The Supreme Court of the United States, as though to further its recent
decline from the mid-Twentieth Century image as a "protector of civil
liberties," appeared much like the racist Supreme Court of the post-
Reconstruction era in its action of January, 1967, in the case of Maclaurin
vs. The State of Mississippi.

In July, 1963, in Greenville, Mississippi, after witnessing the trial in
which several black defendants were tried and convicted by the Greenville
Municipal Court for "Breach of the Peace," after being arrested for playing
ball in a "for white only" public park, Charles Maclaurin, a field secretary
for the Student Nonviolent Coordinating Committee, performed the following:

Maclaurin told a group of some 50 black persons, gathered in front of the
courthouse, that the charge of "Breach of Peace," as used in this case,
was used to attack integration. He further stated that the conviction
of the Greenville Court was unwarranted, and suggested that black people
should register to vote in order to deal with such injustice.

A Greenville police officer, a Negro, told Maclaurin to move on, or he
would be arrested. Believing in his right to speak freely, Maclaurin pro-
ceeded talking to the people, and when the police officers arrested him,
he went limp and subsequently was dragged to and placed in the police paddy
wagon. Maclaurin was charged with "Disturbing the Peace" and "Resisting
Arrest".

Charles Maclaurin, without legal representation, was tried in Greenville
Municipal Court and found "guilty". Subsequent to the conviction, Mac-
laurin, represented by Atty. R. Jest-Brown, entered an appeal in the
Washington County Court. In peculiar fashion, the Washington County
Court held separate trials, including the taking of testimony, for each
of the two charges. The court entered not one, but two convictions,
and sentenced Maclaurin to 90 days and $50 fine on each count (or a total
of 180 days and $100).

Under the contention that the conviction of "Disturbing the Peace" was
rendered in defiance of the defendants right to "Freedom of Speech", as
upheld by the First Amendment to the Constitution of the United States,
an appeal was then filed in the Washington County Circuit Court. The Appeal
stated, also, that the charge of "resisting arrest" was unlawful, due to
the absence of overt resistance, and, moreover, because there was no
resistance, and because the charge of "disturbing the peace" was in this
instance based on an unconstitutional state statute, the arrest itself was
of unlawful nature.

The State of Mississippi lacked evidence sufficient to support either
charge, however, the Washington County Circuit Court upheld and affirmed
the decision of the County Court.
There followed an appeal to the Mississippi Supreme Court, obtaining the same contentions, and including also as precedent a similar case, that of Cox vs. the State of Louisiana, wherein the 5th U.S. Circuit Court of Appeals ruled in favor of Cox, the defendant, overturning the conviction of a lower court. The precedent notwithstanding, the Mississippi Supreme Court upheld the Washington County Circuit Court and further, also overruled a "Suggestion of Error" filed by counsel for defendant Maclaurin.

This procedure was followed by the filing of a Petition to the U.S. Supreme Court for Gertiarly, requesting that a "Writ of the State of Mississippi" be issued, that the case be reviewed. The Supreme Court of the United States, with three justices dissenting, refused to review the case. The addition of one more desension would have provided for the reviewing of the case, in which the conviction could have been upheld or reversed. But the defendant's facing a prison sentence on charges that, in lieu of the factual evidence, have been upheld by racist courts in clear violation of the defendant's civil and human liberties.

The prosecuting attorney for the City of Greenville ordered Maclaurin to surrender by February 1, 1967, and on that date Maclaurin surrendered to the Chief of Police of Greenville to begin serving a sentence of 180 days and $200 fine. His attorney, R. Jest Brown filed a Writ of Habeas Corpus. No date has been set for this hearing.

We in SNCC feel that this case is still another example of the fact that the courts and the governmental officials across this country are engaged in a conscious conspiracy to "frame up" and deny justice to black men who dare to fight for their human rights and seek justice.