

# VOTING RESTRICTIONS

IN THE 13 SOUTHERN STATES



**A REPORT** by the Committee of Editors and Writers of the South

Committee of Editors and Writers of the South, Voting Restrictions in the 13 Southern States., 1944. GLC00640.018



## COMMITTEE OF EDITORS AND WRITERS OF THE SOUTH

MARK ETHRIDGE, *Chairman*

- JOHN D. ALLEN, *writer, Mercer University, Macon, Ga.*  
 M. R. ASHWORTH, *publisher, Ledger-Enquirer, Columbus, Ga.*  
 \*HARRY M. AYERS, *publisher, The Star, Anniston, Alabama*  
 WILLIAM Y. BELL, Jr., *writer, Atlanta, Ga.*  
 ELEANOR BONTECOU, *attorney and writer, Arlington, Va.*  
 \*GEORGE A. BUCHANAN, JR., *editor, The Record, Columbia, S. C.*  
 RUFUS E. CLEMENT, *author, Atlanta University, Atlanta, Ga.*  
 \*BRYAN COLLIER, *editor, The Ledger, Columbus, Ga.*  
 \*TARLETON COLLIER, *associate editor, Courier-Journal, Louisville, Ky.*  
 M. D. COLLINS, *State Supt. of Schools, Atlanta, Ga.*  
 \*W. T. COUCH, *director, University of N. C. Press, Chapel Hill, N. C.*  
 \*VIRGINIUS DABNEY, *editor, Times-Dispatch, Richmond, Va.*  
 \*JONATHAN DANIELS, *editor, News & Observer, Raleigh, N. C.*  
 \*TED DEALEY, *president, The Morning News, Dallas, Texas*  
 \*JAMES A. DOMBROWSKI, *editor, Southern Patriot, Nashville, Tenn.*  
 \*ROSCOE DUNJEE, *editor, The Black Dispatch, Oklahoma City, Okla.*  
 JAMES P. ETHRIDGE, Jr., *writer, Tampa, Fla.*  
 MARGARET FISHER, *executive assistant of Committee*  
 \*CLARK FOREMAN, *author, Atlanta, Ga.*  
 WILLIAM FOWLKES, Jr., *city editor, Atlanta Daily World, Atlanta, Ga.*  
 CLAYTON FRITCHEY, *executive editor, New Orleans Item, La.*  
 \*HELEN FULLER, *Birmingham, Ala., Washington correspondent of New Republic*  
 \*FRANCES GAITHER, *author, Louisiana*  
 \*FRANK P. GRAHAM, *author, Chapel Hill, N. C.*  
 JESSIE P. GUZMAN, *acting dir., Department of Research, Tuskegee Inst., Ala.*  
 \*JULIA COLLIER HARRIS, *author, Atlanta, Ga.*  
 \*JULIAN LaROSE HARRIS, *New York Times representative, Atlanta, Ga.*  
 J. L. HENDERSON, *writer, North Little Rock, Arkansas*  
 ALBERT L. HINTON, *managing editor, Journal & Guide, Norfolk, Va.*

## COMMITTEE (Continued)

- JOHN C. HUNT, *editor, The S. C. Federationist, Charleston, S. C.*  
 \*LOUIS I. JAFFE, *editor, Virginian Pilot, Norfolk, Va.*  
 \*CHARLES S. JOHNSON, *author and editor, Nashville, Tenn.*  
 HONORABLE O. E. JONES, *editor, Batesville Guard, Batesville, Ark.*  
 GUY B. JOHNSON, *writer, Southern Regional Council, Atlanta, Ga.*  
 HARNETT T. KANE, *author, New Orleans, La.*  
 \*STETSON KENNEDY, *author, Miami, Fla.*  
 \*GEORGE S. MITCHELL, *author, Richmond, Va. (southern director, CIO-PAC, Atlanta)*  
 \*H. CLARENCE NIXON, *Director, Vanderbilt University Press, Nashville, Tenn.*  
 RAYMOND B. NIXON, *Director, Division of Journalism, Emory University, Ga.*  
 MEDORA FIELD PERKERSON, *author, Atlanta, Ga.*  
 \*JENNINGS PERRY, *editor, Nashville Tennessean, Nashville, Tenn.*  
 DIANA PITTMAN, *writer, Atlanta, Ga.*  
 JAMES S. POPE, *managing editor, The Courier-Journal, Louisville, Ky.*  
 WALTER B. POSEY, *writer, Agnes Scott College, Atlanta, Ga.*  
 \*NELSON POYNTER, *editor, St. Petersburg Times, Florida*  
 GLENN W. RAINEY, *writer, Georgia School of Technology, Atlanta, Ga.*  
 EDGAR RAY, *managing editor, Tampa Times, Tampa, Fla.*  
 IRA de A. REID, *author, Atlanta University, Atlanta, Ga.*  
 JAMES ROUTH, *writer, Junior College, University of Georgia, Atlanta, Ga.*  
 \*THOMAS SANCTON, *author, Jackson, Miss.*  
 \*C. A. SCOTT, *editor, Daily World, Atlanta, Ga.*  
 MILDRED SEYDELL, *publisher, The Think Tank, Atlanta, Ga.*  
 \*LILLIAN E. SMITH, *author, Clayton, Ga.*  
 \*PAULA SNELLING, *editor, The South Today, Clayton, Ga.*  
 \*C. M. STANLEY, *editor, Advertiser & Journal, Montgomery, Ala.*  
 HARRY S. STROZIER, *attorney and contributing editor, Macon News, Ga.*  
 \*A. L. SWIM, *Press Scimitar, Memphis, Tenn.*  
 WILLIAM A. TOWNES, *writer, Columbia, S. C. (Now with the Cleveland Press, Cleveland, Ohio)*  
 \*CARTER WESLEY, *president, The Informer Newspapers, Houston, Texas*  
 \*A. HOPE WHEELER, *editor, Citizen, Arlington, Texas*  
 \*P. B. YOUNG, *president and publisher, Journal & Guide, Norfolk, Va.*

\* *Sponsors*



## INTRODUCTION

Believing that editors and writers have more than the usual obligation to understand and expound correctly the social forces which govern us, thirty-two southern editors and writers sponsored a meeting devoted to a better understanding of the limitations to voting in the south. At the meeting which was held in Atlanta on December 21, 1944, people representing every southern state discussed the various laws and practices which serve to limit voting in the south. There was general concern over the fact that the democracy which southerners had been so instrumental in establishing in this country, had, in the last fifty years in the south, suffered considerably.

This was clearly shown by the report on voting in the 1944 presidential election. In that vote 27.9% of the potential voters of the thirteen southern states voted as compared to 61.9% of the potential voters in the rest of the country. Although the fourteenth amendment to the Constitution says clearly "that no state shall make or enforce any law which shall abridge the privilege . . . of citizens of the United States" the reports from each state show that the Constitution is not at present completely enforced. The three most general limitations as brought out in the meeting were (1) arbitrary inter-

pretation of complicated registration laws which allowed the exclusion of great numbers of the population, (2) the fact that in many states the election is actually decided by the Democratic primary election, in which Negroes are often not allowed to participate, and (3) the poll tax which by its financial burden and the nuisance which it involves keeps many people from the polls.

The Committee of Editors and Writers is a completely independent committee unaffiliated with any other group and so far has devoted itself entirely to an understanding of voting laws and practices in the south. No resolutions were passed at the meeting but there was general agreement on the part of all that much could be done by the members as individuals in bringing about a better understanding in the south of the present situation and its significance in a democratic country.

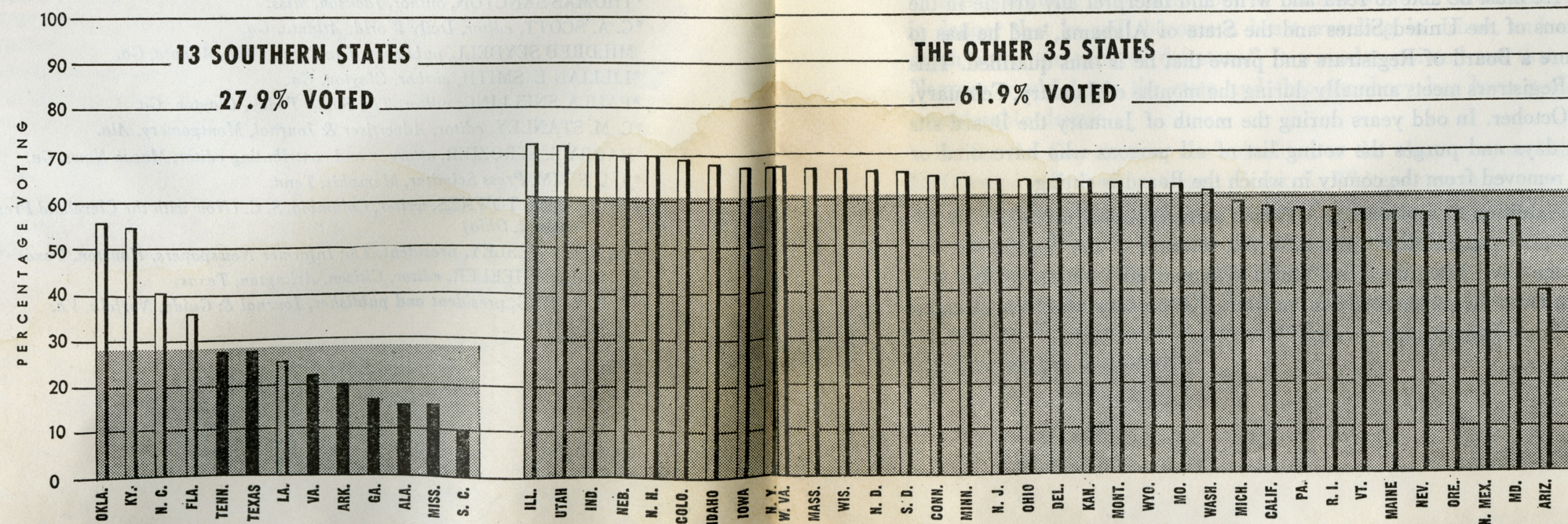
In the following pages there is a brief resume of the reports for each state and some extracts from the discussion which resulted from the reports.

MARK ETHRIDGE,

*Chairman*

## VOTING in the 1944 presidential election

SHOWING THE PERCENTAGE OF POTENTIAL VOTERS CASTING BALLOTS IN THE 1944 PRESIDENTIAL ELECTION



### NOTES

- Poll tax states
- 19% of potential voters voted in 8 poll tax states





**ALABAMA** "... all ... citizens possess ... equal civil and political rights."  
—STATE CONSTITUTION

COLONEL HARRY M. AYERS *reporting*

The convention that adopted the Constitution of 1901, under which the people of Alabama are now living, had as its primary objective the disenfranchisement of the Negro and as a secondary objective the protection of property rights within the state. Both objects were carried out very successfully. The Negro was kept from voting by a series of restrictions and in order that these restrictions might not operate equally against the white citizens of the state a "grandfather" clause was inserted for the relief of the white voter.

Several attempts have been made since to liberalize franchise provisions of the Constitution but to little avail. As a consequence, a man to vote in Alabama today must, of course, first establish his residence. He then must have lived in the state for two years; lived in the county for one year and in the precinct for three months. He must own at least \$300.00 worth of property. He must be able to read and write and interpret any article in the Constitutions of the United States and the State of Alabama, and he has to come before a Board of Registrars and prove that he is thus qualified. This Board of Registrars meets annually during the months of January, February, July and October. In odd years during the month of January the Board sits for thirty days and purges the voting list of all persons who have died or who have removed from the county in which the Board is sitting.

Then in addition to registering, Alabama assesses a poll tax of \$1.50 per head. This tax is cumulative up to \$36. All veterans of the Spanish-American War, the Civil War, the First World War and all veterans of this war are exempt from the payment of that poll tax. All persons who have attained the age of forty-five are also exempt.

Now, as for the matter of interpreting the Constitution — reading and writing an article of the Constitution — there was one Negro friend of mine who lived in the western part of the city who tried several years to gain the right and privilege of voting and he had been debarred every year because he couldn't, according to the Board of Registrars, interpret the Constitution. So he went back and memorized the entire document. The next time he came before the Board, he knew more about the Constitution than the Board itself. This Negro man had also lived in the county for the sufficient length of time and he owned property. But the Board has very liberal privileges under the law that says in Section 53 of the state code: "The Board of Registrars may make such rules and regulations as it deems proper for the receipt of applications for registration and the accomplishing in as expedient a manner as possible the regulation of those entitled to register, but no person shall be registered until the majority of the Board of Registrars has passed favorably upon the personal qualifications."

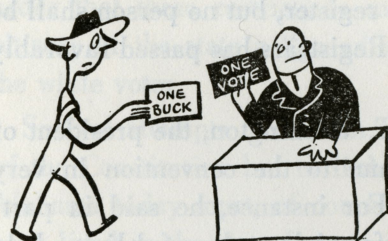
When the convention was sitting, Booker T. Washington, the president of Tuskegee Institute, addressed a memorandum to the convention in very moderate, although challenging, language. For instance, he said in part: "The Negro youth must have some incentive for right and useful living held out to him. Let the Negro youth feel that no matter how intelligent or useful he makes himself there is no hope of reward held out before him, and there is danger that he will become a beast, reveling in crime, and a body of death about the neck of the state." It was also pointed out that the better Negroes would leave the state and that prophecy has been realized to a considerable degree.

Before the Constitution was submitted to the electorate, such leaders as Ex-Governors Jones and Oates; Frank S. White, later to become a United States senator; H. S. Dent and George P. Harrison, state leaders, together with Senator John T. Morgan, protested against the "grandfather" clause and other restrictions, stating that they would eventually work hardship on the white citizens as well as the Negroes. This prediction also has come true, the poll tax being especially detrimental to a large voting citizenry during the days of the depression.



In the first registration after the constitution was adopted, only 2,500 Negroes were registered in the state at large as opposed to 180,000 white voters. In Montgomery County, where the State Capitol is located, only 27 Negroes registered out of a total Negro population of approximately 52,000. However, in recent years the people of the state have become more tolerant with respect to the Negro voters and more are being registered where they have favorably identified themselves with the better element among the white citizenry.

- No time off for voting provided by law.
- Polls open 8 A.M. to sunset.



**ARKANSAS** "... nor shall any citizen ever be deprived of any right, privilege, or immunity, nor exempted from any burden or duty, on account of race, color, or previous condition."

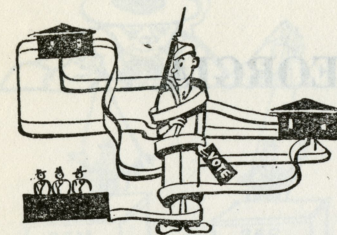
—STATE CONSTITUTION

In the absence of SENATOR O. E. JONES, DR. CLARENCE NIXON reported.

There is a one dollar poll tax as a prerequisite for voting. The tax is not cumulative.

The law provides that work must suspend or shifts change by 4 P.M. on election day to allow time for voting. There is no provision for payment for time off while voting.

- Absentee voting is permitted.
- Polls are open from 8 A.M. to 6:30 P.M.
- In the elections of 1944, Negroes were refused voting privileges at the first primary in July. At the run-off primary in August and at the general election, Negroes voted without difficulty if they were registered and had paid their poll tax. It is estimated that 10,000 Negroes voted in the general election.



**FLORIDA** "... Guaranteeing equal civil and political rights to all."

—STATE CONSTITUTION

NELSON POYNTER reporting

The state law recognizes as a party any group that registered 5 per cent of the total vote in the last general election. However, the laws are so construed as to make it a practical impossibility for an independent party or group to get candidates on the general election ballots.

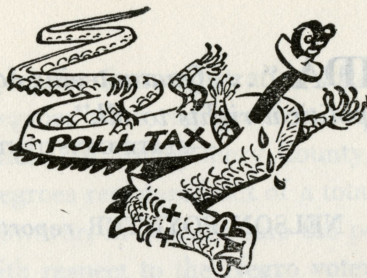
In small counties, except for numerous special laws, voting registration lists are good for long periods. In counties having a city with as many as 20,000 people, registrations are required each four or two years, there being a wide variation because of local laws.

Absentee voting provisions for persons in the armed services, provided by a special 1943 law, proved very cumbersome and unsatisfactory. The law applied, however, to men and women in the armed services, women in auxiliary services and men in the merchant marine. Voters were required to apply to the Secretary of State for a ballot, which was eventually sent by the County Judge, returned to the Secretary of State and by him forwarded to the canvassing boards through the County Judge. No time leeway for their receipt was allowed, ballots not reaching the County Judge on election, midnight, being disallowed.

Primaries are held by state law, which authorizes qualified political parties to hold primaries within certain restrictions under state supervision. Nothing in the state law mentions color, the Negro being kept out of primaries by resolution of the party, which call for a "white democratic primary." In theory or by legal fiction, Negroes could hold a Negro Democratic or Republican primary.

- No provision requiring time off for voting.
- Polls open 7 A.M. to sunset.





## GEORGIA

HARRY S. STROZIER *reporting*

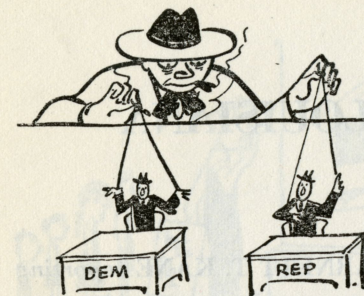
The first provision of the Constitution requires registration, not as a qualification for voting, but merely to identify voters.

The next section of the Constitution provides that every citizen eighteen years old or upwards, not laboring under disabilities, is entitled to register and vote. But no soldier, sailor or marine shall acquire the right to vote by reason of being stationed on duty in the state.

The Negro is effectively disfranchised, however, by a party rule requiring that Democratic primaries shall be "white" primaries; the law regulating primaries provides that such elections shall be held under rules adopted by the party authorities.

Georgia has a unique way of reducing the weight of the people who live in cities. A popular plurality is off-set by the county-unit system which allows each county two unit votes in an election and no county, no matter how many people live in it, more than six votes. A man who lives in Atlanta or Savannah, for instance, pays as much taxes as anyone else but his vote is worth only a fraction of that of a voter who lives in a rural county. There are 159 counties in Georgia.

- Absentee voting is permitted.
- No provision is made for time off from work for voting.
- At the time Mr. Strozier made his report, there was a dollar poll tax on voting in Georgia, but it has since been removed.
- Polls are open from 7 A.M. to 6 P.M. at courthouses and 8 A.M. to 3 P.M. at the precincts.



## KENTUCKY " . . . All elections shall be free and equal."

—STATE CONSTITUTION

TARLETON COLLIER *reporting*

The election laws give inordinate power to conventional political organizations. The law seems to contemplate the existence only of the Democrats and Republicans. The system is rigged against a great body of voters registered as Independents. It deprives them, in effect, of a status both as participants in operation of the election process and as possible candidates for office.

The law contemplates a kind of policing — each party by the other — that too often breaks down when there is collusion between the professionals in charge. Notorious examples are in Harlan and Bell counties where the supposedly bi-partisan election machinery is actually in the hands of a single engineer. Trading is a frequent occurrence, and organizational slates of candidates are virtually invincible in the primaries.

The voting in the primaries is very low. For example, in 1944 Dewey received 393,271 votes on November 7th but only 82,568 people had bothered to participate in the Republican primary. The situation is almost as bad for the Democrats.

Negroes participate in the elections in Kentucky and there is a Negro member of the legislature from Jefferson County.

- Absentee voting is permitted.
- The law provides four hours off from work for voting with pay.
- The polls are open from 6 A.M. to 4 P.M.





## LOUISIANA

HARNETT T. KANE reporting

Now in Louisiana today a rather significant thing has happened. In our last primary for the first time a small group of Negroes in New Orleans went to the polls and voted.

With the poll tax repeal there are only about 1,500 Negroes voting. And they are kept away from the polls by a special arrangement. You have got to go there and sign a registration application in which you are asked perhaps a few more trick questions than you are accustomed to in your state. You must state your age in years, months and days. I know I had to sit and figure it out, my age in years, months and days. There is another trick question: "Who is the householder," Perhaps you may know, it does not mean the landlord. But of course the Negro goes to the registration place and he is not recognized. He is told to come back tomorrow, we are fresh out of application blanks, we will send you a notice when we are ready for you. He is kept away by all sorts of tricks.

Some of our polling places are located in bar rooms, pool rooms, slot machine joints and houses of prostitution, and when it happens that a policeman owns the pool room, house of prostitution or other places, that makes it a little more difficult, not only for a man, white or colored, but for a woman to go in and vote.

- Absentee voting is permitted.
- No provision by law for time off for voting.
- Polls are open from 6 A.M. to 7 P.M.



## MISSISSIPPI

THOMAS SANCTON reporting

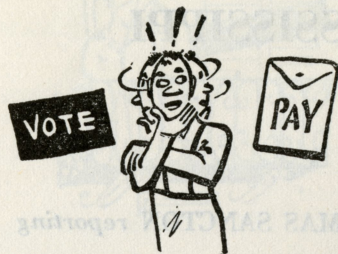
There is a two dollar annual poll tax which must be paid for the two years preceding the year in which the election is held. The accumulated sum for both years may be paid as late as February first in the election year. The restrictive power of this two dollar levy is at a maximum in Mississippi where per capita income is the lowest in the nation. In recent years a law has been passed requiring the presentation of poll tax receipts at the voting places, thus increasing the nuisance effectiveness of the tax.

There is a literacy, or understanding, requirement for registration which reads as follows: "A person shall not be registered unless he is able to read any section of the Constitution, or, in case he cannot read, unless he is able to understand any section thereof when read to him, or to give a reasonable interpretation thereof." This statute provides the registrar with excessive discriminatory authority.

A few thousand Republican Negroes of above-average qualifications are permitted to register and vote in the general elections, but the Negro is totally restricted from participation in the white primaries, which of course are the only real elections in Mississippi.

- Absentee voting is permitted.
- No provision for time off for voting.
- Polls open 8 A.M. to 6 P.M., except in cities of 1,000 or more registered voters, where the polls open at 7 A.M.





## NORTH CAROLINA "...All men are created equal."

—STATE CONSTITUTION

JONATHAN DANIELS *was unavoidably detained.*  
CLARK FOREMAN *reported*

The educational test constitutes the only restriction upon voting except for a very lenient resident requirement and the bar against felons, etc. Of course, the test of educational requirement is in its administration. There was a time when a black skin was *prima facie* evidence of inability to read in some of the eastern counties. To a very limited extent, but only to a very limited extent, that condition still prevails in a few counties of the state.

As you know, we have gone so far in Wake and a few other counties as to appoint Negro registrars in the Negro precincts. On the other hand, in other parts of the state a Negro still cannot vote. In Black Mountain, North Carolina, a leading Negro of the community tried to register in the last few years and was reported to have been told that if he registered, he would lose his job and would have to leave the town. As a consequence, no Negroes voted in that community.

A good feature in North Carolina is the provision for the payment of five cents to the registrars for each person who registers. It is something of a novelty in the south to have financial incentive for increasing registration.

- *Absentee voting permitted.*
- *No provision made allowing time off for voting.*
- *Polls open from 6:30 A.M. to 6:30 P.M.*



## OKLAHOMA "...No power, civil or military shall ever interfere to prevent the free exercise of the right of suffrage by those entitled to such right."

—STATE CONSTITUTION

ROSCOE DUNJEE *reporting*

During the month of February, 1916, Governor Robert L. Williams of Oklahoma called the legislature into extraordinary session, presumably for the purpose of passing laws restricting gambling and usury, although it was well known and publicly discussed that the basic reason for the session was to enact a registration law governing qualification for voting, effectively replacing the "grandfather" clause, which a few months before had been declared unconstitutional by the Supreme Court of the United States.

The expressed intention of the legislators, as openly stated on the floor of the House and Senate, was to write a law which in some form would effectively disfranchise Negro citizens as had the voided "grandfather" law.

During that session, and in such an atmosphere, the present registration law of Oklahoma was enacted, which provides basically that residence in the state one year, the county six months and the precinct thirty days qualifies the elector for suffrage rights. The law made it mandatory that registrars waive all other requirements for citizens who voted in Oklahoma elections on a date nominated as the first Tuesday after the first Monday in November 1914. This was the date safely set behind the "grandfather" law decision of the Supreme Court.

All other citizens who seek qualification as electors are required to take an oath that they are qualified electors and must answer under examination by the registrar all of those questions which may be raised regarding the qualifications of the elector, and give under oath the information required in the registration form.



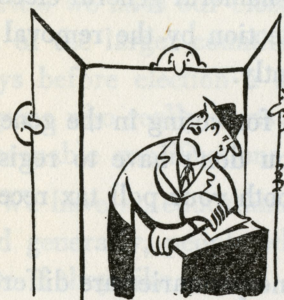
The law was so drawn that citizens of color would have great difficulty locating the registrar. For instance, the registrar was not required to register prospective electors at any given period during the day, and the registration period was confined to a ten day period ending ten days prior to each election. No penalties were provided for registrars guilty of irregularities or infractions of the registration act, and no subsequent legislature has provided penalties for registrars complained against by aggrieved citizens. There were no poll tax provisions provided as a prerequisite to voting.

Despite this enactment, and its endorsement for many years, I wish to say that Oklahoma's enlightened citizenship, while not having the moral courage to wipe this highly discriminatory bill from the statute books, have at the same time placed the objectionable features of the registration enactment in cold storage, and today, there is not a place in Oklahoma where Negroes cannot vote, unmolested. The registrar can be located and Negro citizens offering to vote, are not required to meet any test unusual to other units of the population.

I think I might say in closing that this unusual situation has been brought about through the convincing and compelling techniques and methods Negroes have adopted in Oklahoma, proving that they can and will cooperate with the majority party. More than 40,000 Negroes now vote in the Democratic primary, and, in recent years have been the deciding factors in close primary contests.

Democrats in Oklahoma now prize the Negro vote as one of their most valuable assets.

- Absentee voting is permitted.
- Two hours or more provided by law for time off for voting but no pay is included for time away from work.
- Polls open 8 A.M. to 6 P.M. except in first-class cities where the time is 6 A.M. to 7 P.M.



**SOUTH CAROLINA** "... All elections shall be free and open and every inhabitant of this State possessing the qualifications . . . shall have an equal right to elect officers and be elected to fill public office." —STATE CONSTITUTION

JOHN C. HUNT reporting

South Carolina has a couple of peculiar provisions that set it apart from the rest of the South. Most important of these is the fact that it is the only state in the nation without even the semblance of a secret ballot in the general election. Secrecy in voting is absolutely impossible under South Carolina laws. It is also impossible to vote a split ticket. For instance, in the last general election there were six different ballots for federal officers representing the candidates of six different parties or factions on the tables at the polling places of South Carolina.

Ballots asked for by the armed forces, possibly by the federal authorities, accumulated in the empty office of the State Capitol Building in Columbia, because there was no such thing as a state ballot. A controversy ensued in the state as to what should be done. A serious suggestion was made that a political organization should cause to be printed a succession of party ballots, each separated from the other. That would be sent to the soldier and presumably he would tear out the one he wanted and use that. However, there is a provision of law in South Carolina which says the ballot must go into the box unmarked upon in any fashion. They consulted the Attorney General and he gave the ruling that the separation of the first perforation marks would amount to mutilation of ballots and therefore couldn't be used. I have it on even more informal authority that what actually occurred was a few clerks were sent into this room and instructed to mail straight democratic party ballots to all the soldiers.



The cause of a sudden public awakening to the shameful general election laws was the new significance given the general election by the removal of all primary ballot laws from the statute books recently.

A one dollar non-cumulative poll tax is required for voting in the general election, but is not required for the primary. You don't have to register every year. You must show the election manager both your poll tax receipt and certificate of registration.

The residence requirement for general election and primaries are different too, which causes considerable confusion. In the primary election you have to be two years resident in the state and one in the county, but in the general election the residence requirements are somewhat different.

- Absentee voting permitted.
- No provision for time off for voting.
- Polls open from 8 A.M. to 4 P.M., except in Charleston and Columbia where it is from 8 A.M. to 6 P.M.



**TENNESSEE** "... Elections shall be free and equal." —STATE CONSTITUTION

JENNINGS PERRY reporting

There is in effect no white primary in Tennessee. In the larger cities of Memphis, Knoxville, Chattanooga and Nashville the Negroes vote in proportion to their population just as the white people vote in proportion to their population.

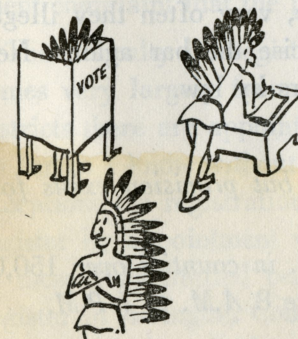
There are a few counties in Tennessee, more rural counties, where Negroes are discouraged from voting by means other than the poll tax. Those are the only counties in the state which are in that category.

Now we have our election laws pretty fair. We have registration only in six of the larger counties. That registration is bi-annual. However, twenty days before election a supplementary registration period is held so that anyone who really cares to qualify himself in that manner to vote and has reasonable qualifications can do so.

We have no educational requirements, we have no "grandfather" clause and generally, people who manage to get over the poll tax requirements vote if they like.

The poll tax in Tennessee is one dollar levied by the state and the counties can levy an additional dollar. Poll taxes must be paid before one is qualified to vote.

- Absentee voting is permitted.
- There is no provision for time off for voting.
- Polls are open from 9 A.M. to 4 P.M. In cities of 15,000 or more they are open from 9 A.M. to 7 P.M. There are many factories in towns of less than 15,000 population, workers in those factories find it difficult to vote.



**TEXAS** "... All free men ... have equal rights, and no man or set of men, is entitled to exclusive separate public emoluments or privileges, but in consideration of public services."

—STATE CONSTITUTION

CARTER WESLEY'S plane reservation was cancelled. IRA DeA. REID reported

The most notorious, and certainly the most effective, restriction on the right to vote in Texas came until very recently from a series of statutes governing primaries and also the general election, which permitted the



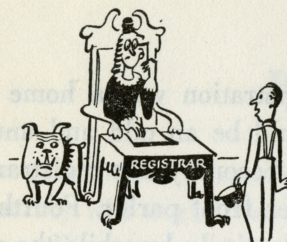
Democratic party to pass a resolution barring Negroes from participating in that party's primary. Because Texas is a one-party state, inability to participate in the primary meant virtual disfranchisement.

This bar was stricken down by the Supreme Court of the United States in April, 1944, in the case of *Smith vs. Allwright et al*, therefore it can be said that for the present the chief restriction on voting is in abeyance in Texas.

The biggest remaining restriction on voting in Texas is the requirement of a poll tax payment. However, there is no discrimination in the law nor usually in the practice of collecting poll taxes, except that the statute excepts Indians (and one might ask why not Negroes?). The restriction comes from the fact that any tax or other burden on the right to vote discourages people from voting. In Texas the poll tax can be paid from October to February. Many of those who are willing to pay the poll tax just forget to pay it in that short time, and then when it comes time to vote find themselves disqualified. Others are unable, or unwilling, to pay to vote.

In actual practice all of the laws affecting voting have been used by election judges and others to bar Negroes in Texas. County clerks, who are supposed to give out absentee ballots, during the days of the primary bar often refused to give Negroes ballots even for general elections. Also even in cities, where the election is by charter at large, very often they illegally take the cloak of primary procedure and exercise the bar against Negro voters. These are bars by custom rather than bars by law.

- *Absentee voting is permitted.*
- *Time off for voting is undetermined, but provision exists for it with pay for the time missed.*
- *Polls are open from 7 A.M. to 7 P.M. in counties over 150,000 in population. Elsewhere, the hours are 8 A.M. to 7 P.M.*



**VIRGINIA** " . . . All men are by nature equally free and independent."

GEORGE S. MITCHELL reporting

The poll tax put in the Constitution of 1902 runs back for three years at \$1.50 a year. The maximum poll tax with penalties is \$5.01. It must be paid six months before the general election, long before the people are really interested about the primary and of course six months before anybody is excited about the election. That is the most serious obstacle in it. It is so arranged that persons who own real property, particularly in the rural districts, are in general the persons who pay their poll tax. The reason is this: if you own real property you are careful to have it on the court house books in order to protect the title. If it is on the court house books you are billed for that property regularly. When you are billed for your property you also receive the bill for the poll tax. If, on the other hand, you are not on the court house books as a property owner, it is nobody's business to send you a bill. You don't get a bill and you are very unlikely to go and pay your poll tax before May 5th. Of course persons who are members of the machine are told to come in and pay. It is a frequent complaint that the poll tax is paid by the machine for its friends.

The difficulty on registration for Negroes, under present circumstances, comes very largely from the arrangements made for registering. In rural districts there are appointive registrars for each sub-division of the county. So far as I know without exception these persons are white. Also with few exceptions the registration books are kept at their homes. You may go and register by appointment with the registrar at any time in the year, except in these very limited periods just before the elections. I went myself to register in Arlington County, Virginia, and it was plain to anybody that a Negro would have had very great difficulty in getting his name on the books.



Here were the circumstances: the place of registration was a home in a small white workingmen's neighborhood. It would be an odd and unusual sight for a Negro to be coming down that street. Secondly, the registrar was a lady. Thirdly, the place of registration was her front parlor. Fourth, she kept a very large dog. Fifth, her husband sat attentively by while the registration was going on. Now that was within three hundred yards of the Potomac River, which is supposed to be the more enlightened part of Virginia.

On education the requirement is potentially strict; actually, in my limited experience, not very strictly enforced. You must fill in a blank application for registration requiring you to state your age and name and occupation, previous place of registration, if any, and one or two other facts. This you have to do in your own handwriting and in person. You also have to do so by law without aid, suggestion or memorandum or notes of any kind. In addition you have to be prepared to answer any and all questions put to you by the registrar relating to your qualifications for registering.

There is currently, particularly in the more heavily Republican congressional districts, what is called the "black satchel" racket. Henchmen of the machine go around and collect five hundred or so absentee votes, cautioning the fellow who fills each one out to stay in the house on election day, and drops those votes into the box. You can get enough of those to win almost any election. I don't say that it is done everywhere but there is a lot of complaint that it is frequently done.

- *No provision requiring time off for voting.*
- *Polls open from sunrise to sunset.*

## DISCUSSION

MR. STROZIER: I have a profound belief in democracy. I believe that democracy will work if we will let it work. Our politicians won't let it work. I was telling some of the people whom I was with last night about an article that I had read in Life Magazine. I want to tell you about it and I want to urge everybody here to read it.

I used to have the idea that there ought to be restrictions on the elective franchise. I thought it was a good thing to make it hard to vote. I have got entirely away from that and I am in favor now of unrestricted suffrage. I think it is a perfectly sound proposition. That is the reason why I hope all of you will read that article in Life Magazine for December 18th.

Life sent a reporter, Teddy White, to North China to find out the truth about the Communists. He wrote an article about what he found up there and I think it is one of the most remarkable things I have ever read. Of course the Communists have been engaged since 1937 in North China fighting the Japs. They have necessarily had to try to develop the country in order to carry on their warfare against the Japs and the way they have done it is the thing that intrigued me.

White says, and you all know it is true as I do, that the people in North China, the peasants, have been oppressed and swindled and treated as serfs for centuries. They were as absolutely hopeless as any people in the world; but the development of the Communist movement there has remade North China, according to White. He says the way they have done it is by adopting the democratic process. They have given the peasants the vote, they run their local governments and he sums it up by saying that it has given those people a stake in society, a dignity and a responsibility that really proves the worth of the democratic process.

I call attention to that article for the reason that it proves the trouble with us is that we are afraid of democracy. I have got to where I am not afraid of it. I believe in it. I believe in democracy for everybody. I believe in democracy for even the left wing Greeks.





I think the time has come when we have got to do something about it. We can't liberate people in Europe and oppress them in order to establish the kind of government that we think ought to be established, but I am not so much concerned about Europe as I am about my own country. We can't fight battles for democracy all over the world unless we have it here. I am in favor of having it here and *now*. I mean that, and I am glad to have the opportunity to say it.

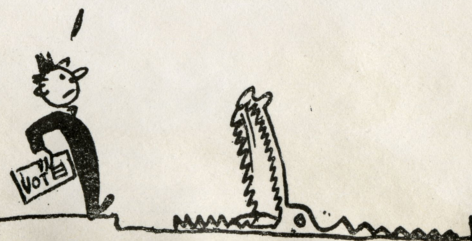
With reference to my own state, I want to see the poll tax abolished and the Negro enfranchised; and there is not anybody afraid of either one of those propositions in the State of Georgia except politicians who don't know anything has happened in the last hundred years. That is my deliberate judgment about that.

When the Supreme Court decision came out in the Texas case, I wrote an editorial in the Macon News in which I took the position that we ought to allow the Negroes to vote in the coming primary in Georgia in 1944. I didn't know whether they would print it or not because I don't own the newspaper. They said, "It will probably raise hell but print it." But it didn't raise any hell. That is the point. There wasn't any repercussion from it at all. Nobody said anything about it except to approve it.

For several months after that decision was rendered I wrote along that line. The people didn't curse me, didn't curse my newspaper. I began to talk to everybody I came in contact with, and to my astonishment I found they felt the same way I felt about it.

I live in Macon, and the people that I come in contact with in my daily life are different from some of the people in some parts of Georgia. I realize that, but what we need in Georgia is a little leadership.

Bryan Collier tells me he did the same thing in the Columbus Ledger in commenting on that decision of the Supreme Court and he had the same experience with it that I had in the Macon News. The Atlanta Journal said practically the same thing. I don't know what repercussions they had, but there wasn't any in their letter column.



We need in this state a little leadership that believes in democracy. The people are ready for it. I think one of the most remarkable things we have had here today is Mr. Dunjee's talk. I have got a profound conviction that the same thing would happen in Georgia that happened in Oklahoma.

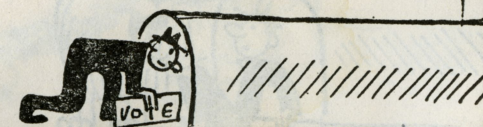
We haven't got far enough away from the Civil War yet for our politicians not to believe that enfranchising the Negro means turning over a large bloc of votes, but it doesn't mean any such thing. I know Negroes in Macon who are just as good Democrats as I am, and in fact most of them are.

Whether they are or not, I have got a conviction that when you put on a man the responsibility of governing himself, he will measure up to it. I am glad to have the opportunity of saying so at this meeting because I think the newspapers have the opportunity to furnish the leadership that the politicians are incapable of furnishing, and I hope they do it.

I hope that before we begin to try to establish democratic governments all over the world that we are going to start on our own doorsteps and we are going to start in the Southern States of the United States of America.

MR. BRYAN COLLIER: I want to make a speech of about five words indorsing everything Harry Strozier said. We have two newspapers in Columbus and Macon that have been really getting out in the grass roots and fighting for some of these things.

I wrote an editorial back in July, I think, suggesting that the Negro be admitted to the Georgia primary. I am frank to say I didn't know what would happen. I was pretty sure that my phone would ring all night and I thought I might be ridden out of town. The phone did ring all night, but from that day to this there has not been one single word of protest. On the contrary, the most surprising people in the world, knowing Columbus as I know it, called up to say they were so glad the suggestion had been made, that they were not afraid of the Negro in politics in Georgia or in Columbus, but they were quite sure that the whole business of a poll tax and limited suffrage in Georgia was purely a matter of political chicanery, that the people we have got in office don't want a big vote.





Boiled right down, that is all there is to it. There is one other thing about the poll tax that I think we as realistic people ought to face, because we can't win this thing on a basis of starry-eyed idealism. I wish the keynote of this meeting could be the speech made by Mr. Dunjee this morning. It was a practical political speech and we have got to fight this thing out on the basis of practical politics.

**COLONEL AYER:** I think the sentiment in Alabama is growing in favor of allowing more and more Negroes to participate in our primary elections.

**MR. KANE:** Here are a few figures just to show what happened after Huey Long eliminated the poll tax in 1934. In 1932, 268,000 people voted. In 1940, with the poll tax eliminated, 372,000 voted, a jump from 268,000 to 372,000. Now in 1944, 550,000 people voted. Now in order not to mislead you I should say all except perhaps two or three hundred of that increase in votes was an increase in the white vote.

**MR. DUNJEE:** I think this conference should take in consideration the current flexibility of the Negro vote. What has happened in Oklahoma is possible of achievement in every section of the south. It means that where local government is conservative and fair, the Negro, who forms a large portion of the citizenship of the south, when granted ballot privileges will vote and stand by his friends.

*Telegram from former Governor Holland of Florida to HERBERT DAVIDSON, Publisher of the Daytona News Journal:*

In my judgment lifting of poll tax as requisite for voting has greatly increased total number citizens participation in our elections and diminished opportunity to control elections through machine manipulation. Poll tax repeal took place 1937. Total vote 1936 primary 328,000.

1940 primary 485,000. Total vote Georgia primary 1940 about 330,000 in spite of their larger white populations. While county-unit system may be partly responsible, principal reason for difference is poll tax requirement in Georgia. Comparison with Alabama, Mississippi and South Carolina shows same situation.

*Telegram from DR. FRANK GRAHAM of the University of North Carolina:*

Regret University business holds me here. Wish to express appreciation to you and your associates for meeting and for opportunity to join in any movement for abolition of poll tax, equal rights in voting, elimination of freight rate discriminations and federal aid to the states, under state and local control, for equalization of educational opportunities for all American children. While our finest youth are fighting and dying all over the world for human freedom let us, in our historic southern states, join in the forward march of democratic peoples around the earth. If we would stand together we cannot fail. Best wishes to all of you.

**MR. ETHRIDGE:** Regardless of whether it is a poll tax or regardless of whether it is construction of the constitution, regardless of whether it is the registration law or bad hours or polling places, I hope all of us here will feel as the result of this meeting that we have got an obligation to work unceasingly in the spirit of the faith expressed by Harry Strozier and Bryan Collier, both Georgians, that if the people ever had a right to get beyond the dialectics of politics and express themselves on it they would speak in a way that would reflect democracy.

I told you in the beginning that this is an unaffiliated meeting. It is. Some of us are going to undertake to do something about distributing this material and the amplified material throughout the South. I hope the organizations that are in existence including the A.F.L., the C.I.O., the League of Women Voters, and church groups, all those groups I mentioned this morning, Southern Regional Council, Southern Conference for Human Welfare, Georgia Fact Finding Commission and any other southern organization will have this material. I am certain in my own mind what the verdict in the South will be.





FOR ADDITIONAL COPIES WRITE TO

*Committee of Editors and Writers of the South*

CHAMBER OF COMMERCE BUILDING — ATLANTA, GA.