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"Progress" In Mississippi

By PETER MARCUSE

Mr. Marcuse, the author of the following article, is a Waterbury lawyer and former Waterbury alderman who is spending two weeks in Jackson, Miss., as a member of the civil rights project sponsored by the Council of Federated Organizations (COFO). Mr. Marcuse is working with a lawyers' group which is giving legal aid in civil rights cases. The COFO legal assistance program in Mississippi has been organized by the staffs of the American Civil Liberties Union, the National Council of Churches, CORE, and the NAACP. This is the fourth article in a series on Mississippi.

(Second of two installments)

We went back to the COFO office to pick up the law student who was living there and to get the further information we needed for our petition. When we arrived, they were just having supper. The Negro community in Columbus was extremely hesitant about working with them, and their program was not a very successful one thus far; they had not been able to set up a freedom school because of lack of community support and were concentrating their primary work on voter registration. It had even been difficult for them to get places to stay in the community, since local Negro families were afraid of reprisal if they housed civil rights volunteers. Two or three had finally gotten accommodations; the rest slept on mattresses on the floor of the headquarters, and the place was badly overcrowded. For supper, however, they had spaghetti and a good baked ham, which had been donated by one of the Negro families in the immediate vicinity of the headquarters who had slowly come to be impressed by the dedication of the people working there and had contributed it to the cause.

After supper, we began to work on our petition at the COFO headquarters. About 9 o'clock the phone rang, and a few minutes later an emergency meeting of everyone at COFO headquarters was called. A woman had just been on the phone, and had explained that she was very sympathetic with the movement, and that she thought we should know that she knew positively that a bombing was planned and the headquarters would not be there after 11 p.m. This was the night after the bomb attack at McComb, and bomb threats were not to be

bail. Removal petition had previously been filed on their behalf.

Permit Denied

We further found that COFO had applied for permit under this ordinance just four days ago, and the mayor had told them it would be considered at the meeting to be held Tuesday night. We asked the Mayor about this, and he told us that the Council had indeed considered the request but had unanimously denied it, and he said he did not know the reasons for it and did not feel we were entitled to know the reasons.

When we got into the facts of the case on which the three newest arrests were made, the pattern seemed to us to be even clearer. Each of the three had been going door to door explaining to people how to register and attempting to get their signatures on freedom registration forms for the purpose of showing the number of eligible voters in the City of Columbus, so that it could later be used as evidence to show the obvious effect of discrimination by the registrar.

There was no question of the general fear of the Negro community of what might happen to those that spoke up or registered to vote in connection with the civil rights movement. Each of the three was stopped by a police officer in a cruiser, who asked them if they were distributing leaflets. Although they said no, they were each nevertheless arrested and taken to the police station, and told that in the officer's opinion they were distributing literature without a permit. Sometime later, they were told that they were also charged with trespass, on the complaint of a white gas station owner whom they had bought some soft drinks from on their way, and one of them was charged with using profane language at the same place. When they were finally told formally what they were charged with, it turned out to be only trespass and use of profane language. Since the new ordinance, extreme as it was, did not cover distributing literature on private property, but only on public sidewalks, the city officials had undoubtedly determined that that charge could not be sustained even under the circumstances prevailing in Columbus.

Bail Totals \$1600

Bail was fixed at \$400 on each of these charges, three individuals with trespassing and one individual with profanity, or a total of \$1,600. Phone calls had been made to the parents of the youngsters, and the parents of one,

taken lightly. The FBI and the local police were called; sheets were nailed over all the windows; guards were dispersed to strategic spots outside, and emergency arrangements were made for the workers that normally slept there either to sleep at the rear of the building or with immediately adjacent families. Since they wanted the lights out, we took our rented typewriter, supplies, and law student and went to the motel.

Early Morning Hours

We worked on the removal petition until the wee hours of the morning. After extensive investigation, we had developed facts which seemed to us to show quite clearly a pattern of consistent harassment by officials of the City of Columbus and the County of Lowndes, which we believed would justify removal to the Federal Court. A background we uncovered is fairly typical, and has been repeated in one form or another in countless communities throughout Mississippi.

With the beginning of expensive and organized civil rights activity in the South, Columbus gave a group of SNCC field workers traveling through the city from Atlanta south a rather rude welcome. The five workers were stopped by an officer of the Mississippi State highway patrol, which Gov. Johnson has doubled in size to take care of the "civil rights emergencies." They were arrested outside of town, taken into a field and individually beaten; they were then taken to the city jail, where, with the knowledge of the local sheriff, the local police, and a justice of the peace, they were each again beaten behind the jail. The youngsters believed that the police officers had every intention of killing them; they believed that the only thing that saved their lives was that, during the next hour, the

in New York, had organized a small committee including other parents of youngsters in the South, and this group by the next morning was able to raise the necessary money and telegraph it down, so they were bailed out.

In the meantime, Don and I worked at the motel putting all of the foregoing information into the appropriate legal form and alleging a concerted policy of harassment on the part of the officials of the City of Columbus in the County of Lowndes. We got through at 5:30 the next morning, and at 8 o'clock went over to get the necessary signatures on affidavits. It took us an hour and a half to find a notary public that was willing to take the oath of the petitioner; we finally filed the petition at the District Court at Aberdeen, Miss., and the cases were successfully removed. We thereafter came back to Jackson, and are now working on an injunction action to declare the ordinance unconstitutional, motion to reduce the bail, and probably a civil action against the police officials for the beating of the SNCC workers.

On the mayor's desk is a little card which he gives to visitors saying "Welcome to Columbus the friendly city." On the reverse it tells you that if you put it on your windshield you will not get a parking ticket even though you are overtime, because Columbus is a city where "progress and tradition blend," and it is eager to extend its courtesy to all.

Old Blacksmith Shop

(Boston Herald)

It wasn't much to look at — just an old, weatherbeaten, rambling shop at the village edge. Around it was a tangled mass of old cultivators, wagons, wheels, sleds, plows and

phone rang for someone named Goldberg, the officer asked if anyone knew him, and one of them said "That's our lawyer," although he had no idea whatsoever who it was. About half an hour after that, they were suddenly released.

Their pockets had been searched and they were fined on charges of reckless driving, possession of illegal literature, and "jail charges" in an amount exactly equal to the cash they had with them. They were then told to leave town, and not to come back. Since they knew no one in the city, and since they realized that no one anywhere knew where they were on the road or would miss them for several days, they were happy to get out in any way they could, and left Columbus quickly. They had given affidavits as to all of this to the FBI, but had not yet heard anything from them. Four of the five were still in the South, in various communities, working actively for the civil rights movement.

City Ordinance

We learned further that on Nov. 5, 1963 the City of Columbus had passed an ordinance that made it a crime "for any person to distribute, hand out, or exhibit to any person . . . any printed matter in any public place in the City of Columbus, Mississippi, without written permission of the chief of police of said city." It would be hard to imagine an ordinance more clearly unconstitutional as violating the First and 14th Amendments than this one, and the city apparently realized it also. In March of 1964 the Mississippi State Sovereignty Commission, an official state body which is actually a device for the use of state funds to marshal all of the private efforts of the state to resist integration, and which works very closely with the White Citizens Council in the state, had sent around a form of ordinance to accomplish the same purpose to all city councils, mayors and city attorneys in the State of Mississippi. The package they sent out included three items, an ordinance against using the streets for other than their normal or accustomed purposes, i. e. walking, without a specific permit; picketing or demonstrating before a public building; and an increase in the fines for misdemeanors. On April 14, 1964 the City of Columbus passed all three ordinances.

On June 9, 10 COFO volunteers who were peacefully giving out leaflets urging registration to vote at various points on the sidewalks in Columbus were arrested by the city police. Three were convinced ultimately to leave town; four were juveniles and were ultimately released without charge; the status of one of the other three is still unclear; and the remaining two were held on charges of violating this ordinance and finally released on \$400

collars, hangers, and . . . harrows. Inside, the floor was black with dirt and littered with hoof parings. Windows were gray-streaked with grime and half concealed with masses of old cobwebs.

Overhead on the stringers were rows of new shoes — dainty, lightweight shoes for Morgan roaders and heavy ones for big work horses. In one corner was a heap of discarded shoes plus a tangled mass of odds and ends of metal. At one side was the forge with its big leather bellows; near it was the old anvil and the half tub of black-looking scummy water.

It was fun for small boys to watch the old smith as he heated a shoe red hot in the glowing coals and then pounded the shoe to shape on the anvil. . . .

The old smith talked as he worked and told boys stories of long ago when he shod as many oxen as horses. Perhaps he heated the shoe again and pounded it again for an exact fit. Then he drove nails through the hoof and the holes in the shoe. He twisted off the nail ends and filed the ends smooth with the big rasp.

Old blacksmith shops are gone—gone with the wagons and sleighs of yesterday. But there are men in office and factory who look back over the years and remember the pleasant hours they spent in an old blacksmith shop.

Constant Challenge

(New York World-Telegram)

A good case against overspecialization in science has been made by two University of Michigan researchers.

After a five-year study involving 1311 scientists and engineers they found that people who spent full time in technical work were less effective and creative than those who spent part of their time on entirely different tasks (but still within their fields), such as administration or teaching.

"There was a hint," they concluded, "that excessive dedication was not healthy and that all work and no diversity was making Jack a dull scientist."

There may be meat for thought here for more than just scientists or employers of scientists.

It will be no news to successful company presidents, most of whom are Jacks of all the trades within their particular trade.

What it amounts to is that an occasional vacation at work, in the form of a new challenge, can be as important as the annual one away from it.

Smart is the boss who presents these challenges to his workers. On the way up is the man who creates them for himself.

In some ways, perhaps birds can still fly better than men, but men can watch movies — and Tv — while doing it.