

**1964, My Story of**  
**Life and Death in Mississippi**

**Jacob Tanzer**

*On June 16, 1964, three young men, black and white, were murdered  
for having encouraged black Americans to register to vote.*

*On November 4, 2008, a black man was elected  
by all Americans to be their president.*

*Behind this historic transformation were many people and many stories.  
This is mine.*

## **The Mount Zion Methodist Church**

My first experience in Mississippi in the late summer of 1964 was a visit to the Mount Zion Methodist Church in Neshoba County. It was a poor, humble church set in the rolling cotton country of central Mississippi. People said it dated back to slave days. It was never much to look at. But it was the very heart of the community life of the black farm workers, sharecroppers, small farmers and their families living around it.

When I saw it, there was not much left. On June 16, 1964, it had been torched by a gang of white toughs. Now, the church was no more than a few burned out embers and some scattered bricks from the fireplaces. A little four or five step cement staircase that once led to the entrance stood like a tombstone over the remains.

This was just another act of violence in a season of violence. There were some 80 arsons in the deep South so far that year, plus murders, assaults and other acts of terror, all unsolved or at least unprosecuted. Yet this fire and the night of murder that followed it became a historic milestone in the greatest social revolution in American history. It also began the most profoundly moving experience of my life.



*The Mount Zion Methodist Church, June 1964*

This is my personal story of my journey to Neshoba County, what I saw, and what I learned there.

### **Finding My Way to Mississippi**

My attitudes on race began to form when I was a child, long before I ever heard of Mississippi. I grew up in the 1940's and 50's. My father called black people "Niggers." Intuitively, even as a child, it seemed wrong to me, but Dad was a good-hearted man and he meant no disrespect. He and my mother were Russian immigrants and Dad had learned his English on the streets. He thought that was the right word.

In Longview, Washington where I was born, there were no black people, or at least none that I saw, but I knew from movies and radio that they existed. Those were the days of Amos & Andy. In January 1945, we moved to Portland where we lived on NE Tenth Avenue. The ghetto was expanding and had slowly encroached as far as NE Seventh. I didn't know any black people<sup>1</sup>, although a few black kids like Eddie Caldwell were in my class at Irvington Grade School and he seemed like a nice kid. We were cordial, but not chums.

One day a neighbor boy told me that Niggers tied their cats in bags and drowned them in the river. "That's what Niggers do," he said. I knew nothing about what black people did with their cats, but I instinctively argued heatedly

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<sup>1</sup> Acceptable language changes, especially the language of race. The term "black" was at that time considered pejorative. Now it is acceptable. "Negro" or "colored" were acceptable, but are now considered offensive. Like my father, whatever term I may use in this story, I use it respectfully.

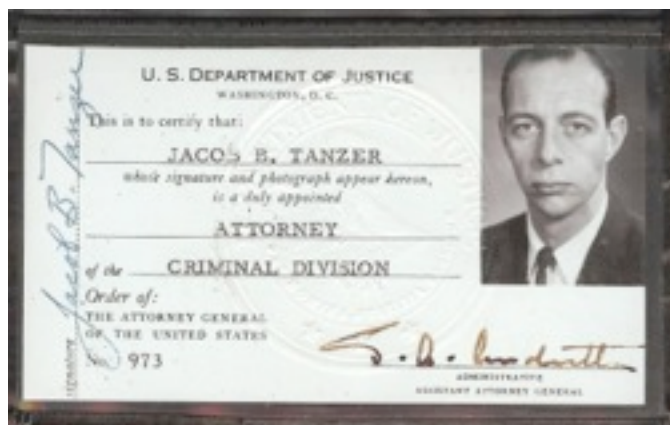
with the kid that he had to be wrong. Just because a black person may have drowned a cat didn't mean that all Negroes did. He argued just as vehemently that that's what Niggers did. Neither of us persuaded the other.

I was deeply moved at age 10 when we learned of the horrors of the Holocaust. It meant there was something special about being Jewish that required vigilance. It also meant that for a Jew to live in America was a very special and good thing. When I was taught at home, at Sunday School, and at Passover Seders of the historical oppression of Jews, there was always an important subscript: that the oppression of any people or race or religion even in America was as immoral and dangerous as what had happened to the Jews of Europe and of ancient Egypt. I began to be aware of discrimination against Negroes, as they were then called, even in Portland, but especially in the Jim Crow South. I was taught that the vigilance was a duty, particularly for Jews, that extended to all peoples.

My brother Hershal was an infantryman in Germany as the death camps were discovered. His first job out of college in 1948 was with a Jewish organization, the Anti-Defamation League. His responsibility was to organize public support for legislative passage of the Fair Employment Practices Act. As I understood it, New York was the first and only state to have banned racial discrimination in employment. When I was 14, my parents and I went to Salem to watch the Oregon Senate pass the measure. Oregon was the second state to do so. I have always been proud of my brother for that aspect of his well-lived life.

In the Seventh Grade I decided to be a lawyer. I didn't know much about being a lawyer, but I admired my cousins Sol Stern and Maurice Sussman who were lawyers. Maurie had represented interned Japanese during the war.

I became a lawyer in 1959 and formed a small firm with a friend. I worked in the John Kennedy campaign and, like many in my generation, I was inspired by his vision. He was for me and millions of idealistic young Americans a symbol of generational change. In early 1962, at age 27, wanting to be part of something meaningful, I moved to Washington DC to be a Trial Attorney in the Organized Crime & Racketeering Division of Robert Kennedy's Justice Department. My father, who loved America, was just moving into senility, but he wept with pride, even with his impaired understanding, that his son was going to Washington to work for America. It was a plum assignment to Kennedy's priority group. The work was heady, exciting and challenging. We met with Bobby regularly and he proved to be a great leader, holding us to high standards of professional performance and integrity. It was a privilege.



*My credentials. When I showed it to a mobster in Ohio, he looked at it, looked back at me, and said, "They didn't do you no favors, Mac."*

At this time in the early 1960's, the movement for racial equality in the South grew more robust and confrontational. Black people wanted the human rights that we all enjoy from having a cup of coffee at the dime store to voting. The movement was committed to non-violence, but the response of Southern whites, middle class and working class alike, was determined and bloody. Peaceful sit-ins, freedom rides and attempted voter registration were met with violent resistance by governors, police, the Ku Klux Klan and White Citizens Councils and simple thugs throughout the South. Their tools of intimidation were dogs, fire hoses, arson, shotguns and nooses.

The March on Washington occurred on August 28, 1963, and I was a volunteer marshal. After listening to a few hours of speeches on my pocket radio, I worked my way to the front ranks of 120,000+ peaceful petitioners, immediately in front of the stage on the stairs of the Lincoln Memorial, just as yet another speech began. This one was different. The timbre of the voice, the phrasing and moving biblical allusions, were electrifying. It was Martin Luther King telling the world that "I Have A Dream." Dr. King stirred the hearts of people everywhere and gave words to my deepest feelings. Three months later, on November 22, 1963, John Kennedy was assassinated. My next visit to the Lincoln Memorial was 30 days later as President Lyndon Johnson stood on the same steps and movingly vowed to continue Kennedy's quest for human dignity. The following year, Bobby Kennedy resigned to run for the Senate and he was succeeded as Attorney General by Nicholas Katzenbach.

In the South, the escalating conflict between civil disobedience and violent response became increasingly shocking to me and to the nation. Despite Robert Kennedy's urging and the mounting public reaction to the violent conduct of Southern sheriffs, police and Klansmen, J. Edgar Hoover continued to resist committing the FBI to investigating civil rights crimes.

### **1964, Freedom Summer in Neshoba County**

1964 was a pivotal year, the year the movement became the Movement. Sit-ins and other organized resistance to Jim Crow became more massive and white resistance became more violent. It was led not just by thugs, but by demagogic governors like Orval Faubus, Ross Barnett and George Wallace who famously declared as he barred the doorway of the University of Alabama to federal officials accompanying a black student as he attempted to enroll, “Segregation today! Segregation tomorrow! Segregation forever!” Governor Wallace’s words became the battle cry of Southern resistance. James Meredith was enrolled over Governor Barnett’s resistance only after a pitched battle in which US Marshalls were wounded as the local police stood aside for the armed mob.

One of the new activist organizations, the Congress of Racial Equality, organized a massive campaign to register black voters. The time became known as Freedom Summer. CORE recruited and trained hundreds, perhaps thousands of black and white college students to go South to promote voting.<sup>2</sup> They were taught community organizing, registration procedures and non-violent resistance to the inevitable violence against them. Then, the volunteers travelled to the Southern states where they held meetings and classes to motivate and train Negroes, who had been conditioned into submission by centuries of intimidation and oppression, to overcome their fear, walk up the courthouse stairs, face hostile local officials and intimidating crowds, pass a voter eligibility exam (including, for example, questions about arcane provisions of the state constitutions which were never asked of white registrants), register and, finally, what to do if the Klan came.

One of the most experienced, hardened and able CORE staffers was Michael Schwerner, a white New Yorker in his early 20’s (described in Klan wanted posters as “Jew-boy with a beard,”). He, along with James Chaney, a young black man who moved from the South, but returned for Freedom Summer, were assigned to conduct the voter registration program in Neshoba County in the heart of Mississippi. They were joined by a trainee, Andy Goodman, also white, Jewish and from New York.

Mississippi was cotton country. The cotton fields were laid out with clusters of poor, unpainted houses, mostly shacks really, and a clapboard church here and there, usually surrounding the more affluent houses of the landowners. The poor homes were occupied by day laborers, sharecroppers and the occasional black small farmer who also share-cropped with his family. The Mount Zion Methodist Church sat amidst a cotton field in Neshoba County not far from the county seat named, ironically, Philadelphia, the city of brotherly love. The church had served the neighboring workers, it was said, since slave days.

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<sup>2</sup> There was a disproportionately large number of Oregon students among them, including, for example, future Governor Neil Goldschmidt.

Schwerner and Cheney met several times secretly with the leaders of the Mount Zion church in hopes of using the church for voter registration training. The response was positive, but fearful. Everybody knew the risk. The congregation decided to participate.

In the deepest of the Jim Crow South, even to be seen with a civil rights worker was a courageous thing for these defenseless people to do. Apparently they were seen, for on the hot evening of June 16, eight members and a few children of the Mount Zion community gathered at the church. As they talked, they noticed headlights flashing through the church windows as cars pulled to a stop outside. Armed men broke in, demanded "where are the NAACPers." As the people escaped, they were severely beaten. Standing at the periphery was a man in police uniform. About an hour later, light appeared from the direction of the church. It had been torched.

On June 21, upon returning from an out-of-state meeting, Schwerner, Chaney and Goodman, feeling terrible about having caused such pain to people they were trying to help went to see the site of the church. When they failed to appear at the CORE office in nearby Meridian at 4:00 PM, the CORE staff followed procedures. They called every jail in Mississippi and asked if Schwerner, Chaney and Goodman were there. The Neshoba County jailer said not. Because there was no point in calling local police, they called the FBI. It took no action. A missing persons report was not deemed to be a local matter, not a federal crime.

As the suspicious disappearance of Schwerner, Chaney and Goodman stretched into days, President Johnson and Attorney General Katzenbach became determined to send in the FBI. Hoover could no longer resist public opinion that the FBI should act against lawless violence in the South. He ordered the FBI into Neshoba County and the agency went in full force. Dozens of agents moved into the area. Air force reconnaissance planes left their patrolling of Cuba and made aerial maps of the entire county looking for suspicious body disposal sites. Squads of sailors walked shoulder to shoulder through the swamps. They found the young men's burned out car, but no bodies. Finally, old-fashioned police work did the job. The FBI developed an informant. The bodies were found in the middle of a newly-made earthen dam. Now the FBI's job was to find evidence to identify and convict the murderers.

By vigorous investigation, the FBI had learned that soon after they left the church, Schwerner, Chaney and Goodman had been arrested by a deputy sheriff on a traffic charge and taken to jail. Then, about 1:30 A.M., they were released by Undersheriff Cecil Price. The three young men were never seen again alive, except by their killers. The investigators suspected that Sheriff Laurence Rainey or Undersheriff Cecil Price had arranged for a gang of Klansmen to meet and abduct the three men when they were released, but little could be proved in the

existing climate of silence, fear and intimidation. The FBI continued its efforts, but it had reached a dead-end. Something had to be done to jumpstart the investigation.

### **My Journey to Neshoba County**

The Civil Rights Division decided to convene a grand jury and formed a team to conduct it. When I learned that the team needed a prosecutor with grand jury experience, I immediately set about to be that person.

One of the great privileges of working in the Justice Department during the Kennedy/Johnson years was the opportunity to meet and work with truly outstanding people. My bosses at Organized Crime were fine prosecutors. Our regular meetings with Bobby Kennedy were memorable for me. Now, I began to meet the excellent people of the Civil Rights Division.

My boss recommended me for the job, but the Civil Rights Division team leader, Bob Owen, had to make the call. Bob, now gone, was never famous, but he was one of the lawyer heroes of the civil rights movement, smart, tough, plain-spoken, cool-headed in the hostile atmosphere of the South. He questioned me about grand jury strategy, about the hazards we would encounter in the South, and generally about my professional experience. We got along fine. I was transferred to the Civil Rights team as its grand jury expert.

For the next two weeks – that’s all I had – I tried to absorb box after box of FBI reports, but mainly I learned that the FBI was stymied. It had the basic story, but not enough to prove who in the sheriff’s office called the Klan or who committed the murder. The purpose of the grand jury was not to indict the guilty – there was not yet evidence enough for that – but to revive the investigation by stirring the pot, i.e. to give the impression that we were closing in so the conspirators and witnesses might be made nervous enough to save themselves by talking to the FBI.

I knew about as much about Mississippi and the Deep South as most well-informed Northerners. The agrarian economy of the ante bellum South was based on cheap labor provided by slaves. After the Civil War and the failure of Reconstruction and despite the promise of the Emancipation Proclamation, there was little real change in the situation of the blacks. The South remained an agrarian society based on cotton and, farther north, tobacco, owned by whites and worked by blacks. Slavery was no more, but the economic and social system was essentially unchanged. Instead of slaves, rural blacks were day laborers, house servants and some share-croppers, a few of whom owned a little land which they farmed for themselves. Strict segregation was later formalized by Jim Crow laws. Upper class whites looked the other way as the Klan or the police or local toughs “kept the Nigras in their place.” Rural blacks had ramshackle homes scattered around the plantations, ramshackle schools, subsistence wages, if that,

and utter economic dependence upon whites. The white culture put a paternalistic gloss on the system. “We take care of our Nigras,” was the refrain. In fact, blacks preserved themselves by adopting a non-assertive, submissive, almost child-like demeanor characterized by smiling, excessive deferential courtesy, “yazzuh, boss,” smiling and shuffling. They could not expect even personal safety or subsistence except by grace of the dominant white class. If a white hit a black, he could not strike back and he couldn’t go to the law. If a black smiled the wrong way at a white woman, he could be lynched. And all of this justified was by the mantra “We know how to take care of our Nigras.”

A few days before I left, Jim McShane, another of the great people I was privileged to meet, invited me to drop by his office. Jim was the United States Marshal, the top guy, a tough, savvy, grizzled ex-cop that John Kennedy had appointed. He had only recently returned from leading a force of US Marshalls that escorted James Meredith, a black man, as he enrolled at the University of Mississippi over the objection of Governor Ross Barnett. That simple transaction turned into a violent battle in which hundreds of armed whites, led by a fanatical retired US Army General, Edwin Walker, attacked the marshals while the local police stood by and watched. The marshals spent the night in a gymnasium fending off armed attacks until President Kennedy sent in the army the next morning to relieve them. Several marshals were seriously injured.<sup>3</sup>

Jim warned me of something I already knew: that it was dangerous down there. I noticed amid the pictures on his credenza the white steel infantry helmet he had worn during the Battle of Oxford. He turned around, picked it up and showed me a large bullet crease in the steel. “Those people are serious,” he told me, pointing to the crease. His purpose in calling me was to deputize me and issue me a .38 police special to carry for my personal safety. My immediate reaction was that nobody was going to attack a federal agent with the FBI all over the place, but if they did, a gun in my hand would give them a perfect defense. Besides, I had never used a handgun and this didn’t seem like a situation for on-the-job training. I responded that he had made his point, I took it seriously and I truly appreciated it, and I did, but I told him I thought I would be in more danger with it than without. As we parted, he warned me never to be alone in Neshoba County after dark and to beware if ever I saw behind me a pick-up truck with guns in its racks. He wished me good luck.

On a Sunday in August, maybe September, of 1964, the team, seven of us, flew in an FAA plane from Washington National Airport to Meridian, Mississippi, where we would make our base. With us was Bob Owen’s boss, another truly extraordinary human being, John Doar, the number two attorney in the Civil Rights Division. John was already well-known for having accompanied James Meredith as he enrolled at Old Miss and for facing down angry black rioters on the streets of Jackson. He was already a legendary figure, but, as we discussed

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<sup>3</sup> The event is well-described in a terrific book, Doyle, *An American Insurrection*.

plans and strategy on the plane, I found him to be unassuming, personable and thoroughly professional. My awe quickly faded into respect.<sup>4</sup>



*Doar, Meredith and McShane at Old Miss  
(from Time magazine, January 1963)*

Our task was to augment the FBI's work. We were to turn frightened people into grand jury witnesses, to organize and present the case to the grand jury, and, if possible, to return indictments. Our plan was to learn all we could from other people who had been in jail that night and also to look for historic patterns in how prisoners, particularly black prisoners whom the whites found offensive, were treated. The strategy didn't hold a lot of promise, but it was all we had to work with. And whatever speculation and apprehension we created might revive the FBI's continuing investigation.

John wished us good luck and returned to Washington. Bob said there was something he wanted to show me. From the Meridian airport, we drove country roads directly to Neshoba County through slightly rolling hills covered in cotton as far as the eye could see. Virtually every post along the highway bore a sign that warned in big red letters, "YOU ARE NOW IN FEDERALLY OCCUPIED MISSISSIPPI." After some miles, we turned into a farm road. There were a few weathered grey sharecropper shacks, pickers still slowly dragging their long bags through the rows of cotton and a few people sitting on their porches wondering who the white strangers in the Ford sedans were. Finally, we rounded a curve and pulled into a dirt driveway which fronted a space of ashen rubble behind a cement staircase leading nowhere. The lawyers, some of whom had been there before, stood silently, contemplating the ruins. Bob explained to me, "This is always my first stop. This is our reason to be here. This is our shrine." It was, of course, the remains of the Mount Zion Methodist Church. Bob was right. It was

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<sup>4</sup> In the later 1960's, Doar was known as the one white official who could safely walk the flaming streets of northern cities in the midst of rioting mobs and bring conciliation. In the 1970's, he was special counsel to the House committee considering the impeachment of President Nixon. Later, he was appointed to turn around the failing New York City schools. He went on to a distinguished legal career. But those things were yet to be.

a shrine. I felt a deep spiritual commitment settle palpably into my consciousness, we all did, an intensely moving feeling I will never forget. We knew that our mission was not just another assignment; it was profoundly serious. The emotional experience is still and will remain vivid to the end of my days.

After I don't know how long, we headed off. It was early twilight and the light was changing. Except for our presence, what we saw had probably not changed for over a century. All around us was cotton plantation, green rows with white puffs against the hills. The twilight sun cast a reddish light, made more intense by the red dust stirred all day from the red clay earth. It was the end of the picking day. As we drove toward the highway, we came upon a wooden horse drawn cart, perhaps 30 feet long, piled high with long gray bags of raw cotton, slowly making its way to the gin to be weighed, each farmhand to be paid for the day according to the weight of his or her bag. Black pickers, men and women, adults and kids, most of them with white or red bandannas around their heads, sat on the edges of the cart and on top of the bags. They were chatting, laughing and singing, obviously happy that another work day was done. I didn't know songs, but they sounded like old work songs and spirituals. And then another wagon and yet another converged on the road, each covered with cotton and pickers like the first, all on the way to be weighed and paid at the gin. As the sun lowered toward the horizon and twilight turned to dusk, the golden, reddish cast intensified. It was magical, unreal, as if the Twentieth Century had never reached this corner of the world. Not even the Industrial Revolution had reached it.

And with that still flooding our senses, we drove back in pensive silence to the Twentieth Century in the form of the Meridian Holiday Inn. We unpacked, ate dinner at the motel diner and organized our work. If there was any question about who we were, it became obvious the next morning at breakfast when we didn't eat our grits.

### **In the Cotton Fields**

We spent most of the next few weeks in the cotton fields. Except after dark, we usually worked alone. We asked about police surveillance in the period leading up to the arson. We tracked the civil rights workers' activity in the area setting up the meeting and who might have seen it. The FBI had interviewed many people in the community, but we had to assess their potential as grand jury witnesses and to prepare those whom we chose for the daunting process of testifying against the local law and other white people. That is something the black people of Neshoba County had never dared to do and they would have reason to fear for their lives if they did it now. Because of my experience (at 29, I was the old hand of the team except for Bob who was only a few years older), my assignments tended to be the more critical potential witnesses, particularly the events inside the jail and those surrounding the arson. Others tracked the whereabouts of suspects at critical times, followed up regarding treatment of

other black arrestees, coordinated FBI testimony, and served subpoenas. I met cotton farmers, share-croppers and laborers, often in the hot sun of Mississippi in August, sometimes in their homes. I talked with prisoners who had been in jail with Schwerner, Chaney and Goodman. I talked to church elders. We drove the red clay farm roads to find them. Sheriff's cars cruised by, keeping track of us and whom we were talking to. There were few other vehicles, but most of them were pick-up trucks. They all had gun racks and there were always guns in the racks, so Marshal McShane's warning quickly became moot. Still, we were careful not to be found alone in Neshoba County after dark.

Whatever I thought I knew about the racial divide of the Jim Crow South, actually living and working within it gave a deeper understanding, an emotional and intuitive feeling for its harshness and its nuance. The very atmosphere penetrates indelibly into one's consciousness. It was almost palpable. I cannot offer a history of the South or a sociological study of Jim Crow. Nor can I speak of Southern urban life. My memories are incomplete, but what I remember, I remember vividly. I can only offer you what lawyers would call anecdotal evidence, but perhaps my telling can convey some sense of the rural black community as I experienced it.

In Neshoba County, blacks and whites lived and worked amongst each other, but after a certain age they didn't eat with each other, learn with each other, play with each other, pray with each other or communicate honestly with each other.<sup>5</sup> Whites maintained a paternalistic tone in their attitudes and conduct toward blacks. They often spoke to blacks in harsh tones of authority, expecting to be obeyed. "We take care of our Nigras" meant that blacks, being inferior, needed care, supervision and discipline by the superior race. Being inferior, they would not profit from education and did not warrant material comfort. It also meant keeping blacks "in their place" by whatever means. If blacks failed to play their assigned role submissively, they were punished physically or suffered eviction from their homes. Emmett Till, a 15 year old boy visiting from Chicago, had recently been lynched for being friendly to a white woman in a way which, up North, would have been considered normal. Being president of the Mississippi NAACP was uppity enough for Medgar Evers to be shot on his doorstep the year before.

The rough stuff was usually done by lower class whites or law enforcement while middle and upper class whites looked the other way. Some whites were true believers and wrapped everything in the rubrics of States' Rights or the Southern Way of Life. Others were uneasy or had misgivings. Deep down, many whites knew that the treatment of blacks was unjust, but if the blacks were

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<sup>5</sup> The FBI found one avenue of honest communication about the feelings of blacks and whites in the community, that between white housewives and their black maids. This was a source of valuable information to help us understand the attitudinal climate among a white community that would never talk directly of such things to federal agents.

allowed to protest, who knew what chaos would result. So even thoughtful whites might treat blacks kindly, but they did not publically oppose violence. To have done so would have invited ostracism or worse. So even they accepted the violence as a fact of life in the segregated South.

Blacks had been conditioned over generations of often violent suppression and tenuous existence to play their roles. Among themselves, however, the rural blacks of the Mount Zion community acted very differently. They displayed an elegant, even exaggerated courtesy. They addressed each other respectfully as Reverend Smith or Deacon Brown or Sister Jones and tried to look out for each other. They dressed impeccably for church. Among themselves, they acted with a great dignity that disappeared when dealing with white folks.

Few had ever been outside of Neshoba County. They were not accustomed to white folks like us. Our first task was to overcome the fear that had been ingrained for generations. We had to gain their trust. We had to draw out their innate honesty and courage. From our first words, we were extraordinary white folks from the government in Washington who addressed them with courtesy and respect as Mister or Ma'am. They could tell that we sincerely wanted to do justice. Few, if any, had ever in their lives been treated that way by white people. Most responded, often fearfully, by speaking to us as they spoke among themselves, honestly, directly and, after a while, looking us in the eye. It was clear that we were the first white people they had ever in their lives spoken to honestly and without the child-like veneer of their normal conversation with whites. For them, it reflected deep commitment and was an act of trust in us. For us, for me at least, it was deeply moving that they bravely put their fears aside and dealt with us openly. To the commitment I had found at the embers of their church, it added a sense of responsibility to fulfill their trust.

The first witnesses I spoke to were Junior Roosevelt "Bud" Cole and his wife, Beatrice Cole. Mr. Cole was the president of the church and he had supported hosting the voter education program. The Coles lived in a typical unpainted house with three rooms and a porch. We would call it a shack, but it was immaculate and well-maintained. The Coles were relatively well-off. They owned a little surrounding farmland of their own and also share-cropped. Mr. Cole saw me coming and opened the door to me. He was a tall, thin, grey-haired man, probably in his 60's, straight of bearing and very dignified in his manner. I introduced myself and showed my credentials. He invited me in and introduced me to Mrs. Cole. The living room was small, sparsely furnished and very neat. As was typical, there were pictures of their children in high school caps and gowns on a simple table next to a chair. On the wall was pinned a picture of John Kennedy taken from a magazine and a framed picture of Jesus. Following his gesture, I sat in the lone chair. Only then, they also sat down. Mr. Cole described how he and his wife were forced out of the church that night and beaten as they hustled out. He was clearly intelligent, soft-spoken and articulate. I thought he would make a credible witness even to skeptical white grand jurors. The question

in my mind was whether he could summon the courage to do so, knowing the danger of retaliation he and his wife might face. I asked if he felt he could testify to these facts before a grand jury. "Yes," he said. I asked how he felt about doing so. He said that he wanted to do right by "those boys." He said very softly, eyes tearing up a little, that it was terribly wrong that those boys were killed when "all they wanted to do was help us." They had lived with mistreatment and injustice all their lives, but the murders were just more to them than they could bear. Mrs. Cole, sitting beside him silently, hands together in her lap, nodded.

Mrs. Cole told me how the "law" had patrolled the area in sheriff's cars, passing by frequently, during the period before the arson. They stopped to ask her whether any civil rights workers had been seen in the area. How many police were there? "Sometimes they was one law, sometimes they was two laws," often Sheriff Rainey or Undersheriff Price. In the local argot, each officer was a "law." And in truth, he was, for there was no constraint on his conduct. Mrs. Cole would testify too. Husband and wife felt that even if they lost their house or their lives as a result, they would do the right thing.

Not all the homes were as ample as the Coles' house. One evening, after dark, a few of us called on a fellow who had been in jail on the night of the murder. We knocked. When he opened the door, we announced ourselves and he let us in. His house was unlit, there being no electricity to it. We entered the single room with our flashlights on. There was a strange apparition on the wall to our left. It looked as if a dark blanket was being drawn upward at a slight angle along the entire wall of grey wood, making a rustling sound. After a moment I realized that it was a sheet of roaches making its way en masse up and out of the range of our lights. His wife and two or three children had remained in their one bed they had all been sleeping in when we arrived. We talked with the father out on the porch about the events of his night in jail with the slain civil rights workers and, yes, he would testify.

Most of the blacks' houses were loosely clustered around workplaces on the plantations. They were all grey and unpainted, but some were in poor repair and the wind would blow through their disjointed boards. Some had one room, others two or three and a shaded porch with a rocker or two. Inside, they were sparsely furnished. Decoration was simple: often a few high school graduation pictures, usually a framed picture of Jesus or Mary or a bible scene and always a picture of John Kennedy, usually torn from a magazine. Most, but not all, had electricity. Those usually had a refrigerator (sometimes on the porch to take up less room), and a few bare light bulbs or, like the Coles, a lamp or two. Occasionally there was a television set.

We found the younger generation to be more restless, still subservient, but reluctantly so. They had heard about sit-ins and Martin Luther King. They knew that hundreds of young people had come South that summer to work on voter

projects. There was a buzz in the air, a vague feeling in the atmosphere that things didn't have to be this way and that some change might come.

Freedom Brown was such a young man and had been in jail on the night of the fire. He had migrated North with his family, but returned for Freedom Summer. He had changed his first name from Sam to "Freedom" to symbolize what he sought. He was a big city boy cocky, confident, spontaneous and when he smiled, which was most of the time, he showed a gold front tooth with a flashy five-pointed star etched deeply in the center. Freedom Brown was neither typical nor predictable. We could not take a chance that his flamboyance would impress the jurors unfavorably. I didn't subpoena him.

One afternoon, I went to Melvin Kirkland's house to talk to his son. He wasn't home, so Mr. Kirkland and I waited for him. I knew his name because he had been a Freedom Democratic delegate at the 1964 Democratic National Convention. In a bold move, the NAACP had organized the Freedom Democrats to challenge the credentials of the Mississippi regular delegation on the ground that Negroes had been excluded from the election and to offer itself as an alternate delegation to be seated representing Mississippi. The Credentials Committee held extensive televised hearings featuring, among other things, Fannie Lou Hamer's testimony of her abuse in prison for attempting to register to vote. If I recall my history correctly, the committee decided to recognize half of the elected delegation and half of the Freedom Democrats. The regulars walked out.

Mr. Kirkland had some great stories to tell that afternoon on his porch. I particularly remember, however, asking him, "Why now?" Why now, a century after the Emancipation, were young people sitting in at lunch counters, freedom-riding, attempting to vote, demanding equality? He answered simply and without hesitation, with one word, "television." For the first time, he explained, young Southern blacks saw what normal life was, how normal people lived, and that's what they wanted and they weren't going to let up until they got it. I don't know if he was right, but that is as good an answer as I have ever heard.

On another hot, humid afternoon, I drove off the highway and down about four or five dusty miles of intersecting clay farm roads through cotton fields to talk to Ira Jackson.<sup>6</sup> He was a cotton picker who had been in jail at the same time as Schwerner, Chaney and Goodman. He was a shy man, perhaps 30, gentle, typically soft-spoken, and he had been drinking a bit. He was not a natural hero. It took a while to gain his confidence. Ultimately, he verified that the three had in fact been imprisoned, held and released in the early morning. These facts were not disputed, but essential to telling the story. He spoke directly and with quiet dignity, and then he began to tear up. The murder of the three boys affected him

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<sup>6</sup> Most of the names are actual. Occasionally I invent a name similar to that which I have forgotten over the years.

deeply. “Are you willing to testify?” “Yessir.” Do you know you will have to look those white people in the eye and tell them what happened?” “Yessir.” Do you think you have the strength to do that?” Once again, “yessir,” he said quietly, but with obvious conviction. He said that he felt a duty to those murdered boys. Once again, I saw in a humble, frail, ignorant cotton picker, dressed in rags in the middle of a cotton field, a rare human dignity.

It started to sprinkle in large drops. I sensed a humidity rain coming and I didn't want to be stuck in the clay, so I shook Jackson's hand, reassured him that he was doing the right thing, and I drove off. As I drove, the rain intensified into a tropical downpour and the red clay became increasingly viscous. The car began to slide from side to side as one wheel or another lost traction or as steering was deflected by muddy clay. I concentrated on maintaining forward motion. Keep moving, keep moving. The wheels sank ever deeper into the clay and the car was hard to control, but I had to keep up momentum. I did not want to spend the night alone and out of sight in Neshoba County. I did not want to abandon the car, hike to the highway and hitchhike to Meridian with a stranger or worse, with a patrolling sheriff. The car would slow almost to a stop, wheels spinning, and then gain purchase for bit and then slow back to a creep and the process kept repeating as I did everything I knew to do to keep moving. It occurred fleetingly that perhaps I should have accepted Marshal McShane's offer. After a seeming eternity of inching forward, the wheels caught the cement of the highway and I, in my red clay covered Ford, was safely on the road back to Meridian.

One evening, a few of us took a short break from our legal work. It was Yom Kippur evening, one of the Jewish High Holy Days. From its earliest days of white settlement, Jews had settled throughout the South and became the prominent merchants in many Mississippi towns. Their descendants moved out into the professions. The role of Jews in the South had always been ambiguous. After all, Judah P. Benjamin was the primary financier of the Confederacy. Particularly with the Holocaust in recent memory, Southern Jews went along with Jim Crow—they had little choice—but tended to have a certain feeling deep down that if it weren't the coloreds, it would be them. While some were active in the White Citizens Councils and publicly supported Jim Crow, most simply kept their heads down and tried not to call attention to themselves.

Though not particularly religious, I was definitely curious. Two or three other Jewish members of the team and I attended Yom Kippur evening services at the Reform Jewish temple in Meridian. Travelers and other strangers are traditionally welcomed warmly to synagogue services. We walked in and seated ourselves in the rear. The temple was modern. The colors were cool and the atmosphere was quiet. The congregants prayed to the same god as did the Mount Zion worshippers, but from a different world. As in any small Mississippi city, particularly in federally occupied Mississippi, no stranger was inconspicuous. After only a few minutes, the president of the temple walked back to us and courteously asked who we were and what brought us to Meridian. I answered

briefly and he returned a correctly courteous welcome. I may do him an injustice, but I detected a frisson of alarm rather than the warmth of fellowship. My sense was that the congregation was intuitively torn between a duty of hospitality and apprehension about having a squad of federal agents in their midst.

The next morning, it was back to work. There was an old man I noticed regularly whenever I drove by his house on the road which went by the church site. He was thin, gray-haired and bent over a bit. I would see him snoozing in his rocker in the shade of his porch, or as he got up and went into the field right next to the house to pick a little cotton. He would hook his burlap bag, a typical bag about 10 feet long, around his left shoulder, and drag it slowly down the row, picking cotton puffs with his right hand and inserting them into the bag. Then he would snooze a bit more and then pick some more cotton. He seemed to repeat the cycle all day, every day, and it soon became a familiar sight which I came to expect whenever I passed the house.

I went to his house one late afternoon to interview his great-grandson, a potential witness. Four generations lived in the house and the old man, Mr. Williams, was the patriarch. When I got there, most of the family was out working and two women were in the kitchen making dinner, so he and I waited together inside, in front of an unlit living room fireplace. Mr. Williams was 105 years old. He liked to talk and he welcomed the company of a stranger who hadn't heard his stories. He had been born a slave in 1859. I could hardly believe that I was actually talking to a freed slave! He told me of one of his earliest memories, the day his father "was sold down the river," meaning that he had been taken from his wife and children and sold to a new owner farther south. He remembered his mother's anguish and he never saw his father again.

A century after Emancipation, the oral history of slavery was still very much alive. I realized as I chatted with Mr. Williams that the stories of slavery were the stories told around the hearth in the evening. As I was shaped by my family's stories of the hardships of life in Russia and of hard-scrabble immigrant survival, there had been and maybe still was in every Southern black family a Mr. Williams who passed on the lore of slavery to the generations after. To us, slavery was ancient history, like the Jews in Egypt, but to the Southern blacks of that era, the memories and lore of slavery remained a living part of their culture.

Over those weeks, we had gotten to know and respect the black people of the Mount Zion community. In their dignity and understanding, they had overcome the poverty of their circumstances. But our purpose was to gather and organize the human material for our grand jury presentation. We had done so. The time had come.

### **The Grand Jury**

The physical comforts of Biloxi exceeded the Meridian Holiday Inn. We moved to the Broadwater Beach Inn, a lovely resort facing the sea just down the road east of Biloxi. The black maids, porters, waiters and other staff knew who we were and why we were there. They couldn't do enough for us. We ate often at Mary Mahoney's, a splendid restaurant where the black waiters and Mary herself treated us as honored guests. Their warmth and graciousness was wonderful after our austere weeks in federally occupied Neshoba County.

Bob asked me to draft an indictment alleging our theory of what happened, but leaving the names to be filled in to reflect the evidence as it came out. I responded saying "Murder is a state crime. What's the federal crime?" Bob wanted to rely on a Reconstruction era statute prohibiting public officials from denying any person his constitutional rights. I had checked the Department of Justice file on the statute before we left and found no record of its ever having been enforced. We were breaking new ground. "What rights," I asked. "The right to be free of incarceration and punishment without due process," he responded. We theorized that the statute would be interpreted to include those rights later made applicable to the states by the due process clause of the Fourteenth Amendment and that non-officials who act in concert with at least one public official would be liable under the general rules of conspiracy. The theory was creative, but because the statute was not explicit, our theory was neither precedented nor free from doubt. I drafted the indictment.

The role of a grand jury is not to determine guilt or innocence. It is to determine if there is enough evidence to charge a person with a crime. A federal grand jury has 23 members. It meets behind closed doors and its proceedings are confidential. A foreman (today called a presiding juror) presides. A prosecutor presents the evidence and witnesses, and explains the law. The jurors may ask questions of fact of the witnesses and questions of law to the prosecutor. The jury deliberates without the prosecutor and, by majority vote, either indicts or does not. Grand juries are regarded as the handmaidens of the prosecutor, rarely going against his or her advice. There is no appeal from its decision. It was unheard of in that day to ask a Mississippi grand jury to indict a white for victimizing a black.

This grand jury was comprised of 21 white men and two women, one of them a black housewife. There would have been more blacks on a constitutionally chosen grand jury, but we had to fight our fights one at a time. The black woman was treated courteously by her fellow jurors, but had little to ask or say. The foreman was a middle-aged, obviously prosperous and well-connected insurance agent with a commanding personality. I have no proof, but I am sure that Presiding District Judge Sidney J. Mize arranged for one unprecedented black juror for appearance's sake and for a strong foreman he trusted to keep things under control in the event of overzealous prosecutors.

This grand jury was no handmaiden. It was unlike any grand jury I had handled. While there was never a hint of hostility, every assertion was met with skepticism. The atmosphere, set largely by the foreman who reflected the attitude “Easy to say; now let’s see if you can prove it.” He participated aggressively, but always in a principled way and he never constrained our presentation or abused witnesses.

Bob Owen and I conducted the hearing. One hundred twenty-five witnesses were called over two weeks. The grand jury heard a moving story. In early June, there were rumors of civil rights activists appearing in Neshoba County. School board members made unusual visits to the local black school to investigate for signs of civil rights activity there, once accompanied by Undersheriff Price. The board members told the FBI that they made their special visit because they had heard that the school had been used for “Freedom Rider” classes or other non-authorized and “non-Masonic” meetings.

Sheriff’s cars patrolled the Mount Zion community closely and questioned the residents about strangers in the area. On June 7, Sheriff Laurence Rainey told one driver as he ticketed him on a phony violation, “You think you niggers can get away with anything. Bobby Kennedy may run the US, but I run Neshoba County.” Then he searched the trunk for incriminating material, but found none. A “cop” stopped a black student walking to visit his cousin, pulled his gun and asked if he was a Freedom Rider. Finding a letter in his pocket, the policeman made unflattering remarks and tore the JFK stamp to pieces. He warned the student to be out of town by Sunday.

Mr. and Mrs. Cole and other church members appeared to testify to the events on the evening of June 16. Despite their fears, they all testified calmly, articulately and credibly. They answered our questions and those of the jurors directly, looking people in the eye. Their courage was evident to everybody in the room.

They testified that shortly after their meeting with Schwerner, Chaney and Goodman, a gang of white men with guns entered the church demanding “where are the NAACPers,” and ordered everybody to get out and go home. An unidentified man in the background wore a sheriff’s uniform. The people ran away, prodded by threats and blows as they fled. Mr. Cole’s jaw was broken, but he feared travelling in the open that night to see a doctor. A few minutes later, from a distance, the fleeing group saw the Mount Zion Methodist Church behind them in flames.

The local law enforcement investigation was neither immediate nor extensive. About a week later, the Neshoba County Fire Marshall investigated the arson by questioning Mr. Cole in a hotel room for three hours about civil rights activity at the church. Sheriff Rainey was in and out during the interrogation. The marshal then questioned another elder who, with his wife, had been beaten

bloody, but dismissed the blood on his clothing as probably just “chicken blood.” The marshal was more interested in questioning about the NAACP and he accused the victims of lying. Sheriff Rainey told the FBI that he concluded from his investigation that the church had been burned down by disgruntled members who disapproved of its use for civil rights activity.

Other witnesses told moving stories as well. Numerous prisoners from the period before the murder were called to testify about Rainey and his colleagues’ torturing prisoners to obtain confessions. Most pertinent to the Schwerner, Chaney and Goodman murders, though, was extensive evidence that two weeks before their murder, Wilmer Faye Jones a black man, was arrested for allegedly having called the drug store and asking to speak to a white girl. In the car and in jail, Rainey slapped him around and threatened him. Then he was released. As he left the jail, five men armed with a shotgun and revolvers were waiting for him. They took him at gunpoint to “the place” where they questioned him about the NAACP and COFO. They roughed him up and threatened him, telling him he had better run. When Jones insisted that he had to report for the army, they abused him some more and let him go with warnings about white girls and civil rights “mixing.” The relevant point was that Rainey and Price had, perhaps not for the first time, used a modus operandi of deliberately notifying a gang and releasing their prisoner to it for summary punishment.

Ira Jackson was one of the witnesses to corroborate the abuse of the civil rights workers while in jail. As he entered, he looked around blankly as if trying to absorb the fact of a room full of white people. As with every witness, his entry was a moment of tension. The witness didn’t know what to expect and the jurors were tense about what they were going to hear next that they really did not want to know. I swore him to tell the truth, and then I asked him establishing questions like his name and occupation. He had trouble getting the answers out. He was obviously terrified. I asked him if he was in jail on the night of June 16. He said in a weak, uncertain voice, “Yessir.” Before I could ask another question, the foreman said in a loud, sharp drill sergeant voice, “Ira.” Jackson’s head snapped around toward the foreman. “Yessir?” “What were you in for?” “Drunk, sir.” The jurors all chuckled knowingly at the answer. Jackson was just another black drunk. As the chuckle broke the tension, Jackson crumpled. He smiled a big grin and his eyes went downward. From then on, his testimony was all “yassuh” and “nossuh, boss,” and comic grins. He had never been a witness before, he was incapable of being his true self before white people, but he knew how to play the black fool. After years of conditioning, he reverted to his comfort zone like a rubber band snapping back after a stretch. Jackson’s meltdown was no disgrace, but it demonstrated the tremendous resolve and inner strength the other black witnesses called forth to overcome generations of conditioning as they gave evidence. The folks of the Mount Zion community were as courageous as any I have ever known before or since.

Bob and I then explained that the jury would recess for a month or so and hear more evidence on the murders, but that first we were submitting two indictments for their consideration. Both were for official conspiracy to violate a prisoner's constitutional rights. One, based on the testimony of several prisoners, related to a black prisoner who had been whipped with a belt until he made a false confession. The other was for the arrest of Wilmer Faye Jones without evidence of crime and his release at night to a mob for punishment without due process. Sheriff Rainey, Undersheriff Price, a policeman and several of the suspects in the civil rights murders were named as defendants in these unrelated indictments. Bob and I reviewed the facts in each case and explained the law.

There was only one question from the jury. The foreman asked, "Is this statute one of the new civil rights statutes that President Johnson just got passed?" The new civil rights acts were less than popular in the white South. "No," I said, "this one's been on the books for a while." I did not tell him that it was a Reconstruction era statute.

After deliberation, the grand jury returned indictments as to all defendants. It was a historic moment. As far as I could tell from Department of Justice archives, these were the first civil rights criminal indictments ever, anywhere. They were certainly the first state or federal indictments in Mississippi since Reconstruction alleging crimes by white people against blacks.

The moment was also historic in the larger context of American legal and political history. It was by this act that the United States government said it would no longer permit any state to use its police to suppress any class of citizens. It said no more police dogs, no more torture of suspects, no more beating up passengers on interstate transportation, no more imprisonment for peaceful political activity. It was a turning point in American history.

Not everybody realized these implications at the time. Rainey, Price and their co-defendants were arrested and brought to federal court where they were cheered by a large crowd. They were confident they would never be convicted by a Mississippi jury.



*Price, Rainey (chewing Red Man) with co-defendants and supporters at their arraignment*

We were not there to see it. We had returned to Washington. The pot had been stirred. The defendants came to court smiling with bravado, but some of them were nervous. The FBI kept working to get the suddenly uneasy ones to talk.

### **What Followed**

Upon my return, I resigned. I had planned to make my career with the department, but it was not to be. I had developed painful ulcers and the work seemed to aggravate them terribly. I fondly remember our excellent secretary waiting for me at the jury door at every recess with concern and a milkshake. I even gave up the garlic at Mary Mahoney's. In those days, ulcers were thought to be stress-related. Also, I had a 10-month old son. I couldn't build a family life spending half my time on the road. So, it was time to come back home.<sup>7</sup>

Meanwhile, the indictments had the desired effect: some of the participants in the abduction nervously told the FBI what happened and they were persuaded to testify.<sup>8</sup> There was enough evidence to convict. Bob Owen no longer needed a grand jury expert. Shortly after I left the department, the grand jury was reconvened and, following a day or so of additional testimony, Rainey, Price and sixteen others were indicted for official conspiracy to deprive Schwerner, Chaney and Goodman of their constitutionally guaranteed rights.

The defendants moved to dismiss the indictments for failure to state a federal crime. The District Court sustained a misdemeanor charge against the three indicted law enforcement officials, but dismissed the felony charge. It also dismissed all charges against all non-official defendants.

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<sup>7</sup> As it happened, my ulcer hemorrhaged a month after I returned home. I was fortunate to have made it through the Mississippi assignment.

<sup>8</sup> The release and murder was accurately portrayed in the movie *Mississippi Burning*. The rest of the movie was pure fiction.

The case went directly to the U.S. Supreme Court for review. In a 1966 opinion by Justice Fortas, the court adopted our theory. The civil rights statute protected against deprivation of rights guaranteed by the Fourteenth Amendment by state officials (e.g. the sheriff) and by private persons who conspire with them. My indictment was upheld in its entirety. The charges were reinstated and the case was remanded for trial. See *Price v. United States*, 383 US 787 (1966).

On remand, defendants again moved to dismiss, this time on the basis that the indictments were unconstitutionally obtained because Negroes had been excluded from serving on the grand jury. The District Court agreed and dismissed. A new grand jury drawing from the general population without regard to race was impaneled. What irony! The defense posed by those who murdered to exclude blacks from voting resulted in the first non-segregated grand jury since Reconstruction. It true-billed the indictment.

In August, 1967, almost exactly three years after the first indictments, I returned to Mississippi as a volunteer with the Lawyers Committee for Civil Rights in Jackson and that's a whole other bag of stories. Mississippi had undergone extraordinary physical and social change during those three years. Imports and synthetics made cotton farming less profitable. Many of the formerly ubiquitous cotton fields were now planted in soybeans or grazed by cattle. Fewer farm hands were needed so welfare dependency was even more rife.

In the intervening summers, masses of college students and others came South again, but this time it was to help rebuild churches that had been torched in 1963 and 1964. The Voting Rights Act of 1965, as enforced by the Civil Rights Division, allowed blacks to register and vote. The political climate of the South was changed forever.

I visited the Coles who received me graciously. They were registered voters now. Mr. Cole took me to visit the church. A new brick structure had been built on the ashes of the Mount Zion Methodist Church. There was fresh gravel in the semi-circular driveway to the church entrance. "Commissioner Jones sent a truckload of gravel over to resurface our driveway," Mr. Cole told me. "That was nice of him," I said. "Well," said Mr. Cole in his gentle way, "it came a little late."

There was also a more subjective change in the attitude of the white Establishment of Mississippi. In 1964 violence was overlooked as necessary to maintain the Southern Way of Life. By 1967, except for some diehards, the new common wisdom was that violence was "bad for Mississippi" in the eyes of the nation and the world.

The case of *United States v. Price et al.* was tried in September 1967 before Judge Harold Cox, formerly a stalwart of segregation. Rainey was acquitted (he

had a good alibi), but Price and six others were convicted and sentenced to prison. I am certain Rainey and Price were right that in 1964, no Mississippi jury would have convicted them. The defendants' legal maneuvering had given public opinion enough time to turn against violence. The larger irony is that the delay of trial for three years made a conviction by a non-segregated jury possible.

The end of Jim Crow, slow and painful as it was, and the integration of black people into the mainstream of American life was to my mind the greatest social revolution ever, anywhere. It was not an armed revolution like those of 1776 or 1789, but a popular revolution that arose from the great mass of black citizens, people like Rosa Parks and John Lewis certainly, but also from humble yet determined people like Junior and Beatrice Cole and their neighbors in the Mount Zion community who felt that life had to change for future generations. Great leaders like Martin Luther King shaped and led the movement. He articulated its powerful philosophy in humanistic terms of love and brotherhood that moved blacks and whites alike. Ultimately, though, it was the great mass of ordinary black people who knew in their hearts that change was needed and who followed Reverend King that made the revolution.

Neither I nor any other white people, even those in power, made the revolution. The historian Crane Brinton observed that "revolutions come from hope, not from despair." What the Supreme Court did, what President Johnson did, what Schwerner, Cheney and Goodman tried to do, what I in my very small role did, was to provide hope. The great black revolution fed upon that hope.

I was blessed to be in an organization of dedicated people at the right time in history. It was a cause which the skills of lawyers could help move and I was fortunate to have those skills. I am deeply thankful that history allowed me to contribute a little bit of hope to fuel that great revolution.

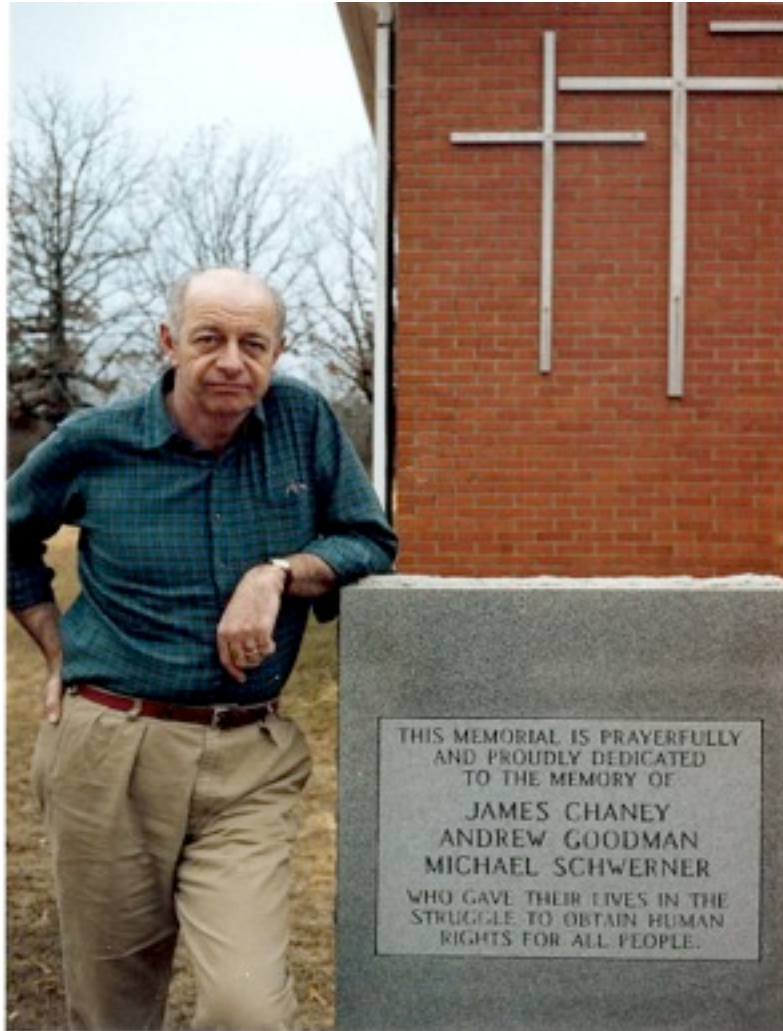
It is unfortunate, perhaps, that people today no longer remember much about the violence and struggle of those years. In a way though, it is a sign that we succeeded. The things we worked so hard to achieve are accepted today as the ordinary way of American life. That is what so many people strove for. It is what Schwerner, Chaney and Goodman died for.

### **1989**

In 1989, I travelled once again to Mississippi, this time to visit my wife, Elaine's family in Collins, Mississippi. By this time, the physical appearance of Mississippi had changed even more drastically than I had seen 22 years before. Cotton was virtually gone, except for a little up around Oxford. So were the soy beans and most of the cattle. Instead, the state seemed covered with pine plantations, subsidized by the government to save the state after the collapse of the cotton-based economy.

I took Elaine to Neshoba County to visit the Mount Zion community, but I couldn't find it because the landscape had changed so completely. It was all pine, no cotton. I decided to ask the Sheriff's Office for directions. We drove into Philadelphia which looked just as it did 25 years before. The old courthouse was dark and cool inside. Through the door of the office, the scene was much as it had no doubt always been. 1930's furniture. Certificates on the wall. Soft natural light from the windows. An older black man in the back slowly pushed a dust mop, but he stopped to watch as I entered. A man in uniform, the sheriff, in a back office, door open, had his feet on the desk, looking at some papers. A middle-aged lady at the desk of the outer office said pleasantly, "Mornin'. Can I help you?" "I'm trying to find the Mount Zion Church. Could you please give me directions?" Seeing that she was nonplussed, the sheriff himself came to the counter. He asked courteously if he could help me. I asked him the same question. He said "Well, there's a lot of Mount Zion churches around here. Would that be a Mount Zion Baptist Church or a Mount Zion Methodist Church?" I had forgotten. My memory lapse was ecumenical. "I'm not sure." "Well, there's a Methodist one out in Longdale" and he named a few others. I said I wasn't sure, but it was a few miles down the road that ran in front of the courthouse. "Colored church?" "Yes." He thought a bit. Then he asked, "you mean the one where the civil rights was?" "Yes," I said. "Oh, yeah," and he told me how to get there.

Elaine and I drove to the church over the same clay roads I had driven 25 years before, but there was no cotton and no long wagons on the way to the gin. The old wooden houses were gone and in their place were modest brick houses that the Social Security Administration had built for poor, elderly rural blacks. I found the Coles' house by the name on the mailbox. Mrs. Cole answered the door looking a bit older but very much as she had. She was too shy to say much. Mr. Cole was away for the day, so I missed revisiting him. We drove down the road and I showed Elaine the new church. It was as Mr. Cole had showed me, but there was now a commemorative monument in front. I was swept by memories and nostalgia. I remembered the plot of ashes and the staircase sticking up like a tombstone. Bob was right, this was a shrine. And I was again profoundly moved.



*1989*

Where the civil rights was.