

SIMPSON, JAMES CHARLES (Jim), 706 W. Beach Blvd., Pass Christian, Harrison County. Born May 18, 1930 at Gulfport, Miss.; Seafood Canner; Catholic; Phi Kappa Tau; Chamber of Commerce; VFW; Pass Christian Yacht Club; Married.

SLAYDEN, MRS. EVERETT (Gladys), The Magnolias, Holly Springs, Marshall County. Born in Marshall County, Miss.; Farmer; Baptist; Life Member, Natl. Garden Clubs; Life Member and Past President, Garden Clubs of Miss.; Farm Bureau; DAB; UDC; Past President and Pilgrimage Chairman, Holly Springs Garden Club; Widow; House 1960-1964.

SMITH, WADE ORCHIN (Wade), Route 2, Box 168, Poplarville, Pearl River County. Born February 16, 1911 at Poplarville, Miss.; Farmer; Baptist; President, Farm Bureau; Pearl River County Director, Wolf River Wildlife Council; Married.

SWINDOLL, GEORGE MITCHELL (George), Box 158, Calhoun City, Calhoun County. Born June 11, 1931 at Slate Springs, Miss.; Attorney; Baptist; Beta Theta Pi; Miss. Bar Assn.; American Bar Assn.; Toastmasters International; Farm Bureau; Mason; Married; House 1960-1964.

THOMPEN, JUDSON ARLEDGE, JR. (Bud), 601 Deering St., Cleveland, Bolivar County. Born November 29, 1926 at Shaw, Miss.; Standard Oil Co. Agent; Real Estate Broker; Baptist; V.F.W.; American Legion; Citizens Council; Cleveland Volunteer Fire Dept.; Married.

THOMPSON, WILLIAM ISAAC SHELBY (Bill), 715 Brookwood Rd., Jackson, Hinds County. Born November 24, 1936 at Jackson, Miss.; Life Insurance Salesman; Methodist; Mason; Kappa Sigma; Jaycees; Jackson Exchange Club; Jackson Citizens Band Radio Club; Alumni Assn. of Miss. State; Millsaps & Ole Miss.; Married.

TRUE, JAMES BENJAMIN (Jim), 1110 Thirty First Ave., Gulfport, Harrison County. Born December 20, 1905 at New Orleans, La.; President, Jim True & Co., Inc.; Bay St. Louis Lodge No. 429 F. & A. M.; Gulfport Consistory; Colonial Patriots Chapter S.A.R.; Gulfport Chapter, Alumni Assn. Gulf Coast Junior College District; Chamber of Commerce; Citizens Council; John Birch Society; Married.

WALL, FRANK TRACY (Frank), Route 2, Liberty, Amite County. Born March 5, 1908 at Gillsburg, Miss.; Dairy Farmer; Baptist; Married; House 1952-1960.

WARREN, JACK A., JR. (Jack), D'Lo, Simpson County. Born November 29, 1907 at D'Lo, Miss.; Cattleman and Farmer; Public Relations; Methodist; Mason; Shriner; O.E.S.; President, Simpson County Spil. Conservation District Com.; First Vice-President, S.E. Livestock Assn.; Director, Farm Bureau; Miss. Land & Timber Corp.; Meridenhall School Board; Chamber of Commerce; Lion; Married.

WHITE, MRS. GORDON (Berta Lee), Route 1, Bailey, Lauderdale County. Born June 27, 1914 at Obadiah, Miss. Secretary and Director, Hughes Telephone Company; Presbyterian; 4-H Club Leader; Obadiah Home Demonstration; Center Hill Community Development; Lauderdale County Cancer & Mental Health Board; Meridian B. & P. W.; Miss. Women's Cabinet; State Director of Farm Bureau; Trustee of Meridian Public Library; Miss. Library Commission; American Library Trustee; Associated Country Women of the World (Delegate to Australia 1962); Married.

WILBURN, EDWIN J. (Jerry), Mantachie, Itawamba County. Born September 18, 1940 at Mantachie, Miss.; Farmer; Methodist; Single.

WILKERSON, WILLIAM AVERY (Bill), Benndale, George County. Born March 9, 1938 at Benndale, Miss.; Teacher; Timber Farmer; Methodist; Masonic Lodge; George County Jaycees; George County Sportsmanship and Boating Club; Farm Bureau; Married.

Genocide

in

Mississippi



CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE
CRIME OF GENOCIDE

(Approved by the United Nations General Assembly on December 9, 1948).

Article II -- In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) IMPOSING MEASURES INTENDED TO PREVENT BIRTHS WITHIN THE GROUP;
- (e) Forcibly transferring children of the group to another group.

The Student Nonviolent Coordinating Committee

6 Raymond Street, N. W.

Atlanta, Georgia 30314

While Senator James O. Eastland is exerting his considerable power in the U.S. Senate to prevent Negroes securing the minimal protection of the pending civil rights legislation, his staff assistant in Mississippi is designing and implementing a program of genocide against the Negroes of that state.

On March 11, 1964, when the tactics of Senator Eastland and his cohorts were just beginning in the U.S. Senate, the Mississippi House of Representatives was voting on a bill designed to drive Negroes from Mississippi, and to render those who refused to leave incapable of having children. The bill was introduced by seven representatives, one of whom identifies himself in the current Hand Book of the Mississippi Legislature as "staff assistant to Senator James O. Eastland when the Legislature is not in session." (see Exhibit 2)

Exhibit 1 is a reproduction of the text of House Bill 180 which passed the Mississippi House on March 11 by a vote of 72 to 37. One is urged at this point to turn to Exhibit 1 and familiarize oneself with the provisions of HB 180.

The bill was introduced in the Mississippi House by the seven representatives whose names appear in the upper left hand corner of Exhibit 1. Representative Pierce is the staff assistant to U.S. Senator James O. Eastland. All seven sponsors of the bill are comparatively young men, two in their twenties, four in their thirties, and one 44. All are married. Two are attorneys, and the other four list themselves as cattlemen and farmers. (see Exhibit 2)

As originally introduced, the bill would have penalized the birth of an illegitimate child by imposing a prison sentence of 1 to 3 years on the parents. During floor debate the bill was amended to permit one illegitimate birth before the penalty provisions apply. Another floor amendment provided for sterilization in lieu of the prison sentence. The sterilization amendment was offered

by Rep. Ted McCullough, a Todd cotton buyer, merchant and druggist who is chairman of the board of deacons of his Baptist Church and a Sunday School teacher here.

In arguing for passage of the bill, Rep. Buck Meek, of Webster County, who managed the bill on the floor, provided a list of statistics purporting to show that Negro illegitimate births far outnumber those of whites. He made no attempt to disguise the anti-Negro nature of the bill.

Rep. Horace Lester, Hinds County, tried to get the bill killed with a motion to recommit. He was concerned that the bill would "embarrass white girls who had already had enough trouble." (Jackson, Miss., Clarion-Ledger, 2-13-64).

However, the House, "which was in a boisterous mood" (C-L, 3-13-64), refused. Mrs. Gordon White, prominent clubwoman representing Lauderdale County, took offense at the mood of levity in the House. "This is no laughing matter," she said. "We have a welfare problem that is hurting our state. We are trying to let people know that we do not approve and we are not going to continue to pay for it. I very much favor this bill."

Some of the backers of the bill said they felt the measure would cut down the rise of illegitimate children on the welfare rolls and force many Negroes to leave the state. (New Orleans Times-Picayune, 3-13-64)

Rep. Russell Davis of Hinds County, objecting to a bill which would have charged a license fee of \$500 to employment agencies which recruit Negroes in Mississippi for employment outside the state, said that "one day the House passes a bill (HB 180) to get rid of them (Negroes) and the next day it makes it cost \$500 to take them away." (C-L, 3-13-64)

Rep. Stone Barefield, prominent Hattiesburg lawyer and member of the Junior Chamber of Commerce, observed during floor debate on the bill: "When the cutting starts, they'll (Negroes) head for Chicago."

Thus the Mississippi House made it clear that HB 180 is directed against Mississippi Negroes; that it is an attempt to reduce the number of Negroes in Mississippi either by destroying their capacity to reproduce, or by driving them from the state. That it is, in short, a program of officially supported and sanctioned genocide.

On the surface the legislation is designed to discourage illegitimacy. Most Americans would probably agree that this is a socially and ethically commendable objective, though many would argue that mandatory sterilization (1 to 3 years in a Mississippi prison is hardly an alternative) raises more social and ethical problems than it solves.

However, HB 180 is clearly something quite different from the ordinary welfare measure one expects in dealing with what is, pragmatically at least, a welfare problem. In the first place, the arguments of the legislators who supported the bill indicate that the intent of the measure is to eliminate the population of Negroes from Mississippi. There is other evidence.

In both Mississippi houses, the bill was referred to the Judiciary Committees. The Rules of the Mississippi Legislature do not specify the subject matter which is to be within the jurisdiction of each committee. However, each House has a welfare committee to which genuine welfare measures are customarily referred. Legislative bodies whose rules do specify the jurisdiction of committees, invariably use the judiciary committee for penal matters (see, for example, Rule 12, Rules of the House of Representatives, U.S. Congress) and never for welfare matters, unless a particularly important point of law is involved (and then only with respect to that point of law; never with respect to the substance of the bill). It might be argued that this was the procedure in the Mississippi Legislature, except that the bill was never considered by the Welfare Committee of the House.

Furthermore, HB 180 was immediately referred to the Judiciary Committee of the Senate when it was introduced there. Earlier in the session a planned parenthood bill designed actually to deal with the problem of illegitimacy was considered and killed by the Senate Health and Welfare Committee. That bill had provided for setting up planned parenthood clinics throughout the state and had imposed criminal penalties upon parents of illegitimate children who did not attend the clinics after the birth of the child. Sterilization was to be strictly voluntary under the Senate bill. It was not referred to the Judiciary Committee of the Senate, though the point of law involved in mandatory attendance at planned parenthood clinics where sterilization might be strongly advocated, closely parallels that involved in mandatory sterilization.

Whether or not HB 180 reaches final passage in the Senate during the current session, the fact that a substantial majority of the elected representatives in the Mississippi House favored such a measure is an ominous portent for the future of the state, and of the Negroes who make up 40% of its population.

Exhibit 3 shows Mississippi, its counties, and the numbers of Negroes and whites in each county. As indicated on the map, 26 of the 72 affirmative votes on HB 180 came from counties which have substantial majorities of Negroes. Except for the disfranchisement of Negroes in the counties from which these 26 votes came, it is politically inconceivable that the bill would have passed the House. If Negroes could vote in these counties, no elected representative would dare vote for a bill designed to destroy or drive out Negroes. Indeed, if Negroes were free to vote in these counties, it is likely that a large proportion of the 26 legislators would be Negroes.

There is no stronger argument for the speedy passage and rigorous enforcement of the civil rights bill which the Senate is "debating" now, than this experiment in genocide by the Mississippi Legislature under the leadership of Senator Eastland's assistant. Indeed, such criminal irresponsibility on the part of those who govern Mississippi argues persuasively for the strengthening of the voting sections of the civil rights bill.

And the struggle for additional civil rights legislation must not be permitted to obscure the fact that the President and the Attorney

General have legal weapons now which they have never used to protect the right to vote in the South. Section 594, Title 18, U.S. Code provides: "Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten or coerce, any other person for the purpose of interfering with the right of such other person to vote. . . shall be fined not more than \$1,000 or imprisoned not more than one year, or both." If the statute had been enforced in Mississippi (it has been on the books since 1948), we may be certain that the genocidal legislators presently in power would long since have been retired to the political boneyard where they belong.

The President and the Attorney General have refused to use the criminal statute quoted above, preferring to seek injunctions against officials who interfere with voting rights. The total bankruptcy of this policy should now be apparent to everyone. At the time the genocidal Mississippi House was elected last fall, 22 voting suits had been filed by the Attorney General against Mississippi registrars and other officials. Yet fewer Negroes were registered to vote than had been registered in the previous election.

The case of Forrest County registrar Theron Lynd is classic. An injunction ordering him to cease discrimination against Negroes was issued by a Federal court more than a year ago. He refused to comply and was cited for contempt. He has been under this citation for more than six months now (with no sanctions of fine or imprisonment imposed against him), and his discriminatory tactics continue. This piling of injunction upon injunction has been going on since the 1957 and 1960 civil rights bills were enacted. Negroes still can't vote in Mississippi.

Now they are faced with action by Mississippi government which literally threatens their existence as a people.

If the President and the Attorney General were placed, themselves, under a similar threat, what could be their reaction? If they had used every conceivable stratagem, had faced police dogs and fire hoses and billy clubs and prison for the right to vote, and if all their efforts resulted only in a worsening of their condition, would they, would Americans generally, react with a strengthened conviction of the efficacy of such peaceful persuasion; or would they begin to think in pure terms of self-defense, peaceful or no, violent or nonviolent?

This question the President and the Attorney General must ask themselves, as must all Americans. As they answer it for themselves, so must they answer it for Negroes in Mississippi. As they would act for themselves, so must they act for those Negroes.

Else let them not wring their hands and gnash their teeth and roll their eyes heavenward when Mississippi Negroes begin doing for themselves what their government has refused to do.

Exhibit 1

MISSISSIPPI LEGISLATURE

By: Messrs. Meek, Pierce, Swindoll,
Cook, Mitchell (Walthall), Lee,
and Harned.

REGULAR SESSION 1964

To: Judiciary "B"

Referred: Judiciary "A"

HOUSE BILL NO. 180
(As passed by House)

AN ACT TO PROVIDE THAT ANY PERSON WHO SHALL BECOME THE PARENT OF AN ILLEGITIMATE CHILD SHALL BE GUILTY OF A FELONY AND TO PROVIDE THE PUNISHMENT THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. If any person, who shall have previously become the natural parent of an illegitimate child within or without this State by coition within or without this State, shall again become the natural parent of an illegitimate child born within this State, he or she shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the State Penitentiary for not less than one (1) year nor more than three (3) years. A subsequent conviction hereunder shall be punishable by imprisonment in the penitentiary for not less than three (3) years nor more than five (5) years. Provided, however, that for the purpose of this act, multiple births shall be construed to be the birth of one (1) child. Provided that the emotional and psychological make-up of the offender shall be taken into consideration by the court of jurisdiction. Provided, however, that any parent convicted hereunder may submit to sterilization in lieu of imprisonment.

SECTION 2. The circuit court of the county in which said illegitimate child is born shall have jurisdiction of any action brought under this section, but no male person shall be convicted solely on the uncorroborated testimony of the female person giving birth to the child.

SECTION 3. On or before the tenth day of each month, the Mississippi State Health Department shall notify in writing the district attorney of each district in Mississippi of the name and address of each person shown as a parent on the birth certificate of any illegitimate child filed with said department during the preceding month.

SECTION 4. This act shall take effect and be in force from and after ten (10) months after its passage.

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