

Barbour County

In 1965, Barbour County was best known as the home of Gov. George Wallace. This was where he'd grown up, been a Circuit Court Judge, and honed his skills as a politician. It was also the home of Col. Al Lingo, head of the state troopers who had put the "blood" into Selma's "bloody Sunday." (*NYT* 5-13-63, 25) Named for Governor James Barbour of Virginia, more Alabama governors had come from Barbour than any other county; Wallace was the sixth. The county was carved out of what had been Creek territory, relinquished by the Treaty of Cusseta in 1832. Eufaula, the largest town, took its name from one of those Creek tribes. Much of the Creek War of 1836 was fought in Barbour County at a time when most of the remaining Native Americans were being shipped to what is now Oklahoma. With its rich soil, Barbour County became a major producer of cotton in the 19th Century. After the boll weevil ruined the cotton economy in the 20th Century, farmers diversified their crops but never regained the wealth that came from cotton. In the 1960s timber was replacing farming and agricultural jobs were in decline.

Barbour County was the scene of Election Day riots on November 3, 1874, when a white mob fired at random on Negroes lined up to vote in Eufaula, killing 7, injuring at least 70 and driving the rest from the polls. The mob moved to a nearby town that was predominantly Negro, where they paraded around the polling place with guns to discourage black voters. After the polls closed, they invaded the building and shot up the place, killing the son of the most prominent white Republican in the County. The ballots were burned. The Democrats "won" in Barbour County. Grand juries subsequently indicted Republicans who tried to testify about what happened; the Negroes among them were hired out to pay their fines. In Congressional hearings, each party blamed partisans of the other for the violence. (Curtin, 2000, 56; <http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-2484>)

The county continued to be a center of white resistance. In 1958, after the US Civil Rights Commission subpoenaed the voter registration records of six Alabama Counties for its first hearing, Circuit Judge George Wallace, holding court in Clayton, impounded them. He told the press that "if any agent of the Civil Rights Commission comes down here to get them, they will be locked up." It took a court order from federal Judge Frank Johnson before Commission staff could inspect the records, and that only applied to three of the counties. (USCCR, 1959, quote on 71, 87) The inspection found that in Barbour County 607 whites and 15 Negroes had been registered between July 1956 and April 1958. Those who were rejected were not told why. The rejected applications had been destroyed, but examination of those found acceptable disclosed numerous errors, in particular questions that had been left unanswered. Apparently making a mistake on the complicated voter application form did not disqualify whites. (USCCR, 1959, 88-89) Perhaps that was why 87.2 percent of voting age whites were registered in 1960 and 96.8 percent in 1964, compared to only 7.2 and 7.9 percent respectively of voting age Negroes. (*BN* 9-18-60, 1; 5-3-64, B1)

After getting settled, SCOPers Larry Butler and David Hoon paid a visit to Eufaula Mayor E. H. Graves. In 1960, 42.7 percent of Eufaula's 8,357 people were non-white and that probably hadn't changed much in five years. The Mayor was not happy to see them and tried to talk them into leaving. Instead they organized mass meetings all over the county to encourage people to go to one of the two courthouses the first week in July when there would be four

registration days. Several hundred people waited in line at those courthouses that week, of which 112 actually became registered voters. (Butler, 1965, 5; SC 11-27/28-65, 4)

In mid July, SCOPE organized Voters Leagues in Eufaula and Clayton. Initially they didn't do much more than hold mass meetings. Slowly over the summer, committees formed and began to take responsibility for addressing some of the problems Negroes faced in the county, such as jobs, voter registration and schools. SCOPE decided that a little confrontation would be good for the soul. The youth wanted to test whether the local eateries would serve integrated groups, so SCOPE organized integrated SWAT teams. A car with white SCOPERS and Negro teenagers would pull up at a restaurant and the occupants would enter and take seats while the owner and other eaters were still gaping. The owners knew it was illegal to refuse service, but it was too late to close. An integrated group ate at several Eufaula restaurants with only minor incidents – waitresses were grouchy, patrons walked out, they were served on paper – but they were served. On July 28 they went to Clayton to do the same. As they stopped their cars, a man came up and smashed a window of the car Mike Laupheimer was driving, reached inside and ripped his shirt. Several deputy sheriffs standing across the street just watched impassively. (Butler, 1965, 6-7) Apart from that they only experienced the low-level harassment that pretty much all SCOPE projects faced: tickets for trivial things, men trying to run them off the road, verbal nastiness, an arrest for driving in Alabama too long with out-of-state plates. (SC 11-27/28-65, 4, 5)

Local Negroes were more likely to be punished for their support of the movement. Rev. McCants was one of them. He let SCOPE hold mass meetings in his Jones Chapel Methodist Church in Clayton. On July 27 he was arrested for disorderly conduct, without having done anything. His wife was run off the road. He was fired from his job as a janitor at the white high school. On August 5, while husband and wife were asleep, shots were fired through the windows of his house. They spent the rest of the night on the floor. (SC 8-13-65, 6; Butler, 1965, 8)

Local whites bold enough to be friendly with the SCOPERS were also punished. One was a store owner where SCOPERS sometimes shopped. Klansmen from Abbeville paid him a visit. Eufaula had a lot of white college kids who were home for the summer. Some of them were curious about the Pennsylvania college kids who were spending their summer doing civil rights work. A few dropped by the office, but more wanted to talk to the SCOPERS across the Chattahoochee River in Georgia, out of sight of their nosy neighbors. The mayor found out and paid a visit to some of their parents, who forbade their children from going near those “outside agitators.” One young couple attended a couple of the mass meetings. Their landlord evicted them. They moved into the Baptist Academy for a few weeks until they moved out of town. (Butler, 1965, 5; SC 11-27/28-65 4)

When Hosea called for marches to push the Voting Rights Act through Congress, SCOPE responded by calling for a march on the Clayton courthouse on August 4. August 2 was a registration day and they did not want to interfere with that. Only 32 people were registered that day; 60 refused to leave when the door closed while they were still waiting to fill out the form. On Wednesday about a hundred people, mostly teenagers, marched from the Jones Chapel church to the courthouse and back with only one minor incident: a white man tried to scare them by skirting the side of the march line with his truck. Apart from this the kids had such a good time that they did it again on Friday, singing and chanting all the way. (Butler 1965, 8-9)

On August 16, the next registration day, over four hundred people attempted to register at Eufaula; 224 succeeded; 50 were still waiting when the doors closed at 4:00. Those waiting in line faced artificially difficult conditions. The water fountains were turned off, the soda machines were turned to the wall and “out of order” signs were placed on the bathroom doors. The SCOPERS were threatened with arrest if they hung around, but the local white “courthouse gang” was not. The Registrars took their time, with frequent breaks. All in all, they tried to maximize the waiting time of those standing. (SCLC IV 165:12)

The Eufaula Voters League applied for a permit to march on Tuesday to publicize the need for additional registration days and night registration. It was denied for Tuesday, but granted for Wednesday. Instead they picketed the Eufaula Courthouse that morning with signs parodying the Chamber of Commerce slogan: “Eufaula, Alabama – A Fine, Quiet Southern Community – If You’re White.” They marched to the courthouse on Wednesday, and again on Thursday. Other than Wednesday, the city ignored their permit requests. (Butler, 1965, 10-11; SC 11-27/28-65, 1)

Arrests began on Friday. The march through the streets had blocked traffic and business at the courthouse had ceased during the rally. While speeches were still under way the Mayor told them to leave the courthouse grounds. When they didn’t, seven were arrested. Four were SCOPERS, two were local leaders, one was SNCC worker Scott B. Smith. Active in Chicago CORE, he came South for the Selma march, then went to Lowndes County with SNCC until it became too dangerous to stay. The four SCOPERS immediately went on a hunger strike. After their “trial” on Monday, they were sentenced to terms ranging from one to six months. An appeal was filed and they were released the next day. (Butler, 1965, 11-12; SC 8-28/29-65, 5, Jeffries, 2009, 100; *Cochran v. Eufaula*)

Angered by the arrests, a couple hundred people marched on the courthouse on the day of the trial. Rallying on its steps, they pretty much closed the courthouse. After an hour the mayor told them to leave and when they didn’t 82 were arrested for unlawful assembly. This scene repeated itself on Tuesday. The children were taken to the National Guard Armory; the adults were sent to the Union Springs prison camp 40 miles away. At the camp they discovered that all the beds had been removed. All that was left was a bare concrete floor and a toilet. The marches continued through Friday, when SCLC lawyer Solomon Seay arranged for all to be released. Jubilation reigned at the mass meeting that night. (Butler, 1965, 11-13; SC 11-27/28-65, 4) Although the mass arrests were meant to discourage local participation, movement activity increased.

At the end of August all the SCOPE workers except Larry Butler returned home, leaving him and Scotty Smith as the only “outside” agitators. The Voters League took over the movement, providing a Freedom House at 348 Center St. It became a social center for the local teenagers. High school students continued to be the movement’s infantry, often deciding on their own what to do. They organized squads to integrate the restaurants. On September 5, 60 people picketed the Lake Eufaula Festival, which annually drew thousands of tourists and quite a few politicians. (SC 9-11/12-65, 6; 11-27/28-65, 4) As soon as school started, they began protesting its inadequacies. In 1962 the Negro high school in Eufaula had been renamed for Dr. T.V. McCoo, a physician so highly regarded during his 50 years of practice in Eufaula that he had some white patients. He was still alive in 1965, so may have been aware of how poor his namesake school was. The school had 600 students; the library had barely 500 books; there were

broken typewriters, only two sewing machines and the football players didn't feel that their uniforms were safe. Parents were repeatedly asked to contribute money to buy basic equipment.

On September 10, the Friday night football game turned into a mini-riot. Seven McCoo High School students picketed the football stadium while the local team was playing. When the principal found out, he left the stadium, tore up their signs and ordered them to leave. News of this reached a Voters League meeting going on in the nearby Eufaula Academy, prompting them to go to the school. They stood at the gate, loudly singing freedom songs. This drew the attention of those attending the game, many of whom came outside to join in the songfest. The principal called the mayor, who came to the scene accompanied by the police. They arrested Larry Butler and Scotty Smith. Enraged, the crowd began hassling the cops. To increase their numbers the cops deputized available whites, who roughed up some of the protestors. When a young woman was struck, the crowd threw bricks and bottles at the cops and their deputies. They responded with tear gas. By the time the battle ended, three more people had been arrested, two were taken to the hospital, the high school's widows were broken, and a lot of the equipment inside was damaged. (Butler, 1965, 14-15; SC 9-18/19-65, 5; 9-25/26-66, 4)

Saturday morning the picket line resumed; this time outside the Eufaula courthouse. Six teenagers were arrested for failing to leave an unlawful assembly. On Monday, few students showed up at McCoo, and the few that did found the place such a mess that classes couldn't be held. Instead, a hundred of them marched to the courthouse to protest all of the arrests. The noise disturbed Judge Jack Wallace (brother of George), who was holding a hearing inside. Three of the demonstrators were arrested and charged with contempt of court. Brought immediately before the judge, they were each given a \$50 fine and three days in jail. On Tuesday the five arrested on Friday were tried and found guilty of disturbing the peace, unlawful assembly and resisting arrest. They were sentenced to a \$100 fine and six months in jail *on each count*. Attorney Seay posted bond and filed an appeal. Eventually Judge Johnson ordered the cases removed to his federal court and dismissed them. (Butler, 1965, 15; SC 9-18/19-65, 5; Butler ltr 10-5-65 in SCLC IV 165:1)

Things changed after the "riot," at least a little. Judge Wallace issued an injunction on September 13. The SCOPE and SNCC workers were ordered to refrain from encouraging "the destruction of school property" or school absence, and not even to mention the word "school" in any public or private gathering. The city school superintendent met with a hundred members of the Parent-Teacher Association at McCoo; they presented him with a long list of items the school needed. He promised to present it to the Board of Education. After a few weeks, some sewing machines, kitchen utensils and typewriters were added to the high school's class equipment. That was only a small fraction of what the P.T.A. thought was needed so it formed a permanent committee to press for improvements to the school. The city decided to hire three Negroes as part-time police. After some discussion, the police chief agreed that they could arrest anyone who broke the law, not just Negroes as was the common practice. As had happened in so many other counties, SCLC and SNCC went their separate ways. Butler counseled non-violence; Smith preached otherwise. The Voters Leagues stuck with Butler and non-violence. Smith left Eufaula to work in the rural areas of Barbour County. SCLC's presence was augmented by the arrival of Mike Bibler and Eddie Sanders from the Henry County project. (SC 9-25/26-66, 4; 10-3/4-65, 6; 10-30/31-65, 6; Butler, 1965, 15; SCLC IV, 165:11)

In October the Barbour County Voters League took their complaints directly to federal

officials in Washington, D.C. Butler had spent so much time explaining how the federal government worked, that he thought the local people would benefit from talking directly to federal officials who ran the programs that affected their lives. The trip required a lot of organizing and some outside resources, but everyone involved thought it was very successful.¹ Arriving in DC on October 16 after an 800-mile bus trip, 35 people spent the weekend getting settled and doing a little sightseeing. For the next three days different groups met with government officials, non-governmental organizations and attended hearings. Six went to the DoJ to meet with AAG John Doar, who told them to send their complaints directly to him. They also met with Wiley Branton, who was now a special assistant to A. G. Katzenbach.² Branton's mandate at the DoJ was to facilitate voter registration, which he had already done for two years as director of the Voter Education Project. Some people went to the Commerce Department to find out what the Small Business Administration and the Economic Development Administration could do for them. Others went to the Agriculture Department to find out about help available to farmers. A few met with Members of Congress, but not their Alabama Representative. They did meet briefly with Senator Sparkman, but not Senator Hill. Several attended Congressional hearings, including the first day of testimony at the HUAC hearing on the Klan, where they heard the Fifth Amendment's proscription against self-incrimination frequently invoked. (*SC* 10-3/4-66, 5; 10-30/31-66, 1; Butler, 1965, 17-19; SCLC IV 165:12)

The success of the Barbour County trip led three SCLC staffers to send a memo to Andy Young recommending that local people be sent from each blackbelt county to DC to picket the DoJ at staggered intervals demanding federal examiners. They thought that the "publicity and embarrassment to the government ... should be enough to guarantee action." (Memo of 11-15-65 from William Rau, Mark Harrington and Carl Ferris in SCLC IV 165:12) SCLC didn't follow through on this suggestion. The people who went to DC did follow through on some of the ideas they picked up there. The Voters League had speakers from the OEO on economic development, and on how to set up a federal credit union. The local hospital was finally desegregated. (Butler, 1965, 20; *SC* 1-1/2-66, 1)

Using canvassing and mass meetings the Voters League continued to bring people to the local Board of Registrars on the two days a month it was open. By November 15 the number of Negroes who could vote had gone from 611 before the VRA was passed to 2,195, raising the registered NVAP from 10.6 percent to 36.4 percent in three months. (Doar memo in Belknap, 1991, 15:237) The police continued to harass SCLC workers. On Friday, November 19, a cop

¹ Local people raised \$800 to pay for the trip but they had some help from the outside. A couple of the SCOPers had Washington connections through their parents which were useful in setting up meetings. Jean Allen arranged with The Church of the Savior in DC to provide accommodations for the visitors in the homes of church members. Su Kenderdine took a week off school to help with logistics. SCLC did not provide any help. It didn't even issue a press release. See Butler ltr 10-5-65 in SCLC IV 165:1 requesting help from Hosea in setting up meetings and getting publicity.

² Branton had been the first and only executive director of the President's Council on Equal Opportunity, which President Johnson created in February of 1965. It was supposed to provide oversight of all the civil rights programs in the different agencies, but LBJ abolished it in September after moving those programs around.

stopped Eddie Sanders and wrote him a ticket for having a noisy muffler. Eddie was nonplused; he had just had his car repaired. When he refused to sign the ticket, the cop arrested him and put him in jail to wait for a trial on Monday. The Voters League Youth Squad responded with a 24-hour picket line of the courthouse, which lasted until noon on Monday. They carried signs which said "Lady Justice is supposed to be blind" and "We Want Negro Jurors." There were a few tense moments. One white man threatened them with a hammer, and another pulled a gun. After a trial before Mayor Graves, Eddie was fined \$6 and released. (Butler, 1965, 20; *SC* 11-27/28-65, 5-6)

As the Voters League took over, the SCLC staff was reduced. Larry Butler returned to Pennsylvania and Eddie Sanders went home to Birmingham. Michael Bibler stayed, joined by John Davis. John had worked with SCOPE in Clarke County during the summer and gone onto staff in the fall. They continued taking people to the Board of Registrars on the days that they met. By the end of the year, 3,167 Negroes – 55 percent of the NVAP – were registered voters in Barbour County. (*BN* 1-23-66, 33)

Juries

In... certain Southern communities... the white residents.... believe that they have the same right to exterminate civil rights workers that a farmer has to kill rabid dogs. It is absolutely inconceivable to them that a man can be tried and convicted for such actions.

George E. Reedy, White House press secretary
Memorandum to the President,
October 2, 1965¹

In the minds of those Lowndes County people, it wasn't against the law to kill a civil rights worker.
Richmond Flowers, Attorney General of Alabama, 1963-67
(Hayman 1996, 226)

In my political science courses at Berkeley I was taught that the state, through its government, has a monopoly on the legitimate use of force and violence. However, in the South that was simply not true. The South had a long tradition of vigilante violence as a social control mechanism, in which the state tacitly ceded the right to commit violence to private groups and individuals. Floggings, burnings, and lynchings were just some of the means by which individuals were punished for violating white community values. Whites sometimes attacked other whites – the KKK did this quite a bit in the 1920s – but most often the victims were Negroes. Furthermore, a penumbra of protection extended to almost any white person who committed violence against a Negro, regardless of the circumstances. In practice, the official justice system rarely penalized whites who committed violence against Negroes even if it was for a personal matter, or just for sport. When faced with inter-racial crime, juries assumed that white was right. Vigilante violence increased during the civil rights movement, as Negroes were attacked for registering their children for a white school, or picketing for jobs, or registering to vote. White civil rights workers were particular targets because they were traitors to their race. Killing a Negro was barely a crime even when the white culprit admitted that there was no provocation. Killing a civil rights worker was not a crime; it was defense of the Southern Way of Life.

The murders of three civil rights workers in Mississippi at the start of the 1964 Freedom Summer made international headlines, but they were neither the first nor the last to die. The Southern Regional Council kept track of those who were killed as a consequence of the civil rights movement, including nonparticipants. It counted 17 Negroes and 8 whites killed in racially motivated violence between 1960 and the spring of 1965. Only five men had been tried for these deaths; three were convicted for manslaughter, none for murder. (SRC, 1965, 1; *WP* 10-2-65, A6) Four civil rights activists were killed in Alabama alone in 1965. A fifth would die on January 3, 1966. Three were white; two were Negro.

Jimmie Lee Jackson was the first to die, on February 18, after participating in a voting

¹ Belknap, 1991, 10:465.

rights march in Marion, the county seat of Perry County. While trying to protect his mother and grandfather from being beaten by state troopers he was shot in the stomach by one of them. He died eight days later. A Perry County grand jury refused to indict even though his killer was identified by several witnesses.² (*CD* 10-12-65, 7; <http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-2011>)

Rev. James Reeb, a Unitarian minister from Boston, answered Dr. King's call to come to Selma for a march of clergy on March 9. He and two clerical colleagues were attacked by four white men as they left a Selma restaurant that evening. Rev. Reeb died of his injuries two days later. Three of the men were indicted in Dallas County on April 13 and acquitted by an all-white jury on December 10. (<http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-2054>)

Viola Liuzzo was shot in the head on March 25 in Lowndes County while she was returning to Montgomery after dropping off marchers in Selma. One of the four KKK members in the car of her killers was an FBI informant. Gary Rowe's information led to a quick indictment of the other three. Tried separately, their fates followed different paths. On May 7, the jury that heard the trial of Collie Leroy Wilkins on charges of manslaughter deadlocked, resulting in a mistrial. Attorney General Richmond Flowers took over the prosecution for the second trial, insisting that Wilkins be prosecuted for murder. A different Lowndes County jury acquitted him on October 22, 1965. (*NYT* 10-17-65, 1; 10-23-65,1; *WSJ* 10-22-65, 16)

There was no federal murder statute so the Justice Department brought charges against all three in federal court, based on a reconstruction era conspiracy statute (18 USC §241). A federal jury drawn from 23 southeast Alabama counties convicted them all on December 3. They were sentenced to ten years in prison by Judge Frank Johnson but released on appeal. William Eaton died of a heart attack in March of 1966. Eugene Thomas' state trial for murder was postponed; he was acquitted on September 27, 1966. He and Wilkins eventually served a few years in prison for the federal conviction. (*NYT* 12-4-65, 1; *WP* 12-31-94, B5)

Seminarian Jonathan Daniels was blasted with a shotgun on August 20 by Tom Coleman in Lowndes County as he and three others were trying to enter a store to buy sodas after being released from six days in jail. They were the last released of 29 people arrested as they tried to picket a few stores in Fort Deposit, a small town at the southern end of the county. Organized by high school students, this was the only such demonstration in Lowndes County. When Coleman pointed his gun at Ruby Sales, Daniels pushed her down and took the full force of the blast, dying in full view of several witnesses. Among them were Fr. Richard Morrisoe, a Catholic priest, and Joyce Baily, a high school student, who turned and fled. Coleman kept shooting, seriously wounding Fr. Morrisoe. Flowers believed that "It was a premeditated thing.... They let those people out of jail in order to kill them, and the executioner of the county was the one who

² In May of 2007, J. B. Fowler was finally indicted by a Perry County grand jury. In 2005 Perry County elected its first black District Attorney, Michael Jackson, who decided to re-open the case. A racially diverse grand jury issued an indictment after an investigation turned up several people still alive who were willing to testify. On November 14, 2010, two weeks before trial was to begin, Fowler pled guilty to 2nd degree manslaughter in exchange for a sentence of six months in a county jail. He still insisted that he fired in self-defense. (*NYT* 5-10-07, A20; 7-6-09, 17; 11-16-10, A14; *WP* 5-10-07, A8; 5-11-07, A9; *Montgomery Advertiser*, 11-15-10)

did the killing.” He initially took over prosecuting the case, but after several judicial rulings went against him he left it to the local prosecutors. A “good ole boy” with deep family roots in the county, Coleman was only indicted on a manslaughter charge and acquitted of that on September 30, 1965. (*NYT* 8-21-65, 1; 10-1-65, 1; *WP* 9-29-65, A4; *CSM* 9-30-65, 1; *LAT* 10-1-65, 1; *CT* 10-1-65, 1; *CD* 10-2-65, 1; *SC* 8-28/29-65, 1; 10-3/4-65, 1; 4-2/3-66, 3; Jeffries, 2009, 93-97; Flowers quote in Hayman, 1996, 225-6)

These acquittals turned the attention of the civil rights movement to the jury system. State juries in Alabama were composed of white men.³ Women were barred by statute and virtually all Negroes were excluded in practice. Although a jury of one’s peers is lauded as the best way to achieve justice, these trials made it clear that peers who were too close to defendants did not always do justice.

Each Alabama county had a jury commission composed of three persons appointed by the governor. The law required them to create a jury roll of “all male citizens of the county who are generally reputed to be honest and intelligent men and are esteemed in the community for their integrity, good character and sound judgment.” Potential jurors were chosen from this list. The commissioners often started with the list of registered voters then added names from other sources (e.g. property owners, license holders, the phone book) if needed. Some people were automatically excluded for various incapacities, and others were allowed to exclude themselves (e.g. lawyers, the elderly). Many counties used the “key man” system, in which a few men of “substance” were asked to recommend others, and they in turn recommended still others. The fact that few Negroes were registered to vote reduced the likelihood that any would be on a county’s jury roll. In Lowndes County, 98 percent of the names on the jury roll came from voter lists and no Negroes were registered to vote before the Spring of 1965.⁴ (*Ala. Code Title 30, § 21 Recompiled 1958*; Eagles, 1991, 217; *White v. Crook*, 1966, 403, 405; *LAT* 10-1-65, 10; *WP* 11-28-65, S16)

Alabama exile Charles Morgan Jr., now running the ACLU office in Atlanta, was looking for a jury case in the Middle District of Alabama, where the sole federal judge was Frank

³ Prior to passage of the Civil Rights Act of 1957, federal juries were selected according to the criteria established by state law for state juries. In an effort to impose uniform standards for federal juries throughout the US, 28 U.S.C. 1861 specified that *any* citizen “who has attained the age of 21 years and who has resided for a period of one year in the judicial district, is competent to serve as a grand or petit juror...” with three standard disqualifications. However, federal jury commissioners in the South often interpreted that to mean that these were the minimal qualifications and that they could continue selecting people for the federal jury roll as they were used to doing. On July 20, 1966, the Fifth Circuit, sitting *en banc*, concluded that “Those responsible for compiling the [federal] jury lists violated the statutory scheme by applying the wrong standards and by using grossly inadequate sources” and ordered new lists be compiled consistent with the 1957 law. (*Rabinowitz v. United States*, 1966, 60) The opinion was drafted by Judge Rives.

⁴ A good description of how jury selection worked in another Alabama county even after Negroes were added in significant numbers to the voting rolls is in *Bokulich v. Jury Com. of Greene County*, 298 F. Supp. 181 (N.D. AL Sept. 13, 1968).

Johnson, one of the few Southern federal judges who applied the law as written and not as the white community wanted it to be applied. Lowndes County, where Jonathan Daniels was killed, was in the Middle District. An Episcopalian, Morgan had become friends with Rev. John B. Morris, the executive director of the Episcopal Society for Cultural and Racial Unity (ESCRU). Their offices were on the same floor in the office building at 5 Forsyth St. in Atlanta. ESCRU had sponsored Jon Daniels' stay in Alabama. Morgan quickly put together pleadings challenging the exclusion of Negroes from Lowndes County juries and filed his case in federal court on August 25. (Morgan, 1979, 39; Eagles, 1991, 39, 200)

The complaint said that while Negroes were 80.7% of the total county population and 72.0% of the adult male population in Lowndes County, so few of their names appeared on the jury roll that it was easy to keep any Negro from actually serving on a jury. The five plaintiffs asked the court to throw out the current jury list and require the jury commission to create another one in which the numbers of Negroes and whites reflected their proportion of the adult population. (*NYT* 8-26-65, 20; *WP* 8-26-65, A7; *LAT* 8-26-65, 4; *WP* 11-26-65, A2; 11-27-65, A2; *LAT* 11-26-65, 6; *White v. Crook*, 1966, 404)

To speed up the legal process, the complaint also challenged the Alabama statute that completely excluded women from jury service. Three women were among the five plaintiffs, including the named plaintiff Gardenia White. Although many states allowed women to exclude themselves from being called for jury duty, in 1965 only Alabama, Mississippi and South Carolina denied all women any opportunity to serve. Claiming that the state law violated the 14th Amendment to the US Constitution enabled this case to be heard by a three-judge federal court rather than just a single judge. The decision could be appealed directly to the Supreme Court rather than having to go through an appellate court first.⁵

This innovative addition to the complaint reflected a goal long sought by women working within the ACLU, in particular 77-year-old Dorothy Kenyon, who was on the ACLU national Board. She and Pauli Murray, a feminist Negro lawyer who had recently joined the Board, wrote the section of the brief arguing that total exclusion of women from jury service was a violation of the 14th Amendment. They were among the five lawyers on the brief. A suffragist in her youth, Kenyon had spent much of her life pursuing legal equality for women. At 55, Murray was a generation younger. Her feminist consciousness had been raised while serving on the Committee on Civil and Political Rights of the President's Commission on the Status of Women, whose report was published in 1963. There she met Mary Eastwood, a DoJ lawyer detailed to work with that Committee. The two of them subsequently co-authored a path-breaking article on "Jane Crow and the Law: Sex Discrimination and Title VII," which compared sex and race discrimination in employment. It was attached as an appendix to the brief of the Lowndes County case, a couple of months before it was published in the *George Washington University Law Review*. (Murray, 1987, 347-49, 362-64; 1965)

Plaintiff's brief pointed out many anomalies in Alabama's attitude toward its women citizens. On the one hand, women served at the head of many state agencies and were elected to state-wide offices. In the fall of 1965 women were serving as state Auditor, Treasurer and Secretary of State. They served on some of the county jury commissions, but could not be in the jury pool that they compiled. The presiding judge of the Alabama Court of Appeals was a

⁵ Pursuant to 28 U.S.C. §2284, prior to its 1976 revision, and §1253.

woman. She could reverse the verdict of a jury, but she could not sit on a jury. Despite these achievements, Southern white men viewed Negroes and women as having the same deficiencies: emotionally unreliable, unsuited for responsibility, and contented with their lot. A statement from Dr. Robert Coles of Harvard University to this effect was also attached to the brief. (Kerber, 1998, 198; *NYT* 12-30-65, 11; *WP* 2-6-66, A36)

The DoJ joined the Lowndes County case on October 25. At that time it was one of six jury exclusion cases the ACLU had brought in Alabama and Mississippi. Title IX of the 1964 Civil Rights Act permitted the DoJ to join in private civil rights actions but not to initiate them. ESCRU also joined in the suit. At the trial, T. Werth Thagard, the presiding judge in the Wilkins and Coleman cases, testified to the federal court that he could not recall any Negroes on Lowndes County juries in his 13 years of judicial service. The DoJ attorney said that County records showed that 98 percent of the names on the jury rolls came from voter registration lists on which there were no Negroes. The other two percent came from personal recommendations which had resulted in seven Negroes added to the jury roll between 1953 and 1965. According to the 1960 Census there were 1,798 Negro men but only 738 white men between the ages of 21 and 65 in the county. Only 670 of these white men were on the jury rolls in these years; 211 appeared at least six times. These 211 white men, including Tom Coleman, had decided most of the Lowndes county cases for 13 years. (*NYT* 10-26-65, 28; 11-27-65, 35; *LAT* 10-26-65, 16; *WP* 10-26-65, A7; 11-27-65; A2; *BN* 11-27-65, 2; Eagles, 1991, 217, 253; *White v. Crook*, 1966, 404-5) Lowndes County was not unique. Many other Alabama counties effectively had only a few hundred people sitting on all the juries. (*BN* 6-16-65, 35)

When the court decided *White v. Crook* on Feb. 7, 1966, it ordered the Lowndes County jury commission to immediately reconstitute the jury roll with no less than 1,000 names reflecting a fair cross-section of the county's population. Alabama jury requirements had to be "imposed fairly and objectively and administered to all regardless of race, in a nondiscriminatory manner." It also required that the jury commission make periodic reports to the court, identifying by race anyone rejected for the jury list and giving the reason. The issue of women was addressed separately. Stating that "[t]he time must come when a state's complete exclusion of women from jury service is recognized as so arbitrary and unreasonable as to be unconstitutional," the court allowed until June of 1967 for women to be added to the jury rolls. (*White v. Crook*, 1966, 409-410; *NYT*, 2-13-66, 172; *BN* 2-8-66, 1) Attorney General Richmond Flowers, who represented the defendants, did not appeal. Apart from the fact that he agreed with the court, he knew that the Supreme Court would uphold the decision as applied to Negroes and there was no pressure within the state of Alabama to keep women off of juries. While a few blackbelt legislators opposed jury service for women, Gov. Wallace did not. Most women's groups and Alabama's Commission on the Status of Women were in favor.⁶ (*BN* 6-14-65, 19; 2-8-66, 19) On September 12, 1966, the Alabama legislature amended Title 30 §21 of the

⁶ Alabama's Commission on the Status of Women released a report in June of 1965 covering the many attempts to equalize jury service for women, resulting in some newspaper coverage of their efforts. Women's civic organizations, in particular the League of Women Voters and the Business and Professional Women's Clubs, had been agitating for equal jury service at least since 1939, when a bill was first introduced into the Alabama legislature. They were always out maneuvered. The federal court finally forced the legislature to do what they could not do. (*BN* 6-17-65, 31; 2-17-66, 10)

Alabama Code to remove the word male, but gave women the option of removing themselves from jury duty, in addition to the 30 other reasons that one could ask for an exemption.

Charles Morgan continued to file suits demanding that jury rolls include Negroes. He wrote years later that he had filed suits in 27 of Alabama's 67 counties with large Negro populations and only lost two. He also filed 8 suits in South Carolina, 9 in north Florida, 7 in Virginia, and 4 each in Tennessee and Mississippi. (Morgan, 1979, 56-57)

While women were added to the jury rolls in Alabama counties without difficulty, such was not the case in Mississippi and South Carolina. A Lee County court decision that the state prohibition against women jurors was unconstitutional was overruled by the Mississippi Supreme Court. Two years later, on June 14, 1968, a law making women eligible to serve on state court juries was signed by the governor. South Carolina voters amended that state's constitution in November of 1966 to allow women to serve. (*CT*: 6-14-66, B12; 11-10-66, A8; *WP* 11-6-66, P9; *NYT*: 6-5-68, 32; 6-15-68, 33)

Butler County

“help defeat the NAACP, Integration, Mongrelism, Socialism, Communist ideologies, FEPC and One World Government.”
membership card for the Butler County White Citizens’ Council issued in 1955
(Lewis, 2006, 90)

Like most of the southeast counties, Butler County was carved out of lands ceded by the Creek Nation when it lost the Battle of Horseshoe Bend in 1814. It was named for Capt. William Butler, a soldier in that war who was killed in a subsequent Creek uprising. As in most of southern Alabama, immigrants from Georgia and South Carolina displaced the Creeks, but not without a few more years of mutual killings. The county seat was named Greenville after the town in South Carolina from which many white settlers came. Located equidistant from Georgia and Mississippi, one county above the Florida border, Butler County was part of that strata of fertile, black soil which first gave the blackbelt its name, though it lacked the very large plantations typical of the blackbelt. Its lack of a navigable river hindered agricultural development until after the War when railroads replaced rivers as major transportation routes. The railroads made Greenville a major trading center and allowed manufacturing to supplement the agricultural economy. (Little, 1885, 1971)

During the 1890s, Butler County had been a center of populist rebellion, voting for the reform candidate for governor in the elections of 1892, 1894, and 1896. During the same decade it became nationally known for several lynchings. In 1892 two white men committed several armed robberies and murders before they were caught by a mob, lynched and their bodies displayed outside the courthouse for several days. Three years later five Negro farmhands, including three women, were hung ten miles outside Greenville after the beaten and burned body of their employer was found. This made national headlines. (Rogers, 1970, 223, 284, 315; Crudele, 1980) Between 1889 and 1921, 12 people were lynched in Butler County. (Feldman, 1995, 126)

Butler County also made the newspapers in 1901 for its abuse of the convict lease system by which counties rented out convicts to mine operators to pay their fines and court fees. In only three months 91 men – mostly Negroes but including a few itinerant whites – were convicted of riding the trains illegally. The sheriff would make an arrest and present an elaborate prosecution. Numerous witnesses testified at trial. All those involved – law enforcement, court officers, judges, witnesses – were paid fees for their services, which were charged to the convicts. The defendant paid for this “due process” with many years in the mines – to the profit of both the county and the mine owners. (Hackney, 1969, 265, citing *Montgomery Advertiser*, March 8, 9, 12, 1901)

Butler County had a population of 24,560 in the 1960 Census, almost 45 percent non-white. Negroes were over one-third of the 13,183 people of voting age living there in 1960. When Doar wrote his July 22 memo to the Attorney General, he said that there were 525 Negroes registered to vote in Butler Co. as of April 1965, or 10.9 % of the 4,820 NVAP,

compared to 6,905 whites, or 82.6% of the 8,363 WVAP. (Belknap, 1991, 15:166) This was more than the two Negroes registered to vote in 1908, out of a 1910 male NVAP of 3,249, but less than the Southern Regional Council's 1956 estimate of 805. The *Birmingham News* said that 831 Negroes were registered to vote in Butler County in September of 1960. The U.S. Commission on Civil Rights said there were 248 non-whites registered to vote in 1964. (Lewinson, 1932, 216; Gomillion, 1957, 271; USCCR, 1961, 253; Nov. 1965, 37 citing *BN* 5-3-64) One can readily conclude that no one really knew how many Negroes were registered to vote before the VRA was passed, but there were not a lot of them.

At orientation, Hosea assigned three white students from the University of Colorado to go to Butler County. Pam Mausner, 20, Dick Krushnic, 20, and Janet Wolfe, 25, had met on the bus taking them from the University to participate in the last two days of the Selma-to-Montgomery march. Inspired to do more, they applied to SCOPE. Pam was a sophomore physics major. Richard had just finished his junior year in fine arts. Janet had just finished her MA in political philosophy. They drove to Atlanta in Janet's green VW bug; it became the project car in Butler County. The project director, R.B. Cottonreader, was from California. Born and raised in Texas, R.B. became involved in the movement while working as a waiter in San Francisco in the spring of 1964. He joined CORE after seeing the demonstrations outside the Sheraton-Palace Hotel, where I was inside waiting to be arrested with 166 others. Cottonreader was soon involved in other demonstrations. A year later he went to Alabama to participate in the Selma march and stayed. (Gilliard, 2003, 133-36) At 34, Cottonreader was much older than the typical SCLC staffer; he also had less movement experience before going on staff. SCLC put him on the team it sent to Marengo County in April. The time he spent there was his only experience working in the Southern movement before he became a county SCOPE director.

One of the first things SCOPE did was form a "We Want Freedom" club, headed by Mattie Durant, to bring together those who wanted to work in the movement. Through this they recruited locals to help in the canvassing and later to mobilize for marches. SCOPE organized political education classes in Greenville and the much smaller towns of Georgiana and Mt. Idy, several miles away. They also filed complaints about the segregated hospital and the segregation practices of various employers. They sent telegrams to the DoJ complaining about the segregated schools. They did a lot of canvassing because their primary job was persuading Negroes to register to vote on the two days a month that the Board of Registrars was working. On these days, a few hundred Negroes stood outside the courthouse in the hot sun waiting to see the registrars and take the complicated test. There were too few SCOPERS to run a Freedom School, but Janet taught several people to write their names. (Wolfe letter of 7-26-65; SCOPE report on Butler Co., n.d. but written between August 5 and 15, SCLC IV, 168:16)

As was true elsewhere, the white population showed their disdain for the white outsiders who were challenging white supremacy. The very first day they were encircled by six cops and questioned about why they were in town. A week later the Greenville KKK klavern greeted them with a parade through Baptist Hill. At their first mass meeting, held in the front yard of a house, police with guns and tear-gas canisters surrounded them and said they were disturbing the peace. R.B. got the crowd singing "I ain't scared of your jails because I want my freedom." After a lot of singing, the cops left. At future meetings they just observed. When the SCOPERS were

canvassing, Janet's car received lots of tickets and was occasionally run off the road. SCLC sent \$350 to pay the fines. (WSL 400) Richard integrated a rural diner with one of the teenagers. After they finished eating the proprietor ostentatiously broke the dishes they had eaten from, brandished a gun and told them to get out and never come back. On July 19, Janet and Pam went with two Negro teenagers into the Court Square Café and ordered coffee. The teenagers were served, the SCOPers were not. When they pressed their request, the owner came out holding a blackjack and said to all of them "Nigger, get the hell out of here." To emphasize his point, the threw a bucket of water on the floor. To their lists of summer tasks, they added boycotts of stores who refused service. (Krushnic interview with KZSU; Wolfe letter of 7-26-65; SCOPE report on Butler Co., n.d. but written between August 5 and 15, SCLC IV, 168:16; HUAC *Report*, 1967, 149; http://www.crmvet.org/docs/6507_scope_rpts.pdf; SC 7-30-65, 6)

The locals who helped with the project were also harassed. One man helping at the courthouse on registration day was arrested for an unpaid fine of \$8 and had to spend \$43 to get out of jail. Anyone seen with a SCOPer in his or her car might be stopped, searched, questioned, and get a ticket for anything the cop wanted to write up. This presented a particular problem when Janet got an Alabama plate for her car. She couldn't get an Alabama driver's license, so in effect, couldn't drive her own car because of the rule that the driver had to have a license from the same state as the car. Even with a Butler County plate, when Janet was in her own car, driven by a local Negro with an Alabama driver's license, her car was a magnet for unwanted attention. (Wolfe letter, 7-26-65)

When R.B. got the August telegram from Hosea calling for demonstrations all over the South to demand passage of the Voting Rights Act, he asked the city of Greenville for a parade permit to march on the courthouse on Tuesday, August 3. After it was denied, R.B. phoned the FBI in Selma to tell them that they would march anyway. Around 11:00 a.m. R.B. led about 150 people, mostly teenagers, down South Park St. toward Commerce St. SCOPE had brought 603 people to the courthouse on registration days of which 422 had been processed, but none notified. The marchers demanded that they be told if they had passed the test. Stopped after three blocks by a dozen or so city police and sheriff's deputies, City Attorney Elisha Poole told them that they could march no further since they didn't have a permit. The demonstrators sat down in the street and refused to leave. The stalemate lasted seven hours, during which time the cops put up a wooden barricade. A little after 6:00 p.m., when the police were lulled by inactivity, R.B. lifted the barricade and walked through, followed by dozens of others. (SC 8-6-65, 1; 8-13-65, 5; SCOPE report, SCLC IV 168:16; FBI File #157-2925- 118 123, 135)

That got the cops' attention. They responded with tear gas and smoke bombs. The protesters' plan was to stay put if this happened, lying on the ground with towels over their faces to protect against the tear gas. It didn't work. The tear gas was too heavy. The cops jerked the towels off people's faces and hit some of them. The protestors retreated slowly back into the Negro neighborhood where supporters washed their faces from water hoses. They finally returned to where they had started and had the largest mass meeting of the summer. People were really mad. (Wolfe report, 8-6-65; FBI reports of 8/3/65, 8/4/65 in File #157-2925- 118, 123)

The next day, about 70 marchers tried again to march to the courthouse. Again they sat

down when stopped. After a five-hour face-off and a one-minute warning, the police again dispersed the marchers with tear gas and billy clubs. This time the cops followed them into the Negro neighborhood, throwing gas canisters indiscriminately into yards and onto porches. They were joined in this chase by a small group of white hecklers throwing rocks. SCLC's state director, Albert Turner, soon arrived. He told Cottonreader to cool it, and told the press that "we plan to concentrate on our original voter registration drive." After Turner worked out an agreement with Mayor Elton L. Johnson, some 285 demonstrators were permitted to march to the courthouse on Thursday, hold a brief prayer service and return. By then the rain was heavy enough to send everyone home. The FBI agent who observed the march reported that it "was orderly and peaceful and there were no incidents." Poole said that 300 people would be notified by mail of the results of their applications to become voters. (*SC* 8-13-65, 5; FBI reports of 8/4/65, 8/5/65 and 8/9/65 in File #157-2925- 135, 152; #57-933-203; Butler Co. SCOPE report, SCLC papers IV 168:16; Turner quote in *BN* 8-6-65, 2)

Cottonreader and 16 locals went to the SCLC convention while the SCOPers continued to canvass in preparation for the August 16 registration day. By then the VRA was law. Although the Board of Registrars no longer had to administer a test, they still stalled as long as they could. That Monday close to 400 people stood in line to register but only 130 were successful. Only two of the three Board members were present and they took their time even though they no longer had to give all those tests. The courthouse was hot and humid, adding to everyone's discomfort. Late in the day Albert Turner came to see if he could facilitate the process but found the office closed. He returned the next day because Gov. Wallace had given Butler County an extra registration day, only to be "forced from the office at pistol-point." He and Cottonreader were ordered out of the courthouse, but the Board stayed open. Of the 200 people standing in line 180 were registered. This was the last registration day for the SCOPE project before the students returned to school. Local people continued to bring people to the courthouse on registration days after SCOPE left. In the six registration days between September and November the Board of Registrars added 399 Negroes and three whites to the county voter rolls, which was less than the hundred the Board had said it could register per day after the VRA removed the tests. By the end of 1965 there were 2,548 Negroes and 7,359 whites registered to vote, all by the local Board. This brought the number of Negroes who were registered from 10.8 to 25.6 percent of NVAP. (Quote in *SC* 8-20-65, 6; USCCR Nov. 1965, 28, 53; *Cottonreader v. Johnson*, 1966; Belknap, 1991, 15:237; *BN* 1-23-66, 33)

Butler County was on the initial list of counties to receive federal examiners compiled by A.A.G. John Doar in anticipation of the Voting Rights Act. Even though the DoJ had never begun an investigation into the county's registration practices it was among the 30 Group B counties designated to get "examiners ... within 10 to 15 days after the bill is signed." Federal examiners were never sent to Butler County. (Belknap, 1991, 15:166)

There were no more demonstrations until August 21, when several local Negroes decided to picket Elmore's Five and Dime Store. They said that almost half of Elmer's business came from Negroes, but the manager would not hire any. Cottonreader and three locals met with the manager to ask him to hire two local Negroes, but he would not budge. That afternoon seven teenagers began picketing, carrying signs that said "Jim Crow Must Go" and "We Want

Freedom.” A crowd of whites gathered, taunting and threatening the pickets. Three men threatened Cottonreader with knives while the police just watched. The cops continued to do nothing when the white men turned on teenager Charles Cheatham and beat him instead. By then law enforcement had arrived in force, including Sheriff Thomas and his deputies, police chief Stafford and his cops, a car full of state troopers and City Attorney Elisha Poole. They just watched. When it was clear that all this police power would not protect them, Cottonreader and the picketers left, but they told SCLC what had happened. On August 27 attorney Fred Gray on behalf of the NAACP Inc. Fund asked federal Judge Johnson for a temporary restraining order (TRO) to compel the Butler County officials to provide proper police protection while protestors exercised their constitutional rights. The judge denied the TRO but accepted the case against the Mayor, the Chief of Police and the Sheriff. The defendants counterclaimed on November 15, asking for a TRO to enjoin SCLC from obstructing traffic or interfering with the schools. This case would drag on for months. By April, when Judge Johnson found both sides at fault for creating chaos and enjoined both, SCLC had left Butler County never to return. (SC 8-28/29-65, 6; BN 9-4-65, 2; *Cottonreader v. Johnson*, 1966)

Greenville¹

One of the first things I did when I got to Greenville was take a walk downtown before anyone knew my face. About 50 miles southwest of Montgomery, the Camellia City, as it called itself, had 6,894 people when the 1960 Census was taken, of whom almost forty percent were classified as non-white. Although civil rights workers often got to know the county sheriff and the mayor of the small towns we worked in all too well, in Greenville it was the city attorney, Elisha Poole, whose job it was to deal with us. We saw Sheriff W. W. Thomas and Police Chief E. B. Stafford during our demonstrations but only heard from Mayor Elton Johnson in the newspapers. The Pooles were the prominent political family in the region. They owned a lot of property and held important positions in local and county government for decades.

Unlike most county seats, Greenville had a courthouse circle rather than a courthouse square and it wasn't in the middle of the town. The main business district, appropriately called Commerce St., stretched west from this circle to a railroad trestle about a mile away. State highways branched out from the other sides. Midway in the business district, near the foot of South Park St., was City Hall. Flanking Commerce St. were the white sections of town. Further away were the Negro sections.

Masked by an anonymity I had never known in Abbeville I walked down Commerce St., checking out some of the stores on the way. I wasn't completely faceless; this was still a small town, and a small Southern town at that. When three whites – an old man, a young woman and a little girl – smiled and nodded at me in passing, I didn't know how to react. I automatically responded with the same blank glare I had given to the ugly words and gestures of whites (mostly younger men) in the towns where I was known as a civil rights worker. Negroes, on the other hand, ignored me. In the other towns they would have said "good day," and nodded as we passed. In my anonymity I had shifted tribes. In my past postings I was assumed to be part of the black world; in my walk down Commerce Street I was assumed to be part of the white one. I returned to the office by a circuitous route.

For the weeks I lived in Greenville, I stayed in the home of Mrs. Lulu Robinson at 103 Purdue St. The two SCOPE girls had stayed with her during the summer. For religious reasons she only wore white, including a white headdress that reminded me of a nun's habit. She did not wear shoes. Of course I was quite curious about how she could go barefoot in the winter, but I couldn't quite think of a diplomatic way to ask her so I never did. Because her bare feet got dirty walking in the street she washed them every night before going to bed. She insisted that I do likewise, even though I wore socks and shoes. Taking a shower every evening wasn't enough. Before she would let me stick my feet between her clean sheets, I had to soak them in a pan of water and wash them with soap, just like she did.

¹ I kept a hand written diary in a notebook of my impressions and observations of Greenville from Oct. 19, 1965, to Nov. 23, 1965. The material in this section not otherwise cited or not obviously from other sources (e.g. the Census) is based on that diary.

Greenville was quite different than Abbeville. The streets in the Negro neighborhoods were paved, but not all of the houses had electricity or even inside running water. There was a higher proportion of decrepit shacks among the wooden houses. They looked older and not as well cared for as in Abbeville. The exception was the Negro housing project, built with federal funds to federal specifications. From the outside the series of brick double bungalows looked pretty good. A cement path from the street forked to the two front doors, each with its own tiny porch, separated by windows (in the building) and flowers (in the yard). The houses sat on a cement slab, which I knew from living in California could mean a cold floor. They were surrounded by grass-filled space without fences or gardens. I could tell that the grass was cut by a project employee because it was so even. Rent was \$20 to \$40 per month, depending on family income and unit size, plus gas and electricity. We did a lot of canvassing in the projects but I was never invited inside one of the housing units.

Like Abbeville there was one Negro policeman whose job was to patrol the Negro nite spots on Friday and Saturday nights and the high school football games on Wednesday nights. Unlike Abbeville's, Greenville's Negro cop wore a gun. Of course he could only arrest Negroes (and civil rights workers). He had no badge, and his only uniform was his hat. But he had a gun as well as a nightstick. None of us had seen that in other Alabama counties.

Mrs. Robinson wasn't poor enough to qualify for a project house, or maybe she just liked her own home. Like the houses in Abbeville, her's looked shabbier outside than inside. The exterior was wood covered with a fake brick asphalt tile. Four stone steps led up to her front door. There was no porch. Inside, there was electricity and indoor plumbing with modern bathroom fixtures, but in the kitchen she cooked on a wood stove. She insisted on cooking breakfast for me every morning, which I would have appreciated had she offered me something besides fried baloney on white bread. As with many things, I couldn't figure out how to say no diplomatically, so I ate as little as I thought I could get away with, telling her that I didn't have much of an appetite in the morning. At least I got my morning tea.

I had learned in Newberry that food was a constant source of cultural collision. When Mrs. Robinson offered me some sugar cane I was game to try it but had no idea how to eat it. It looked like bamboo to me. When she saw my puzzlement she cut and peeled a stalk about a foot long and showed me how to chew on it. I was happily gnawing on the cane when Mr. Robinson started to laugh. He thought it was funny that I did not know how to prepare and eat sugar cane. When I finished one piece I started to cut and peel another. When Mrs. Robinson heard me wielding the knife she came in to watch, a half amused expression on her face. I felt like I was inside the bars of a zoo.

It was in Greenville that I first understood the tyranny of hair. It came from watching three or four young women get together in the evening to straighten and style each other's hair. I knew that Negro women used hot irons and chemicals to straighten their hair, but I'd never seen it done before. While there was a social component which was enjoyable, the actual process looked really unpleasant, but no more so than what white girls did to curl their hair. Most of the girls in my high school slept on curlers every night in order to have a proper coif during the day. Appearance was more important than a good night's sleep. It seemed that females of whatever race couldn't just wear their hair, they had to create it. Natural hair, whether kinky or straight,

just wasn't allowed.

I had a little debate in my head on whether girls did this to attract guys, or just because everyone else did it. As a child, my very straight hair resisted all attempts to add a curl, and I resisted doing anything more troublesome than a daily comb. After I outgrew pigtails, my mother wanted me to get a permanent so I would have attractive curls. I tried it once, hated the process and the amount of hair care it required. I insisted on cutting my hair short so it would require minimal work on my part in an era in which only boys wore short hair. As a child, total strangers would ask me if I was a boy or a girl. I'm sure my sex was evident; this was just a way of expressing disapproval of my androgynous appearance. At Berkeley I let my hair grow long, cutting only my bangs, in part to save money from haircuts and in part because other girls wore their hair long and uncoifed. Long, straight hair had been a beatnik style in the 1950s so my mother teased that I was trying to be a beatnik. I gave in once to her wish that I look like other girls. She wanted a nice graduation photo. In the few days I spent at her house before going to Atlanta I let her take me to a beauty parlor for a proper styling, then directly to a professional photographer so she could get her photo before my hair reverted to its natural state. By the time I graduated, long straight hair was moving into the mainstream on campus, but not in the larger society. Most girls with natural straight hair set it in curlers every night and spent an inordinate amount of time putting it in place in the morning. In Greenville I learned that Negro girls did pretty much the same thing. The difference was that white girls curled their hair while Negro girls straightened it.

R.B. Cottonreader was still running the Butler County project when I arrived in mid October. I immediately recognized his tall, lanky frame and long face, but hoped he didn't recognize me. As Cottonreader got involved with the Bay Area civil rights movement in 1964, he also got involved with my housemate, Toni Toms. A college drop-out from Detroit who was working as a secretary at the Cal Student Union, Toni was just dipping her toe into the movement. Her liaison with R.B. – she called him Richard – didn't last long. Toni tried on men the way some women try on clothes. If she didn't like the fit she tossed them aside and went on to someone else. Some of her boyfriends didn't get the hint and would phone her repeatedly. Toni wouldn't answer the phone, leaving me to deal with her rejects. That's how I knew R.B. If he remembered me, he didn't let on. But he sure liked to yell at me if I didn't toe his line.

Since the summer SCOPers had left there was no project car and I was R.B.s only staff. We were dependent on local people to get anything done, and that seemed to be harder than it was in Abbeville. As in Newberry and Abbeville the main barriers to getting local people to participate in the movement were apathy and fear. In Newberry and Abbeville apathy was the bigger hurdle. In Greenville it was fear.

There was a level of fear in Greenville that I hadn't sensed in Abbeville, though I could not tell if it was a permanent fixture or a result of the demonstrations the previous summer. When I sat in an easy chair to watch television, Mrs. Robinson made me move to another one that was not in front of a window. She said that from the outside my head was a perfect target. She had participated in the summer demonstrations, but when we started marching again in November, she stayed out. As soon as R.B. learned that I had brought a mimeograph with me, he arranged for a man to drive us to Montgomery to get it fixed, as well as to pick up some cloth for

the Freedom Suit Sewing Factory he was starting. When the man's wife learned that one of his passengers was a white girl, she wouldn't let him go. Another time, two ministers drove us back from a church meeting in the country. As we entered Greenville, I asked if they'd go by the Post Office so I could see if I had any mail forwarded from Selma. They hinted that they didn't want to be seen in town driving a white girl even though I was in the back seat with RB. When RB insisted, the driver took us to his home. Leaving the motor running, both ministers got out of the car and one called to his wife to come out. He told her to drive me to the post office. She did, but RB was pretty angry that the men wouldn't do it. RB also forbade me to walk downtown alone to the post office, making it necessary for me to find someone to drive me whenever I wanted to check for mail or cash my \$30 bi-weekly subsistence check.

It didn't take long for the white clerks in the bank, the post office and the stores to recognize my face. They knew what I was and they hated me for what I represented. In Abbeville whites had stared at us (white workers) with a certain amount of apprehension and a lot of curiosity. In Greenville, their faces were full of hate. As I walked into a store I watched the clerks' expression shift from the blandly pleasant look required by business decorum to a stony stare and back again. I always made it a point to be *very* polite and smile profusely, even though that was contrary to my nature. It threw them off guard. It was in their nature and their training to respond in kind, but they really didn't want to. I could usually get in and get out while they were still wondering how to treat me.

Under the Chinaberry Tree

When R. B. Cottonreader came to Butler County in June he could not get a church in which to hold mass meetings. The local preachers were simply too afraid of what the local white folk would do. Cottonreader would go to Beeland Park to talk with the Negro teenagers, but the Negro cop, responsible, as in most Southern towns, only for the Negro neighborhoods, told him he had to stop. When he tried once more to get inside a church, “a little boy came up. .. and said, ‘Mr. Cottonreader, my daddy said if you come to my house, you can stand on my front porch and people can stand out in my front yard under the chinaberry tree and you can talk to them and we can turn the light on.’” That was how the area under chinaberry tree became the movement’s meeting place. Rev. Gandy of the Mt. Ida Baptist Church soon opened the doors of his church, but people still liked meeting under the chinaberry tree. (*SC* 7-23-65, 6; quote in Gilliard, 2002, 136)

When I got to Greenville I October the “movement” was still meeting at Mr. Brown’s home at 323 Purdue St. It was one of the larger unpainted shacks common to Negro neighborhoods in the South. It had electricity but no inside plumbing, not even running water. There was a waterline in the back yard with a faucet coming up from the ground. An ordinary garden hose brought water from the hose bib to the kitchen in back of the house.

We held our first mass meeting of the fall on October 23, as the Wilkins acquittal for the murder of Viola Liuzzo made the headlines. Dr. King had announced that he would cut short his European trip to organize marches on county courthouses, and possibly economic sanctions, to highlight the lack of justice in the South. (*NYT* 10-24-65, 1) There wouldn’t be another registration day for two weeks, but the acquittals gave us something else to talk about.

It was a cold night, one of the coldest on record for that time of year and everyone came bundled up. As I was early I went inside to get warm, but it was just as cold inside as out. The front room of Mr. Brown’s house had one tattered couch and a couple kitchen chairs put out for people to sit on. The couch was piled high with laundry fresh from the black pots, the beating sticks and the rusty clotheslines. A woman was huddled over an ironing board, shivering from the icy weather. She ironed the clothes while trying to absorb heat from the iron. Hanging lopsided on one wall, a picture of JFK and Jackie looked down on poverty their ancestors might have known in Ireland a couple hundred years earlier. Unlike many such homes, there were no beds in the living room. Nor were there any rugs. I could see the gullied and wrinkled grain of the wood floor carved by years of wear.

A long hall ran next to this room. At one end was a pile of firewood and at the other were two wardrobe closets, their varnished wood surfaces shining brightly next to the somber walls. Two rooms off of that hallway each held two double beds piled high with quilts. A group of people was huddled around one of the small fireplaces trying to warm themselves over the dying embers. A half-naked child lay on one bed sucking her thumb and staring in mute indifference at the floor.

In front of the other fireplace a blind man sat holding a small, sparsely clothed child. Wrinkled and grey, he repeatedly begged in a plaintive voice for someone to bring him a piece of white bread with “just a li'l bit o' syrup” on it. Next to him sat another old man hunched toward the fire as though the very strain of his muscles could warm him. Every now and then he would scuffle his feet forward and slowly drag the chair an inch or so closer to the embers. He did this almost furtively as if afraid he would be caught and made ashamed for hogging too much space. As he was pulling himself a little nearer for the fourth or fifth time one of the back legs of the wicker chair suddenly slipped through a crack in the floor. Almost in slow motion, the chair toppled sideways, sliding its occupant onto the dusty wood floor.

A room in back served as the kitchen, the one table loaded with dishes, garbage and a dishpan. In the corners were an old refrigerator and a wood stove. A long green hose snaked in through the open door from the outside faucet. Large puddles formed dark blotches on the floor where water dribbled from the hose when the water was turned on. A kettle sat on the stove to heat water for washing up, but there was no fire in the stove.

After a dozen or so people had gathered outside we tried to get the meeting underway. A 14-year-old-boy, undersized but with a rich tenor voice, led the people in freedom songs and clapping. The porch, about twenty inches off of the ground, served as the speaker's stand. A bare light bulb hanging from the porch roof illuminated the speaker. By the time the meeting shifted from singing to speaking there were 30-40 people between the porch and the chinaberry tree, its berries gleaming palely against the velvet sky. At the edge of the road four men tried to build a fire to get some relief from the bitter cold.

When the Harrison St. Baptist Church became available to the movement we were allowed to use one room as an office. It had a phone, but no duplicating machine, not even a ditto. One of the parishioners was a teacher; she used the machine at her school to run off church bulletins. She couldn't use it to run off our flyers. Until I came, mass meeting leaflets were written by hand. That became one of my jobs, until my hand-cranked mimeograph machine was repaired. Using carbon paper, I could do three pages at a time, repeating the date, time and place twice on each sheet under the heading: MASS MEETING. Then I cut the sheets in half. I had to move the carbons around so I wouldn't always write on the same spot. After I made a couple hundred half-page leaflets I gave them to the kids that always hung around the office to pass out from house to house.

On October 26, about a week after my arrival, we went to the town of Chapman to canvass because RB said that the registrars were supposed to be there that day. They weren't. Registration days in rural Alabama counties were on the first and third Mondays of the month. October 26 was the fourth Tuesday. Nonetheless it was an educational excursion. I found out that the entire town and the surrounding countryside was owned by one family – the McGowans. They charged \$12 a month plus utilities for an unfurnished house with the standard four rooms and a path that I had seen in Abbeville. The rent was \$18 a month if the house had indoor plumbing. The Negro women in that town all worked different shifts in the five big houses owned by the McGowans for \$15 a week. There were two elementary schools, each with four rooms, one for white kids and one for Negro children, on opposite sides of the town. Both had

fancy new buildings, built with federal money, but with nothing inside. Since there were fewer white school children, they did have smaller classes.

That was still better than what Janet had learned the previous summer. She found that women usually made \$2 a day doing housework and men \$3 a day doing farm work. The only other jobs available were janitorial and clean-up work in the stores, which didn't pay any better. She was particularly taken by a woman she called Annabelle, who kept a white woman's house from 7:00 a.m. to 4:30 p.m. five days a week for only \$10. Of that she had to pay \$4 to her own babysitter, leaving \$6 for all her other household expenses. She had to get to work early because her boss worked at the glove factory and had to be there on time or her pay of \$18 a day would be docked. Of course the glove factory didn't hire Negroes, so Annabelle couldn't get the higher paying job. Compared to Annabelle's pay of \$2/day, \$18 a day looked good, but together they explained why low-wage work just created more low-wage work. (Wolfe, 1965)

We had our first march on Saturday, October 30, to the Board of Education. A few students had organized a school boycott in September, but little came of it. At R.B.'s instigation, a group of parents had demanded that two Negroes be appointed to the Board of Education, and a full-time janitor, bandmaster and safety officer be hired for the Greenville Training School. They also complained that the football equipment was lousy and the library only had a hundred books in it. On two occasions students blocked the entrance so the buses could not get in or out. Overall, not enough students left class to make much of a dent in the per diem the school was getting from the state. While little changed, the students were still upset and wanted to march on the Board. (SC 10-3/4-65, 1)

Built with federal money, the GTS building looked good on the outside. State money was used for the inside and had to stretch a long way. There were 16 classrooms and one multipurpose building about the size of two or three classrooms. It gave new meaning to "multi," serving as auditorium, theater, band room, boys *and* girls gym, library and cafeteria. The library stretched from underneath the basketball net to the stove and had fewer books than I'd kept in my in my Cal dorm room a few years earlier. The cafeteria stove was one of the few results of the boycott. Before that students either brought their own lunch, or bought cokes and cookies from two vending machines. Hot lunches were unknown. There was still only a part-time janitor. At least he didn't double as the part-time principal, as was true in many Negro schools. The latter had a second job as a preacher, with a couple churches to tend to on Sunday. That was a typical pattern in Negro communities in rural Alabama. Teachers and preachers were the local leaders, but among the men they were often the same person. Women could be teachers but not preachers. They risked their jobs if they spoke out, so they only supported the movement quietly behind the scenes. Men who were teachers and preachers also risked their teaching job, but had a preaching job as back-up. They too kept quiet, but occasionally one would speak out in favor of our activities. Those preachers who let us use their churches usually had congregations big enough to support them without the extra teaching salary.

The kids told us that each class had 50 to 60 students, except for gym which had a hundred or more. My mother complained when she had to teach 30-35 in a class. Class offerings were limited. GTS didn't have any shop classes other than agriculture or any business courses at

all. I complained that girls in my school were channeled into secretarial work; the GTS girls would have been thrilled to get the courses necessary to become office clerks and secretaries. The previous year the principal said he would find a typing teacher if the students *provided their own typewriters*. About 30 families scraped together the money to do just that but the teacher was never hired. I wondered what happened to those typewriters as we could have used one in our office. The only commercial course for girls was homemaking, but it didn't teach sewing, only cooking, cleaning and child care – the tasks they would perform in the homes of white women for \$2 a day.

Those white folk just couldn't understand why Negro students wanted to go to Greenville High School, where there were smaller classes and actual skills training for jobs other than maid and laborer. We tried to tell them when we marched, but I don't think any were listening. We weren't much of a threat. Although we had a permit, only about 35 people walked down to the Board of Education and back. We had a rather large "escort" of men in helmets carrying billy clubs – much larger than official law enforcement. There were at least ten cameras and three rifles aimed at us. I was sure our photos would make the rounds of all the whites wanting to terrorize uppity Negroes and civil rights workers.

November 1 was the first Monday of the month, making it a registration day. Our two weeks of canvassing resulted in only 60 to 70 Negroes going to the Butler County courthouse to register. In October, 89 had registered on the first Monday and 80 on the third. The Board had said it couldn't register more than a hundred at a time, and that was all that it was doing. It was only open from 9:00 to 3:00, and took an hour or two off for lunch. Whites were let off work if they wanted to register; Negroes had to call in sick and lose a day's pay. In the eight registration days between the time the VRA was signed and the end of November only 709 Negroes were added to the voter rolls. That brought the registered Negroes to 25.6 percent of NVAP. (Doar memo of 12-4-65 in Belknap, 1991, 15:237)

Justice

They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect;...

Chief Justice Roger Taney, *Dred Scott v. Sandford*, March 6, 1857

The first week in November Hosea called Alabama state staff to Selma three times to tell us SCLC's plans for what he said would be the granddaddy of all demonstrations. SCLC wanted to focus the country's attention on the double standard of justice, ranging from police hiring policies, to the selection of juries and judges, to the inconsistent verdicts and sentences which awaited Negroes unfortunate enough to be caught in the South's criminal justice system. SCLC specifically wanted federal legislation to protect people pursuing their constitutional rights, or aiding those who did. Hosea called it a "Hayneville" law, for the county seat where two all-white Lowndes County juries had just acquitted two men who had murdered civil rights workers in that county. (*WP* 10-29-65, A2; 10-30-65, A2; *NYT* 10-31-65, 64; *SC* 11-6/7-65, 1) FBI Director Hoover had stated publicly that the FBI had no authority to arrest people for civil rights violations, or to protect civil rights demonstrators; SCLC wanted Congress to give it that authority. (*NYT* 1-1-65, 10:2)

Negroes knew that they were outside the judicial system of the South. For whites, the courts were a means of resolving disputes. For Negroes, they were one more institution to protect white supremacy. Whites were rarely convicted of crimes against Negroes. Negroes were rarely acquitted of crimes against whites. Even in civil disputes, the assumption was that "white is right." Black on black crime was generally ignored by law enforcement, unless it was egregious or disturbed whites or the Negro victim had an important white employer. If the Negro perpetrator had a white patron, that alone would be a reason not to prosecute unless there were other intervening factors. The Negro community had to rely on informal sanctions to punish bad behavior because the formal ones were usually out of reach. Not surprisingly, one consequence was a higher crime rate in the Negro community than in the white world. (Dollard, 1957, 280-84; Morgan, 1965)

Thus, no one was surprised that the first jury deliberated only an hour and a half before acquitting Tom Coleman on September 30 for shooting Jonathan Daniels in cold blood in Hayneville on August 20, 1965. The second jury took an hour and 43 minutes on October 22 to acquit Collie Leroy Wilkins of murder in his second trial. He had pulled the trigger of the gun which killed Viola Liuzzo as she was returning to Montgomery after driving marchers back to Selma after the march. One of four men in the car from which she was shot on March 25, the Fairfield mechanic had escaped conviction at his first trial in May. After ten hours of deliberation the jury had passed on the murder charge but deadlocked at 10 to 2 for conviction on manslaughter. (*LAT* 10-1-65, 1; *BN* 10-23-66, 1; *SC* 10-30/31-65, 1; *NYT* 5-8-65, 1)

Concern with the lack of equal justice in the South had been building for some time. Dr. King had called for the murder of a civil rights worker to be a federal crime after Wilkins' first trial. (*NYT* 5-11-65, 25) In the Spring, several newspapers had published stories on the Southern Regional Council report on "Racial Discrimination in the Southern Federal Courts." (*WP*

4-25-65, A37; *CD* 4-27-65, 10; *NYT* 5-25-65, 76) After Coleman's acquittal, the Leadership Conference on Civil Rights said that "every assault with a racial purpose or effect should be a federal crime." (*BN* 10-5-65, 1) The DoJ and various civil rights groups floated ideas for new laws. (*LAT* 10-1-65, 1) One was to make it a federal crime to threaten a civil rights worker. Another was to standardize jury selection procedures in a way that Negroes couldn't be excluded. Also under consideration was a provision to permit removal of civil rights cases to federal courts on the assumption that a fair trial was more likely than in a state court. (*NYT* 10-27-65, 27; 10-31-65, 64; *WP* 11-2-65, A6)

"Justice" was in the news on Monday, October 18, nationally and in Alabama. The SRC and the ACLU released a 31 page report entitled "Southern Justice: An Indictment." (*NYAN* 10-23-65, 16; *BAA* 10-23-65, 12; *CD* 10-20-65, 4) Anecdotal in nature, it gave numerous examples of how "justice" was dispensed for Negroes differently than for whites. The double standard of justice was not confined to civil rights activists, it said, but was something Negroes experienced "from birth to death." Negroes were likely to be convicted of crimes against whites which were excused when committed by whites against Negroes. Just finding a lawyer was difficult, as representing Negroes could "cost an attorney his law practice and result even in ostracism by his community." Judges were hostile, juries were stacked, sentences were harsh, and virtually all of the personnel in the criminal justice system, from the judges to the clerks, from the sheriff to the deputies, were white. Hosea denounced this as "white man's justice."

That was also the day of the official release of the investigative report on the Klan that Alabama Attorney General Richmond Flowers had initiated the previous June. As described by Flowers two days earlier, the report said that 40 out of 45 bombings in Birmingham "show signs of racial motivation" and were probably KKK projects. It said that since 1963, no convictions had resulted from the 12 racial murders in which the Klan was involved. Flowers rapped the state legislature for not passing a dynamite control bill and other measures to curb violence and implied that Gov. George Wallace was behind this failure because he enjoyed Klan support. (*CD* 6-24-65, 6; *NYT* 10-17-65, 77; quote in *BN* 10-17-65, 1)

Flowers told the press about the report on Saturday because on Monday he was in Hayneville as lead prosecutor in the second Wilkins trial. In response to questions, 25 of the 32 potential jurors proudly said that they believed in white supremacy and 11 said that a white civil rights worker was "inferior" to an ordinary white man. One admitted to having been a member of a now-defunct KKK klavern and said that he would not violate his Klan oath. Quite a few were members of the white Citizens' Council. Wilkins got a very quick trial and a quicker acquittal. (*NYT* 10-19-65, 29; *BN* 10-18-65, 1; 10-19-65, 1, 2)

After the second Wilkins verdict was announced Dr. King shortened his European trip, saying he was needed at home to organize protests of the lack of justice in the South. (*BN* 10-23-65, 1; *WP* 10-24-65, A-2; *NYT* 10-26-65, 21; 10-27-65, 27) SCLC hosted a three-hour strategy meeting in Selma on Oct. 29, asking people from SNCC, ESCRU, the National Council of Churches, the AFL-CIO and others if they were ready to march again. Only SNCC said no. On November 5 Andy Young told the press that there would be marches in four counties against "segregated justice." He thought the President was acting too slowly. (*BN* 10-28-65, 1; 10-30-65, 14, 11-10-65, 67; *NYT* 11-6-65, 32; *SC* 11-6/7-65, 1)

At our staff meetings, Hosea told us that SCLC thought another "Selma" was necessary

to make the country pay attention to this issue and had chosen a couple Alabama counties as the places to start. While towns in Mississippi (Natchez) and Georgia (Americus and Crawfordville) had recently heated up, SCLC thought Alabama was the best place to prick the national conscience because it was the home of Governor George Wallace and Judge Frank Johnson. Wallace could be counted on to make provocative statements and otherwise flaunt the state's determination to flout the Constitution. Unlike state judges and many federal judges in Mississippi and Georgia, Judge Johnson was unlikely to issue injunctions to keep us from marching. When SCLC wanted to march from Selma to Montgomery, Judge Johnson had enjoined Governor Wallace and other state officials from interfering with the march or failing to provide protection. (*Williams v. Wallace*, 1965) Ironically Wallace and Johnson had been classmates at the University of Alabama law school. While they were friendly at the time, their professional careers had put them at odds.

Hosea said direct action teams would be sent to Butler and Greene Counties to get things started. These counties were chosen because of the success of their SCOPE projects in getting demonstrations going the previous summer and which federal judicial district they were in. SCLC needed counties with local people who were ready to protest and a federal judge who wouldn't let local officials stop them. Butler Co. was in Judge Johnson's Middle District. Greene Co. was in the Northern District whose three judges weren't as reliably sympathetic as Judge Johnson, but were much better than Judge Thomas in the Southern District. While Hosea didn't go into detail on how the decision was made, a look at the Alabama map discloses that most of the state's SCOPE projects were in the Southern District, largely because most of the blackbelt counties were there. Two SCOPE counties were in the Northern District and six in the Middle District. SCLC had likely picked the county in each of those districts which looked most ready to mobilize.

Since I was already in Butler County, I would be part of its 7-member team. First we would talk to the local people and explain the necessity and desirability of demonstrations. Then we would call a mass meeting with a big name speaker. This would be followed by marches, marches and more marches. At some point Dr. King would come in. SCLC needed an incident, like Bloody Sunday in Selma, to light a fire. Then it would fan that fire.

Once national attention was again focused on the South, Hosea envisioned a series of processions. They would begin in Perry County, where Jimmie Lee Jackson was killed. Marchers would escort a casket to the courthouse in Marion (the county seat) demanding justice. From there they would go to Selma, where Rev. Reeb was bludgeoned to death. Roses would be spread on the spot and another casket added to the funeral train. The next stop would be the roadway in Lowndes County where Viola Liuzzo was shot. Finally the marchers would go to Hayneville, where Jon Daniels was shot.

At the same time there would be another march in Birmingham with caskets for the four little girls who lost their lives in the bombing of the 16th St. Baptist Church. The caskets would be placed in a hearse drawn by six horses and go to Anniston, where Willie Brewster had been killed the previous July. He was not a civil rights worker but an ordinary man on his way home from work. The three men who killed him were members of the National States Rights Party on their way home from a rally on the steps of the county courthouse where a minister had revved up the crowd with calls for blood. "Fighting a nigger is a war and in a war there's got to be killing," the reverend had told the cheering crowd. (SC 7-23-65, 1)

The idea was that marchers would visit all of the places where civil rights workers or Negroes in pursuit of their civil rights were killed in Alabama, putting down roses and picking up caskets at every stop. We would all meet in Hayneville. Local leaders, kin of the deceased, and SCLC would demand to meet with city and county leaders to discuss justice, or the lack thereof, in Lowndes County. Whether or not such a meeting took place, the final leg would be a march to Montgomery where the caskets would be placed on the state capitol. (*SC* 11-6/7-65, 1)

This was the intended finale of the original march on Montgomery the previous spring. However, the caskets were not carried to the state house until March 30 and were accompanied only by five hundred people and a few police escorts. After an hour-long service, ten black-draped empty coffins with nameplates of ten people who had been killed in Alabama in racially related incidents in the previous two years were left on the marble apron in front of the steps. They were quickly removed by state employees. (*NYT* 3-31-65, 1)

This time, it was hoped, Montgomery would not be the end. If enough people were aroused, Dr. King would call for millions to march on Washington and lay the caskets at the feet of President Johnson. As described to us, all this would take about three weeks, though each stage was dependent on the success of the preceding one, and on participant and public sentiment not reaching the point of fatigue too soon.

I thought it was an inspiring idea, one which I desperately wanted to be a part of. I also thought it was totally unrealistic. The amount of groundwork necessary to pull this off was too great to be done so quickly, and the entire venture was dependent on Southern whites and state officials doing bad things at the right time. I knew that there would have to be at least one more killing, one more death, to raise the level of public indignation. Whom would it be?

Escalation¹

Over the next two days (Nov. 8-9) senior SCLC field staff arrived in Greenville. Rev. Samuel B. Wells was the new project leader, aided by J. T. Johnson, Jim Gibson, Herman Dozier, Leon Hall, and Ben van Clarke, all seasoned civil rights veterans. R.B. stayed on, but he was no longer project director. I kept my job as chief flunky. I found Rev. Wells to be a much nicer boss than R.B., so I was glad for the change. Gibson was the only other white. At 20, he had spent his life in Georgia, mostly Atlanta, dropping out of the University of Georgia after one year in order to work with SCOPE. I never knew him well enough to ask what drew him into the movement but I suspected that it had something to do with his penchant for risk-taking. A little piece of me was glad to see him because I knew that as a white Southerner he would make a much better target for local white rage than I would. Gibson would expose himself to danger in situations where I would err on the side of caution. I took plenty of risks, but I didn't have a martyr complex; Gibson did.

At 48, Rev. Wells was older than the usual SCLC field staffer and better dressed. During the Selma demonstrations he'd been sent to Marengo County to organize and stayed to direct the SCOPE project there. He was one of the "Albany Nine," who were appealing a 1963 criminal conviction by a federal court. Three were convicted of conspiracy to harm a juror, the rest of perjury. An Albany grocer had served on a jury that found a sheriff not liable for beating a Negro prisoner almost to death. Sometime later SNCC picketed his store for an hour as part of its campaign to get merchants to hire more Negroes. The grocer claimed that the picket was retaliation for his jury service and that it drove him out of business. Indictments were handed down on August 9, 1963 and the trials occurred a few months later. Rev. Wells received one of the harshest sentences – a year and a day – but they were all freed while waiting on an appeal to the Fifth Circuit.² The fact that the Justice Department had chosen to prosecute members of the Albany movement for what looked like a trumped-up charge left a lingering bitterness among movement workers. (*NYT* 8-10-63, 7; 11-24-63, 18; 12-24-63, 38; 7-22-66, 27; *SV* Oct. 1963, 3; 11-11-63, 2; 2-18-64, 1,2; Branch, 1988, 731-32, 866-70) Wells had also been indicted in a Georgia state court for "inciting insurrection" in August of 1964. That came from distributing flyers calling for a meeting at a church to protest a police shooting of an Albany Negro. The Police Chief claimed that the meeting resulted in rioting. Wells was held in jail for 13 days until he posted a \$1,000 bond. His lawyer tried to remove the case to federal court; the bond was forfeited before Wells even knew that the removal petition had been rejected. (*BAA*, 10-2-65, 3; 11-27-65, 19; *CD* 11-27-5, 7)

¹ The material in this section not otherwise cited is based on a combination of my diary and a five page typewritten report dated November 14, 1965 that I found in the SCLC papers, IV 165:12. The author of the report is not identified, but at the bottom of p. 5 is a note in my handwriting followed by my initials. Some of the sentences in the report are identical to the language in my diary so it's likely that I wrote that report.

² On July 20, 1966, the Fifth Circuit, in an opinion written by Judge Rives, reversed the convictions because the method by which the jury pool was compiled violated the 1957 Civil Rights Act. (*Rabinowitz v. U.S.*, 1966)

Ben van Clarke was 22. He had come to SCLC from Savannah with Hosea in 1963. There he had been Hosea's "right arm" in the Chatham County Crusade for Voters. Barely five feet tall, he sometimes overcompensated for being short by being loud. Ben had become a movement activist while only in high school. He spent a couple years in Savannah State College but otherwise had devoted his entire life to the civil rights movement. He had a rich, mellifluous voice and real talent as a preacher. He soon relocated to Eutaw in Greene County to head the equivalent project there. (Williams interview in Raines, 1977, 439; *SCLC National Magazine* March/April 1990, 170)

Leon Hall was only 18. He grew up in Montgomery, where he had dropped out of school in the tenth grade to work in the movement full time. He'd been working for SCLC since 1963 and had helped organize the Montgomery end of the Selma to Montgomery march. (*SCLC National Magazine* March/April 1990, 172; Beardslee, 1983, 75-76; *NYT* 11-11-89, 33)

J.T. (John Thomas) Johnson was from Albany, Georgia. Almost 28, he had been a star athlete in his youth. After dropping out of Albany (GA) State College, he moved around, eventually returning to Albany in 1961 when it became the site of a major movement action. He joined the SCLC staff in 1963. During the summer he had been in charge of the SCOPE unit in Chatham County GA (Savannah) but spent most of his time in Crawfordville GA running the actions that were erupting there. (Gilliard, 2003, 155-58)

Rev. Wells and J. T. had come directly from a major voter registration project in Montgomery which had registered around eight thousand Negroes in a little over a month. Federal examiners were sent to Montgomery on September 29 – the first major urban area to get them – and SCLC took advantage of it by sending in a special task force. (SCLC IV 165:12)

As planned, staff went out into the neighborhoods to talk to people and to the high school to talk to students. Although I was familiar with the neighborhoods from my three weeks of canvassing I was relegated to the office as were all the local women and the high school girls who volunteered to help. It seemed that only guys could turn out the troops. I made a lot of posters, despite my total lack of talent for doing so. At least the infusion of SCLC staff also brought some money, cars and office supplies. No more making mass meeting leaflets by hand or begging local people for rides.

Rev. Wells decided that we would hold mass meetings every night and march every afternoon at 3:30. He had picked this time for our daily marches because school was out but it was still light and no one had to go home for dinner just yet. We counted on the kids, especially the high school kids, to do the marching. During the 1963 Birmingham campaign, SCLC had learned that youth were the best marchers. They had less to lose than their parents and were more willing to confront authority. Our first meeting was on Tuesday, Nov. 9, with Ben as our top speaker. He was very good. We had another mass meeting on Wednesday night and our first march on Thursday afternoon. That morning Leon and Gibson had gone to the school to see if they could pull kids out of class. About 60 walked out at noon, but not all of them went on the march later that day. Rev. Wells set up a table at the chinaberry tree around 2:00 p.m. with cookies and coffee for those who came early. I kept busy making posters for marchers to carry.

Around 3:00 I went to the tree to get something OKed and saw a big yellow school bus in the middle of the street, surrounded by kids who were blocking its path. This was Leon's idea and the kids loved it. The Negro driver didn't. He just didn't know what to do. The scene brought back memories of October 1, 1964 in Berkeley, when several thousand students surrounded a cop car brought into the plaza to carry away an alumnus who had been arrested for sitting at a CORE table placed on campus where it was not supposed to be. (Freeman, 2004, 153) Unlike the car at Berkeley, the bus in Greenville wasn't held hostage for long.

Hosea was supposed to lead the first Greenville march as he had led the one in Eutaw the day before. He decided to stay in Greene County so Ben led us instead. Although we had told the press we would march at 3:30 we didn't get started until 5:00. About 150 people lined up in twos to walk from the chinaberry tree to South Park and from there to Commerce St. We had decided not to ask for a permit so no one knew how far we would be allowed to go. Staffers and a few others with demonstration experience wore towels around their necks in case we were tear-gassed. Instead of stopping us, the police diverted us onto a side street but let us go all the way to the courthouse. They kept us out of the commercial section where the mostly white shoppers would have seen us. However, we were allowed to go to the circle and up the courthouse steps.

A local minister, Rev. Gandy, led us in prayer. Ben spoke, we sang *We Shall Overcome* and marched back the same way we had come. Across the circle, local Negroes and whites watched us from opposite sides. The march was peaceful and without incident. I saw several reporters and two network TV cameras but they didn't have much of anything to report. (*LAT* 11-12-65, 12) That night, 170 people came to our meeting under the chinaberry tree. As the meeting was dispersing one cop drove up to three boys walking in the street. He got out, struck one of the boys and then arrested him. The cops had probably been under strict orders to restrain themselves during our march when press were watching. That was so contrary to the normal course of Southern justice that not all of them could handle it. Now that the press was gone, they reverted to normal behavior.

I'd had a sore throat all week; that night I was kept awake with a tremendous ear ache. The next morning there was a stream of dried blood coming from my ear onto my neck. When Rev. Wells saw the blood he immediately commandeered a car and sent me to a doctor in Montgomery, about 50 miles away. I was diagnosed with strep throat, given a shot of an antibiotic and sent back to Greenville. While waiting in Montgomery I was tempted to phone the only one of my thirteen cousins who lived there, but I didn't. Fifteen years older than I, Margaret Ann was my mother's favorite niece. I had met her and her new husband in 1957 when we were all in Hamilton for Christmas and thought she was nice. She was working as a stewardess, a job she loved but was about to lose because she had gotten married. The airlines had a policy of only employing unmarried women to serve the men on their planes. My mother had told me to call on her sometime, telling me that she wasn't like the other Mitchells. After the icy reception I had received the previous August from my aunts and cousins in the Birmingham area, I was reluctant to stick my neck out. The aunt who had driven me back from Hamilton in stony silence after Aunt Loy kicked me out of her house was Margaret's mother.

Retreat

I barely made it back to Greenville for the afternoon march. It had rained all day but stopped right before our scheduled 3:30 rally. Taking no chances, Leon, Herman Dozier and Gibson had gone to the Greenville Training School at 8:00 a.m. to talk to the kids when the busses arrived and urge them to march with us in the afternoon. They started talking to them in small groups but by 8:45 Leon was speaking to a mass assembly. Their teachers and the school principal came out to tell the kids to go inside. When they didn't move, the teachers began pushing them inside and the principal called the cops. Most students took advantage of the chaos to just leave school for the day.

Unfortunately, few came to march with us. About 75 young people were clustered at the church when I returned from Montgomery. To give them something to do and also enlarge their ranks, we marched them singing and clapping through the Negro neighborhoods and the projects. This brought out the people, but most only came to look. Few grabbed their coats and joined the procession. By the time we were ready to march downtown, we numbered around 220.

We took the same route as the day before and went all the way to Commerce Street without seeing any police. There we turned and marched to the courthouse. R.B. gave the main speech. Compared to Ben's sermon the day before, it was rather tepid. We returned to the chinaberry tree the same way, without police and without incident.

We must have caught the Greenville officials napping. There is no other explanation for why they were no-shows that day. They certainly came out in force the next day. Since Nov. 13 was a Saturday, we started our meeting at the chinaberry tree at 8:00 a.m. Cop cars followed people walking down the street with their teargas masks in full view. There were lots of cars with out-of-county tags. Butler Co. was #10. The kids told us which counties the other tags were from, and which of those counties were Klan havens.

Around 11:30 in the morning we moved out even though we only numbered about a hundred. We didn't get far. About two blocks from our starting point, when we reached the end of the Negro section of town, we met barricades. Ten officers, led by City Solicitor Elisha Poole, stood next to the barriers, billy clubs out and ready. As we got close, the cops pushed and poked people at the front of the line; one struck Rev. Wells on his eye. Poole used a loudspeaker to tell us that we had marched for two days to air our grievances and they could no longer protect us. He said that for our own safety, we should return to our homes. When we didn't move he declared the meeting to be an unlawful assembly and ordered us to disperse. While we stood there still unmoved, five or six officers walked down the outside of our line to about the middle and then began shoving the demonstrators and beating them with their billy clubs. They hit everyone – men, women, children – indiscriminately.

Some Negroes became frightened and turned to run back up the street. Spectators on the side picked up bricks and bottles and threw them at the police near the barricades. For a few minutes there was chaos, with numerous unidentified objects flying out of nowhere. One police officer later claimed that his leg was broken, but he showed no sign of that at the time. I was hit by one bottle and received two glancing blows from bricks. People cried and screamed; some were in hysterics. Elisha Poole shouted to "Get these Mau Maus out of here." Our staff and those

local people we had trained in non-violence stayed cool and tried to calm those around us. (Quote in *SC 11-20/21-65*, 1)

Rev. Wells climbed on top of his car, which was parked nearby, and told us to return to the church. Staff fanned out and literally herded people back up the street, grabbing bricks from the hands of some and blocking others from running at the cops, comforting a few while prodding and pleading with people to go to the church. As we were retreating, the cop known as “Stucky” knocked Rev. Wells down and hit him in the face. Another cop hit Herman Dozier on the temple with his billy club as he tried to remove a brick from the hands of a man ready to throw it. Otherwise the police let us handle it. It took about an hour to get everyone into the church. There we took the names and address of seven people who had been injured to include in our report. (Beardslee, 1983, 114-15)

We couldn't let the day end like this so we decided to march again at 3:30. We phoned the press and the SCLC office. Wells sent for food so people wouldn't leave. As 3:30 approached we regrouped at the chinaberry tree. We had talked about what to do and agreed that if we were stopped this time we would sit down in the street and just endure whatever the cops threw at us. We went back to the same spot, met the same barricades, and heard Poole make the same statement.

Again the cops walked down to the middle of our line and cut it in two. Again the people in back fled up the street. But this time there were no bricks and bottles flying through the air. This time about 30 people just sat down. As this was happening Ben Clarke arrived from Eutaw. Probably Hosea had phoned and told him that Greenville needed him more than Eutaw did. However, he had no idea what had gone on before. Without consulting with Wells or anyone else, he told the police that we would leave and told the few dozen Negroes still in the street to do just that. This time it only took half an hour to get people back to the church.

While people sang, the staff retreated to a closed room and had a knock-down-drag-out meeting. Ben and Rev. Wells accused each other of stupidity, insubordination, and everything else bad that they could think of. Leon and Ben almost had a fist fight. Then Ben walked out and Rev. Wells announced that we would march again. J.T. Johnson spoke to the people in the church.

It was dark and our numbers were few. Nonetheless, about 50 people marched from the church, bypassing the tree on our way to South Park. We practically marched double-time, singing and clapping so loud that we could have woke the dead. As we turned onto South Park the way looked clear. The barricades and cops were gone.

When we marched into the white section of town, people hurriedly turned off their porch lights, ran inside and peeked out at us through their curtains. We almost got to Commerce Street. One block away another barricade awaited us. Poole ordered us to leave, adding that it was now dark and “we cannot protect you or protect ourselves from you.” We all sat down, packed closely together, prepared to spend the night or be arrested, whichever might happen. No one ran. In the meantime, Ben Clarke called Hosea and the word was passed to Rev. Wells that we should not stay. Wells spoke to us briefly about “injustice” and then led us back to the church. It was a dismal retreat.

The next day being Sunday, SCLC staff went to the churches to talk to the people, to tell them why we were marching and encourage them to join us. It didn't work. At 3:00 only a hundred people marched from the tree. More just watched from the sidelines. Parents forbade their children from marching. On seeing the barricades at the usual place, about half of the marchers joined the spectators. No one wanted to feel those billy clubs again. The rest of us went as far as we could go and sat down.

The press had turned out in droves expecting to film more violence, but the cops forced them to stand 75 feet away with a row of cops in front of them to obstruct their line of sight. Another row of cops stood between us and the escape route back up the street. Even though Poole again ordered us to leave, we would have had to walk through the cops to do so. I saw more helmets than I had seen at any previous marches – lots more.

Poole said that we were acting like savages and therefore would be treated like savages. If we wanted concessions, we should first act like “responsible people,” he said. Then he added that “You may be my brother but you're my younger brother by five hundred years.” Rev. Wells asked Dorinda Palmer, the designated youth leader, to speak. A 15-year-old girl speaking to the seated demonstrators gave the press the photo they needed for their papers. She said we had a constitutional right to go to the courthouse and to city hall. Poole again ordered us to leave. Rev. Wells led everyone in prayer. As we got up to leave the cops that had blocked our way moved to the side so we could walk back up the street.

Leon Hall missed it all because he was in jail. He was arrested in front of the church a couple hours before we marched and charged with assault. It seemed that when the SCLC staff were at the training school talking with the kids, one of the football players slapped a girl. The cops decided to stick Leon with the charge and threw him in jail. Although we found out from the kids what really happened, one of their teachers had signed the arrest warrant so we knew that at least that one person would testify against Leon. Perhaps others would be “persuaded” to do so as well.

There was more retaliation. We were told that we could no longer meet at the church or rally at the chinaberry tree. Robert Brown, the blind man who let us use his porch as a speaker's stand, was being evicted. The loss of the church turned out to be a false alarm. The police had scared the chairman of the Board of Deacons into telling us not to use the church anymore. The Board itself refused to go along with that. The eviction of Robert Brown and his family was not a false alarm. Even though we offered not to meet there again, his white landlord kicked him out. Mattie Durant, president of the “We Want Freedom Club” that formed the previous summer, lost her job and her husband was threatened with the loss of his job and their home if she and their kids didn't quit the movement. He cooked for the man who held the mortgage on their home.

Monday, November 15 was the last registration day for November. Even while marching we had continued to urge people to register to vote at every opportunity. Since the VRA was signed, 709 Negroes had registered to vote. (Belknap, 1991, 15:237) Our march was pretty much the same as Sunday's, except that our numbers dropped by a third and the kids were back. Indeed most of our marchers were teenagers because the adults were at work. Either the parents had changed their minds about allowing their children to march or the kids were marching anyway. Our main speaker was Andy Young. He dropped by on his way from Eutaw to Atlanta to lead the Monday march.

We had told people the night before to bring their overcoats and be prepared to sit all night, but that didn't happen. In preparation, we held a non-violent workshop earlier in the day. I was the guinea pig, which meant that I got to be the one to demonstrate nonviolence while others pushed, shoved and taunted me. My coat was torn and my shoulders were bruised. Outside, auxiliary police drove around, taking movies of us whenever we left the church. When we pulled out cameras to take pictures of them, they didn't like it. These men wore no uniforms except for green helmets with a gold police-like emblem on the front. On one side was a confederate battle flag and on the other a skull and crossbones overlaid on a blue flag. They threatened to bust our cameras along with our heads.

We were also visited by a Black Muslim. I hadn't seen one since Malcolm X spoke at Berkeley in 1963. He was spewing the NOI (Nation of Islam) propaganda to the kids, spiced with poetry. The poetry may have been original, but I recognized the "facts" as ones I had laughed at in 1963.

When we got to the barricades Poole was waiving a cattle prod and the cops were carrying shotguns. Young made a short statement, we kneeled for a short prayer, and we left. As before, the police kept the press at a distance.

We pretty much repeated the same march for the next four days; we left at the same time, walked the same route, were stopped at the same spot, prayed and left. Our numbers dwindled from about four dozen to three dozen. The police no longer bothered to put up barricades; four or five cops just stood there waiting for us. Cops showed up in numbers when staff went back to the Greenville Training School to talk to the kids; they didn't want us to do that. (*NYT* 11-19-65, 28; *BN* 11-18-65, 40)

Right before the hearing on our federal court petition for an injunction the defendants asked for one against us. We wanted them to stop interfering with our marches; they wanted us to stop marching altogether. While we waited for Judge Frank Johnson to decide what each side could do, we marched the kids around the Negro neighborhoods day after day. As long as we didn't enter the white section of town, we didn't need a permit to march and the police did not stop us. (*BN*, 11-16-65, 2; *Cottonreader v. Johnson*, 1966)

While the police didn't bother us any more, the local whites did. At night cars cruised the Negro neighborhoods. When they spotted someone they recognized as a demonstrator, or just someone they wanted to harass, they tried to run us off the road. The sexton of the church was almost kidnaped. There were deep ditches along either side of the roads and most of us learned to hide in them when we saw headlights down the road. Local whites could keep people from going out at night just by driving around the Negro neighborhoods.

On Saturday, November 20, the cops cut down the chinaberry tree. Bright and early in the morning the sound of a power saw could be heard up and down the street. "Posted, No Trespassing" signs were put on the stump and on the now vacant shack where Robert Brown and his family used to live. It was a childish gesture, but it did symbolize defeat. We marched as usual, but very dispiritedly. That same week, an editorial writer for the *Southern Courier* described the marches as "aimless, poorly explained and dangerous." (*SC* 11-20/21-65, 2; 11-27/28-65 1; *BN* 11-20-65, 2; 11-21-65, B2)

On Tuesday before Thanksgiving we didn't march because the training school had

scheduled a homecoming parade for 3:30. We decided to join the parade and decorated Rev. Wells' car with posters that said such things as "Stop Police Brutality" and "Alabama is a Police State." The cops stopped us right in front of the parade; they would not let us join it. They took Rev. Wells' driver's license so we couldn't leave. Instead of parading in front of the spectators with our signs, all the kids in the parade passed us with our signs in full view. The cops didn't like this either, so they got nasty. They threw Wells into his own car, almost slamming the door on his leg. Stucky called us all an unsavory bunch. He looked at me and said "I'd sure like to get that sorry bitch back there. She's sorrier than the rest of you put together." After the parade passed the cops let us follow it from a distance. When we reached Commerce Street we turned and drove down the main street, where all the white shoppers could see our signs. We were practically stared off of the road and might have been run off the road had not Elisha Poole and a couple cops been driving an unmarked cop car right behind us. Nothing happened.

That morning Andy Young phoned and said that Gibson and I should return to Atlanta immediately. He didn't say why. I hung around all day, catching the last bus at 11:20 that night.