drove off. The man was white; I could not tell whether the rest were whites or not. I could see what I thought were guns sticking up in the back of the truck.

"Mr. Blunt is the field agent on the plantation on which I live. He said on August 6 that if anyone on Mr. Don's place went to register to vote, that person was going to get kicked off the plantation. He said no one in Tallahatchie wants any of those niggers who go to the courthouse. He said he had seen that God damned old Jesse and Earl go at the courthouse and said they didn't have no God jammed business up there.

"I live on Mr. Don Addison's plantation. On Saturday, August 8, I went to his office to pick up my check. He told me they didn't want any of those damn niggers going down to the courthouse.

"Mrs. John Brewer, a white woman, lives right down the road from me. On August 5, she came over to talk with me. She asked what was that brown car doing down there all the time. She said if they found out we was in any way involved in civil rights they was going to put us out, and she said she would feel sorry for

us losing a home. She also said that if civil rights workers lived in Jesse's house, they would get a Ku Klux Klan mob and get them out from there.

"On Saturday afternoon, August 8, several FBI agents came to see me. They asked about the incidents with the pickup trucks, I was frightened and didn't want to get my name used, so I told them I didn't see anything. I told them that the whites didn't ask for Jesse and Earl. I also said that there were no guns. I lied to them."

AFFIDAVIT II.

OFFICE HARASSMENT - CLARKSDALE

The following excerpted statement by Lafayette Surney, director of the Clarksdale COFO project, indicates the attitude of local law enforcement and authorities towards the existence of civil rights offices in the state of Mississippi. Surney, Negro, is a 22-year-old SNCC worker and a native of Ruleville.

"The first day that I arrived in Clarksdale to arrange for housing for the other workers the Chief of Police, Ben Collins, came up to me and said, 'We ain't goin to have this shit this year.' He then asked me if I wanted to fight right then and I said that I was nonviolent...The next day he and other policemen sat in front of the office and took our pictures with a movie camera. Collins (a day later) said, 'I'm going to kill you if it's the last thing I do'...This same day Collins assigned a policeman to follow me around wherever I went. When I would go into any place that policeman would stand outside. This same policeman would follow people from the project to try to find out what families we were living with and where we ate.

"After the Civil Rights Bill was signed, Collins went around to all the Negro restaurants and told them that if they served the project workers, either white or Negro, he would close them up...

"A while later an agent from the city Water and Light Department came to the office and tried to turn the lights off. He called Ben Collins who came over and cursed us us. We talked to him outside the office, he told us to get inside and instructed another policeman to 'get the damned billy clubs, we're going to have to move these niggers.' He grabbed the arm of a Negro volunteer named Doris Newman and twisted it. I called the FBI office. They asked for a statement, I said that the situation was too bad for us to go down and asked them to come over. But they wouldn't do this. The next day a Negro man came by the office...He told me that Ben Collins had hired some men to kill me...The next night...when I was on my way back to the Freedom House a group of white men stopped me and showed me a gun. They said, 'This has two buck shots in it and both of them have your name of them. I'm going to blow this up your ass and blow it off.' I walked off and called the chief of police, he told me to go to hell and hung up.

"About three days after the incident with the white men with the gun, I went up to the court house to help register some people and the sheriff and Ben Collins were there waiting for me. Collins said, 'There aren't too many white people in town who like you and I'm not one of them. If you don't want to come up

like your nigger-loving friends in Philadelphia you'd better get back to the nigger section of town.'...Two highway patrol men came up and said, 'let us show him where it is.' I was the only one standing outside so I decided to leave."

AFFIDAVIT III.

LOSS OF JOB DUE TO VOTER REGISTRATION ATTEMPT

WILLIAMS ADAMS, being duly sworn, deposes and says:

My address is Box 118, Rt. 2, Charleston, Mississippi, and I am a Negro citizen of the United States. I live on the Rabbit Ridge Plantation in Tallahatchie County. I and all my sons who are old enough work on this plantation.

On August 11, 1964, my son, William Ed Adams, went to the County Courthouse to register to vote. He was seen by the crowd of whites who assembled in the courthouse square. Later that afternoon, Mr. Nelson Douglas, the manager of Rabbit Ridge Plantation, told some people at the plantation store that he was going to have my son arrested because he tried to register to vote.

Mr. Riley McGee came around to my house and told me that Mr. Douglas had announced that my son would be arrested. I went over to the store and saw Mr. Douglas. I asked him, "What are you going to have him arrested for? He hasn't done anything."

Mr. Douglas replied, "He didn't have no business going down to the courthouse. He don't have no more work around here. We can't use a boy like that." I told him that I would go to Greenwood and try to talk to the SNCC people and try to get a lawyer.

I went to Greenwood. I went first to talk to Mr. J. Nolan Reed, the owner of Rabbit Ridge Plantation. He told me that nothing could be done unless my son went down to the courthouse and took his name off the rolls. He said that he would go from Greenwood to the plantation tomorrow and take my son down to the courthouse. He said that unless his name was removed, he could not work on his plantation any more...

(signed) Williams Adams

AFFIDAVIT IV.

INTIMIDATION TO STOP SUMMER PROJECT (Police Brutality)

Charles McLaurin, 23, Negro, native Mississippian and field secretary for SNCC told in an affidavit what happened to him and four other SNCC voter registration workers in June 8, 1964, in Columbus, Mississippi. McLaurin was later a Summer Project director in Ruleville.

On that date McLaurin and James Black, Sam Block, Willie Peacock and James Jones set out from Greenwood, Mississippi, to attend a SNCC conference in Atlanta, Ga.

He said they were followed by a car all the way from Greenwood to Starkville and that after several attempts to lose their "tail," they found the car still following them outside Columbus, Miss. McLaurin stated:

"At this point, the car turned off its headlights and pulled up right behind us. There was one white man in the car. We all ducked down and pulled over to the side of the road. He passed and we continued on. We passed his car again just outside the Columbus city limits, when he pulled off on a side road.

"About five blocks after he turned off, we were stopped by a highway patrolman. At the time we were stopped we were doing nothing to break the law. In the scout car was a patrolman named Roy Elders and another man in plain clothes. Elders came to our car and said, 'You're the niggers who are going to change our way of life.' He then asked us why we were trying to run a car off the road. At no time had we done this.

"He then told us to get out of the car and we did. The sheriff of Lowndes County then drove up and said to Elders, 'What have you got there?' Elders said, 'These are the niggers who are going to change our way of life.' The sheriff asked who was driving the car, 'That little short nigger there?' Elders replied, 'No, this big, fuzzy-lipped m \_\_\_\_\_', referring to James Black."

McLaurin said all of them except James Black were handcuffed and driven to the Lowndes County jail. Black was left with patrolman Elders.

"At the jail about twenty minutes later, James Black came in with Elders. Black's head was dirty; one side of his face was swollen out of shape; one of his eyes was blackened and bloodshot, and blood was running from his swollen mouth. His clothes were also torn and disarranged. He walked up to me and said, 'He beat me,' pointing to Elders. Elders said, 'This boy fell getting out of the car.' Black's physical condition made it impossible for me to believe Elder's statement that he had merely fallen."

McLaurin stated that the five were put in a cell and that shortly thereafter a white turnkey came and told Sam Block to come with him for an 'interview.' He said Block was taken outside, and that he could hear sounds of a beating and groans. He said Block was brought back to the cell holding his sides, his mouth swollen.

"The turnkey then said, 'Next,' and Peacock went with him. He returned a few minutes later and said he had been hit in the mouth. His mouth was swollen...

"I went out next and was taken outside. Elders asked, 'Are you a Negro or a nigger?' I said, 'I am a Negro.' Jolly, another highway patrolman, hit me across the face with his forearm. Elders repeated the question, and my answer was the same. I was then punched hard in my left ear by Elders and knocked to the ground. The highway patrolmen helped me up and one of them said, 'Boy, can't you stand on your own two feet?' They stood me up against the wall and repeated the question. This time I answered 'I am a nigger.'

They then lectured me and told me nobody wanted me in town and I should leave. Elders said, 'If I ever catch you here again I'll kill you.'

"They took me upstairs to my cell. James Jones was taken out and came back with a swollen lip saying he had been hit in the mouth. The next day James Black was charged with reckless driving, and running a stop sign. He was not, to the best of my knowledge, guilty of either. He was fined \$28 and we were released."

James Jones said in an affidavit that when he was beaten, Elder "kept calling me a black nigger and said he would put me on the county farm for twenty years and that if he ever saw me after that he would kill me. Elder asked me if I had been born in Mississippi. I said yes. He asked me whether I'd ever been in a position where the niggers didn't help me but the whites did. I told him I'd been poor all my life..."

"I spent the night in jail with the rest of the fellows. We were all in pain. At no time was I informed of the charges against me or allowed to make phone calls. The next morning (June 9), we were all fingerprinted and photographed. I asked the sheriff what we were charged with, and he said reckless driving and possession of illegal literature."

Samuel Block, in his affidavit, quoted the jailor as saying, "The river is just right; let's carry them out and rifle them right now."

"Elder hit me on the cheek with his fist. I staggered and fell back to the window, and he grabbed me and hit me in the groin with his fist very hard. I fell down and he kicked me hard in the shin...He asked if any white person has mistreated me in Mississippi. I answered, 'Yes, you are mistreating me now.' He hit me again with his fist and knocked me back. When it was over, I could just barely make it back upstairs to the cell. I fell to the concrete floor and blacked out and lay there for about 20 minutes."

Block said Judge R. V. Whittaker questioned him about himself and James Black. Block said he did not answer any questions about Black, and that the judge replied, "You can sit there and act a damn m            f            fool if you want to, but we are trying to help this 17-year-old boy whom we have charges on."

Block said a man he believed to be the prosecuting attorney told him that if the traffic charges against James Black were not appealed, the other charges against the five would be dropped; and that if there was an appeal, the other charges would remain.

Willie Peacock described his beating in another affidavit:

"Elder hit me twice with his fist. He asked me how old I was and I told him. He said, 'Nigger, you just want to die young. I'd just as soon shoot you now as to look at you. Do you believe it?' I said yes. He said, 'Nigger, I'm gonna erase that bit of doubt out of your mind. And if you come back here again, I'm going to roll you out as thin as cigarette paper.'"

The following statement describes the actions of local law enforcement officers in relation to the burning of a community center about six miles from Vicksburg. The building, which was constructed more than ten years ago, was last used for organized civil rights activity during the COFO mock Freedom Ballot gubernatorial campaign in November 1963. Many, perhaps most, of the twenty-one churches burned from the start of the Mississippi Summer Project through August 24, had no record of civil rights involvement. Arson has been used as a general form of intimidating the Negro community of Mississippi. In this case, however, it is rumored in the Negro section of Bovina that passersby may have observed a car with Ohio license tags at a July 6 meeting and thought that it belonged to a COFO summer volunteer. One member of the community center had come to that meeting in a relative's car which had the out-of-state plates.

DAVID RILEY, being duly sworn, deposes and says:

In my capacity as research man for the Vicksburg COFO project, I have talked with several (five) leaders of the Bovina community...about the burning of the Bovina Community Center on Tuesday night, July 7, 1964, between 10:30 and 11:30. The building was completely destroyed; no one was in the building at the time; no one was injured.

A small group of people gathered around the burning building between 10:45 and 11:45 on Tuesday night. Many were Negro leaders of the Bovina community; some were whites from Bovina; others were police officers, including Warren County Sheriff Vernon O. Luckett. At least three Negroes present--two of whom I spoke to--saw firemen pull a torch out from under the front part of the building. The torch, still blazing when the firemen pulled it out, was a three-foot long pole with rags wrapped around the end and wire wrapped around the rags, according to an eyewitness. Also, according to the eyewitnesses, policemen took several pictures of the burning building and the torch. One man who saw the torch on Tuesday night said it was not there when he stopped by on his way to work the next morning at 5:00 a.m. Another woman who also saw the torch said she did not see it when she returned to the burned building late Wednesday morning.

Wednesday's Vicksburg Evening Post carried a short article on the burning. There were no direct quotes but one paragraph read: "Sheriff Vernon O. Luckett said the preliminary investigation showed no indications that arson might be involved." The article went on to say that since there was "a mild wind" and since the "fire did start in the rear of the building," it was likely that burning rubbish in a trash can eight feet behind the building started the fire, according to Sheriff Luckett.

This is in complete contradiction to what the Sheriff later told one man... He said that he did not believe the fire was set by the burning rubbish, and "no doubt it was set" by someone deliberately.

It is also in contradiction to my personal examination of the ruins of the building. The floor beams at the front of the building were completely destroyed, while several charred ones remained at the rear; one beam, directly

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opposite the trash can from which the fire supposedly was started, even had a completely uncharred portion of wood on it. The trash can itself was about one-quarter full of rusted and somewhat charred cans; one can still had paper on it, and there was more unburnt paper only slightly below the surface trash which had been burnt. The trash barrel did not have holes in the bottom to allow a draft to build up a large fire. So it seems extremely unlikely that a fire in the trash can could have been or was large enough to set a whole building on fire, especially a building more completely destroyed on the front and one covered on the outside with inflammable asphalt shingles. I have photographs of all this evidence at the ruins of the building.

The Sheriff's account of the fire in the newspaper article of July 8 is further contradicted by the fact that no one from the Bovina Community Center had been burning trash in the barrel either on Tuesday, July 7, the day of the fire, or for several weeks before the fire. The last time trash had been burnt in the barrel was in the beginning of June, according to officials of the Bovina Community Center. Again, according to officials of the center, the last time a party had been held in the Center was in the third week of June. On Monday night, July 6, a routine meeting was held at the Center, but only cokes and cookies were served; so there was no trash that needed to be burned after the meeting.

What has Sheriff Lockett done to investigate the information recorded here? He had photographs taken of the torch, but there was no mention of either the torch or the photographs in the newspaper article. No official of the Bovina Center has seen the photographs. Sheriff Lockett never contacted the president of the Bovina Center; he did not speak with her the night of the fire although she was there at the burning; he has not spoken with her or contacted her in any way in the three weeks that have passed since the burning. Nor had any of his deputies contacted her. Two deputies did visit Bovina about two weeks after the fire and talked with some officials of the Center, but that is apparently the only effort county officials have made to find out who burned down the Bovina Community Center.

(signed) David Riley

AFFIDAVIT VI.

VIOLENCE BY POLICE (Canton)

Sections of three affidavits from people who met with the Canton, Mississippi, police force are given below. They could as well have come from any of the scores of Mississippi communities in which the legally constituted authorities are themselves the lawless.

The first event is told through the affidavits of Steven Smith of Marion, Iowa, and Eric Morton of New York City, both volunteers then working in voter registration, when four workers were driving a truck of voter registration materials from Jackson to Greenwood and Greenville on Wednesday, July 15. They decided to drive by way of Canton.

Morton's statement reads: "As we were entering highway 51 (in Jackson) we were stopped by two Jackson city policemen. They asked Steve where we were going and he told them Canton. They looked through the truck and saw the voter registration material we were carrying. They then gave Steve a ticket for

driving without a commercial license...We proceeded on toward Canton. Along the way we were worried that the Jackson police might call ahead to the highway patrol to have us stopped...About five miles out of Canton we saw one car that was definitely following us. The car was unmarked and there was no indication that it was a police car...It just remained behind us, blinking its lights. As we reached Gluckstadt, the car pulled up close to us and began blinking a red light. We then pulled over. It was about 10:30 p.m. at this time. The doors and windows of our truck were locked."

Smith's affidavit states: "I pulled over and stopped, even though I heard no siren and had no definite knowledge that the following car contained police... and waited until the man in the car arrived. He came up to the truck and told me to get out. I asked for identification. He didn't show me anything, but told me to get out of the truck. I got out...and he and I walked to his car. Eric also got out and we received a...lecture while he was writing a ticket for speeding...A highway patrol car arrived...A third car then pulled up which was unmarked and contained one man not in uniform. We could tell he had been drinking because of his actions and because we could smell the liquor..."

"After a short interchange between him and the first man, the first man left and the third man took me back to the car of the highway patrolman. He opened the car and told me to get inside. I got inside and sat on the back seat. He told me to move over and got in. All the doors and windows were shut. He said, 'I can't kill you, but you know what I'm going to do to you.' I answered, 'No sir.' At this time he pulled his gun out of his holster and started to hit me on the head with the gun butt. I put my hands up to protect my head and rolled into a ball on the seat. Over a period of about a minute he hit me about four times on the head and about eight to ten times on the left hand. He also hit me about three times on the left leg, twice on my right hand, and once on my left shoulder. All of this was with the gun butt...Three of them then went up to Eric. They had a conversation with Eric which I could not hear and one of the men raised a gun and struck Eric, knocking him down. He got up and was knocked down again. I had been sitting in the car through all of this. I felt the blood on my face and on my arm. The man who had beaten me then came back to the car and sat down in the back seat. He picked up a flashlight and hit me across the mouth with it. I then rolled into a ball again and he put the gun to my temple and cocked it. He said, 'If you move, I'll blow your brains out.'"

They went to the Canton police station and then to the jail. According to Morton's affidavit, the other two workers in the truck were let out on the road and told to "run back to Jackson." They were told, Morton says, to "quit working for COFO or COFO would get them killed." The two of them started down the highway on foot.

During this time Morton was told that they had no charges against him and that he was free to go. "I was afraid they would come after me if I tried to go," Morton reported, "so I refused." His affidavit reported that two of the men suggested that Morton should be driven to Philadelphia (Miss.) and made reference to the then-missing three COFO workers. "They continued to make comments until we arrived at the Madison County jail in Canton." (Morton and Smith were taken to Canton in separate cars.)

Morton's statement continues: "At the jail they locked me up until the next morning. The next morning, after four requests, I was allowed to make a phone call by the jailer's wife. I had also asked to make a phone call the night be-

fore when I was first taken to the jail... I called COFO in Jackson and spoke to Bob Moses... I was taken to the home of a judge in Madison. Court was held in his garage and two lawyers from COFO were there... I heard the man who had beaten me referred to as Sheriff Holly... I was then charged with interfering with Steve's arrest and with resisting arrest. Bail was set at \$150..."

Smith reported that he was placed in a cell with three white men, and was questioned the following morning in the jailer's office by the three men who had stopped him the night before. They threatened to shoot him if he ever returned to Madison County, he stated. During questioning a college newspaper in Iowa City called and he was allowed to speak over the phone. However, "Before I got on the phone they asked me if I was willing to accept it as my one phone call without telling me where it was from. I thought the call was coming from the COFO office in Jackson and said yes. I was not allowed to make a phone call of my own either before or after that... In the evening I was released on bond and given back my wallet. When my wallet was returned, the ticket I had been given the night before was missing and so was my driver's license."

In the same city of Canton the events sworn to in the following affidavit excerpts took place when a local Negro called upon city police to investigate a bombing at the COFO Freedom House.

Mr. George Washington, Sr., a well-known Negro store proprietor and adamant supporter of the movement, who is in his late fifties, rented a house to COFO for use as a Freedom House. Early in the morning of June 8, 1964, about 1:30 a.m., a bomb was thrown at the Freedom House. As little damage resulted, the Police were not immediately notified, although the FBI was called. After arising in the morning, Mr. Washington's wife called the police. Mr. Washington described his treatment:

"When the police came, they used abusive language in talking to me. Mr. Cooks and Mr. John Chance told me to get in the car, they were going to send me to the penitentiary for failing to report the bombing incident the preceding night. I asked if they could take me in without a warrant. They said they didn't need one, and they shoved me into the car..."

"When we got to the jailhouse, Mr. Cooks was opening the door. While he was doing so, as I began to go in the door, Mr. Chance struck me over the eye (the blow struck me over the eye because I attempted to duck the blow when I saw it coming) - otherwise he would have hit me right in the eye... They began to question me, if I had any idea about who thrown the bomb at the Freedom House. I told them I didn't know who throw the bomb. Then Mr. Chance said I was lying again and came up and hit me on top of the head... Then he said, 'he'd just hates me and despises me and hit makes him sick just to look at me... I feel like taking my pistol and beating your face flat so your wife won't even recognize you.' He said he thought that I was all right, but now that I wouldn't cooperate and put those out of the house so they have to get out of the town, he didn't think so any more."

"About 8:00 Chief Dan Thompson came in and asked me what had they held me for and Mayor Stanley Matthew and City Atty. Bob Goza also came in and they talked very nicely to me than Chance didn't use any more abusive language and asked me many questions about selective buying campaigns and the boycott. He told me I'd lose my reputation with my white friends in town. The question went on until about 11:00 when they let me go."

"My right eye didn't swell up right away (but) the next dyy, Tuesday, it began to hurt and swell up very badly...I've had to see the specialist about three times a week, and he said I have to have an operation on my right eye..."

AFFIDAVIT VII.                    HARRASSMENT UNPROVOKED BY POLITICAL ACTIVITY (Jackson)

Of the many affidavits available on general treatment of Negroes in Mississippi, the following is one example of both unprovoked police hostility and what may be called the "semantics of race." It is worth noting that the event described took place in the largest and most cosmopolitan city in the state.

WILLIE FUNCHES, being duly sworn, deposes and says:

On July 5, 1964, at about midnight, I was walking from Parish Street to the COFO office on Lynch Street with Harry Lowe and Jimmy Lee Wilcox. At the corner of Poindexter and Lynch we were passing a police car which was parked there. This police car had a cross on the side and a red light on the top, an "accident car." As we passed by, one of the two policemen in the car said, "Hey, nigger, were you throwing stones?" I said, "No sir." Jimmy Lee Wilcox said, "No, we weren't." The policeman said, "Can't you say 'yes sir' to me, nigger? That's one of them smart niggers standing in the middle there (referring to Jimmy)." He then said, "Don't you lie to me, nigger, or I'll make your face blacker than his (referring to Jimmy)."

They called in and told headquarters that they had the black s.o.b.s who had thrown the bricks--they had the little nigger in the red shirt. My shirt was red. Two other police cars came up. The policeman in the first car said that he would take off his belt and beat my rump if I was identified. Another car came up and one of the two policemen in that car said, "Yeah, I want that little nigger with the red shirt especially." The policeman who had said this snatched me out of the car and put me in the other car. Then he hit me in the stomach four times. Then he asked me where I lived. He asked me if I had been throwing rocks and when I said no he called me a "goddamned liar." Then he told me to get "your goddamned ass on the ground out there with the rest of the niggers." The other cop had brought Jimmy back and we were all sitting on the ground next to the car. The policeman who had been talking to Jimmy then said, "I ought to kick all three of your teeth in ." He said, "Get up, nigger, and if I catch any of you three in any of the demonstrations I'll shoot all of you niggers and smoke my cigar on top of you and think nothing about it." Then he said, "You niggers go home and let's run." We ran and I met my boss who told me to come to the COFO office and tell you about it.

(signed) Willie Funches

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AFFIDAVIT VIII.PHILADELPHIA - NESHOMA COUNTY

Junior Roosevelt Cole, 58, lay leader of Mt. Zion Methodist Church in rural Neshoma County, Mississippi, told in a statement signed in the presence of two witnesses, of his beating near the church on June 16, 1964. Later that night the church, site of a mass meeting on May 31 at which Michael Schwerner and James Chaney had spoken, was burned to the ground. Cole said a leaders and stewards meeting at the church had broken up about 10 p.m. that night and they got into their cars and pickup trucks to drive home. His statement said:

"We saw two cars and a truck driving up, and the people in them wasn't our color, but we didn't bother about it. Me and my wife got in our car and drove off. About 50 yards from the churchyard we were forced to stop. The lights in those cars was out. A man said to me, 'What are you doing? What you got those guards out there for?' I said we didn't have any guards. He said, 'You're a liar.' They jerked me out of the car and let me have it with a heavy instrument, on the jaw, the head, the neck, the back, and when I was lying there, they kicked me. Then I was unconscious.

"None of them where I was had any masks on, but Mrs. Georgia Rush and her son, John T., who were stopped down the road, said there were men with hoods on where she was. As far as I know there was only three of us beaten: myself, Mrs. Rush and her son. The men had many, many guns.

"I was treated at Dr. Charles Moore's clinic in Philadelphia. I don't think my jaw is broken, but it's out of line a bit.

"About 12:30 or 1 a.m. that night I saw a big light in the sky over where the church was, but I didn't think anything of it. Later, in the morning, I saw it was the church burned. The FBI's came by the following Friday."

His wife, Beatrice, said in her statement:

"There was at least 20 of them there. One of them pulled my husband out of the car and beat him, I couldn't see what with, but it looked like an iron object. Then they kicked him while he was lying on the ground. Then they said to him, 'Better say something or we'll kill you.' I said, 'he can't say nothing; he's unconscious.'

"Then I began to pray, a little prayer. They told me to shut my mouth. But I said, 'let me pray.' I stretched out my hands and said, 'Father I stretch out my hand to thee; no other help I know; if thou withdrew thyself from me; Oh Lord, whither shall I go?'

"That struck the hearts of those men. The Lord was there, because then the man said, 'Let her alone,' and he looked kind of sick about it.

"I think my husband's jaw is broken, because his teeth don't sit right in his mouth. But he doesn't think it is, and I can't get him to go down to the clinic again."

Mrs. Dona Richards Moses told in an affidavit of harassment by three highway patrolmen while returning from an attempted private investigation of the disappearance of the three civil rights workers in Neshoba County. She said she was riding in a car driven by Matteo Suarez, in the company of Preston Ponder, Gwen Gillon and David Welsh when they were stopped.

"The patrolman asked us why we had been in Neshoba. Mr. Suarez answered that we had wanted to investigate the situation of the missing men. The policeman then answered, 'There is nothing to investigate.' He began asking us questions about our work. He looked through all of our belongings and the literature we had in the car, pulling them out in the rain to read them. He read a personal letter that Gwen Gillon had, which mentioned a SNCC worker in Batesville. He made mention of the SNCC worker and asked who he was.

"When I answered, 'uh huh' to the question, 'Are you from New York?' this policeman said, 'You'd better say, 'yes sir' to me, little nigger.'..."

"We were allowed to leave. It was then that we realized that during the whole interrogation there had never been mention of our violating the law in any way. We were surprised to find this attitude in the police since we had been led to understand by the Justice Department that there was federal presence in the area and local police were cooperating in the search for the missing men. Otherwise such treatment is the rule in Mississippi by the police, particularly of civil rights workers, and we are always afraid when we are stopped by the police."

\* \* \* \* \*

Daniel Pearlman, a law student, and David Welsh, a free-lance reporter, told in affidavits of their beating by civilians in the middle of a summer afternoon in downtown Philadelphia, Miss., on July 17, 1964. The pair were investigating the disappearance of the 3 civil rights workers and preparing a newspaper article.

Pearlman stated they had just left the office of a local attorney when they were stopped near the street corner by a man who asked what business they had in town.

"When Dave identified himself as a reporter, two men came out of the shadows and stood along side of me. Another man approached from the opposite end of the street...The man who first stopped us threw a hard punch to Dave's eye. I was hit over the head by the man standing next to me. I ran and turned to face him. He was chasing me with a link chain hanging from his raised right hand. The doctor said that my wound cannot have been inflicted from a fist alone. I therefore assume that I was hit with the link chain I saw hanging from his hand..."

"I was then chased by two men and ran to the sheriff's office...The sheriff sent Deputy Cecil Price to the scene. Price leisurely strolled to the corner. When we got there he said that he didn't see my friend. I pointed to a crowd on the street corner and said, 'They know.'...He strolled toward the crowd."

Welsh said in his affidavit: "The first man struck me in the jaw hard with his fist. The other man then hit me several times, and additional men appeared to be closing in at the scene. I could not see Pearlman. I ran toward the courthouse, where two more men intercepted and struck me. So I turned around again and ran back to retrieve my sunglasses. As I did so, I was kicked in the ribs - one rib was cracked, according to X-rays taken in Jackson at the office of Dr. McIlwain - and absorbed a few more blows in the face. One of them gave me a symbolic kick in the pants and advised me to leave town. I ran to my car and drove back to the site of the initial attack. A crowd was gathering; in the center were Price and Pearlman, his head and shirt very bloody. The mood of the crowd was less than friendly. After explaining what happened to Price, we left town."