

Race in Alabama

Alabama, Alabama,
We will aye be true to thee,
From thy Southern shore where growth,
By the sea thine orange tree.
To thy Northern vale where floweth
Deep and blue thy Tennessee.
Alabama, Alabama
We will aye be true to thee!

Words by Julia S. Tutwiler

Music by Edna Gockel Gussen

made the official state song in 1931 [Act 31-126, *Acts of Alabama*, March 9, 1931]

I learned to sing the Alabama state hymn in 1955, during the summer I lived with Mama Mitchell and Aunt Loy at the house they shared on the outskirts of Hamilton. Both thought I needed to know more about my Southern heritage, especially the state in which they had spent their lives. Mama Mitchell was particularly concerned because I had given the wrong answer to a very important question. When she asked whether I favored the North or the South in the War, I had paused only briefly before replying, “the North.” This told her that my mother wasn’t raising me right and it was up to her to set me straight. I needed to know the real history of Alabama.

I soon learned that what I thought was called the Civil War was properly known as the War Between the States. It was not fought over slavery, but over the desire of the North to economically dominate and exploit the South. When the South sought to free itself from Northern oppression, it was invaded and conquered. After the troops left, Northern interests kept an economic stranglehold on the South, milking it of its wealth. The War, or the Lost Cause for which it was fought, was the hub of Southern history; everything led to it and from it.

Although Mama Mitchell was born in 1879, long after the War was over, and never mentioned any losses to her family caused by it, the wounds of that conflict were still fresh in her mind. By the time the summer was over I had developed an affinity for the state of Alabama, second only to that for California. When Mama Mitchell taught me about Alabama history, race was not part of the curriculum. That was added to my education a few months later when the Montgomery Bus Boycott began. For over a year I read about it in the California newspapers and watched it on TV. I learned from my mother that the South had made a wrong turn on the issue of race. Alabama, and the rest of the South, needed to turn around and go the right way.

Reds

In July of 1960, when I was in high school, Mama Mitchell sent me an elementary school textbook called *Know Alabama* (Colonial Press, 1957). She wanted me to read about William Weatherford, also known as Lamochatee, or Red Eagle. He had gained fame as a Creek war chief during the war waged between the U.S. and a portion of the Creek Confederacy in

1813-1814. She had said he was one of our ancestors when I lived with her in 1955.

When I told my mother about this ancestral connection she pooh-poohed it, because she hadn't heard the story when she was a child. I believed it because I wanted to believe it. I liked the idea of having a famous ancestor who was a Native American. It caused me to pay much more attention to the lives and the fate of Native Americans than I would have otherwise, especially the southeastern tribes that had inhabited Alabama.

Mama Mitchell claimed the Weatherford connection because her grandfather, William Basil Weatherford, born in 1806, had the right name and the right birth year to be a son of Red Eagle. Weatherford is recognized as "a famous and venerable Creek name" in Alabama. (Paredes in Williams, 1979, 125) Although more than half of his forebears were European, the Creeks were matrilineal, so Red Eagle was considered a member of his mother's Wind Clan, an important Clan among the Creeks.

His defeat by Andrew Jackson at the battle of Horseshoe Bend in March of 1814 ended the Creek Wars and opened up a lot of Creek land for white settlement. Weatherford retired to his plantation "in lower Monroe County, Alabama, where he had a good farm and worked about forty slaves," until he died in 1924. (Littlefield, Jr., 1979, 67) About ten percent of the pages in *Know Alabama* are devoted to "Red Eagle and the Creek Wars."

Decades later I researched census and cemetery records in order to ascertain which of Weatherford's three wives was our progenitor. I concluded that my great great grandfather Weatherford was not a child of the famous William Weatherford. Born in Georgia, he was most likely a cousin with common white grandparents. Even that wasn't certain.

Mama Mitchell's eagerness to claim a Creek ancestor that we did not have reflected the complexity of race in Southern history. Native Americans had never been despised the way African Americans had been. They may have been conquered, but they were not slaves. The Alabama statute on miscegenation only prohibited blacks and whites from marrying, or living in adultery or fornication; other racial combinations were not criminalized. Indeed when the constitutional convention of 1901 considered an amendment to prohibit other races from intermarrying with whites, it was rejected because, in the words of one delegate, "The proudest blood that flows in the white veins in Alabama is Indian blood...." (Official proceedings..., Vol. 1, day 51, p. 2652, Novkov, 2002, 225-277, 250n78) That convention put a shortened form of the existing miscegenation statute into the constitution as Section 102, which only prohibited marriage or sex between whites and Negroes, not Natives. One defense to "felonious fornication" was to argue that the darker skinned partner had Indian rather than Negro ancestors. (*Reed v. State*, 92 So. 511 (Ala. App. 1922) described in Novkov at 254-59; *Weaver v. State*, 116 So. 893 (Ala. App. 1928) described at 262-63; *Williams v. State*, 125 So. 690 (Ala. Ap. 1930) described at 266-271.)

Spanish explorers in the 16th Century were the first whites to make contact with the natives. The Scotch, English and French traders who came later married into the most important clans to facilitate the trading of goods for skins. Because these tribes were matrilineal and

matrilocal, children born of unions between native women and white traders were accepted as full members of their mother's clan. Being of mixed blood was not a bar to becoming a chief. By the early 19th Century most tribal leaders in the important clans had more European than native ancestors and used their father's surnames. Those who learned white ways and languages from their fathers and native ways from their mothers frequently acted as tribal representatives in the many negotiations with the British, the French, the Spanish, and eventually the Americans. These negotiations usually ended with the natives giving up traditional lands in exchange for goods, annuities, relief from debts, and promises that they would hold their remaining lands forever.

The southeastern Natives grouped themselves into main five tribes or confederacies: the Creeks, the Choctaws, the Chickasaws, the Seminoles and the Cherokees. The first four spoke variations of the Muskogee language, though not all dialects were mutually intelligible. The Creeks occupied most of what is now Alabama and Georgia, sometimes warring against or allying with the Cherokees to the north or the Choctaws and Chickasaws to the west. In the 1760s a split in the Creek nation led a number of tribes to relocate to Florida, where they became known as Seminoles. Whites called these natives the five civilized tribes because they resided in towns, lived primarily by farming and gardening supplemented by hunting and herding, and readily accepted many white ways, including slavery.

The earliest white settlers had limited success in enslaving the Natives. Natives living close to whites were decimated by European diseases, especially smallpox. When they escaped they could retreat inland and find refuge among their own. Whites found that slaves imported from Africa made a more enduring and reliable labor force. Natives found it lucrative to hunt down and return escaped African slaves to their white owners. The Native tribes had practiced slavery, mostly of captives from intertribal warfare, long before they met whites. They added some Africans to their own holdings both through raiding settlements and capturing escaped slaves which they did not resell to their white owners.

Native ownership of African slaves received a big boost from the American Revolution. Most tribes in the five Southeastern confederacies favored the British, though only some actively aided them. The British paid for their services in goods, including large numbers of slaves taken from colonial rebels or left behind by expelled Tories. Natives also increased their own raids on white settlements, taking slaves as well as cattle and horses. As a result, slaves of African origin became as much as ten percent of the tribal population. While practices varied with time, place and tribe, most Natives slowly adopted the white practice of treating their African slaves like chattel rather than unfortunates who could eventually be adopted or marry into the tribe. As the richer members of the tribes established their own plantations, they used African slaves as their primary labor force just as the white plantation owners did, referring to them as their "negroes." (Littlefield, 1979, Chapters 1-4)

The Natives steadily lost their land. Their biggest loss came in the wake of the War of 1812. In 1811 the Shawnee chief Tecumseh tried to unite Native tribes from Florida to Canada into a giant confederacy to repel the white invaders. Most of the southeastern tribes preferred peace. The Seminoles voted for war. The Creek tribes divided, leading to a civil war between the

two factions. After the US declared war on Britain on June 18, 1812, Britain provided arms to the Natives, encouraging them to attack the Americans. As War Chief, William Weatherford led an assault on Fort Mims on August 30, 1813, killing about 250 whites. This precipitated a series of battles with federal troops that decimated the Creeks. Weatherford surrendered to Gen. Andrew Jackson after losing the Battle of Horseshoe Bend on March 27, 1814. In August the Creeks ceded 21 million acres to the US Government. Within a few years the tribes who had fought *with* the US Army also gave up most of their land.

Alabama was the eastern half of the Mississippi Territory until March 3, 1817 when Congress cut it in two and admitted Mississippi as a state. Alabama became a state on December 14, 1819 with 22 counties. The state took its name from the Alabama river, which had been named by the Spaniards for a Creek tribe that lived along its banks. As of the mid-1820s, about half of the state of Alabama still officially belonged to four of the main tribes, mostly to the Creeks. It was eaten away by land-hungry whites pushing in from the coast, the Gulf and the Mississippi river in search of fertile soil. They wanted land, and if the Natives would not sell it, they would get it by other means – “ruse, subterfuge, circumvention ... fraud [and] chicanery.” (Green, 1982, 50)

Alabama voters elected to their governments those who would aid their lust for land. The legislature passed a law making the testimony of Natives admissible in court only against other Natives, not whites. When white immigrants defrauded the Natives of their land, this law closed the courts as an avenue for remedy. In order to comply with the treaties made with Natives in Washington, the federal government often had to use troops to fend off land-hungry whites whose claims were backed by their state and local governments. While federal administrations differed in their willingness to do this, most thought that the best solution was for the Natives to move to lands west of the Mississippi. (Green, 1982, 144)

The election of Andrew Jackson in 1828 brought to the Presidency someone who “defended and even encouraged states’ efforts to drive their native residents away.” (Green, 1982, 155). On May 28, 1830, Congress, egged on by President Jackson, passed the “Indian Removal Act.” This authorized the government to pay the Natives to leave, and when they didn’t, to round them up and put them into the hands of contractors such as the Alabama Emigrating Company for delivery a thousand miles away. Few gave up their ancestral lands willingly, but many saw leaving as the only means of survival. State law provided no relief against whites who moved onto their land, took over their farms and stock, and even killed their families. Having lost their land for a pittance and having no place to live, hunt and grow crops, some Natives raided white farms and killed their stock for food. This caused the US government to declare war on the Creeks in 1836. (Foreman, 1953, Chapter 11) It was more of a wipe-out than a war, allowing the government to use force to remove those Creeks who had not already left. Refugees fled to the swamps of central Florida, to join the Seminole tribe. With its dense swamps and lack of arable land, Florida was also the home and hiding place of numerous escaped slaves. These both intermarried with and were owned by the Natives. Augmented by new Creeks, and unwilling to turn over their slaves to whites, the Seminoles refused to leave. The Second Seminole War dragged on from 1835 to 1842 in part because it “was conducted largely as a slave catching enterprise for the citizens of Georgia and Florida.” (Foreman, 1953,

366n7)

Of the five major tribal groups, the Choctaws and Chickasaws resisted the least. The Creeks were divided. Some voluntarily joined in the emigration, others refused to leave. Where money and persuasion did not work, force eventually did. The Cherokees were the last large group to go. In 1838, President Martin Van Buren sent the U.S. Army to evict the 20,000 Cherokees remaining in the South and forcibly march them west. Although the removal of 60,000 southeastern Natives to the west is remembered as one single Trail of Tears, in fact it took place over three decades. Haphazard in the 1820s, it became federal policy in the 1830s, and was still being completed in the 1840s. Removal was accompanied by dispossession as whites captured Native lands and improvements, with and without support of the law. After Georgia and Mississippi passed laws similar to Alabama's, the Natives could only be victimized, not protected, by the courts. Although their land and possessions were lost, the Natives took their horses and their negroes with them to the new Indian Territory just north of Texas.

Not all Natives left the South. Those who occupied or retreated into economically marginal land that whites did not want were overlooked in the roundups. These included a couple thousand Choctaws in east central Mississippi, a thousand Cherokees in the mountains of North Carolina, one band of Creeks on Alabama's southern border with Florida, and Seminoles and Creeks in the swamps of Florida. Some Native and even mixed-blood children without parents were captured by whites and remained as slaves. Affluent families of mixed blood, with white relatives in the vicinity, sometimes acculturated sufficiently to keep their property and fade into white society. (Williams, 1979, 146, 157, 198; Foreman, 1953, 190, 384-5)

After their removal, the southeastern tribes left a legacy easily seen in the numerous rivers and towns bearing anglicized versions of native names. They also left among white Southerners a frontier mentality, emphasizing self-reliance. Local communities assumed that they could and should take action in their own interests independent of governmental bodies. The acceptance of violence as an appropriate means to a desired end and lack of deference to duly-constituted authority, especially legal authority, are characteristics of this mindset which would repeatedly reappear. (Cash, 1941, 44-45)

Whites

The earliest whites to settle in the southeast were largely Spanish and French who followed the rivers northward from settlements on the Gulf coast. The Spanish founded the first permanent colony of St. Augustine on the northeastern coast of Florida in 1565. They started one in Mobile Bay but it failed. The French finally succeeded in 1702, with the first in a series of forts to trade with the Natives and curb the English traders. As a major power in the Gulf during the early 18th Century they brought in large groups of white settlers. France lost Alabama along with their other lands east of the Mississippi at the end of the French and Indian War in 1763. The French decamped for New Orleans as the British and their colonial subjects trickled in. During the American War for Independence Tories fled to Alabama until the Spanish expelled the British and south Alabama was made part of Spanish West Florida. Not until 1813 did the American flag fly over all of present day Alabama.

After the War of 1812 ended, the trickle of white settlers became a torrent. The Tennessee Valley in the north of the state was populated by former soldiers who had come with Andrew Jackson's army in 1813 and were given land as payment for their military service. Spurred by "Alabama Fever," the flood of whites who harassed, hassled, and pushed the Natives off of their lands were largely native born, not European immigrants, mostly from the coastal states. Some from Georgia traced their roots back to the foundation of Oglethorpe's colony for the "worthy poor" of England in 1732. Others brought their slaves from worn out lands in the East to establish plantations in the exceptionally fertile lands that crossed the middle of the state. Yeoman farmers from Virginia and the Carolinas staked out their own homesteads in the sandy soil of north and south Alabama. For forty years they cut forests, built fences and planted crops. The last military battle with the Creeks was in 1837. By the time the War began 14 years later, Alabama was an overwhelmingly rural state with a frontier mindset. (Rogers, 1994, 54)

My grandmother descended from these coastal immigrants. She was born Elvey Leota Ford on October 24, 1879, in Marion County, Alabama, the second child of Permelia Adaline Weatherford and Jason Parks Ford. Her maternal grandmother, Martha Thornton, was born in the Edgefield District of South Carolina on March 18, 1833 and was brought to Alabama as a child. In 1857 she became the second wife of William Basil Weatherford, who was born in Georgia on February 14, 1806. When Martha died from dysentery in April of 1863, she was buried by the side of the road along with her three year old son, who died about the same time. Leota's paternal grandparents, Elijah Walker Ford and Elvy Purser Ford, were married on August 15, 1844 in Henry County, Georgia. By the 1850 Census they were living in Marion County Alabama. Elijah was born on November 11, 1816 in South Carolina and Elvy was born on February 26, 1822 in North Carolina. Elijah's father, Daniel, served in the War of 1812 in a South Carolina regiment and got land in Georgia as part of his service compensation. Census records list them all as farmers, though other records say that some taught school at least part of the year.

These later settlers were largely small farmers, as the rich soil of the black belt and the Tennessee River Valley had been turned into plantations by those who came earlier. Indeed, the more economically marginal land did not find buyers until after the War. The big plantations were established near major rivers, which had the richest soil and the easiest means to transport products to market. In Alabama this rich soil stretched across the top of the lower half of the state in a belt that didn't reach the coast. It became known as the black belt, or blackbelt. Large plantations using slaves for commercial agriculture had very different economic and political interests than small farmers struggling to survive in the hills, the pine barrens and the wiregrass regions of Alabama. The conflict between these two groups shaped Alabama history, as it did the rest of the South. (Lewinson, 1963, 6-7) These conflicts were muted when whites joined together to insure white supremacy, but divisive when race was not an issue.

The issue of apportionment appeared frequently in Alabama politics as part of the ongoing struggle between the blackbelt counties and the small farmers in the white counties. When the first state constitution was written in 1819, North Alabama wanted to count only the white population when apportioning representatives while the blackbelt counties wanted to

include three-fifths of all Negroes consistent with the federal formula for “other Persons.” Of course blacks would not choose their own representatives. If included in the count, slaves would be “represented” by their owners and free persons of color represented by whomever the white male voters of their districts chose to elect. North Alabama won this fight. Only white persons counted for purposes of representation, only white men could be chosen for public office and only white men over 21 could vote. These provisions were retained in the secession constitution of 1861, in part to mollify the white counties which weren’t in favor of leaving the union.

Slaves were not evenly distributed throughout the state. In 1860 their proportion of a county’s population ranged from 3.4 percent in Winston County to around three-fourths of the population in the blackbelt counties. The northern counties, with few blacks, got more representation if blacks weren’t counted. The blackbelt counties, with a large black population, benefitted from including blacks in the count. That is, the whites in those counties benefitted. Their slaves had neither voice nor vote. The large planters – those who owned at least 50 slaves – were slightly over one-tenth of one percent of the total white population in the 1830 census. By 1860 they had grown to three-tenths of one percent. This tiny elite owned 28.1 percent of the total wealth in Alabama and 30 percent of the state’s slaves. Much of that wealth had been produced by those slaves. (Sellers, 1950, 26, 40, 42) Half of Alabama slave holders owned five or fewer slaves, who worked with their owner on the farm. Two-thirds of Alabama whites didn’t own any slaves.

Although small farmers and their families were by far the bulk of the white population, the myth of the Old South largely ignored their hardscrabble existence, preferring to portray leisured lives on large plantations. *Know Alabama* devotes an eight page chapter to “Plantation Life,” which it describes as “one of the happiest ways of life in Alabama before the War Between the States.” This mythical South lasted about one generation, and existed only in the rich river counties. If a planter had carved a plantation out of Native lands in his youth and lived a normal lifespan, he would have seen his sons dead or disabled, his slaves freed and his wealth wrecked by the War. Yet the myth of plantation life shaped the substance of Alabama history for the next century. It became the golden age which had been destroyed by the Northern invaders, the Lost Cause for which Southern manhood had bled and died.

Blacks

The first Africans in Alabama came with the Spanish explorers but did not stay. After the French took over, African slaves were brought by the French from their West Indian colonies. Enslaving Native Americans had proven unsuccessful as war captives sold to French settlers by Native tribes could too easily escape and go home. The French found it more profitable to trade Native slaves for Africans on Caribbean islands from which escape was unlikely. When slavery proved lucrative, slave ships came directly from Africa, though most slaves continued to be “seasoned” for a few years in the islands. Between 1721 and 1759 French ships brought their human cargoes directly to Mobile from the French colonies in Africa. French traders were replaced by British after 1763. Even though Congress outlawed the importation of slaves in 1808, the trade continued surreptitiously. The last Alabama slaves brought from abroad were smuggled into Mobile Bay in 1859 on the *Clotilde*. (Rogers, 1994, 104-5)

Most slaves were brought in from neighboring states. When the first federal census in the new state was taken in 1820, Alabama had 41,879 slaves and 571 free persons of color. Persons with African ancestry were a little less than a third of the recorded population of 127,901. As anti-slavery agitation aroused public opposition in the North and the underground railroad made it easier for slaves to escape, slave holders in the border states sold them further south to avoid losing their investment. By 1860, slaves alone totaled 435,080, or 45 percent of a population of 964,201 in Alabama. *Know Alabama* barely mentions slavery. It says that “[s]lavery was only one of the causes of the War Between the States” but says little about the conditions under which slaves lived. Slaves “helped” with farming and “were treated kindly.” (Owsley, 1957, 93, 96, 111)

The conduct of slaves and that of their masters was regulated by law, though enforcement was often lax. Three slave codes made their way to Alabama. The *Code Noir* written by France for Louisiana, which gave slaves some rights, was used in Mobile until superseded by state law. The Virginia code moved across the upper South, while the one used in South Carolina was the model for the lower South. Originally imported from the West Indies, it was the harshest of the three. Among the myths of the Old South was that of happy and contented slaves, devoted to their masters. Yet it was fear of those same happy slaves which led masters to increase the burdens of bondage. No slave uprisings occurred in Alabama, but rumors were rife, creating a continual state of fear. (Aptheker, 1943; Rogers, 1994, 109; Sellers, 1950, 245-250, 265, 366)

As the territories became states, their governments responded to the fears of slave owners by reducing freedoms and increasing control. Slaves were generally deemed to be chattel – movable property – but unlike horses and hogs, slaves could be punished for crimes. (Rogers, 1994, 109) In January of 1861, as Alabama seceded from the union and state troops seized federal property, Alabama’s highest court described the status of the slave that secession was trying to preserve:

Because they are rational human beings, they are capable of committing crimes; and, in reference to acts which are crimes, are regarded as persons. Because they are slaves, they are necessarily, and, so long as they remain slaves, incurably, incapable of performing civil acts; and, in reference to all such, they are things, not persons. (*Creswell's Executor v. Walker*, 37 Alabama 229, 236 [1861])

By 1860 the number of free persons of color had grown to 2,690 even though state laws made manumission extremely difficult. Over three-fourths of free blacks were mulattos, most likely the relatives of former white masters. Half lived in Mobile and most of the rest in the larger towns and cities. Some free blacks owned their own slaves. (Rogers, 1994, 110; Sellers, 1950, 361, 378, 380, 386; Woodson, 1924)

Free blacks had their own law. More and more they were “regarded with suspicion and fear ... a natural and ready tool for the abolitionists of the North.” Fear led to greater restrictions on their movement and greater regulation of their freedom whenever there was a slave revolt anywhere. One of the first laws passed by the new state required whites to patrol the Negro

quarters looking for “unlawful assemblies.” Subsequent laws prohibited the sale of liquor, or interactions with slaves, such as visiting or preaching to slaves without their owner’s permission. After Nat Turner led a slave rebellion in Virginia in 1831, Alabama passed numerous laws adding to these restrictions. Those free blacks entering the state could not stay more than 30 days. Those that stayed could be captured and either shipped out of state or re-enslaved. Negroes who arrived in the port of Mobile as part of a ship’s crew were confined until their ship left. (Sellers, 1950, 362-63, 367-69; Bond, 1939, 9) Since all blacks were assumed to be slaves, those who were not had to carry papers proving their status as free persons. Even so, some were captured, removed from the area and sold. (Sellers, 1950, 381) It became a crime for anyone to teach slaves how to read and write. Turner was a literate preacher who credited the Bible as the inspiration for his revolt. (Sellers 1950, 117; Bond, 1939, 15)

In the 1850s new laws required every free person of color to choose a guardian who had to make an annual report to the county probate judge. Despite these restrictions, Alabama newspapers debated how to rid the state of these potential agents of abolition. (Sellers, 1950, 377-79) Although the original Alabama Constitution of 1819 did not discourage emancipation, by the 1830s the legislature was erecting barriers. Manumission was prohibited completely in 1860. Instead, the legislature offered free blacks the option of selecting a master and becoming a slave. According to court records, some did just that, declaring that the status of a slave was less pernicious than being a free person of color in Alabama. (Sellers, 1950, 170-71, 367-68, 378-79)

Alabama After the War

When President Lincoln issued the Emancipation Proclamation on January 1, 1863 it only applied to the 11 states engaged in rebellion. Two years later, as the war was ending, Congress passed the Thirteenth Amendment abolishing slavery throughout the country. Alabama ratified it on December 2, 1865. The end of the War left the blackbelt planters poor but not without resources. Their counties had seen little fighting during the War. The actual fighting had taken place in the northern part of the state – the section with few slaves which had been reluctant to secede – leaving it decimated and bitter. Not until the Spring of 1865 did a Union Army get as far south as Selma and Montgomery to destroy their arms manufacturing plants. (Rogers and Ward, 1994, 228)

Like the other rebel states, Alabama sought new means to restore the old ways as closely as possible. The first Reconstruction Constitution of 1865 restricted suffrage to white men who were citizens and over the age of 21. Representation in the House was based on the number of white inhabitants in each county. The delegates to the 1867 Constitutional Convention removed “white” from both the suffrage and the representation sections. This Constitution was rejected at the polls, but ratified by Congress in 1868, which then readmitted Alabama to the Union.

In 1874 conservative Democrats, aptly called Bourbons, regained control of the legislature and called for a new Constitutional convention. The 1875 Constitution did not put “white” back into the clauses on voting or representation. This actually favored the Bourbons as it gave the blackbelt counties more representatives in the House. While Negro men could vote legally, they could not vote freely. Landholders used intimidation, bribery, and fraud to control the black vote. The constitution put a ceiling on taxation for internal improvements and reduced the minimum guaranteed allotment to the public schools. (Going, 1951, 20-26, 151; Bond, 1939, 148) It centralized power in the state government to keep the counties from acting independently and specified that elections for state offices should be in August to preclude federal interference. (Art. IV Sec 3, Art V Sec. 3)

Laws

The first Alabama legislature passed a series of laws known as the Black Codes to regulate the labor and conduct of half a million former slaves. Typical of the Southern Black Codes, Alabama’s defined vagrancy to encompass almost anyone who didn’t stay close to home and work regularly. If unable to pay a fine, a convicted vagrant could be hired out by the county to cover the fine and other costs. Weapons were heavily taxed in order to make their ownership difficult for anyone without ready cash at a time when cash of any kind was in very short supply. Congress passed the Civil Rights Act of 1866 over President Johnson’s veto to counter the Black Codes. Unsure that the courts would find this federal interference in state affairs to be Constitutional, Congress followed with the Fourteenth Amendment, which was controversial even in the Northern states. It wasn’t fully ratified until June 9, 1868. (Rogers and Ward, 1994, 238)

Over the next three decades, the legislature passed laws to bring customary practice into the legal system. First came laws prohibiting marriage between Negroes and whites. The 1875 Constitution specifically provided that “separate schools shall be provided for the children of citizens of African descent.” (Article XIII) Segregated railroad cars were required in 1891. The type and number of segregation laws accelerated after the 1901 Constitution was passed.

Politics

African Americans in Mobile were the first to organize a political society, on March 4, 1867, in anticipation of voting for delegates to the constitutional convention. It was soon followed by similar meetings all over the state. Black women spoke out at these meetings, though only the men could vote. (Brown, 1994) Whites also attended and spoke, though they also held their own meetings. Even the Democrats, aligned with former Whigs and reorganized into the Democratic and Conservative Party, appealed for black votes. (Going, 1951, 1) That was short lived.

During the first four days of October 1867, 71,730 black men voted for the first time. In part because so many whites were disfranchised for wartime activity, blacks cast 75 percent of the vote, though they were 47 percent of the total population. Of 100 delegates elected to the 1867 constitutional convention, 96 were Republicans and 18 were black. The convention was divided by conflicts over race and economic issues and the constitution it wrote was not ratified by the voters in February. It still went into effect through Congressional action, which was eager to readmit the former Confederate states to the Union. (Rogers and Ward, 1994, 244-47). Concerned about suppression of the Negro vote in the South, Congress passed the Fifteenth Amendment on February 26, 1869; it was fully ratified on March 30, 1870.

Insisting that theirs was a white man’s country, the Democrats turned to violence and intimidation to limit Negro political participation, largely but not exclusively through the Ku Klux Klan. Founded in Pulaski, TN in 1866, in Alabama the KKK became the unofficial military arm of the Democratic Party. Its primary task was to suppress the Republican vote through the use of terrorism. While the KKK primarily attacked blacks, it also went after white Republicans, especially those who had not supported secession, and local Republican clubs of any hue. Any white who aided blacks was fair game, including officials of the Freedman’s Bureau and Northern white teachers in black schools. When federal troops were withdrawn from the South in 1877, no one was left to protect them. (Rogers and Ward, 1994, 251; Fitzgerald, 1989, 504).

Aided by Klan violence, Alabama Democrats won in 1870. Violence was so pervasive throughout the South that Congress passed the Ku Klux Klan Act on April. 20, 1871. Federal action under this law drove the KKK underground and the Republicans retook Alabama government in 1872. Their success was short-lived. Fraud and corruption in the underwriting of railroad bonds created an enormous debt. As the state teetered on the edge of bankruptcy, the financial Panic of 1873 discredited Republican rule. The Democratic campaign of 1874 raised the specter of “Negro domination,” fanning the flames of bigotry with reports that blacks were arming in order to massacre whites. White fears were reinforced by a national civil rights bill to prohibit segregation in public carriers, theaters and hotels. First proposed in 1870, it became law

in 1875. Although 33 blacks were elected to the legislature in 1874, the Democrats took control of the state government. (Rogers and Ward, 1994, 252-54, 263-64; Going, 1951, 11-12, 26).

Reconstruction in Alabama lasted less than a decade. Divided by race and region, resented as occupiers, Republicans could not govern. As soon as the party was officially organized in June of 1867 newspapers began a campaign of personal persecution. Throughout the state, editors urged all true patriots to boycott businesses owned by Republicans and to ostracize them socially. Republican lawyers could not get clients, Republican newspapers could not get advertising, Republican stores lost their customers, and Republican farmers could not gin their cotton. Republicans elected to office in 1868 were turned away by hotels and restaurants. As a result, an estimated ten percent of them declined to be sworn in. Even after the Republican Party ceased to be a political threat, it was difficult to be a white Republican outside of a few northwest counties. (Wiggins, 1974)

To stay in power the Democrats took control of the election machinery. County registrars were appointed by the Secretary of State. New laws made voting more complicated. The crimes for which one could be disfranchised were expanded to include those for which Negroes were more likely to be convicted (e.g. petit larceny). These laws were augmented by extra-legal methods such as “floaters” and “counting-out” which made it possible for the Democrats to achieve the electoral outcomes they desired. By 1880 the blackbelt counties elected only white Democrats to the state legislature even though their population was over eighty percent black. The demand for “a free ballot and a fair count” became the battle cry of those who opposed Bourbon rule. (Going, 1951, 27-40, 222-27; Hackney, 1969, 36)

These opponents found it difficult to impossible to secure the Democratic Party’s nomination so they sometimes ran against the Bourbons as independents, Republicans or under the label of minor parties. The National Independent or Greenback-Labor Party was launched in 1874 as one response to the devastating panic of 1873. It sought inflationary paper money as the means to relieve financial distress. Alabama elected a representative from this party to Congress in 1878 for two terms; a Republican in 1882 and another one in 1888, each for one term. Between 1876 and 1886 “thirteen North Alabama counties sent independents, Greenbackers and Republicans to the legislature....” (Webb, 1993, 713-14; Going, 1951, 222-31)

Economics

To recover economically, planters needed black labor but they had no capital with which to pay wages. Nor did the freedmen want to work under the gang system common to slavery. Crop failures in 1865 and 1866 left everyone broke. The answer was share-cropping. Individual tenant farms replaced labor gangs working under overseers. These farmers paid the landowner for use of the land with between one-third to one-half of the crop. To get the necessities to live and to produce the crop – seeds, implements, fertilizer, mules, food and clothing – farmers mortgaged their share of the crop. The money, or the credit, to obtain these things was furnished by a third party, the merchant. Landowners often had to co-sign the note with their share of the crop as collateral. Merchants insisted that all supplies be obtained solely through them. High mark-ups and usurious interest rates were the norm.

In order to protect this emerging class of entrepreneurs the Democratic legislature passed laws giving the merchant first claim on the crop. To get their money back at harvest, merchants wanted farmers to grow crops that could be readily sold for cash. In Alabama that meant cotton. This made it difficult for farmers to set aside land for food crops or to rotate crops to preserve the fertility of the soil. Foods for home consumption that could have been grown on the farm were instead purchased at high prices from the merchant. If the farmer's share of the crop was insufficient to pay the debt, the merchant would often collect from the landowner's share. Or the merchant might carry over the farmer's debt to the next year. Any farmer who still owed a merchant or a landowner from the previous year could not move to a new farm owned by a different person or do business with a new merchant. He became bound to the land by debt.

Over time the planter and merchant class merged. Those planters with managerial skills realized that there was more to be made in providing the annual supplies than in leasing land. Once they accumulated enough capital to finance "the furnish," they became merchants. Those without such skills or capital often went bankrupt. Many merchants acquired land lost by planters who could not pay their bills. While planters were generally educated and lost their land through a combination of bad luck and bad judgement, the sharecroppers were usually illiterate. Their descent into debt peonage was often hastened by bookkeeping manipulations.

This was also true of the yeoman farmer who owned his land and worked it with his family and maybe a couple of hands. Although the small farm owner could initially make his own decisions about what to grow, if he ran out of supplies too soon, he too would mortgage his crop to get what he needed to survive until harvest. The merchant encouraged the farmers to buy on credit, which ran up debt and led to the same control over what was grown by farm owners as by farm tenants. Cotton production spread from the black belt to be the dominant crop throughout the state. (Schwartz 1976, 75, Bond, 1939, 125).

As costs went up and soil fertility went down, the price of cotton deteriorated. During the War, the Union blockade kept Great Britain, the primary purchaser of the South's cotton, from filling its needs. This led it to encourage cotton cultivation in its colonies. The opening of the Suez Canal in 1869 made cotton brought from Egypt and India cheaper than that brought from the southern United States. Globalization sent cotton prices into steep decline in the South. The United States economy suffered several financial crises in the last three decades of the 19th Century. With every new crisis farmers in the South sank deeper into debt. (Abramowitz, 1950, 89; Rogers and Ward, 1994, 289-90)

Northern Alabama slowly joined the industrial age. Textile mills were built in the northeast counties, which provided employment for poor whites who could no longer survive off of farm income. Northern capitalists invested in Jefferson County in order to turn into steel the major deposits of iron ore, coal and limestone found decades earlier. Since there were no major rivers close-by, railroads were built to take product to market. The City of Birmingham was incorporated in 1871. As people moved from rural counties in search of jobs, Birmingham grew so quickly that it became the largest city in Alabama in the 20th Century. Both blacks and whites found jobs in the steel mills and on the railroads, though not the same jobs at the same wages.

Industrialization brought all the evils of unregulated capitalism, and these in turn fostered labor conflicts. The Birmingham iron, coal, and railroad leaders became the “Big Mules” of Alabama politics, often allying with the blackbelt planters to dominate state politics. The blackbelt counties had a disproportionate number of legislators and the Big Mules had money. They both wanted a low wage labor force, minimal taxes, and minimal government spending. They ran for public office the men they thought would act accordingly. (<http://www.encyclopediaofalabama.org/article/h-1346>)

Starved for funds, county governments leased their convicts to private enterprises. More and more of the convicts were black, often convicted for petty crimes like vagrancy or riding the rails. In addition to serving the sentence, convicts also had to pay court costs. These included fees for witnesses, court officers and the sheriff for the arrest. The defendant paid for all this “due process” with a long stint at hard labor. Owners of mines, railroads, farms and factories paid county and state governments to lease these convicts. It was very lucrative. While they did have to provide room and board, they could and did work them to death. Prisoners could not go on strike, but they could be whipped. Over 95 percent of county prisoners and 90 percent of state prisoners were black. Most of them ended up working in the mines of Jefferson County. Alabama finally abolished convict leasing in 1928. It was the last state to do so. (Hackney, 1969, 265; Curtin, 2000; Going, 1992, 170-90; <http://www.encyclopediaofalabama.org/article/h-1346>)

Populism

These conditions led to repeated social upheavals throughout the South in the 1880s and 1890s as farmers sought solutions to their problems. Farmers went from organizing local clubs to county and statewide organizations, which became part of the Farmer’s Alliance. Nationally, there were three farmer’s alliances: Northern, Southern and Colored.¹ By and large the white Southern Alliance encouraged Negro farmers to organize chapters of the Colored alliance. But when such organization crept into the blackbelt counties, the Bourbon newspapers went on the attack, raising the specter that any Negro organization would restore the evils of Reconstruction. (Gaither, 2005, 9-10, Rogers, 1960).

In the 1880s the Alliance program was primarily educational and economic. It formed co-operatives to increase the buying power of farmers, and exchanges in which to market their goods. When these had limited success in competing with the established merchants, the Alliance shifted to politics. Throughout the South, the Alliance became the base for the People’s (Populist) Party after it was founded in 1891. With increased political activity, came a sharp rise in the number of lynchings. While this was true throughout the South, there were more lynchings in Alabama than in any other state during the 1890s. In 1891 and 1892 alone, 24 people were

¹ The name of the Northern Alliance was the National Farmers' Alliance. It was centered in the Great Plains states and was open to both black and white members. The Southern Alliance was officially named the National Farmers' Alliance & Industrial Union. Strongest in Texas, Arkansas and Louisiana, it was limited to white farmers. The Colored Farmers National Alliance and Cooperative Union was founded in Texas in 1886 by a white Baptist missionary. (Abramowitz, 1950)

killed by Alabama mobs. (Feldman 1995, 117-18; Tolnay and Beck, 1995, 189)

Alliance members found it very difficult to break allegiance to the Alabama Democratic Party. Instead they tried to take over the county Democratic organizations which selected delegates to the state nominating convention. They were sufficiently successful for Bourbon hostility to shift to outright warfare. When the Alliance candidate for governor failed to get the Democratic Party nomination in 1892 he ran under the party label of Jeffersonian Democrats. Supported by the other minor parties, and even some Republicans, Reuben Kolb got 36.6 percent of the vote. (Rogers, 1970, 188-89, 221-23; Hicks, 1931, 263; Abramowitz, 1953, 286)

Kolb sought Negro votes, including in his party's platform a promise to protect their legal and political rights. Democrats responded by declaring that no respectable white person could "afford to endorse that 'nigger rights' section." (*Union Springs Herald*, June 15, 1892, cited in Rogers, 1970, 214) The Democratic Party added a new plank to its standard platform which said "We favor the passage of such election laws as will better secure the government of the State in the hands of the intelligent and virtuous, and will enable every elector to cast his ballot secretly and without fear of restraint." This was clearly aimed at removing that portion of the electorate with limited education – both black and white – who were the bulk of Alliance voters. (Hackney, 1969, 149; Rogers, 1970, 213, 238)

While most of the Negro political leadership stuck with the Republican party, for a third party to campaign for Negro votes elevated their importance. As long as the Bourbons could control the Negro vote, they could live with it. When it became a potential threat to Democratic dominance, Bourbon Democrats looked for a way to legally disfranchise the Negro. The problem was that pesky Fifteenth Amendment, which prohibited denial of the right to vote "on account of race, color, or previous condition of servitude." Property and educational qualifications were one solution, but would meet vigorous opposition from the Alliance because they would eliminate so many poor whites from the electorate. Instead, the Democratic legislature passed a complex law in the 1892-93 session mandating a secret ballot with 48 sections that made voting more difficult and fraud by election officials easier. The fact that a voter marked a written ballot in secret effectively made literacy a qualification. A voter could ask help only of an election official, but had no way of knowing if that official marked the ballot the way he wanted. (Going, 1955, 51; Rogers, 1970, 37-38, 237-40)

Kolb ran again in 1894, receiving 47.64 percent of the recorded vote. Blackbelt Democrats still knew how to "count out." The twenty counties where Negroes were over half of the population were overwhelmingly recorded for the Democratic candidates in 1894 as they had been in 1892 – with more votes than there were men eligible to vote in those counties. Negro votes in the whiter counties not run by the Bourbons were counted for Kolb, but the new election law lowered the turnout. (Hicks, 1931, 337; Abramowitz, 1953, 279-281, 286; Rogers, 1970, 222, 225, 284) Kolb didn't run again in 1896, but the Populists ran a full slate. Their attempt to co-operate with the Republicans in state and local races was complicated by the fact that nationally the Populists were co-operating with the Democrats; both parties nominated William Jennings Bryan for President. The Alabama Democratic Party ran Joseph F. Johnson for governor; he won with 59 percent of the recorded vote. He was sympathetic to the plight of the farmer and supported the Populists on many issues. (Hackney, 1969, 94-99; Rogers, 1970,

276-77, 314-315)

This was the last victory for reformers, inside or outside of the Democratic Party. Conservative Democrats won in 1900 and promptly planned a constitutional convention. The Democratic Party platform proclaimed that “after an experience of thirty years..., it has been demonstrated that as a race, [the Negro] is incapable of self-government and the intelligent exercise of the power of voting.” It was necessary to regulate “the right to vote so as to perpetuate the rule of the white race in Alabama.” (Quotes cited in Perman, 2001, 179)

The 1901 Constitution

There were no black delegates at the convention which met in May of 1901 to secure “white supremacy, suffrage reform and purity in elections.” Indeed of the 155 delegates there were only 7 Populists, 6 Republicans and 1 Independent. (Perman, 2001, 173, quote on 181, 190) Since the Fifteenth Amendment precluded language which restricted the vote to white males, delegates searched for a means to limit the suffrage to voters who had characteristics more common to whites. The plan finally proposed to disfranchise 181,345 Negro males of voting age in Alabama was very complex, drawing upon mechanisms developed in other states as well as experience with Alabama’s 1893 suffrage law. The twenty sections in Article VIII prescribed a series of hurdles, including requirements of residency, literacy, and employment or property ownership. A cumulative poll tax (to keep voters from paying only in the years they wanted to vote) had to be paid by the first of February and the receipt presented on election day. There was also a long list of disqualifying crimes, including misdemeanors for which Negroes were more likely to be convicted (e.g. vagrancy).

These provisions would also have eliminated many white voters. Indeed there is evidence that they were intended to eliminate many white voters. The literacy requirement alone would eliminate fourteen percent of white males of voting age. To get the votes necessary to ratify the constitution, a “grandfather” clause was inserted to protect current voters. It kept on the rolls for life any voter who had served honorably in war, whether in the forces of the Confederate States or the United States, or a lawful descendant of such person. It also allowed the registrar discretion to include “all persons who are of good character and who understand the duties and obligations of citizenship under a republican form of government,” but only until 1903. (Perman, 2001, 185-6, 190 ; Rogers and Ward, 1994, 346)

The delegates from the blackbelt counties took the lead in restricting the suffrage to white men, but they insisted that representation in the legislature be based on total population, not just the white population. Otherwise, they argued, representation of this “intelligent and wealthy portion of the State” would be seriously reduced. (Farmer, 1949, 30) They also made sure that power was centralized in Montgomery with very little left in local hands. For example, the three members of the County Board of Registrars were appointed by the Governor, the State Auditor and the Commissioner of Agriculture and Industries. There was very little home rule. Counties and cities could pass local laws specific to their needs only after the legislature passed enabling acts permitting them to do so.

On November 11, 1901 the constitution was ratified by a majority of recorded votes in a

very large turnout of 190,347. The public debate was primarily over the new suffrage restrictions, and how much of an effect they would have on the ability of whites to vote. Less noted was the fact that the blackbelt counties were seriously over represented for their population and the cities were grossly under represented. (Farmer, 1949, 24) The white counties where the Populists and Republicans were numerous voted against the constitution. The blackbelt counties were overwhelmingly recorded in favor. Once again, the vote in many of these counties was higher than the number of eligible voters. (Hackney, 1969, 227-29, 343-44, Kousser, 1974, 165-171)

The effect on the Negro vote was immediate. Only about two percent of the voting age population met the requirements for registration, and probably fewer actually voted. Bourbon Democrats no longer needed Negro votes to stay in power so made no effort to vote them. Furthermore, between a quarter and a third of white voters dropped out of the electorate. Overall turnout in the Presidential election of 1904 was 62 percent that of 1900. (Hackney, 1969, 206-208.)

Blacks responded to the loss of political power, a poor economy and lynching by emigrating. First they left their rural environment, where violence was the worst, for towns and cities. Then they left the state. After the War, the Alabama white population continued to grow but slowly. The overall black population grew even more slowly, and actually declined between 1910 and 1920 as the numbers of Negroes leaving the state leapt upward in 1916. As a result the black proportion of the total population declined in every decennial census. Black emigration accelerated in the 1920s as the boll weevil ate up the cotton crop, driving the state into depression. Between 1915 and 1940 roughly 1.7 million black folk left Alabama for northern and western states, especially the cities of Chicago, Cleveland, Detroit, Los Angeles, and Pittsburgh. (Bond, 1939, 226, 234)

Voter Registration in Alabama

“In practice, (registration) boards regard parts of the law as too foolish to be observed. ... most boards are less worried about exact compliance with the law.”

Registration of Voters in Alabama

Donald Strong (1956, 13)

One purpose of the 1901 Constitution was to restrict the electorate. It did this very well. The vote for President dropped from 38.9 percent of VAP in 1900 to 24.2 percent in 1904. It was even less in 1908, the last year that Alabama officially collected voter registration figures by race. By then there were only 3,742 Negroes registered to vote in the entire state. (Lewinson, 1932, 217) This was 1.75 percent of the Negro voting age male population (NVAP) as counted in the 1910 Census and 3 percent of the Negro males over 21 who told the census enumerator that they were literate. Negroes were 41.7 percent of all the voting age males in Alabama in 1910. Thirty years later, the Negro presence in the electorate was infinitesimal. Although no official figures were available, it was estimated that in 1938, 1,500 Negroes were registered to vote in the state, about half of whom lived in Jefferson County. This was only .29 percent of the 1940 NVAP. At that time Negroes were one-third of the total voting age population in Alabama. (Bunche, 1973, 266, 387).

To keep the electorate small and manageable, Alabama created a complex bureaucracy combining elements of centralization and decentralization. Article VIII of the Alabama Constitution on Suffrage and Elections had 20 sections, some of them quite long. In addition to being over 21 and living in the state at least two years, it required that voters be able to “read and write any section of the Constitution of the United States in English” *or* own at least \$300 of real or personal property. In order to vote, you had to be rich or read. There was a long list of disqualifying crimes. As in other states, these were chosen with an eye to those thought most likely to be committed by Negroes. (Alabama Constitution of 1901 §§ 177, 178, 181, 182)

Who could register to vote was decided by a three-person Board of Registrars in each of Alabama’s 67 counties. Those three people were officially appointed by an appointing board composed of the governor, the state auditor and the commissioner of agriculture. Unofficially this board accepted the recommendations of the legislators representing each county. State law determined which days each Board of Registrars conducted business. For 60 counties, the Board was told to conduct business on the first and third Mondays of each month, plus a few extra days in early July. On even numbered years (when most elections are held) the Board also met for ten extra days in January since the poll tax had to be paid by February 1 in order to vote; on odd numbered years it met for extra days in the fall. No Board could register voters for two weeks prior to an election any place in that county. State law provided more registration days for the seven largest counties, but differently for each one. (Alabama Constitution § 186; Alabama Code Title 17 §§21, 26, 27; Strong, 1956, 8, 15-17)

A prospective voter had to register in person, usually at the courthouse, though other places were sometimes designated for registration on some of the available registration days. The Board couldn’t choose its place, but could determine its own hours, and usually chose to work during normal business hours when the gainfully employed were not always able to take time off of work without losing a day’s pay. Since this was a part-time job with little flexibility as to

days, being a registrar only attracted people who didn't have to punch a clock. The registrars were largely the retired, older housewives, small business owners and farmers, all of whom had supported the local legislators who recommended them. The pay of \$10 for each day worked was low, but still attractive as supplementary income. At least two registrars had to be present during the registration process and had to agree that an applicant was qualified before a registration certificate would be issued. The larger counties were allowed to hire clerks to do the actual work of registration, but two members of the county Board still had to be present in the room. (Strong, 1956, 8-11; Alabama Constitution § 186; Alabama Code Title 17 § 53)

Registration was only the first step. To cast a vote, a registered voter also had to pay the poll tax of \$1.50 per year between October 1 of one year and February 1 of the next. This was a lot of money when it was put into the 1875 Alabama Constitution, but it could still be a deterrent in 1965 for rural folk with little cash income, or maids who were paid \$3 a day. Initially the tax was cumulative – meaning that unpaid poll taxes from the age of 21 had to be paid in order to vote. While aimed at the Negro, it hit whites without ready recourse to cash, which was the situation typical of tenant farmers. One could pay the \$1.50 every year just for the privilege of walking into the voting booth every other year, or one could wait for an important election and pay for all the years one hadn't paid previously. (Alabama Constitution §§ 179, 194; Strong, 1972, 430) The list of registered voters was turned over to the county probate judge whose office prepared the voter list after determining who had paid the requisite poll tax, or was exempt from doing so. The final list of qualified voters was published in a local newspaper in the month before each election.

The poll tax was a particular impediment to female voting. After the 19th Amendment was ratified in 1920 women in poll tax states voted only in tiny numbers. In Alabama the total vote for President was only 13.5 percent of the voting age population in 1924, a drop from 20.6 percent in 1920 and 24.3 percent in 1916. Those families who had just enough money to pay one person's poll tax would use it for the male head of household. The voting rate for the Presidential elections stayed in the teens until 1952. In the more important Democratic primary, only 19.2 percent of VAP voted between 1920 and 1946. Even fewer voted in other races. (Strong, 1972, 430)

Women's organizations such as the League of Women Voters (LWV), the Business and Professional Women's Clubs (BPW), the YWCA and the PTA actively urged women to pay the poll tax and vote. By the 1930s these groups recognized the economic realities of non-payment and began to demand repeal of the poll tax. Most of their work was in the states because Southern Senators filibustered national bills. During FDR's first term the Women's Division of the Democratic National Committee took a leading role in what was called the Second Suffrage Movement, but was forced to stop when the Chairman of the DNC was pressured by Southern Senators who did not want to have to vote on a poll tax prohibition. Although the NAACP knew that the poll tax inhibited Negro voting, it also knew that the women's organizations were more likely to succeed in eliminating the poll tax if it was seen as a women's issue and not a race issue. It stayed away. (Bontecou, 1942, 3, 16-18; Durr, 1990, 114-15; Stoney, 1940, §57; Bunche, 1973, 346; Wilkerson, 2002, 344, 351)

In Alabama, opposition to the poll tax was centered in Alabama College for Women at Montevallo – my mother's *alma mater* – many of whose faculty were active in women's organizations. These organizations persuaded the legislature to exempt those in military service

in 1944. In 1953 the legislature voted to allow a referendum on the cumulative feature. Opponents to reduction said it was favored by the NAACP and the Communist Party. Nonetheless, a significant majority of the voters (who had paid their poll tax) agreed to exempt voters over 45, and reduce to two previous years the amount that had to be paid to vote. (Ogden, 1958, 232-35; Strong 1956, 59) In 1954, 34 percent of those over 21 actually voted in the Democratic primary. (Strong, 1972, 430) Turn-out stayed at this level until 1966 – the first primary after the VRA became law – when it leapt to 44.8 percent of VAP. (Strong, 1972, 430)

The most effective barrier to Negro voting was the white primary. In 1902 the state Democratic Executive Committee (DEC) switched from a convention to a primary system as the means of selecting the party's nominees. It adopted rules that only whites could vote in the primary. At that time political parties were seen as private clubs which could make their own rules. Only after much litigation was the US Supreme Court convinced that they were a *de facto* arm of the state. After the Court ruled that the Texas white primary was unconstitutional in 1944, the Alabama DEC, like those in other Southern states, sought to make it even harder for Negroes to vote at all. In 1946 it dropped the rules limiting primary voters to whites in favor of the "Boswell amendment." Amendment 55 added to the Alabama Constitution the requirement that a prospective voter "read and write, *understand and explain* any article of the Constitution..." to the satisfaction of a county Board of Registrars, while eliminating property ownership as an alternative route to qualify to vote. Ten Negroes sued the Mobile County Board of Registrars, claiming that this extra clause violated the 14th and 15th Amendments of the US Constitution. On January 7, 1949 a three-judge court said the registrars weren't qualified to determine whether an applicant *understood* a clause from the US Constitution – even the US Supreme Court sometimes disagreed on how to interpret the US Constitution. (*Davis v. Schnell*, 1949)

The Boswell Amendment was soon replaced by the Voter Qualification Amendment of 1951. Amendment 91 to the Alabama Constitution removed "understand and explain" in favor of a questionnaire prepared by the Supreme Court of Alabama "so worded that the answers thereto will place before the boards of registrars information necessary or proper to aid them to pass upon the qualification of each applicant." The voter registration form was four pages long, with 21 questions, a loyalty oath, lines for two signatures by the applicant plus that of a witness, who had to be a registered voter who knew the applicant well enough to swear as to his or her residency and lack of any disqualification to vote. Some questions asked for detailed personal information. "9. Are you now or have you ever been a dope addict or a habitual drunkard: If [so] ... explain ... fully...." And "11. Give a brief statement of the extent of your education and business experience." Other questions were ambiguous in their construction, even though there was an obvious correct answer. Number 18 asked "Do you believe in free elections and rule by the majority?" Any thoughtful person living in Alabama knew that the real answer was "no" because Negroes were not intended to be among the rulers, but anyone who wrote "no" to that question would have been deemed unqualified to vote. Another mindbender was question "19. Will you give aid and comfort to the enemies of the United States Government *or* the government of the State of Alabama." Not only could it be read in different ways, the governments of the United States and the State of Alabama were often on each others' enemies list. The only truthful answer to this question should have been "which one?" The state Supreme Court did not provide a set of correct answers so it was up to each county Board to decide what they were. Some Boards asked additional questions. (Strong, 1956, 21-47, questionnaire at 31-33; law and application in *U.S. v. Penton* 1962, Appendices A & B; Strong, 1968, 35-36; Strong, 1972, 442; Gomillion, 1957, 283-4)

There was nothing in the law that specifically required a witness' signature, but there was a section in the application form entitled "Examination of Supporting Witness." This was interpreted by many Boards as the "voucher" rule. In rural Alabama everyone knew everyone else. Whites had no problem getting someone to sign for them; indeed the registration officials often did that. Negroes had a problem. The registrars would often require that a "voucher" for each registration applicant appear personally before the board and certify that the applicant was a resident and of good character. The voucher had to be a registered voter, which eliminated most Negroes. In some counties the registrars wouldn't accept any Negro voter as a voucher; in others they required two vouchers at least one of whom was white. Where they did allow Negro vouchers, they would limit the number of people that person could vouch for each year. In the white counties with few Negroes, vouchers were rarely required at all. This issue came before a federal court as early as 1945. It was ruled constitutional because the Alabama code provided that a Board could "make such rules and regulations as it deems proper for the receipt of applications for registration and the accomplishing in as expedient a manner as possible the registration of those entitled to register..." The voucher requirement would prove an impediment to Negro registration well into 1965. (Quote in Alabama Code Title 17 § 53; *Mitchell v. Wright*, 1945)

All these requirements stimulated something of a registration war. After the white primary was found unconstitutional local NAACP branches ran schools to teach Negroes how to fill out each state's registration forms and pass its literacy tests. Even in counties where there was no branch, civic leagues and Negro churches ran registration classes. Local Negroes also formed voter leagues and Progressive Democratic Clubs to encourage Negroes to register as Democrats so they could vote in the Democratic primary. When their members went to register they would memorize a question or two and bring them back whether they passed or not. It didn't take long before the Negro organizations had complete copies of the questionnaire. Occasionally copies of the questionnaire were brought into the registrars' office already filled out, or ready to be copied onto the official form. To defeat these tactics, the state began producing multiple versions of the questionnaire with the questions in a different order. (Lawson, 1999, 125-6; Strong, 1956, 43-44; Gomillion, 1957, 281; USCCR, 1961, 255; Landsberg, 2007, 19)

In retaliation, the state of Alabama tried to eradicate the NAACP. On June 1, 1956 an Alabama Circuit Court enjoined it from doing business in the state at the request of Attorney General MacDonald Gallion. He said that the NAACP was a foreign corporation that had failed to register as required by Alabama law and was engaged in activities inimical to the well-being of the citizens of Alabama. When the NAACP tried to fight this injunction it was ordered to produce its records, including membership files, as part of the discovery process. It refused. The case made four trips to the US Supreme Court before the NAACP could once again function legally in the state of Alabama. It never gave the state its membership lists. (*NAACP v. Alabama*, 1958-1964)

While it was banned, its voter registration work was taken over by the Alabama State Coordinating Association for Registration and Voting (ASCARV), founded in 1952 by W. C. Patton of Birmingham. He had been a teacher, insurance salesman and columnist for several Negro newspapers as well as president of the statewide NAACP. Both organizations had their headquarters in the Masonic Temple in Birmingham. ASCARV survived several attempts to

eliminate it as the NAACP's "alter ego." Unlike the NAACP, ASCARV had no members, but co-ordinated the work of local organizations. Negro registration in Alabama went from 25,000 in 1952, to 52,000 in 1956, to 66,000 in 1960. The total turnout rate in Presidential elections went from 24.2 percent in 1952, to 27.6 percent in 1956 to 31.2 percent in 1960. After a decade of voter registration drives, 13.7 percent of NVAP statewide was registered in 1960 compared to 63.6 percent of WVAP. (*NYT* obit 2-3-97; Gomillion, 1957, 281; *CD* 10-28-57, 6; 4-15-58, A8; 6-25-58, A2; USCCR, 1961, 255)

The DoJ filed its first case in Alabama under the 1957 Civil Rights Act on February 5, 1959. After two years of litigation, federal judge Frank Johnson issued an injunction on March 17, 1961 telling the Macon County Board of Registrars to register Negroes on the same basis as whites. During 1961, cases were filed against the registrars of Bullock, Dallas, and Montgomery counties and demands made to inspect the applications in a dozen other counties. Starting with the heavily Negro blackbelt counties, over the next four years the DoJ inspected registration records in a wide swath of Alabama counties, as well as in the other Southern states. Cases were filed in the federal courts against the registrars of Jefferson, Elmore, Hale, Choctaw, Sumter, and Perry Counties. (CRD 1964, I:4-7, 13-16, 17-19, 35-37, 63-64, 65-68, 85-87, 88-89, 98, 99-100, II:94 in 1965 Senate *Hearings*, 1185-87, 1193-95, 1196-98, 1213-15, 1238-9, 1240-42, 1258-60, 1261-62, 1271, 1272-73)

The blackbelt cases were mostly heard in Judge Thomas' Southern District. As the federal judge most unsympathetic to Negroes in Alabama, he used any excuse to rule against the DoJ. To get a ruling based on the evidence often required an appeal to the Fifth Circuit, sometimes more than once. Thomas made gaining the right to vote county by county a slow and tortuous process. Between 1961 and 1964 the DoJ brought four intimidation suits before Judge Thomas, whose dismissals or adverse rulings were appealed to the 5th Circuit. Three were in Dallas County, where Sheriff Jim Clark regularly intimidated Negroes applying to vote and the people who were helping them. The white Citizens' Council added economic reprisals and the local Circuit Court judge used his powers to hobble all civil rights work. The fourth case was brought in Wilcox County on behalf of Lonnie Brown, the local movement leader. John Doar personally investigated this case before the DoJ filed suit. Judge Thomas dismissed the case without even providing a reason; the 5th Circuit reversed in November of 1965. (Katzenbach testimony in Senate *Hearings*, 1965, 5-8; see also CRD 1964 I:147-8, 151-3, 154-5, 156, 160-1; Garrow, 1978, 31-34; *U.S. v. Dallas Co.*, 1964; *U.S. v. McLeod*, 1964; *U.S. v. Clark*, 1965; Fleming, 2004, 156-7; *U.S. v. Bruce*, 1965)

In 1963, at the behest of Governor Wallace, the Alabama legislature created the Alabama State Sovereignty Commission (ASSC) "to protect the sovereignty of the state from encroachment by the federal government" (Alabama Acts of 1963, No. 514; 9 *RRLR* 353). Chaired by Governor Wallace, its primary purpose was to find legal ways for the counties to minimize Negro registration and Negro voting. The ASSC was initially funded at \$50,000 a year but that was increased to \$100,000 a year in 1965. (ASSC file # SG 13841.5) These funds were supplemented by almost \$50,000 in private contributions. In 1964, the ASSC hired Martha Witt Smith, chair of the Madison County Board of Registrars, as a voting consultant, and attorney Frank Mizell Jr. to represent the county registration boards whose voter registration practices were challenged by the Dept. of Justice. Governor Wallace didn't trust his rival, Attorney General Richmond Flowers, to represent the counties in these cases. Mrs. Smith was an old friend of the Governor's from their student days at the University of Alabama. An occasional

reporter for the *Huntsville Times* and former chair of the Alabama League of Women Voters, she had worked with him on voter issues for many years. Frank Mizell was a Montgomery attorney who led the state's rights faction of the state DEC. A passionate segregationist, he had run for Lt. Governor in 1962. The voters who elected George Wallace did not elect him. In 1965 he was paid \$3,200 for his services to the ASSC. (BN 8-29-65, 12; 1-23-66, 33; Permaloff and Grafton, 1995, 112, 159) To help with these cases, Mrs. Smith prepared statistical analyses to disprove discrimination and wrote lengthy compilations of election laws and procedures to inform the Boards how to limit registration of Negroes without violating the law. (ASSC papers, Reel 1; file #SG 13841.14)

Martha Smith soon discovered that Alabama's 67 county registration boards were using their own criteria to decide whom to register. None were familiar with the state's registration laws. She later said that "In North Alabama illiterates were being registered and nobody demanded that they fill in any forms. In South Alabama, where there were a great many black and white illiterates, the boards were applying stringent tests, far beyond what was needed to simply determine the ability to read and write." (Quote in BN 7-16-72; ASSC file # SG13841.13) Despite many changes in the law and a great deal of publicity about voter registration, the practice was still pretty much what it had been when Donald Strong wrote in his 1956 study of *Registration of Voters in Alabama* that registration "boards are free agents who follow the law or disregard it pretty much as they please, if indeed, they know what the law is." (Quote in Strong, 1956, 7)

The tendency of registration Boards to act as they pleased could easily be seen in the 1960 voter registration statistics. The percent of WVAP which was registered ranged from 117.9 percent in Lowndes Co., a rural blackbelt county with a small white population and a low education level, to 39.7 percent in Madison County, a large, heavily white county with a well educated population in its cosmopolitan county seat of Huntsville. How Negroes were treated also varied widely but there was a pattern: the greater the proportion of Negroes in a county, the fewer would be permitted to register to vote. (Lewinson, 1932, 132; Matthews and Prothro, 1966, Chapter 5; Landsberg, 2007, 17) No Negroes were registered in Lowndes or Wilcox Counties – where they were close to 80 percent of the total population – until March of 1965, during the height of the Selma protest. (NYT 3-21-65, 74) In the white counties of northwest Alabama the percent of NVAP registered was substantial in 1960, even if lower than that of the WVAP. For example, in Marion County, 194 of 403 Negroes of voting age were registered to vote (48.1%), as were 15 of 47 Negroes in Winston County (31.9%), and 1,200 of 2,890 Negroes in Walker County (41.5%) in 1960. In Franklin County, 350 Negroes were registered out of an NVAP of 645 (54.2%). Even in Madison County where Negroes were 18.8 percent of the population, 12.7 percent of NVAP was registered – just slightly less than the statewide percentage. In short, in counties where Negro voting could have little or no impact on an elections, the Board did not mind putting them on the voter roles. (USCCR, 1961, 252-55)

On October 3, 1963 the 5th Circuit partially reversed one of the Dallas County cases that had been decided by Judge Thomas. Two of the judges wrote that the registrars were using the application as a test without any standards on what was a correct answer and how many technical errors could be made. That made it easy to judge Negroes more harshly than whites without anyone even knowing what was wrong, let alone why. The court told the Board to create standards and keep records "of exactly which answers or omissions contributed to rejection of any applicant, and this information should be available to the applicant." The Supreme Court of

Alabama responded on January 14, 1964 by issuing a new application form with six parts on five pages. In addition to the 21 questions in the earlier form the applicant was given a civics quiz consisting of four questions, which was changed each month. This made it a lot harder for prospective applicants to study in advance. To prove literacy, the applicant had to read a section of the Constitution chosen by the registrar and to correctly write several words dictated from that document. Only after the entire form was completed did the Board vote on whether the applicant was qualified to vote. This new test had the intended effect. In Montgomery County, which had a very active voter registration program, the rejection rate for Negroes doubled after its Board started to use the new test. The white rejection rate actually went down. (Quote in *U.S. v. Atkins*, 1963; *U.S. v. Parker*, 1964, registration application in Appendix A)

By the time the 1964 Civil rights Act became law on July 2, 92,737 non-whites – 19.2 percent of NVAP – were registered to vote in Alabama. It was still only ten percent of the 935,695 whites who were registered. They were 69.2 percent of WVAP. (Meltsner, 1965, 141-5; USCCR 1965, citing *BN 5-3-64*, reprinted in House, *Hearings*, 1965, 142) Title I of that Act required that any literacy test be conducted “wholly in writing.” This sent the DoJ back to court to get individual Boards to stop using the oral portion of the registration test. In August the Alabama Supreme Court released over a hundred questions on the US Constitution in addition to the ones already required. A page with the four questions the applicant had to answer would be drawn at random from a book with all the tests in it. The DoJ added this to its court challenges on January 14, 1965, arguing that such questions violated that section of Title I which said that anyone with a sixth grade education was presumed to be sufficiently literate to vote in federal elections. (*NYT* 1-16-65, 1; 1-31-65, 55; *WP* 1-16-65, A13; 1-24-65, E3; Strong, 1968, 56)

In response to the January court filings and the March introduction of the Voting Rights Act, the state of Alabama took defensive actions. The legislature authorized extra registration days for the first week in July. The Alabama Supreme Court simplified the registration test. The new test featured four excerpts from the U.S. Constitution followed by five questions on that excerpt. Martha Witt Smith claimed that a sixth-grader could pass this test. Released on July 22, the state obviously hoped that this would pre-empt coverage by the VRA. It didn't work. The day after the VRA was signed on August 6, A.G. Katzenbach suspended Alabama's literacy test in all 67 counties. (*BN* 7-22-65, 1; 30 *Federal Register* 9897, 8-7-65)

SCOPE in the Wiregrass Counties

I was glad to go to Alabama. While I had never accepted the South's position that we were *outside* agitators, my grandmother's frequent admonition when I stayed with her in 1955 to not go where I wasn't wanted made me feel uncomfortable when I did just that. Because of my family ties, I felt that Alabama was my second home state; I *wasn't* an outsider.

Henry County was one of many Southern counties named after revolutionary war hero Patrick Henry. Originally part of the Lower Creek Confederacy, it was in the territory ceded by the Creeks in 1814 under the Treaty of Ft. Jackson. Most of the white settlers came from South Carolina. When created by the Alabama Territorial Assembly in 1819, Henry was the largest county in the state. Less than a hundred years later, it was the smallest. As the state grew in population nine counties were carved from Henry County, reducing it in size and importance. The last one was Houston County, created in 1903 and named for Governor George S. Houston, who had served from 1874 to 1878.

Henry County was in the wiregrass region of southeast Alabama. It had the same red dirt and the same rural, impoverished feel as my mother's home county of Marion, 300 miles away at the opposite corner of the state. Its population had been declining for decades as people left the farm, looking for a better life someplace else. Lacking the rich, dark soil of the blackbelt, the wiregrass region still relied on agriculture. Cotton had been the main crop in the 19th Century, but was no longer. Alabama's biggest cash crop was devastated by the boll weevil in the 1920s and 1930s. Working its way up from Mexico since the 1890s, the insect resisted all efforts to control it. The entire state was infested by 1916 and all the cotton regions of the US by the mid 1920s. In their effort to kill or contain the insect, farmers inundated the land with insecticides, which provided temporary relief but left long term negative consequences. Many farmers lost their land and had to find work elsewhere. Tenant farmers and sharecroppers in search of work migrated to the cities and took trains north, contributing to the Great Migration. Others survived by diversifying their agriculture. The wiregrass region became a center for growing peanuts. This was so beneficial that in 1919 the town of Enterprise, in Coffee County, erected a statue to the boll weevil and put it in the middle of Main Street.
(<http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-2384>)

SCOPE had projects for at least part of the summer in five of the nine wiregrass counties: Henry, Geneva, Pike, Crenshaw and Barbour, and sent people into Dale. Rev. Daniel Harrell, 33, was in charge of all but Chenshaw, although he lived in Wilcox County in western Alabama and spent most of his time there. Since I came to Henry County in the middle of the summer, I did not meet Rev. Harrell, but he had assisted the SCOPE projects in these counties for the first few weeks, shifting people around to work where he thought they could do the most good. The different experiences of these projects illustrate the range of civil rights work. Some projects were well organized with both local and outside resources and some were seat-of-the-pants operations. Some faced strong resistance from county officials and local whites; some did not. All projects ran into the twin hurdles of fear and apathy from local Negroes, some more so than others.

Henry was a sparsely populated rural county with a little over 15,000 people, right across the Georgia state line, one county up from the Florida panhandle. At the time of the 1960 Census

45.6 percent of Henry County's population was Negro. Of the 3,168 Negroes of voting age, 400 were registered to vote. By 1964 another 300 had been added to the voting rolls. The DoJ had photographed the registration records in August of 1963 but had not analyzed them. (*BN* 9-18-60, 1; *CRD*, 1964, II-79 [1403]) The county courthouse was in Abbeville, a town of about 2,500 people almost in the middle of the county. The other urban center was Headland, a town of about the same size on the road to Dothan, the big city in Southeast Alabama. About 36 miles south of Abbeville in Houston County, Dothan was founded in 1885, long after the other two towns. It had a 1960 population of 31,440 people. (Scott, 1961, 36)

With more Negroes of voting age than any other wiregrass county, Houston County had originally been picked for a SCOPE project. Over a quarter of its 50,000 people were Negro. While slightly less than 15 percent of the 6,899 NVAP were registered in 1964, that was better than a lot of other counties. (USCCR, March 1965, 138) However, SCOPE never went to Houston Co. SCLC was aiming to register enough Negroes in each county to elect their own candidates to local offices; for county offices proportion mattered more than absolute numbers. Only for statewide offices did absolute numbers matter more. The Houston group was diverted to Geneva County, right next door. The DoJ also never got to Houston; compared to a lot of other Alabama counties it didn't look all that bad.

Geneva County was right on the Florida border. It was a small county, with only 1,606 Negroes of voting age in 1960. The eight students from Los Angeles' Loyola University and Immaculate Heart College that were supposed to go to Houston County were initially sent to Geneva; five of them were soon transferred elsewhere. Only 15.1 percent of the 22,312 people living in the county in 1960 were Negro. Only 14 Negroes were registered to vote in 1960 and only 75 in 1964. After the VRA passed, another 102 Negroes became voters. Although the need was great, the potential numbers were small. The DoJ never went to Geneva. SCLC was only there for SCOPE. (*BN* 9-18-60, 1; 5-3-64, B-1; USCCR, Nov. 1965, 54)

Barbour County was right above Henry, also on the Georgia border. It had 24,700 people in 1960. Negroes were 52 percent of the total population and 44.1% of the voting age population. The Negro population was larger because the poor wiregrass soil faded into the rich blackbelt soil, where plantations using slave labor had predominated over small farms. Eufaula, right on the Georgia border, with a 1960 population of 8,357, was the biggest town in fifty miles but it wasn't the county seat. Clayton, a tiny town with only 1,313 people, had received that honor in 1879 because it was in the center of the county and thus equally accessible to county farmers in an era when the horse-and-buggy was the best form of transportation and a lot of people walked. As a concession to Eufaula's larger population, a courthouse was built in each town. Only 400 of the 5,787 county NVAP were registered in 1960, and only 611 – 10.6 percent of NVAP – at the time the VRA was passed. The DoJ was much more interested in Barbour than in the other wiregrass counties because the unregistered Negro population was much larger. It had first tried to photograph the registration records in 1961 and finally succeeded in 1963. An attorney had been assigned to the county but the records had not yet been analyzed. (*BN* 9-18-60, 1; Belknap, 1991, 15:237; *CRD*, 1964, 163, II-65 [1323, 1396])

Two girls and seven boys from Gettysburg and Dickinson colleges in Carlisle, Pennsylvania went to Barbour County. Recruited by the Carlisle CORE chapter, they had chosen Henry County for their SCOPE project, but never got there. After orientation in Atlanta, Daniel Harrell brought them to Wilcox County for additional training. From his many months of work

in Alabama, Harrell didn't think that Henry County was ready for a movement. He persuaded the Carlisle group to go to Barbour County, where NAACP leader John Kelly, Jr. wanted some help. (Butler, 1965, 3) They arrived in Eufaula on June 22 with two cars and financial backing from their colleges and two churches in Carlisle. SCLC didn't assign a staff member to head the group so Larry Butler, who had organized them as chair of the Carlisle CORE chapter, became the project director. Larry had just graduated from Dickinson College, but had not yet decided what to do with his life. Raised a Methodist, he had become a Quaker in college. A Quaker meeting supported him while he worked in the South. John Kelly arranged places for the SCOPERS to stay and for the Eufaula Baptist Academy to be their headquarters. When Jean Allen left at the end of July; Harrell replaced her with Lolita Jones from Geneva County. (Butler, 1965, 2-3; SC 11-27/28-65, 4; <http://www.lgbtran.org/Profile.aspx?ID=382>)

They canvassed throughout the county for two weeks, getting people ready to come to the courthouse the first week in July when there would be four special registration days. On Monday, July 5, over 200 came to Clayton and 150 to Eufaula. About half were processed by the Board but only 37 were registered. In those four registration days a total of 112 Negroes were added to the voter rolls.

Pike County was just to the west of Barbour. It was named for the same General who had given his name to Pike's Peak in Colorado, before being killed in the War of 1812. Its county seat, Troy, was the home of Troy State College, a state school for whites. It was also the home county of John Lewis, who was national chairman of SNCC in 1965 and on the SCLC board. Lewis graduated from the unaccredited Pike County Training School in 1957. While a first year student at the American Baptist Theological Seminary in Nashville, he decided he wanted to become the first Negro student at Troy State. He sent in his application over Christmas break, but never received a reply. Undaunted, he wrote Dr. King about his ambition. This letter received a reply from Montgomery attorney Fred Gray. He invited Lewis to come to Montgomery to meet Dr. King and discuss the possibility of a lawsuit. At the meeting, Lewis was told that he needed to get his parents' permission. Initially willing, the more Willie Mae and Eddie Lewis thought about the possible repercussions, the more frightened they became. At the end of the summer John reluctantly put aside his desire to sue Troy State and returned to Nashville. He finished at ABTS and entered Fisk University. In Nashville he met the man who changed his life – James Lawson. From him he learned non-violence and became part of the Nashville student movement. That launched his career with SNCC. (Gray, 1995, 220; Lewis, 1998, 63, 75-79)

The 1960 Census counted 25,987 people in Pike County, of whom non-whites were 38.8 percent of the total and 37 percent of the VAP. Around 200 Negroes were registered to vote. By September of 1964 that had only increased to 461. The DoJ had photographed the registration records in 1963 and again in 1964. The CRD assigned an attorney but the records were never analyzed and a case was never filed. A survey done in December of 1963 found that Negroes were afraid to register. (CRD, 1964, 178, II-90 [1334, 1409]) With only 8.7 percent of the NVAP on the voter rolls, there were several thousand eligible Negroes in Pike County not yet registered to vote.

The Pike County SCOPERS were older than the typical summer volunteer. The project director was Leon Gutherz, a 40-year-old history teacher from New Rochelle, NY. Norma Daniels was a 35-year-old housewife from a town in Los Angeles County and Frechettia Ford was a 28-year-old medical technician from Robbins, IL. Ned Moore, 28, from Los Angeles and

Daniel Thompson, 30, from Cleveland, were students, but not young ones. Most missed the formal orientation, arriving in Atlanta in July and in Troy on July 9. Daniel Harrell met them in Troy to give them a mini-orientation, help set up an office and introduce them to some of the locals. They were able to buy maps from the local Chamber of Commerce. Aided by local teenagers, they began canvassing immediately. They had missed the week of special registration days. Without SCOPE, only five Negroes had registered that week. (Pike County Log)

The project had trouble finding housing and transportation. Norma Daniels was white. Her hosts received a bomb threat and the town's Negro policeman told the man of the house that either that white woman left or he would be fired. They resisted for four days, then Norma Daniels decided on her own to return to L.A. She had only intended to stay for two weeks and hadn't realized how many problems she would cause to her hosts. Frechettia Ford was Negro. The family that she stayed with was not similarly threatened. The three white males stayed in a "freedom house" which had been rented for the summer from Mrs. Johnnie Mae Warren, who was out of town. (Pike County log; Reynolds, 2012, 12; *SC* 5-13/14-67, 2)

Harrell drove to different communities looking for churches at which to hold mass meetings. A few said yes; most said no. The first Troy mass meeting was held in front of the "freedom house" because none of the churches would let them in. Since the canvassing was going well, Harrell brought four SCOPERS from Geneva County to Pike County. Maria Pjerrou and Diana Courtney were both white; they ran into difficulties finding housing until Mrs. Roberta Starks, a civic leader in the neighboring town of Brundidge, took them in. Her son was fired from his job, but she didn't ask them to leave. Pat Sweeney and Mike Kane lived in the Freedom House with the other guys. This project had a little money, which enabled it to pay rent and purchase a duplicating machine. But it didn't have a car. After Harrell left, the project workers were dependant on the teenagers for transportation. The kids in turn were harassed with tickets, and sometimes threatened with being beaten up if they kept hauling those white agitators around. (Pike County Log) One of those teenagers was John Reynolds, who was taking college prep courses in a special summer program run by the Tuskegee Institute that was financed by the Office of Economic Opportunity. He had a car. Even though he had a part-time job as well as classes to attend, John was a ready recruit. A year earlier, after hearing over the radio about passage of the 1964 Civil Rights Act, he tried to buy a meal at two local white eateries. He was kicked out of the restaurants and into the movement. (Reynolds, 2012, 11-14; *SC* 9-4/5/-65, 1)

On July 19, the first registration day after SCOPE arrived, over 200 people waited at the Troy courthouse to register. The registrars worked slowly. By the time they quit, only 50 people had been processed and nine deemed qualified to vote. Threatened with demonstrations, the registrars got permission from the State government to add extra registration days in August. On those days, a few hundred Negroes were registered, some before the VRA became law on August 6, and some afterwards. The Pike County officials were very successful in getting extra registration days, and, with the help of local Negroes, the SCOPE project was very successful in its canvassing. Perhaps that is why more Negroes became registered voters in in Pike County in the month after the VRA was passed than in any other Alabama county except Jefferson, which had 20 times the Negro population. Two of the new voters were John Lewis' parents. (USCCR, 1965, 55)

There was no SCOPE project in Dale County, just west of Henry, but after the VRA was passed the Pike County SCOPERS took side trips to canvass and bring potential voters to its

county seat of Ozark. Only 18 percent of the 31,066 people who lived in Dale in 1960 were Negro. At that time, about 600 were registered to vote. Four years later the total was 794 (*BN* 9-18-60, 1; 5-3-64, B-1) In the first month under the VRA 456 Negroes (and 46 whites) became registered voters. (*USCCR*, 1965, 54)

The Pike County SCOPers also worked in Geneva, to augment the work of those still there. Rev. Harrell and Leon Gutherz ran some workshops. As was true elsewhere, they had trouble finding churches to meet in, relying heavily on two churches in one small town which did open their doors. On one registration day Leon Gutherz and John Reynolds were arrested when they went to Geneva to lead a group to the courthouse to be registered. They were not charged with any offense, but were held in custody until the registration office closed and then released.

Crenshaw County was closer to the middle of the state. With a little less than 15,000 people, it was becoming a suburb of Montgomery, just to its north. Poor soil and hilly terrain made it a difficult place to farm, but a good place to grow timber. The county seat was Luverne, which was even smaller than Abbeville. It called itself the “Friendliest City in the South,” but it wasn’t very friendly to Jesse Thornton, a 27-year-old Negro chicken farmer. On June 22, 1940 he failed to use the title “Mr.” when referring to a local police officer in a conversation with a friend. The officer overheard him, knocked him down and arrested him. On the way to jail, Thornton broke and ran. He was chased by bystanders, shot, captured and dragged to a swamp. His body was found a week later, half eaten by vultures. (*BAA* 8-4-40, 6)

Long before SCOPE arrived, the DoJ was in touch with a local organizer who was working to register Negroes. James R. Kolb sat on the Board of Directors of the Alabama Democratic Conference, which had been organized in 1960. As the local Negro political leader he had filed complaints with the CRD about the county Board of Registrars. The DoJ had assigned an attorney to the county, but hadn’t photographed the registration records. In the 1960 census only 31.1 percent of its population were non-white. Of the 2,207 voting age Negroes in 1960, 492 were registered to vote in 1964. (*BAA* 7-17-65, 16; *CRD*, 1964, 163 [1327])

Crenshaw hadn’t seen any civil rights workers before SCOPE and wasn’t on the initial list of SCOPE counties. After local leaders asked SCLC for some workers, six students from different schools were sent there after orientation. They were a heterogeneous group. Dunbar Reed, 19, was among the few Negroes in SCOPE. From his home in Atlanta he went to Tennessee A&I in Nashville, the only public Negro college in Tennessee. Rich Klausner was also 19. Raised in Iowa, he had just finished his freshman year at Oberlin in Ohio. Carroll Richardson, 26, had joined the Air Force after high school and moved frequently. He matriculated at the University of Florida, where his parents lived, and became involved with CORE and the 1964 St. Augustine demonstrations. He dropped out of school to join the Selma demonstrations and wasn’t ready to return any time soon. David Sookne, 22, drove to Atlanta from the University of Chicago with Al Compaan of Calvin College in Michigan and Irma Pearson from UC Berkeley. They went to different states. Paula Ferrari, 18, had just graduated from a San Francisco high school. A month later she left for the project in Newberry, SC. (*KZSU* interviews for Ferrari, Richardson, Sookne and Klausner; Compaan e-mail of 12-14-14)

The project director, Bruce Hartford, had not gone to orientation and knew none of the SCOPers before they arrived in Luverne. A “red diaper baby” from Los Angeles, Bruce had dropped out of UCLA as he became more involved in local CORE demonstrations. CORE

indoctrinated him in non-violence and taught him how to protect himself in a physical assault. After earning his stripes on the Selma march, SCLC put him on subsistence and in charge of a SCOPE project. Albert Turner dropped him off in Luverne a few days before the SCOPERS arrived on June 28. Two other SCLC staff – Elbert Thomas and Roosevelt Barnett – worked with him for a few weeks. (<http://www.crmvet.org/nars/bruce1.htm#bhorigins>) Bruce worked with Havard Richburg to get ready for SCOPE's arrival. A biology teacher in the county jr. high school for Negroes, Richburg's civil rights work would eventually cost him his job. (*SC* 12-18/19-65, 1) While they did find places for everyone to sleep, they didn't find a church to host mass meetings. The only dependably available car was Sookne's VW bug and the only "office" was the local pool hall. (<http://www.crmvet.org/nars/bruce1.htm#bhscope>)

Once the local white folks knew that the civil rights movement had come to Crenshaw County, they showered them with Southern hospitality. The White Citizens' Council informed everyone who dialed its phone number about what they were doing. The message for July 6 said "The civil rights agitators in Crenshaw County have been active today in and around your county courthouse.... [They] claim that niggers have been denied the right to vote in our county." It went on to say that this was not true because in the first six months of the year 38 persons were registered vote and only 18 of them were white. "Therefore we can only conclude that the only purpose of these agitators is to promote racial unrest and to further the causes of political and social revolution." (Transcript for July 6, 1965 in Hartford files)

For six weeks SCOPERS canvassed Crenshaw County urging people to register to vote. The level of fear was high and many Negroes told them frankly that they didn't want to vote. (Thomas KZSU interview) During the four-day registration week in July, 145 Negroes waited in line to register, but only 120 were processed and 36 passed. Just as many tried to register in the two additional registration days before the Voting Rights Act removed the literacy test, but only 15 became voters. To sum up: in the nine summer registration days before the VRA, 318 Negroes came to register to vote, 242 were processed and 58 were actually registered as voters. (Kolb complaint to DoJ in Hartford files) This brought the total to 549 Negroes registered to vote in Crenshaw County. (Belknap, 1991, 15:237)

Then came the Klan.

Southeast Alabama had been a Klan stronghold in the 1920s, spurred by the economic dislocation caused by the boll weevil. After the Klan swept the Democratic primary in 1926 there was an eruption of Klan violence throughout the state. Whites and blacks were tarred and feathered, flogged and whipped, branded and mutilated for violating the Klan's moral code. Crenshaw County went through a reign of terror. The Circuit Judge presiding over a grand jury investigation of the Klan said that "Crenshaw County... [is] one of the most lawless counties in the state." The Grand Jury indicted 28 men on 102 counts, plus eight more in neighboring Butler county. When the cases came to trial, subpoenaed witnesses refused to testify against Klan members and the juries refused to convict. After two acquittals, the prosecutor asked that the rest of the indictments be tabled until "there is a different sentiment in the county." The previous August, jurors in Blount County in northern Alabama, where there were fewer Klan members, had convicted two men of floggings. (*NYT* first quote in 10-11-27, 20; 10-16-27, 5; second quote in 12-1-27, 56; 12-2-27, 22; *WP* 10-14-27, 8; 10-16-27, 1; 12-1-27, 3; 8-8-27, 3; *CD* 10-22-27, 1, 4; 12-10-27, A1; 12-31-27, 10; <http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-3221>)

Henry County also supported the Klan. The local newspaper, the *Abbeville Herald*, wrote pro-Klan editorials. During the lynching era five people had been lynched in Henry County (compared to three in Crenshaw), but the violence didn't stop. On February 1, 1937 a young Negro man was jailed after being accused of attacking a white girl. Several dozen white men seized him from the county jail and strung him up. The Alabama Attorney General tried to remove the sheriff from office on grounds of negligence, but wasn't successful in doing so. No one was charged with the crime, even though the sheriff identified several members of the lynch mob. (Feldman, 1999, 69, 215; 1995, 126; *WP* 2-3-37, 4; 2-5-37, 30; *ADW* 2-7-37, 4; 2-12-37, 6; 5-22-37, 10; *NYT* 2-5-37, 1; 3-10-37, 13; 6-5-37, 2; 6-6-37, 9)

Congressional hearings in 1965-66 disclosed that there were active Klans in both Henry and Crenshaw Counties, but not in Barbour, Geneva or Pike. Henry County SCOPers didn't encounter the Klan directly, but those in Crenshaw had a major confrontation. Calling themselves the White Patriots, the Crenshaw County Klan was based in Brantley, a tiny town ten miles south of Luverne. (*HUAC Report*, 1967, 149) Some of the local Luverne kids who were helping with the canvassing wanted to integrate the local eateries. On August 2 two SCOPers and four high school students tried to get service at three of them. Two quickly closed. They were served at the third but a deputy sheriff dragged out Dunbar Reed while he was still drinking his coke. As they all left the diner, they and a second group of six were mobbed by about 50 whites, who proceeded to beat them with "fists, boots and sticks." Using the non-violent defense mechanisms Bruce had taught them, they survived, "battered and bruised ... but unbowed." They were finally rescued by the police chief, who arrested them all and held them until the mob dispersed. No one was charged. (*SC* 8-13-65, 6; quotes in http://www.crmvet.org/nars/stor/s_bruce.htm)

When the kids in Brantley heard about this they asked their community leader to invite SCOPE to come train them in nonviolent integration. Mr. Willie Green, a Korean war veteran, arranged to use a softball field the next Saturday. As soon as the SCOPers arrived, before the training even started, "about 10 cars and pickup trucks filled with KKK came roaring across the field." When the men exited their cars and charged, the kids scattered and the four SCOPers ran into a nearby house. They went out the back door and drove off in Sookne's VW bug before the Kluxers knew they had left. As they passed the sheriff on the way out of town, they saw him grin broadly. The KKK vehicles were soon on their tail. The Klan chased them almost back to Luverne. They were rescued by three carloads of black men with guns who drove down from Luverne after the Brantley parents phoned the Luverne poolhall. The Klan didn't want "to mess with them." (quotes in http://www.crmvet.org/nars/stor/s_bruce.htm)

SCOPE returned to Brantley on Monday, accompanied by SCLC state director Albert Turner. As they sat on Mr. Green's porch talking with him and his family, carloads of Klan members slowly drove by, circled around, and drove by again. The two groups stared at each other, but said nothing. Turner just rocked slowly back and forth in a rocking-chair. After a while, the KKK cars ceased coming around. Negroes from all over the neighborhood came out and congratulated them for staring down the Klan. (http://www.crmvet.org/nars/stor/s_bruce.htm) By then the VRA was law and Monday's papers were full of news about federal examiners moving into selected counties. It became a lot easier to get Crenshaw Co. Negroes registered to vote.

Barbour County SCOPE also had a brush with the Klan, but not in Barbour County. While in Wilcox County with other SCOPERS for more training they were harassed by the Klan. "During mass meetings, local Klansmen would call the church with bomb threats, and all evening Klansmen with Rebel flags would ride by." One evening as they were leaving the church, white men advanced with guns. Everyone ran behind the church and escaped into the woods. (Quote in Butler, 1965, 2)

Barbour County wasn't as difficult a place to work as Crenshaw and SCOPE had more success. On August 16, the first registration day after the VRA was passed, over 400 hundred people came to register at the Eufaula courthouse alone. Without the tricky literacy test, all 224 who were processed were registered. There were 50 people still in line when the Board closed at 4:00 p.m.; 35 sent complaints to the DoJ. On that same day 175 Negroes came to the Crenshaw Co. courthouse but the Board processed and registered only the first 52. Those who joined the line after the Board opened at 10:00 a.m. were still waiting when it closed for the day. They were told to come back in September. One hundred did so, but only 63 were processed. (Butler, 1965, 9; other observers gave the numbers as 600 and 265, USCCR, 1965, 28; Kolb complaint to DoJ in Hartford files)

Most SCOPERS left at the end of August, though a few continued working in their counties. Overall the wiregrass counties had very different success rates both before and after the VRA became law on August 6. This diversity of outcomes wasn't due to any one cause. It reflected a combination of the work of the SCOPE project, the resistance of the local officials, and the energy and willingness of local Negroes to organize and continue bringing their neighbors to be registered. In the first month of the VRA 102 Negroes registered to vote in Geneva County, 196 in Crenshaw, 343 in Henry, 456 in Dale, 671 in Barbour, and 1,453 in Pike – all by the local Board of Registrars. Federal examiners never came to any of the wiregrass counties. (USCCR, 1965, 28, 53-55; Richburg letter to Hartford, 9-21-65 http://www.crmvet.org/lets/650921_scope_richburg.pdf)

SCOPE in Western Alabama

SCOPE only went to two counties in Western Alabama: Mobile and Choctaw. They were very different counties, and the SCOPERS who went there had very different experiences. The only thing they had in common was that both were in the Southern District of the federal court where Daniel Thomas was the sole judge; on race and civil rights he was the most conservative federal judge in Alabama.

Alabama's second largest city was founded by the French in 1702 as the capital of New France. Before it became part of the United States in 1813, Mobile was successively ruled by France, Britain and Spain. Each left its mark on the city's culture. When cotton was king in Alabama, most of it was shipped from the port of Mobile. In 1960 it was still a major port but its glory days were over. Its 1960 population was 202,779, of which 32.3 were non-white. Mobile was also the county seat of Mobile County, with a 1960 population of 314,301, of which 32.3 percent were non-white. That year, 45.3 percent of WVAP were registered to vote compared to 29.5 percent of NVAP.

The four SCOPERS sent to Mobile worked primarily in Prichard, a large suburb of 47,371 people, on the northwest border of Mobile proper. Its population was 46.9 percent non-white. That was where their host, Mrs. Dorothy P. Williams, lived and was a local leader. However, the official leaders of the Mobile County Movement were ministers, led by Rev. A. Robert Ray, pastor of Ruth Chapel AME Church. Mrs. Williams took the SCOPERS to meet him, and he in turn took them into Mobile to meet the members of the Mobile City Council. Rev. Ray assured the Councilmen that they would only work on voter registration and not cause trouble. The SCOPERS brought \$300 dollars with them that they had raised before leaving Missoula, Montana. That was plenty given that they didn't have to pay Mrs. Williams for room and board. They also had sufficient cars in an urban environment where the need for cars was small. With Mrs. Williams' contacts they soon had about 30 kids willing to canvass with them. They got to work. (Sheingorn ltr of 11-15-65; Bennett interview, 2015, 4)

The SCOPE office was in Rev. Ray's church. Mark was quite surprised when he discovered that Rev. Ray wanted Atlanta to send \$500 each week to pay SCOPE expenses plus rent for four cars that they didn't need. Mark phoned Atlanta to object, but never found out if Rev. Ray received the money he requested. SCOPE began a regular routine of canvassing for voters during the weekdays and holding literacy classes in the church at night. When Jimmy Webb came from Atlanta, he turned the kids on to direct action. They added integrating restaurants on Saturdays to their routine. Sometimes their integrated groups were verbally insulted or physically assaulted; sometimes just poorly served. When service was completely refused they filed complaints with the US Attorney's office on Mondays. This was contrary to what Rev. Ray had promised the City Council. (Sheingorn ltr of 11-15-65; Thompson interview in *MK* 10-29-65, 11; Bennett interview, 2015, 5; Ackley e-mail of 2-2-15)

The Klan was not active in Mobile though there was plenty of harassment from local whites. Soon after the SCOPERS arrived Mrs. Williams "received threatening phone calls, bricks ... thrown through her windows, and a cross ... burned on her front yard [on June 26]." (Quote in

SC 7-16-65, 6, date from FBI File #157-2925) Shots were fired into her house at night. These stopped when her neighbors provided a nightly armed guard. (Ackley e-mail of 2-2-15) Of course that didn't stop the usual rudeness and hate stares from local whites, as well as stops and searches from the police. (MK 10-29-65, 11) The White Citizens' Council published a phone number one could call to find out about Communist activities in South Alabama. SCOPE activities were regularly put on the message tape. (Bennett interview, 2015, 5)

Conflict soon arose between the ministers and the local leaders, especially those whom the kids looked up to. Some of this had history behind it that the SCOPers were unaware of, and some came because Rev. Ray didn't want any demonstrations. Mark wrote a letter to Atlanta describing the situation but didn't send it. He used a typewriter in Rev. Ray's church where his letter was found by one of the minister's colleagues. (Sheingorn ltr of 11-15-65, 3)

On July 2, Rev. Ray phoned Hosea to complain about the SCOPers. A week later he told the FBI that the four boys were not doing what they were sent to do and would have to get out of his church. Furnished with their names and home addresses, the FBI immediately sent memos to their respective offices requesting "any derogatory and disloyal information." There was none. (FBI File #157-2925) Hosea sent in staff to ameliorate the situation, including Norman Hill and Willie Bolden, but it didn't get any better. One day in late July the SCOPers went to meet Rev. Ray at his church. Told to wait for him in his office, they glanced at the correspondence on the top of his desk. Ralph saw a letter from the WCC, along with a WCC check made out to Rev. Ray. As the others were reading this letter in amazement, Rev. Ray entered and saw what they were doing. He told them to get out of Mobile or they would be dead. (SC 7-30-65, 1; Bennett interview, 2015, 6)

After speaking with Mrs. Williams and others that they had worked with, they decided to take this threat seriously. Telling everyone that they were returning to Atlanta, Shelly took a bus to New York and the others drove to New Orleans. Mark spent the night in a CORE office there, until he could get money for a plane ticket to New York. Ralph and Blaine drove back to Montana. (Sheingorn ltr of 11-15-65, 6; Sheingorn interview, 2015, 10; Bennett interview, 2015, 7; Thompson e-mail of 1-18-15; Ackley e-mail of 12-12-18)

If, instead of fleeing, they had taken the train from Mobile to Choctaw County via the A.T. & N. railroad (completed in 1912), they would have had a much better experience.

Named for the Choctaw tribe of Native Americans, Choctaw County was created in 1847 with parts of Sumter County to its north and Washington County to its South. It was a very rural county. In 1960 its population of 17,870 had been declining since it peaked in 1920. Only 49.6 percent of its population were non-white. All of its towns were small. Butler, the county seat, had a 1960 population of 1,765. Lisman was the second largest town, with a 1960 population of 909. Although agriculture and forestry were the base of the economy, Choctaw County also had oil. A few textile factories and a paper company provided more non-agricultural jobs. None of these made it rich; it was still a poor, rural Alabama county.

In 1960 there were 5,192 whites of voting age living in Choctaw County, of whom 107 percent were registered to vote. The NVAP was 3,982, of whom 150 were registered to vote. The

DoJ inspected the registration records in 1962 and again in early 1963. When the DoJ filed its first complaint in federal court on June 15, 1962, only 163 Negroes were registered to vote. By the time of trial on February 20, 1963, the number of registered Negroes had increased to 176, or 4.4 percent of the 1960 NVAP. At that time the percent of WVAP who were registered had gone down to 71 percent. The DoJ used the records to show that between November 9, 1959 and February 5, 1963, the registrars had accepted 99.8 percent of white applicants but only 14 percent of Negro applicants. The rejected applications from earlier dates had been destroyed. The court sat on the case until April 13, 1964, when it granted the requested injunction. Identifying the various ways in which the Board of Registrars had used the tricky voter registration test to reject Negroes while passing whites, Judge Thomas told the Board to stop using a double standard. In May of 1964, The *Birmingham News* reported that 252 Negroes were registered compared to 5,163 whites. While the percentage of NVAP had increased to 6.3, that of WVAP had risen to 99.4. (USCCR, *Voting* 1961, 252-3; CRD 1964, I-63-4, II-71-2 in Senate, *Hearings*, 1965, 1238-9, 1399; *BN* numbers in USCCR 1965, reprinted in House, *Hearings* 1965, 136; *U.S. v. Ford*, 1964)

The Choctaw registrars ignored the court injunction so on November 16, 1964, the DoJ filed a motion to hold them in contempt of court. A hearing was held on March 15, 1965, when the Selma demonstrations were convulsing nearby Dallas County. The DoJ showed that in the year since the injunction was issued the registration pattern had not changed. Of 119 white applicants, 114 were registered while only 34 of 112 Negro applicants had been accepted as registered voters. The Board was using a new registration test created by the Alabama Supreme Court which was much more difficult than the previous one. Judge Thomas issued his opinion on June 18, 1965. It found that the Board helped white applicants with this test, but not Negro applicants; that it excused small, technical errors by whites, but not by Negroes; that it did not mail out rejection notices but did require rejected applicants to wait 90 days before applying again. It did not hold the Choctaw Board in contempt, but again ordered it to cease its discriminatory practices. It also said it should process at least 100 applications on every registration day, if that many applicants were present. Applicants had to be notified by mail if they had been rejected or accepted within two weeks and given a specific reason if rejected. The court even provided a sample form which the Board could use (probably prepared by the DoJ). Judge Thomas further required that the Board keep good records of each application and submit a monthly report based on those records. (*U.S. v. Ford*, 1965)

This was the legal state of affairs when seven SCOPERS arrived in Choctaw County on June 20.¹ All came from Rhode Island. Five had just graduated; three from Pembroke and one from Brown. Judy Kline, 18, was still a student at Pembroke. The sixth, Michael Van Leesten, had just graduated from Rhode Island College. He was the oldest at 26, and the only Negro. Peggy Dobbie had worked in Mississippi the previous summer. The project director was Bond Perry, 24, the son of a Unitarian minister in Rhode Island who had been active himself for several years. He had come South for Selma, and stayed to do more. Hosea sent him to Ohio and Indiana to recruit for SCOPE, then sent him to help with demonstrations in Crawfordville, GA. There he was jailed and beaten. Hosea then sent him to Choctaw County, AL as project director

¹ Unless otherwise cited, the material on Choctaw County SCOPE comes from a personal handwritten diary by Clare Kastner.

for the Rhode Island group. Bond was assisted by Dorothy Wright, who had just turned 18. As a child, Dot, as she was called, split her time between her father's home in Montgomery and her mother's home in Florida. She heard Dr. King speak when he was pastor at Dexter Ave. Baptist Church and joined SCLC in Montgomery as a teenager. Now she was on staff as a youth organizer.

The community had prepared a vacant house for them to use as a Freedom House. They wouldn't get to keep it for long, but it was nice while it lasted. Dot quickly formed a youth club called "Striving for Freedom." There was an active Choctaw County Civic League (CCCL) to provide leadership.

Although Monday, June 21, was a registration day, SCOPE wasn't prepared to take anyone to the courthouse in Butler. But they began canvassing extensively, holding mass meetings at different churches almost every night and running a citizenship class. They didn't have trouble finding churches for meetings, though some pastors were reluctant to open their doors. Local leader William Harrison gave them a copy of the June 28 injunction of which the locals were very proud. SCOPE eventually turned it into a two-page leaflet – HAVE YOU HEARD THE GOOD NEWS? – which they distributed all over the county. They also learned that there would be an entire week of registration days the first week in July. All that work paid off on July 6 when one hundred people came to the courthouse to register; 25 took a church bus from Lisman at 8:00 a.m. to find that 40 were already waiting in Butler. As usual registration was slow. When Rev. Spears reminded the registrars of the injunction, they became more efficient. By lunch break they had processed 54 people. Those who were waiting sat on benches in the courtroom that were reserved for whites when court was in session.

Wednesday morning Martha Witt Smith, Gov. Wallace's voting consultant, came to the Butler courthouse to watch the registration process. SCOPEr Clare Kastner thought her suggestions were good ones. Clare didn't know that that wasn't Smith's job. She was supposed to make sure the Board of Registrars followed the law, but with the goal of limiting Negro registration, not speeding it up. She was probably called after the Board was reminded about the injunction. Smith didn't visit all of the SCOPE registration projects, but only a few counties had court orders, which required a lot of litigation to get. Keeping the Board from being found in contempt of court for violating the injunction probably brought Smith to Choctaw County. That day 60 people were processed, but the benches were removed from the courtroom, so everyone waiting had to stand. On Thursday 72 applicants were processed and on Friday, there were 98. The next official registration day was July 19; 101 people applied to vote, bringing the total to 560.

As in the other rural Alabama counties, the registrars were only open for business on two days in August. But they were good days. On August 2, 146 people came to Butler to register. By 3:30, 86 Negroes and 23 whites had been processed. At the end of the day, 60 were still waiting. SCOPE thought that they could bargain with the registrars for more days, like the week in July. They didn't know that those days were specified by state law and outside the power of the registrars to change. The August 16 registration day was the first without the literacy test, and the last that SCOPE would work as a group. On Saturday, they visited deacons all over the county, leaving leaflets for them to pass out at church. On Monday, 250 Negroes came to the Butler courthouse. Even though they no longer gave the literacy test, the registrars weren't

working very fast so only 106 were processed.

This SCOPE project had lots of visitors. Albert Turner, usually accompanied by Sunshine, made regular visits to check on their progress and help with problems. Other staff, such as Ben Clarke, also came through. Jimmy Wilson and Mike Bibler drove over from Henry County for a couple days. SNCC staff drove down from Sumter County to check out the project. SCOPE mimeoed some leaflets for them. On a separate trip, SNCC asked SCOPE for money to pay a fine for driving without a license! This was a common way to arrest civil rights workers all over Alabama. There was also some turnover. Dot went to Chicago on July 20 and didn't return for three weeks. In August the SCOPE group was joined by Lynn Lazar, a 29-year-old librarian from Rhode Island.

Compared to many SCOPE projects, the Rhode Island group was well off. They had an office to work out of, places to stay, an adequate number of cars, a mimeograph, more invitations to dinner than they could handle, and not too much harassment. Mass meetings generally ended with collections which raised money to buy gas, paper and stencils. Both the sheriff and the resident FBI agent kept an eye on things. Sheriff Clark didn't want another "Selma" so he tried to suppress white harassment and violent incidents. Once he arrested a local white man who entered the SCOPE office drunk, belligerent, and threatened to kill a woman from the federal Community Relations Service who was in the office at that time.

There were problems. SCOPERS regularly had to change where they slept at night. While there was little overt white hostility, the fact that hosts regularly asked them to move on implies some covert white pressure. The phone company removed the telephone from the Freedom House, shortly before they were told that they could no longer use that house. Fortunately a beautician said that SCOPE could use half of her shop as their office. SCOPERS quickly learned that their Rhode Island driver's licenses were only good for 30 days. They had to get Alabama driver's licenses to avoid tickets for driving without the correct license. Every time they tried, the bureau in Butler told them that they had flunked the test. As each one applied, his or her out-of-state license was confiscated. Over time the number of SCOPERS who could legally drive decreased to one. At one point they went to Mobile and applied there for licenses, only to be told that they had to do so in the county of residence. They were thrilled when Lynn Lazar came with a valid driver's license that was still good for 30 days.

There was some harassment, but compared to other counties it was mild. A leaflet circulated urging the community to stay away from the outside agitators. Signed by the "decent white citizens of the area," it was almost funny. Occasionally a local white man made disparaging comments and threats. The Klan paid a visit on August 7, when eight cars drove up waving Confederate flags and blowing horns. They left after shaking everyone up. Based in Silas, a town so small it barely counted in the Census, the county KKK was more bark than bite.

Of course the local kids wanted to integrate. Dot took some of them to a Dairy Queen where they took seats. After some unpleasantness, they were served. The leaders in the CCCL were ambivalent about this action, but a couple weeks later two of them took six youth back to the Dairy Queen. The adults stayed in the car while the kids entered and asked for milk shakes. All the whites inside left. The owners zapped the kids with fly spray. The kids stayed as long as

they could, but you can only breath so much fly spray while remaining non-violent. No one got milk shakes. A couple days later, four of the adult women went to the Dairy Queen intending to talk to the manager. He wouldn't talk to them, but they were served.

Overall, the SCOPers who went to Choctaw County had a positive experience. They felt welcomed by the community, and that their presence was helpful. Four of the ones who had graduated in June decided to spend the next year working on voter registration in Choctaw – after going home for a few weeks. Two came back: Bond Perry and Margot Thomas. They worked in Choctaw County through the Alabama primary election in May of 1966.

Alabama Demonstrations

Many predicted that 1965 would be another long, hot summer. The FBI wrote a memo on “Racial Unrest and Potential for Violence” dated May 11 of that year. Municipal officials in several cities drew up “battle plans,” just in case. (*NYT* 6-13-65, E3) The *Chicago Defender* published a long article in July predicting “a major explosion” someplace. (*CD* 7-22-65, 3) SCLC played down the possibility. During orientation Hosea had told everyone that there should be no demonstrations; our job was voter registration. Dr. King said that racial demonstrations would most likely be in the North and they would be street marches. He hoped that there wouldn’t be any more riots, like the ones in Harlem, Rochester and Philadelphia the summer before. (*CD* 6-16-65, 12) Ben Clarke, who normally didn’t speak to the press, was quoted as saying that “The day of widespread, massive confrontation is over.” (*BN* 6-13-65, 49)

It was a racially tense summer in some ways, and wasn’t in others. The summer didn’t begin as Freedom Summer in Mississippi had the year before, with the highly publicized disappearance and murder of three civil rights workers. But it began and ended with racial murders. On June 2, O’Neal Moore, the first Negro deputy sheriff in Louisiana’s Washington Parish, was killed only 8 miles away from strife torn Bogalusa. He and his partner were shot at by nightriders from a truck that overtook their patrol car. (*NYT* 6-4-65, 17; *CD* 6-12-65, 13) On August 20, Jonathan Daniels, a white seminarian working with SNCC, was murdered in Lowndes County in what many thought was a law enforcement set-up like the Freedom Summer murders. (*NYT* 8-21-65, 1) Neither of these got the national attention that had been focused on Selma the Spring before. That went to Los Angeles, where a riot in the Watts neighborhood during August 11-16 resulted in 34 deaths, 1,032 injuries, 3,438 arrests, and over \$40 million in property damage.

In between these murders there were civil rights demonstrations all over the country. A “summary of selective racial demonstrations” was prepared weekly by the FBI for the Attorney General and President Johnson.¹ Despite Hosea’s admonition that there be no demonstrations, quite a few took place in SCOPE counties under the direction of local leaders, aided by SCLC staff. They began in two adjacent counties in Alabama’s western blackbelt – Hale and Greene.

Hale County

After orientation James Orange brought three boys and two girls from Atlanta to Greensboro, the county seat of Hale County. Tim Mullins, 21, and Marc Lewis, 19, came from different schools in Milwaukee. Bill Brault, 22, had just graduated from Hartwick College in upstate New York. He had gone to the 1963 March on Washington with a bus full of parishioners from a local church. Lynn Adler, 22, came from the University of Pennsylvania, where she had

¹ These summaries are deposited at the Lyndon Baines Johnson Presidential library and are available through Gale’s Declassified Documents Reference System. They are cited as FBI-LBJ to distinguish them from the reports I obtained directly from the FBI through FOIA requests.

worked with civil rights groups during the Spring. Dorothy McMahon, 24, was attending the Yale Divinity School.

Created in 1867 by splitting Greene County, the county was named for a Civil War officer and politician. Greensboro was named for Revolutionary War general Nathanael Greene. In 1960 slightly over 70 percent of the 19,537 people in the county were nonwhite, as were 54.8 percent of the 3,081 city residents. Negroes were 62 percent of the voting age population, but only 481 – eight percent of NVAP – were registered to vote in June of 1965. In 1908, 92 Negro men were registered to vote; in 1940 roughly two dozen Negroes of both sexes were on the voter rolls; by 1960 the number had crept up to 150 Negro registered voters. The DoJ first inspected the registration records on Dec. 2, 1961. After two more inspections and extensive analysis it filed a lawsuit charging the Board of Registrars with race discrimination on December 16, 1963. The records showed that in the preceding decade 12 applications from whites were accepted for every one by a Negro. (Lewinson, 1932, 216; Bunche, 1973, 289; USCCR, 1961, 253; Doar memo in Belknap, 1991, 15:203-4; CRD 1964, II-77 [1402]) While the DoJ got to Hale County before SCLC or SNCC, it was not virgin territory. An NAACP chapter had been organized in Greensboro in 1927. There was also an active KKK Klavern. (Autry, 1997, 1; HUAC *Report*, 1967, 149)

In the middle of the Selma campaign SCLC sent staffer James Orange into Hale County to start a voter registration drive. Orange contacted Lewis Black, 40, a farmer and former teacher with a long history of community work who headed the Hale County Improvement Association (HCIA). He brought in Rev. Arthur T. Days, 42, the pastor of St. Matthew AME Church and Theresa Burroughs, 35, a beautician who was secretary of the HCIA. On February 26, at a mass meeting of roughly one hundred people at St. Matthew's, they urged everyone to go to the Greensboro courthouse to register that coming Monday. That same day, Robert Shelton, Imperial Wizard of the KKK, spoke to a similar number of whites at that very courthouse. Out of 42 Negroes who tried to register on March 1, only three succeeded. As the Selma campaign gained momentum and publicity, more and more Negroes tried to register. Of 84 people who tried to register in March and 451 in April, only 171 passed the test. In May, 81 Negroes applied and in June, 77 did so, but only 34 finally became registered voters. (Orange FBI file; *NYT* 2-27-65, 10; Ashmore, 2008, 127; Doar memo in Belknap, 1991, 15:203-4)

During the Spring, the HCIA ran registration classes for the adults and urged the students to mobilize their parents. The high school kids wanted jobs, so the HCIA wrote various merchants, asking them to hire more Negroes. When they received no replies, they organized the kids to picket those downtown merchants where Negroes did most of their shopping. (*SC* 7-16/17-66, 1; *Days v. Christian*, 1965) On May 10 Dr. King spoke at Greensboro, as part of an Alabama tour. (*NYT* 5-11-65, 25) That got things going.

On Tuesday, July 6, around 500 Negroes marched from St. Matthew Church to the courthouse to protest the stiff literacy test that kept so many from qualifying – the kind of obstacle that the Voting Rights Act then being debated before Congress would eliminate. Since they had a permit, there was no interference. Rev. Days and James Orange spoke to the crowd. After some singing and praying, they all returned to the church. The next day SCOPers brought 75 Negroes to the registration board, which processed 43 but only passed six. (*NYT* 7-7-65, 19; July 9 memo, FBI-LBJ; Burroughs testimony, ASAC-USCCR, 7-10-65, 56)

Ten days later almost 100 Negroes marched to the courthouse again, under the watchful eyes of both SCLC and SNCC staff, the FBI, the federal Community Relations Service, sheriff's deputies and state troopers. They didn't have a permit and didn't leave quickly enough to satisfy Mayor W. C. Christian. Both cops and local whites waded into the crowd and beat the Negroes with sticks and hammers. Seventeen Negroes were taken to the Negro hospital in Selma, 50 miles away.² That night "several hundred white men and women gathered in a high school stadium" for a KKK rally. Despite the implied threat, Negroes picketed local stores on Saturday. On Sunday night, two churches were burned to the ground, one in Greensboro and one several miles north. Rev. Days was the part-time pastor at one of them. The next day, July 19, shortly before the trial of the 1963 case was about to begin in federal court, the Board of Registrars agreed to discontinue the difficult literacy test and processed (but did not pass) 127 potential voters. Federal judge Daniel Thomas had already ordered discontinuance of that literacy test in Dallas, Perry, Wilcox and Choctaw counties and Judge Johnson in five other counties. (*LAT* 7-17-65, 11; 7-19-65, 11; 7-20-65, 9; *WP* 7-19-65, A4; 7-20-65, A6; *NYT* 7-17-65, 26; 7-19-65, 16; 7-20-65, 14; *BN* 7-17-65, quote on 1, 7-18-65, 1, 7-19-65, 1; Doar memo in Belknap, 1991, 15:203-5)

A few days later, the Alabama Supreme Court released a new version of the literacy test. It was a simpler test, but could still be used for delay. The Hale County Board announced that everyone who had signed up on July 19 would have to take the new test after the Governor's "registration specialist," Martha Witt Smith, said that the board "could not register new voters without some form of literacy examination." As the marches resumed, SCLC sent in additional staff and also brought in SCOPers from the surrounding counties. Governor Wallace sent in 25 state troopers to help the five-man police force. (Quote in *BN* 7-22-65, 1; *WP* 7-23-65, A4; *NYT* 7-27-65, 18.

The city gave the demonstrators a permit for Monday, July 26, but only to march to the two burned-out churches by a route that did not take them through the main business district. When some 400 demonstrators tried to go to the courthouse, the city stopped them at a barricade, where both sides faced-off for a couple hours. One excited demonstrator shouted that he was going through, giving the police the excuse they needed to throw teargas. As the protestors retreated inside St. Matthew Church, the police threw gas canisters after them, flooding the church and Rev. Day's home with teargas. A cloudburst finally cleared the air while two first-aid workers from the Medical Committee for Human Rights treated those who had been gassed. After regrouping, protestors decided to hold a vigil at the barricade. For 57 hours they hung out, some sleeping at the barricades and some going and coming. During the day local whites gathered to watch, and occasionally to harass, but otherwise nothing happened. When a rainstorm doused the crowd, morale and numbers dwindled. (*BN* 7-26-65, 1, 7-27-, 2; *CD* 7-27-65, 1; *NYT* 7-27-65, 18; 7-28-65, 38; Swope, 2011, 34, 44)

² Good Samaritan Hospital was opened by a Catholic order (Edmundites) in December of 1964 to serve the region's Negro population. It treated injured civil rights demonstrators of both races. It closed in 1983.

Wednesday afternoon, reinforcements arrived from neighboring counties. Their numbers restored to 400 people, including about 20 white SCOPers, the vigilers were told to disperse or face the consequences. They did not move. Instead they sang freedom songs as troopers massed behind the barricade, brandishing billy clubs and wearing teargas masks. After the police chief told them that they were all under arrest, they were walked to waiting school busses which took them to two prison compounds in neighboring counties. Most were charged with obstructing a street and refusal to obey an officer. Those designated as leaders, especially Rev. Days and Lewis Black, were charged with contributing to the delinquency of a minor. Another 93 were arrested the next day when they marched from St. Matthew to within half a block of the business district. On July 30, 34 more arrests brought the total to 489. They ranged in age from early teens to the late 70s; 168 were female. Among those incarcerated were Albert Turner, SCLC's state director, most of the SCOPers and several SCLC staffers. Males and females were put into two separate cells with a courtyard in between. The windows facing the courtyard were boarded up so the two groups couldn't see each other. After a few days of being crammed into 20X40 foot rooms without bedding, in which it was impossible for everyone to lie down at night, with minimal food, a bucket for drinking water, and one overflowing toilet in each cell, everyone was glad to get out. (*NYT* 7-29-65, 58; 7-31-65, 50; *CT* 7-28-65, 3; *LAT* 7-29-65, 12; 7-30-65, 7; 7-31-65, 3; *CD* 7-27-65, 1; 7-29-65, 4; 7-31-65, 1, 3; *SC* 7-30-65, 1; *BN* 7-29-65, 2; 7-30-65, 7; Swope, 2011, 49-63; <http://www.crmvet.org/vet/stephens.htm>)

That was the last demonstration for a very long time. On July 29, SCLC lawyers asked the federal court for a temporary restraining order (TRO) to prevent the mayor of Greensboro, the Hale County sheriff and the State Director of Public Safety from interfering with the protests. Both sides asked for injunctions. On August 13, after a hearing, Judge Thomas granted both requests. The court limited the number of pickets to four at any one store, and to two businesses per block. Marches were limited to a hundred people, but they could go to the courthouse. The city could not deny permits or erect barricades or threaten arrests as long as the protests were peaceful and did not interfere with businesses or shoppers. However, protestors had to get a permit to march and could not pull children out of school to participate in demonstrations. (*Days v. Christian*, 1965) Newspapers around the state praised the decision but ignored the fact that one more rural Negro church was burned in August. (*BN* 8-21-65, 8) In September Rev. Days toured northern campuses to raise money to rebuild the burned churches. (*Yale Daily News* 9-24-65, 6)

Augmented by some of the SCOPers who had come to Greensboro for the demonstrations, the SCOPE project turned to the job of bringing local Negroes to the Board of Registrars. They wanted to map out the Negro neighborhoods in Greensboro so they could canvass them systematically but none of the city agencies would sell them a map. There was a map of Greensboro hanging on the wall of the police station, but officials insisted that there were no others. SCOPers made their own, with the help of high school students who had canvassed earlier. Armed with a rough idea of where the Negro neighborhoods were, canvassing teams of locals and SCOPers trudged the streets, talking to people and identifying the ones willing to go to the courthouse to register, or try to register. On Monday, August 2, the first of two registration days for the month, the Board processed 108 out of 114 Negro applicants using the new, simplified, literacy test. Applicants were required to copy five sections of the U.S. Constitution by hand and then answer one question based on each section; three out of five was the passing score. The next day the Board of Registrars said only 39 had passed. On Friday, August 6, the

Voting Rights Act was signed into law, abolishing that test. On Monday, the DoJ designated Hale County as one of the first counties to receive a federal examiner. (Swope, 2011, 75-76; *NYT* 8-1-65, 58; 8-2-65, 15; 8-3-65, 16; 8-4-65, 18; *LAT* 8-3-65, 6; 8-4-65, 7)

Greene County

The Hale County demonstrations spurred a new outbreak of protest in Eutaw, 21 miles northwest of Greensboro, and the county seat of neighboring Greene County. Carved from lands ceded to the federal government by the Choctaws in 1816, the size of Greene County was gradually reduced until it occupied 631 square miles between the Tombigbee and Black Warrior rivers. Down these rivers planters shipped their crops to Mobile. Like many other counties, Greene was named for Revolutionary War hero Nathanael Greene. Eutaw was named for one of his battles in South Carolina. Incorporated in 1840 and settled largely by immigrants from that state, it was better known as the site of a massacre during Reconstruction. On October 25, 1870, whites opened fire on about 2,000 Negroes attending a Republican election rally. A few dozen were killed or injured, but no one was prosecuted. It was an act of raw political terrorism intended to affect the election results in Greene County, and it did. (Hennessey, 1980)

When the 1960 Census was taken 81.3 percent of the 13,600 persons in Greene County were Negro, as were slightly less than 60 percent of the 2,784 people in Eutaw. When the FBI first photographed registration records for the DoJ on June 30, 1961, 179 Negroes were registered to vote, or four percent of the NVAP of 5,001. One of these was Robert Brown, a WWII veteran and college graduate who tried to register in 1954. After the registrar laughed at his temerity, he said Brown would need two vouchers. It took a couple weeks of asking around, but he finally found two men willing to sign on his behalf. One was an illiterate white man who had to mark an X. He was one of the 1,649 whites of voting age in Greene county when the 1960 Census was taken. According to the registration records 1,731 of them were registered to vote in 1961, or 105 percent of the WVAP. The FBI photographed the records again in 1962 and late in 1963. By then 488 Negroes had tried to register to vote, of which 272 had succeeded, raising the total registered to 451, or 9 percent of the NVAP. DoJ attorneys had interviewed many of these in preparation for filing a voting rights case but had not yet done so. (Brown interview in Slaughter, 1992, 63-65; CRD 1964, 171 [1329])

The man behind the increase in Negro registration was the Rev. William McKinley Branch, Jr., 47, a sharecropper's son from the village of Forkland in the southern part of Greene County. He had earned a two-year degree from Selma University and a B.A. from Alabama State College. Ordained at age 15, he pastored two rural churches in Forkland and also taught in the county schools. In the early 1960s he began taking people to the courthouse to register. (26:10 *EBONY* August 1971, 82-85) One of his protégés was Thomas E. Gilmore, 24, another preacher prodigy. Ordained at age 18, he was known to everybody simply as Gilmore. Raised by his grandmother who farmed her own land near Forkland, his family was never completely dependent on white folks for survival. Sometime in high school Gilmore got religion and decided he wanted to be a preacher. He started at Selma University but dropped out. Instead he took his wife and children to Los Angeles where he got involved in CORE demonstrations. Two years later, as the Selma campaign was making the national news, Gilmore knew it was time to go home. By the time the Selma campaign was over, Gilmore had been put on staff as SCLC's

Greene County project director. (Gaillard, 2004, 315-17; Gilmore interview in Beardslee, 1977; Hartford e-mail of 3-6-13; <https://www.crmvet.org/mem/gilmoret.htm>)

Greene County was adopted by a SCOPE chapter from the University of Illinois. Seven UI students were joined by a few from Illinois State University at Normal. While eight of them went to orientation, others came and went throughout the summer. Teaming with high school students, especially those who had cars, they went into the rurals with a map and index cards. They tried to talk to someone at every farm to encourage those over 21 to register to vote and to tell them when the Board of Registrars would next be open. On the index cards they described the farm and how to get there from First Baptist Church in Eutaw, which was the project headquarters. Most people were receptive, but occasionally they encountered someone who was frightened by the sight of an integrated group. They were particularly touched by one young mother whose husband had recently been killed by a white neighbor. She was afraid that the whites in the movement car were coming to kill her. (Deppe e-mail of 5-9-10)

When they learned that the Board of Registrars would be open for three extra days in early July, SCOPERS brought hundreds of Negroes to the courthouse to be registered, even though the Board generally was open only six hours a day and those were during prime working hours. On Tuesday, July 6, 333 Negroes waited in line to take the test, but only eight were allowed in. Another 108 came on Wednesday and 80 on Thursday. Only six to eight people were allowed in each day to take the complicated registration test, which generally took around two hours to complete. Among other questions, they were asked to name the governors of at least nine Southern states. Some were asked about "piracy." Other Negroes were turned away after waiting in line on the grounds that they had taken the test before but had not passed. Indeed, 88 had tried to register once before; 25 had tried twice before and 20 more than twice. The Registrars closed the office early on Thursday and didn't open at all on Friday, claiming that they had to do clerical work. Roughly 40 Negroes were permitted to take the voter qualifying test that week. (Branch testimony to ASAC-USCCR, 7-10-65, 32-54)

The high school kids also picked that week to march to the courthouse, generating several incidents. As they were returning to the First Baptist Church on July 8, a crop duster plane swooped down and sprayed them with a chemical, probably an insecticide, which burned their skin and made several sick. The spray also affected those just standing in front of the First Baptist Church and was blown into the church itself. When a white man with a rifle threatened to shoot Ann Harris, one of the teen-age girls who was picketing, the sheriff and police chief forced her into a car and drove her away. She was released after a lecture. (SC 7-16-65, 5)

They continued to march. On July 19 about 300 people marched down US Highway 43 into Eutaw and held a sit-down on the courthouse lawn. Every now and then groups would get up and march around the courthouse, or march to a Negro church and back. They were not arrested. Instead, Sheriff William E. Lee took a very relaxed attitude. He later bragged that "I let them march all summer." Local whites were not as restrained. When Gilmore charged that a civil rights picketer had been beaten, Sheriff Lee responded that there hadn't been "any beatings here in Eutaw." (SC 7-23-65, 6; first quote 11-20/21-65; NYT 7-20-65, 19; LAT 7-20-65, 9; BN 7-20-65, 4; second quote 8-8-65, A12; Dowdell testimony to ASAC-USCCR 7-10-65, 219-224)

When school started in August, local Negroes organized a school boycott. This led the state to ask the Northern District federal court to issue an injunction to stop all demonstrations and end the boycott. (*NYT* 8-28-65, 50) It said it didn't have enough law enforcement officers to protect the students who were trying to go to school. The defendants were SCLC, SNCC and their officers. (*BN* 8-27-65, 1) Judge Grooms issued the TRO on August 31. (*CD* 9-1-65, 1) In November, the Greene County school board fired Rev. Branch for allegedly encouraging pupils to leave school. (*CT* 11-11-65, C1) In April, Inc. Fund attorneys asked the court to dismiss the case, arguing that SCLC and SNCC were the wrong parties; the demonstrations and boycott were strictly local. (*BN* 4-30-66, 4)

After the VRA became law, no one was rejected by the local registrars. By September 20, 458 Negroes and 9 whites has been added to the registration rolls. Nonetheless, the federal examiners set up shop in Greene County on October 29,1965. (USCCR, 1965, 54)