

INVESTIGATION OF SENATORIAL CAMPAIGN
EXPENDITURES, 1946

REPORT
OF THE
SPECIAL COMMITTEE TO INVESTIGATE SENATORIAL
CAMPAIGN EXPENDITURES, 1946

PURSUANT TO
S. Res. 224
A RESOLUTION TO APPOINT A SPECIAL COMMITTEE
TO INVESTIGATE SENATORIAL CAMPAIGN
CONTRIBUTIONS AND EXPENDITURES
IN THE 1946 ELECTIONS
TOGETHER WITH THE
VIEWS OF MR. BRIDGES AND MR. HICKENLOOPER

MISSISSIPPI



JANUARY 3, 1947.—Ordered to be printed

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**SPECIAL COMMITTEE TO INVESTIGATE SENATORIAL CAMPAIGN
EXPENDITURES, 1946**

ALLEN J. ELLENDER, Louisiana, *Chairman*

BURNET R. MAYBANK, South Carolina

STYLES BRIDGES, New Hampshire

ELMER THOMAS, Oklahoma

BOURKE B. HICKENLOOPER, Iowa

LOUIS C. WYMAN, *Counsel*

GRACE JOHNSON, *Clerk*

II

SENATORIAL CAMPAIGN EXPENDITURES, 1946

JAN. 3, 1947.—Ordered to be printed

Mr. ELLENDER, from the Special Committee to Investigate Senatorial Campaign Expenditures, 1946, submitted the following:

REPORT

[Pursuant to S. Res. 224]

On September 19, 1946, there was filed with this committee a sworn complaint signed by T. B. Wilson and other residents of the State of Mississippi protesting the nomination and election of Senator Theodore G. Bilbo. This complaint, together with the signatures appended thereto is as follows:

To: The honorable Senate of the United States of America.
Attention: Committee on Privileges and Elections.
Committee on Campaign Expenditures.

The undersigned hereby petition for the redress of the following grievances and respectfully show and allege:

(1) The signatories hereto are residents of the State of Mississippi and are duly qualified electors of the State of Mississippi.

(2) Whenever the term "duly qualified Negro electors" is used, it shall mean Negro citizens of Mississippi who have duly qualified to register and vote in general or special elections for Federal, State, and local offices, including the office of United States Senator from Mississippi, and Negro citizens possessing the legal qualifications to register and vote in such elections.

(3) In the primary of the Democratic Party of Mississippi to select a candidate for the United States Senate for the term commencing January 1, 1947, and in which an election was held on July 2, 1946, Senator Theodore G. Bilbo, the incumbent, obtained a bare majority of less than 4,000 votes, of the votes cast and officially counted, over his opponents and thereupon was certified, became, and is the candidate of the Democratic Party of Mississippi for the office of Senator of the United States from that State.

(4) By custom, tradition, and precedent, and because of the absence of an organized or effective party of opposition to the Democratic Party of Mississippi within that State, Senator Theodore G. Bilbo is assured of his reelection to the office of United States Senator from Mississippi and indeed will face no opposition candidate in the general election.

(5) During the aforesaid primary and up to and including July 2, 1946, the date of the election thereof, Senator Theodore G. Bilbo conducted an aggressive and ruthless campaign for his reelection to the office of United States Senator from Mississippi with the purpose, object, design, and calculation to effectively

deprive and deny the duly qualified Negro electors of Mississippi of their constitutional rights, privileges, and immunities to register and vote and otherwise legally participate in the said primary election.

(6) Because, amongst other things, Senator Theodore G. Bilbo has been notorious in his hostility toward the Negro people and has exercised all his energies to keep the Negro people in a subordinate and servile status and because he has become a symbol of oppression and reaction against the Negro people in the estimation of the people of the United States, and particularly in the estimation of the Negro people of the United States, Senator Theodore G. Bilbo had knowledge or reason to know that the overwhelming majority of duly qualified Negro electors of Mississippi, totaling approximately 500,000 persons, would vote in the said primary election in opposition and adversely to the candidacy of Senator Theodore G. Bilbo; and it was the intention of Senator Theodore G. Bilbo to frustrate, suppress, stifle, and overcome the opposition of the duly qualified Negro electors to the candidacy of Senator Theodore G. Bilbo in the aforesaid primary and thus effectively to deprive and deny these electors of their constitutional rights, privileges, and immunities to register and vote and otherwise legally participate in the said primary election.

(7) In order to accomplish and effectuate the aforesaid purpose, object, design, and calculation, and to carry out his intention, Senator Theodore G. Bilbo—

(1) Engaged in and inspired systematic and continuous attacks upon the Negro race in general and upon the Negro population of Mississippi in particular, and especially against the duly qualified Negro electors of Mississippi; these attacks were accompanied by and took the form of vituperative, insulting, abusive, and slanderous statements, holding up the Negro race in general and the Negro population of Mississippi in particular, especially the duly qualified Negro electors of Mississippi, to hatred, opprobrium, contempt, and ridicule.

(2) Exhorted, agitated, and made inflammatory appeals to the passions and prejudices of the white population of Mississippi to foster, stimulate, inspire, create, and intensify a state of acute and aggravated tension between the white and Negro races in the State of Mississippi, and utilized and directed this acute and aggravated racial tension for narrow, selfish, and political purposes, to wit, to prevent and deny the duly qualified Negro electors of Mississippi from exercising or attempting to exercise their constitutional rights, privileges, and immunities to register and vote or otherwise lawfully participate in the said primary election; and

(3) With willful intent, individually and in concert with others, advocated, counseled, inspired, encouraged, incited, aided, and abetted the white population of Mississippi to commit acts of violence and intimidation against the Negro population of Mississippi, and especially against the duly qualified Negro electors of Mississippi, so as to discourage, frustrate, suppress, stifle, and overcome the desire and intention of the duly qualified Negro electors of Mississippi of exercising or attempting to exercise their constitutional rights, privileges, and immunities to register and vote or otherwise lawfully participate in said primary election.

(8) The conduct, acts, and statements of Senator Theodore G. Bilbo and the acts of violence and intimidation against the Negro people of Mississippi, as described above, and accomplished as hereinafter set forth, were crimes against and violations of the criminal statutes and laws of the United States of America and the State of Mississippi.

(9) As a direct or proximate consequence of the conduct, acts, and statements of Senator Theodore G. Bilbo, as above alleged, wholesale incidents of attacks by white residents of Mississippi upon Negro residents of Mississippi occurred throughout the State of Mississippi during the said primary campaign, including acts of violence and intimidation against duly qualified Negro electors of Mississippi; these attacks and acts of violence and intimidation were willfully and wantonly perpetrated (a) by white residents of the State of Mississippi, acting individually or in furtherance of a conspiracy with others or with Senator Theodore G. Bilbo, to deprive and deny the qualified Negro electors of Mississippi of their constitutional rights, privileges, and immunities to register and vote or otherwise lawfully participate in the said primary election, and (b) by white public officials of the State of Mississippi, acting under color of law, with like willfulness, wantonness, intent, and purpose.

(10) As a result of the foregoing the Negro people of Mississippi, especially the duly qualified Negro electors of Mississippi, were subjected to a campaign and

reign of terror during the said primary election; and the Negro people of Mississippi, especially the duly qualified Negro electors of Mississippi, were placed in a state of fear, terror, coercion, and duress to the extent that the overwhelming majority of the duly qualified Negro electors of Mississippi were discouraged, frustrated, suppressed, stifled, fettered, and overcome in exercising or attempting to exercise their constitutional rights, privileges, and immunities to register and vote, or to vote if already registered, or to otherwise lawfully participate in the said primary election; and under the circumstances, such fear, terror, coercion, and duress, followed by the action or inaction above described, were reasonable and reasonably justified.

(11) By reason of the foregoing, and as a direct or proximate consequence of the successful accomplishment and effectuation of the purpose, object, design, and calculation of Senator Theodore G. Bilbo, and the successful carrying out of his intention, as aforesaid, the election of Senator Theodore G. Bilbo, as the Democratic candidate for the United States Senate from Mississippi, was and is illegal, void, and contrary to law, and such election was and is tainted and permeated with fraud, duress, and illegality. The said election of Senator Theodore G. Bilbo was not free or unfettered, but, on the contrary, was achieved by force and violence and the use of criminal, extralegal, and illegal tactics and in wanton disrespect and disregard and in derogation of the rights, privileges, and immunities of citizens of the United States under the United States Constitution, particularly the fifteenth amendment thereof, and of the laws of the United States in such cases made and provided, and of the decisions of the Supreme Court of the United States, as well as in violation of the laws and statutes of the State of Mississippi.

(12) Except for the fraud, duress, illegality, force, and violence, as above alleged, the overwhelming majority of the duly qualified Negro electors of Mississippi would have voted in opposition and adversely to the said candidacy of Senator Theodore G. Bilbo and their votes would have materially affected the result of the said primary election and would have resulted in the defeat of Senator Theodore G. Bilbo, or, at least, would have resulted in the failure or inability of Senator Theodore G. Bilbo in securing a majority of the votes cast and officially counted in said primary election, thus necessitating a run-off, which, in all reasonable probability, would have resulted in the defeat of Senator Theodore G. Bilbo.

(13) By his conduct, acts, and words, and by reason of the foregoing, Senator Theodore G. Bilbo—

(a) Has violated his oath of office of United States Senator to support and uphold the Constitution of the United States and its laws;

(b) Cannot reasonably be relied upon in the future to support and uphold the Constitution of the United States and its laws; and

(c) Cannot reasonably be relied upon in the future to honor the oath of office required to be made by United States Senators to support and uphold the Constitution of the United States and its laws; and

(d) Has advocated, counseled, inspired, encouraged, incited, aided, and abetted in the violation of the laws of the United States and the State of Mississippi; and

(e) Has exhibited a crass, wanton, and shocking disrespect and disregard for the constitutional rights, privileges, and immunities of United States citizens to exercise their political franchise to vote in elections for public offices; and

(f) Has demonstrated a cynical contempt for the orderly processes of government; and

(g) Has endangered and undermined the foundations of orderly and democratic government; and

(h) Has subscribed and subscribes to principles, ideas and philosophies of government which are alien, repugnant and inimical to the principles, ideas and philosophies upon which the Government of the United States and the States of the Union are founded; and

(i) Has fostered, stimulated, inspired, and encouraged conflict, division and disunity amongst the American people by pitting race against race, religion against religion, and nationality groups against other nationality groups; and

(j) Has brought the august and honorable United States Senate into contempt, ridicule, and disrepute; and

(k) Has been and now is a member of the Ku Klux Klan, a secret, conspiratorial, and illegal organization with past connections with known enemies of the United States of America, to wit: the German-American Bund, and has subscribed and still subscribes to the principles and actions

of the said Ku Klux Klan, which has committed acts of lynching, near-lynching, assaults and batteries, false and unlawful detentions, and other crimes of violence and intimidation; and

(1) Has demonstrated his unfitness to hold the honorable position of a United States Senator.

(14) Annexed hereto and made part of this petition, marked "Exhibit 1," and in substantiation and documentation of the allegations of this petition, are excerpts of statements, speeches and writings of Senator Theodore G. Bilbo made during the aforesaid primary campaign.

(15) Annexed hereto and made part of this petition, marked "Exhibit 2," and in substantiation and documentation of the allegations of this petition, is a photostatic copy of a radio interview between Senator Theodore G. Bilbo and certain newspapermen, held on August 9, 1946, over the Mutual Broadcasting Co. system on Meet the Press program.

(16) Annexed hereto and made part of this petition, marked "Exhibit 3," and in further substantiation and documentation of the allegations of this petition, are photostatic copies of statements of Negro residents of Mississippi, indicating instances and describing occurrences of acts of violence and intimidation by white residents of Mississippi, including white public officials of the State of Mississippi, acting under color of law, against Negro residents of Mississippi and showing the acts of violence and intimidation practiced against the Negro residents of Mississippi, including the duly qualified Negro electors of Mississippi and showing further the fraud and illegality practiced against the duly qualified Negro electors of Mississippi. The originals of these statements are in the possession and files of the Civil Rights Congress, 205 East Forty-second Street, New York, N. Y., which directed, supervised and participated in the collection of these statements. Other and additional statements showing and describing similar occurrences against other duly qualified Negro electors of Mississippi are in the possession and file of the Department of Justice, Washington, D. C.

Wherefore, the undersigned respectfully petition and request:

(1) The appropriate Senate committee or committees to conduct a full, fair, and fearless investigation into the allegations of this petition and the charges contained therein; and

(2) In connection with such investigation to hold public hearings in and throughout the State of Mississippi and in Washington, D. C., wherein witnessed shall be summoned to testify and give evidence under oath, and such other evidence, including the taking of depositions, as is material, relevant, and pertinent be incorporated in the record; and

(3) Upon the basis of the allegations of this petition and the charges contained therein and the documentary evidence submitted herewith, and any further evidence which may be disclosed as a result of the aforesaid investigation and hearings, the appropriate Senate committee or committees having jurisdiction over the matters herein set forth report and recommend to the Senate of the United States that Senator Theodore G. Bilbo be impeached and removed from his seat as the United States Senator from Mississippi and that the election of Senator Theodore G. Bilbo as the Democratic nominee for the office of United States Senator from Mississippi be declared null and void, contrary to law, and tainted with fraud, duress, illegality, force, and violence, and that a new election be held for such office; and

(4) The Senate of the United States impeach Senator Theodore G. Bilbo and remove him from his office as United States Senator from Mississippi and declare his election as the Democratic nominee for the office of United States Senator from Mississippi to be null and void, contrary to law, and tainted with fraud, duress, illegality, force, and violence, and deny to Senator Theodore G. Bilbo any and all privileges, rights, and immunities which he may possess by virtue of being elected United States Senator from the State of Mississippi for the term commencing January 1, 1947, and also deny Senator Theodore G. Bilbo the right to subscribe to the oath of office for such new term as United States Senator from Mississippi and otherwise to refuse to seat Senator Theodore G. Bilbo as the United States Senator from Mississippi for such new term.

Dated: State of Mississippi, September 1946.

Louis C. Wilcher, Arthur Hicks, Rev. James Young, Julia Mae Hicks, R. S. Lyells, D. T. Hall, Rev. M. H. Bailey, M. A. Dixon, Stavelle Adams, Ozella Cox, John M. Bates, T. B. Wilson, A. J. Noel, M. J. Lyells, James A. Moore, Jr., Guy Cox, Percy Greene, W. A. Bender, Rev. F. W. Lee, W. R. Wrenn, Joseph A. Smith, Mrs. L. W. Alford.

