

Dec. 8, 1964

Dear Phil,

The first part of this letter will be for you, and the balance for mass distribution. I am putting into the mail tonite 10 copies of Wendy's newsletter. She only ran off 100 copies as isn't sure what she will need for her own list, but we will know in two days and can send you the other 15 then if she has them over. In the future she will run off a larger batch. I am also sending you two back issues of the Voice of Americus, the paper which I told you about - this also under separate cover. I just got via airmail the latest copy of my newsletter. Great. (I mean the job you do, not my newsletter which leaves much to be desired but you know the strain under which I have to write.) You don't have to send one out each time you get one. I mean I will try to write once a week, but you can save up two weeks at a time to mail as it will save on costs. Has anyone responded regarding costs yet? Thanks so much for the clippings on the free-speech movement, and especially your comments which are beautifully written and capture it. Wendy and I really had the sense of being close to things when we read what you had written. Wendy is running around buying all sorts of "deals" at Goodwill. I wish you were here to show her how to shop on the city dump. She came home with a \$17. chair today. I almost shit. I spoke at length with Don Harris but it came to nothing. One of the problems with SNCC is that one group doesn't know what the other is doing (I know, you're damn right they need a paper in which to communicate with each other). Anyhow, he didn't know much of anything about the decisions made re Atlantic City. Harris will be leaving here soon. He wants to go to law school and come back to practice with CB - which makes me extremely happy. He is strongly considering Berkeley. But the project is a mess right now and with Harris going it can only get worse. People seem to be in a kind of lethargy. Perdew summed it up last meeting when he said that as long as the structure is pounding on our heads we can fight them beautifully, but when the pressure lets up we sit around and don't know what to do. So many of the things we talked about are being proven here. There is no question that the salaries are a corrupting influence. SNCC is talking about raising salaries all around, and working out more equitable salary differences - they are far too concerned with salaries in general for it to be a healthy thing. And the guys here just sit around waiting for a paycheck and scream if it's a day late. I got pissed off at the last meeting and told them that they would do better getting into the Manpower Development Program as then they could get \$35 a week instead of \$20 and would learn a trade besides. Harris is going to call Atlanta that the best thing would be to transfer everyone on this project to Miss. and bring some Miss. people in here. This would be a damn good idea as you can get jaded working in the same area too long. The guys from here would be infected by the excitement in Miss and respond to it and the Miss guys would come into a new area with new challenges. We'll have to see.

Regarding Albany people getting Despite. Strike Randy Battle as I don't want him leaving it around the SNCC office. Also strike DeLissovoy as he is now in Rochester, NY, and mail to the SNCC office is rarely if ever forwarded. When I get DeLissovoy's new address (it's simply a matter of going by SNCC tomorrow or the next day) I will send it and you can resume sending to him. CB, Slater, and Goldie are all fine as I can trust their discretion.

There is no question about whether SNCC should pull out of COFO. The money is starting to corrupt and it will get worse. People driving around in new cars which isn't necessary - a lot of the stuff happening now isn't necessary. I think if there is a break, then the men will be separated from the boys and this will also be a good thing.

Thanks for your explanation of the difference between i.e. and e.g. I think I understand - but please edit my errors.

Re the fascinating names on my mailing list. Suzu Speir is formerly Yamamoto (I think). Her parents own a drugstore in Fillmore. She is

married to a guy who I knew when I first came to Berkeley. They were both at the Nursery benefit, you might remember her. Zippy is not Ziviah, tho she will probably like that, but Ziporah (biblical). She and her husband are the contributors of the car. As for sending Despite to my mailing list, please do. I would suggest the following deletions however, as I dont think it will be of any benefit to them: Steve Antler (my "boss" in the law students group); Bill Boltz - I washed dishes with him. He is a bright guy in Oriental Studies, but very undeveloped politically, with a humane interest in civil rights; Dick Duane - Law student at Boalt who worked here last summer; Al and Pat Elias (friends in a very social way who store furniture for me and give me expensive liquor when I visit their pretty house in the hills); Bob Hoguest - law student at NYU who doesnt have time to read anything but law books; Julie Rice - a former love affair who gets the letter for vicarious reasons; Paul and Pat Thrash - bourgeoisie blacks who I knew in San Diego, they get the newsletter because I know it makes them uncomfortable, when I was here last they sent a very guilty letter and \$60.; Mike Silver - a highschool friend & who is now a lawyer in NJ; Dorian Bowman - I'm not so sure he should even get the newsletter, I met him at the SSOC conference in Atlanta and liked him; Bette Wolkowitz - they wont know what the hell you are talking about, the newsletter goes to them because we're old old old friends; Everyone else on the list would definitely benefit from reading it. I gave you the run down on the people above, because I am not really sure if they should get it or not. The only people who really wouldnt get anything from it are Wolkowitz, Thrash, Al Elias (not Mike Elias), ~~Bill~~ and Antler. The rest is up to you. The rest of this will be my newsletter. Take care.

Dear Friends: The delay in writing comes from a trip to New Orleans. ~~xx~~ I was supposed to go Monday with the SNCC people who were going to Biloxi for the Freedom Demo Party conference, but they didnt leave Monday because of typical SNCC reasons, like someone was going to come down from Atlanta to go to Tifton and stay there while the guy working in Tifton went to Biloxi, but of course the guy from Atlanta never shows up and no one in Atlanta knows anything about this, and besides no one had gas money. Then we were supposed to leave Tuesday but there was some other minor crisis which I forget now what it was. Meanwhile the crackers in Americus are driving us crazy. Don Harris had come down Sunday night because his trial was scheduled for Monday in Americus - there are riot and assault with intent to murder charges hanging over him, Thomas McDaniel, John Perdew, and Ralph Allen (only riot for Ralph as they ^Aried him on the assault, he got two years, and the Georgia Court of Appeals reversed on systematic exclusion of Negroes from jury issue). However, the Solicitor told us that he only planned to call Don Harris for trial, and only on the riot charge. I have no idea why the selection was made this way but it was a damn good thing as Ralph is still at Trinity College and McDaniel has since disappeared and we would have been in bad shape had ~~that~~ they called the other trials. So Don Harris and CB drove up on Monday, and I met them at the Sumter County court house. Wendy and I had driven to Koinonia Farm for the day, Sunday, and stayed over night. Harris looked great. He is just back after about 3 months in Africa. He was wearing wire rimmed glasses, and a long thin beard, which made him look like Haile Selasi, the Lion of Judah and emporer of Ehhoplia. Harris might have been troubled with non-violence before he went to Africa, but the trip looks as if the question is now resolved. When he came in he sat down in the middle of the white section, and was followed by alot of the local kids. Fred Chappel, the obese sheriff, came over and yelled for everyone to move out. As no one moved he reached over and yanked the first guy out of the seat. Everyone else started to move on over except for Harris. The Sheriff reached toward

him to pull him out of the seat. Harris jumped up, pushed the Sheriff hard on the chest, and said "don't you ever put your hands on me" and you could hear the hate in his voice very clearly. Sheriff was so taken aback by this that he just stood there turning a purple in front of his whole courthouse gang. Then he bellowed "get me my pistol" and his trusty deputy ran and fetched it. But by then the Sheriff calmed down and CB got next to Harris to suggest that perhaps he cool it for a while so that we could all live through the trial. ~~Today~~ The seats stayed segregated Monday. Sumter has a very modern courthouse, and it is quite a change from the antebellum relics in most of the other counties. They also don't have the signs up designating white and colored toilets and drinking fountains - tho everyone knows which is which and its a pretty risky thing to use the white mans toilet here. But the Sheriff knew Harris and the SNCC kids were coming today and this aggrvates him terribly as he knows damn well they will drink the white mans water and piss in his urinals, so all the toilets were locked - and they stayed locked throughout the trial. Better to have a sore kidney, than to have your identity challenged I guess. After we sat around for about an hour it became very clear to us what their plan is. Tho the Solicitor told CB on Saturday that we would probably be tried first, they put on some burglary case. So we waste the 80 mile round trip and an entire day out of the office. On the way home Harris told stories of Africa; beautiful stories about free people who would rather have it rough going economically for a while than be a slave to any colonialist nation. He told about running into Malcolm X in Africa; Malcolm is going around to all the African nations and lining up votes in the UN to present the case of the American Negro before the world. Harris says he is meeting with considerable success. Harris also talked about the fantastic contacts that SNCC has made with the new African nations. No other civil rights group has really gone to Africa before, and these people could easilly see the difference between the SNCC people and the "Tom's" that the State Department sends them periodically, to talk about race relations in the US. There is now talk about having African students teach at the Freedom schools next summer, and to try and involve more African nationals who are here in the US in SNCC and the Movement - like getting ambassadors, etc. to come down and see where its really at in spite of what the State Department assures them. Harris and some of the other project directors and key people in SNCC (ie e.g. Mrs. Hamer, Moses, John Lewis, ~~Jim~~ Bill Hansen) were the guests of state of Guinea. After that everyone else went back to the US but Harris and Lewis stayed and toured many other African natinns - tho not officially guests of State they met influential people everywhere.

On Tuesday we drove back up to Americus again. Of course it was the same old crap. This time they tried a murder case. And the bastards told us to be back at 4, instead of 9 the next day, and when we got back at 4 and hang around for another hour they said the case wouldnt get on until 9 on Wednesday. You want to scream sometimes at the hassle they make you go through. But CB did a beautiful thing which made up for it. We had been sitting between the spectators area and the judge - some benches alongside of counsel table. Harris was sitting with us. The audience was completely segregated. When the Solicitor told CB that the cases wouldnt be tried in the morning and the judge instructed all the witnesses to be back at 4, CB picked up his coat and we started to follow him out - but instead of going out he walked into the very middle of the first row of white spectators and sat down. Harris and I slid in right behind him, and about 6 kids followed us. And as we are sitting there Willie Ricks, another SNCC worker, comes in late, sees what is happening, and picks the white row which is almost full except for a little space on the end, and squeezes in next to a cracker and gives him a big smile. ~~It~~ It was damn funny. Yesterday when the sherfff started pulling people around the Judge wasnt on the bench but today he was and he didnt want the record

to reflect CB's objection to the forcible segregation of the courtroom; the sheriff was furious, he looked like he was going to throw a fit. He walked over to the Judge and whispered something and the judge shook his head to indicate "no", and the sheriff stalked out of the courtroom. He probably asked the judge if it would be contempt of court to shoot all of us as that's the way he looked just then. Just before we got up to leave CB handed the judge and solicitor a copy of the plea in bar which argues that the cases must be ~~dismissed~~ discharged and acquitted as we had a demand for trial in for two terms. When we came back at 4 the Judge called CB up and told him that he didnt remember him making the oral demand for trial and that the judge felt this should be written anyhow. CB told him that he didnt think the judge was correct in his interpretation of the statute, but the Judge didnt rule and said he wouldnt rule as a matter of law, but would let them argue it (when he ruled as a matter of law in Allen on the jury question he was reversed by the Ga. Ct. App) He's alot more careful about what he will refuse to hear argument on. But as they were going to finish trying the murder from that morning, back down to Albany. On the way back we heard more African stories. CB wanted something from the glove compartment and when I reached in there was this little bottle with a strange reddish yellow liquid inside. I aksed him what it was and he told me that beofer the Charlie Ware trial, Charlie's brother came to CB and brought him the bottle filled with the oil. It turned out to have come from a conjure man - he paid \$30. for it - and aksed CB to bring it to Charlie at thek trial and have Charlie rub it over himself to be kprotected. Thirty goddamn dollars for a little bottle of colored liquid, and whats worse since Charlie is still out pending appeal on that case, the brother is convinced that the "root doctor", as these guys are called, did the trick. But CB said it has n't kept him from getting lots of fake speeding tickets everytime he goes out of Dougherty County.

So Wednesday we drive up to Sumter County again. I have resolved that I will simply fly to Atlanta and then to New Orleans once this damn trial is over and forget trying to get a ride with the SNCC people. I found out later that they left on Wednesday night, and one of the cars broke down in western Florida, about 150 miles from here and they were stuck and ~~we~~ walked for hours. When we got into the Court the Solicotr beckons to CB and tells him that he wants to ~~arg~~ argue the motion (the plea in bar). CB said no, that he wasnt going to let the Solicitor get away with that and ~~that~~ that if the Solicitor ~~wasn~~ wanted to argue the plea he would have to give proper notice - CB wanted to get Tom Jackson was practiced with him last year to come down as he was a witness to CB's oral demand for trial, and he was in Macon. Pack, the Solicator, kind of blushed and said that he didnt want to argue it and to come into the Judge's chambers, so CB beckoned to me and I followed everyone in. We sat down at a big table and the Judge wanted to know if they were ready to argue the plea in bar and Pace said that he had no objectionn the the Judge sustaining the plea - which means that he was giving up and the plea would stand giving an acquittal. When we drew the plea we drew it to cover all the cases for everyone and all the charges, so this would be the end of all the riot and assault hanging over all the Americus people - the end of all charges which started with the insurrection charge in August 1963. So we had a real victory. It seems to be clear that Sumter County would rather acquit than spend the money and the aggrevation of going through these trials. When CB tried the Allen case he took 2½ days on selecting the jury, and the Judge almost went crazy. Jury selection here normally takes about three minutes. Its a great thing to see one man really break donw the judicial process in a county. He beat the bastards at their own game. It became very clear that they had everything to lose and nothing to gain by trying these cases. They knew their ~~x~~ jury selection would cause a reversal after the trial conviction and they knew that CB would get up there and make fools out of the jury commissioners and the sheriff and the Solicitor, so they took what seemed to be the best way out.

He had a damn credit card from every gas company in the nation. That poor bastard ~~that~~ thought that this gave him some kind of status. ~~in~~ He talked about his credit cards for about 10 minutes and how he has had some of them for 10 years and how he wrote a letter to the gas company and they sure wouldnt let their customer be talked to in that way - the gas station guy had wound up the argument by telling him, "nigger, I dont want your business" and took his credit card away from him. And the gas company wrote him back saying they would reprimand that dealer, and this was like the greatest thing in the world for him.

On today, Tuesday, I spent the mornng writing letters to the South Georgia Trade School on behalf of three Negroes who are trying to get in. They are giving us the usual run around, seemingly not understanding what we are asking for when we request applicati on forms, as they send us a catalogue instaad and advise that they will be happy to discuss their admissions policy at any time but will be out of town for a week or so... but we are the patient ones, like ~~is~~ this is some kind of damn virtue. So more letters, all registered, and we build the record. It takes time but if you dont let it drive you nuts you can sometimes win in the end. And then to Tifton again for the same case and we get there and the same old crap, sorry, comek back again tomorrow, and we will drive the damn 100 mile round trip again tomorrow, through such exciting towns as TyTy, Ga., home of the Ty Ty pecan plantation. I have no idea how it got its name, but local Negroes ~~stank~~ will drive 50 miles out of the way to avoid going through it. The exciting thing about this case is that we will try to raise the jury exclusion question in civil, as opposed to criminal litigation. CB contends that when a ~~h~~ man is facing a criminal penalty he has a right to a trial by an impartially selected jury of his peers and when the state grants this right to a jury trial in civil litigation, the same rules apply to jury selection. When we got back CB wasnt feeling well and he went home. He cant get sick because if he does everyone is screwed. He has a frightening responsibility here.

Actually his role here is much more than just a lawyer. He is also a psychologist and consultant to the Negro community. He acts as a kind of translator and buffer between them and the white community. Tonight a guy came in to the office and made me very aware of this role of CB's. The ~~guy~~ who came in was a house painter and he told me several times that he was not an educated man, tho he seemed to be able to read and write. He asked me if I was "with" ~~EE~~ Lawyer King, and when I said that I worked for him he started to tell me his problem. He had sent his income tax to Atlanta to the IRS. He had a money order stub showing a \$28. money order was sent. Now he had this little note from the Albany regional office telling him to come in on 8:30 a.m. Thursday morning to pay the \$28. and if he had already paid it to bring a chancelled check or other receipt. It seemed that it was obviously some clerical error somewhere along the line, or perhaps the money order got lost in the mail. It was the kind of thing that you don't miss a day from work about (which he would have to do) because you dont go in but ~~if~~ you telephone them and get indignant as hell and read them the serial number on the money order stub and ~~the~~ tell them to check with the post office and not to bother you. But this guy was frightened to death. ~~Beaxx~~ Because the white man sent for him and this can only mean trouble. He was afraid it was some kind of a racked and finally said, "all I want is for ~~laxer~~ Lawyer King to tell me its ok to go see the Man, and then I wont worry about going". That's just what he needed - someone to tell him that he should go down and what he should say, or someone to call up for him; because he couldnt deal with th~~s~~ Man, because he is ~~wa~~ black and poor and he knows what theMan will do if the Man gets mad at him, and its a whole lot easier to pay another \$28 (out of a weekly salary of maybe \$30 which has to feed 4 or 5 kids). The whole thing depressed me terribly. I told him to call CB tomorrow evening when he gets home from work. Then CB can tell him everything is all right and he'll be all

OK - at least for this transaction with the Man. But ~~the~~ ~~Man~~ ~~is~~ ~~all~~

On Thursday morning I flew to Atlanta and then got a jet to New Orleans. I phoned the brother of a law school friend who is in the juvenile court system in Orleans Parish, and he came to the air port to pick me up. He is an extremely brilliant and interesting guy - he has taught at ~~and~~ LSU, and was also judicial administrator for the entire state when he was 25. He took me around New Orleans which is a fairly pretty town but you really cant get much of an impression driving around a city for a few hours. On Friday I got my brother's car fixed with a minimum of difficulty and left early Saturday morning. Just at the entrance to Biloxi, Miss. I saw a hitchhiker. He had on a sweater with a tie underneath and two fairly new suitcases next to him - I had another 8 hours of driving and was very undecided, but thought he looked too decent to be a cracker, so I stopped. The car I had has Texas plates. He got in and it was hard to tell what his accent was, but he was wellspoken and educated. I asked him where he was going and he said Tallahassee, and when I asked if he were in the service he said that he was in graduate school at the U. of Miami - in child psychology; a guy working on his doctorate at in child psychology cant be all bad, so I put him to the test. We were in the middle of Biloxi just then, so I told him I wanted to check to see if some friends of mine were still around at a meeting they had gone to, and drove into the middle of the ghetto. No reaction from him. We pulled up next to a Negro boy about 14 years old. I told my passenger to ask him where Main Street was, and he rolled down the window and prefaced his question with, "excuse me" and then "thank you very much" - so I knew this was no damn cracker. The SNCC office was locked up, so we drove off down the streeg. He asked what I did and I told him I was a lawyer (or rather a law clerk) and he asked me what kind of law I specialized in and I told him civil rights. Wow, was this cat happy. Seems that his girl friend worked on the SNCC project in Mississippi this summer and that he took part in the demonstrations in St. Augustine, Fla and w had the shit kicked out of him - his nose and jaw were broken, also some ribs, and a fractured skull. I mean that is wierd that I would get this guy for a hitchhiker in the middle of Mississippi. So we had lunch in the Trailways bus station cafe which was completely integrated (Mississippi), I was really suprased)-including a Negro waitress - and then drove on toward southwest Georgia. We talked the whole time. He is on a Ford fellowship at Miami - had driven to Arizona for a friends funeral and his car broke down on the way home - and he has 300 childrens books which they child psychology dept ~~owns~~ doesnt use anymore because they dont have the nursery program with some hospital and he is sending them to W ndy, and on and on like that for 26 hours. I ~~xx~~ left him in Western Florida where he could get a bus to his girl friend in Tallahassee, and cut up through Dothan, Ala, and on to Albany.

On Monday I got to work late and missed a trip to Tifton where CB is scheduled to defend a Negro who is being sued by a white couple. As it turned out I didnt miss anything as they scheduled the case for today. (Tuesady). At the mass meeting last night, it was really wierd. One of the ministers got up to speak. This one is particularly long-winded - a always ~~shant~~ talks about how much he, personally, sacrifices, for his people by being on the equal employment committee - a group of ministers who get the run around from the local merchants. His usual weekly report is a list of stores he went to and that they all told him to come back next week; or that they cant put on kpeople around Christmas as they are too busy to train, or that they cant put on people after Christmas as they dont have enough business, and more of that kind of crap. But this time he got into some non-sequitor about how he was in a gas station in Florida and the man wouldnt honor his credit car because it had expired by a few days, and how he told the man that he had lots of credit cards and then he pulled them all out and showed them to us, and read off the names: Shell, Gulf, Texaco, Standard, Pure Oil, Richfield, and on and on.