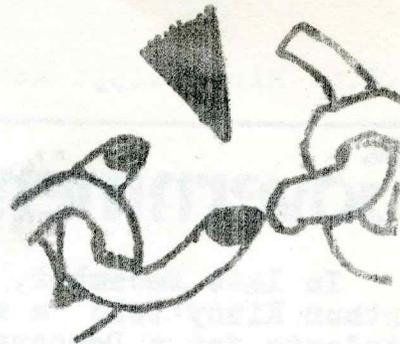




# MISSISSIPPI NEWSLETTER



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## Johnson appeals

On January 2, 1968, a suit was filed in federal district court asking that David Johnson of Pickens be declared the winner of the November election for Beat 4 constable, Post Two, in Yazoo County.

The official count was 377 for him and 383 for the white man he ran against. However, a dozen ballots marked for Johnson were not counted for reasons that Johnson does not feel are legal.

Seven of the people's votes were not counted because they were registered by the clerk in the wrong precinct. Another woman's name was written wrong by the clerk and she also had to vote a "challenged" ballot. One person was not allowed to register for reasons that Johnson doesn't think were fair. And three other ballots had X marked in the blank space below Johnson's name.

Sworn statements, or depositions, will be taken from witnesses soon.

## Shields Freed

A jury of six Negroes and six whites was not able to decide whether Rudy Shields was guilty of assault and battery in 1966. So the judge declared a mistrial in the Claiborne County circuit court on Thursday, January 4th, and Shields will probably not be tried again.

Shields was tried in January of 1967 on the charge, which said that he had beaten up a Negro man who was shopping in a boycotted store in Port Gibson. He was found guilty then, but he appealed the case to the Mississippi Supreme Court. That court sent the case back for a new trial because Negroes had been systematically kept off juries. That jury had 10 whites and 2 Negroes in a county that is 76% black.

After 1½ hours of deliberation last week, the new jury announced it was deadlocked: 6 for conviction, 5 for acquittal, and 1 undecided.

An observer commented that people are learning that they can have the deciding voice on juries if they'll think for themselves.

## Negro for Congress ?

Charles Evers is asking people from the Third Congressional District to meet next Wednesday at 2 P.M. at the Masonic Temple in Jackson. He wants people from church, social, civic and civil rights groups, and interested individuals to discuss whether to run a Negro candidate for the Congressional seat John Bell Williams is leaving. Evers says, "I hope we can support a Negro who will run on the issues."

# Government Tries To End Protests

In late December, attorney Arthur Kinoy told a meeting of Students for a Democratic Society to prepare for "coordinated... repression" of those who protest against the war.

Kinoy has been an important defense lawyer for people in the black liberation and anti-war movements.

He was not suggesting that the government intends to jail thousands of people. Rather, he said, the government's methods would include singling out individuals, such as Rap Brown, for punishment, and using their examples to frighten large numbers of people into being politically "paralyzed."

Kinoy said that in order to meet the repression, people must not be defensive. He said that the government is "frightened -- frightened to death," and that its attempts at repression are a result of "desperation."

Specifically, Kinoy said that these five kinds of things can be expected in the next few months:

- frame-up prosecution against movement leaders
- mass hearings by several Congressional committees
- action by the Subversive Activities Control Board, which has been told to get results or its money will be taken away
- mass indictments for breaking the Selective Service (draft) laws
- moves to use laws against conspiracy and espionage, such as the Smith Act

Kinoy showed examples of how these government methods were being used already.

He said that Congressional investigation committees have scheduled hearings in 7 cities for the first half of 1968 and

and have already sent subpoenas to many people, requiring them to testify.

Kinoy said that a grand jury in San Francisco had recently indicted 70 people for breaking draft laws. Grand juries in five other cities were meeting at this time also.

He said that the movement must take the initiative. He said that legal cases could be brought, challenging the right of these committees to exist. People who are subpoenaed can refuse to testify or otherwise show their dislike for the investigations that are coming up.

"We now take up the fight for political freedom," Kinoy said. "I happen to believe that there are millions of Americans who will fight" with us.

The truth of his words was shown again a few days later when a grand jury in Boston indicted five men for helping people break draft laws. The best known of the men are Dr. Benjamin Spock, the baby doctor who is working against the war, and Dr. William Sloane Coffin, chaplain at Yale University. The grand jury says they collected draft cards from young men who wanted to return them as a protest against the war and the draft.

And on January 5th, LeRoi Jones, the black poet and writer of plays, was sentenced to 2½ to 3 years in jail and a \$1,000 fine. He was convicted of having two pistols in his car in the middle of the Newark, New Jersey, riot area during the July, 1967, rebellion. Jones says he was framed. He was badly beaten up after his arrest.

# around the state

Larry Ashendrenner, former public defender in Oregon, has arrived in Jackson to work with the Lawyers Committee. When Denton Hay moves to New York in early February, Mr. Ashendrenner will become chief counsel.

And at the Lawyers Constitutional Defense Committee, Armand Dertner has arrived to take the place of Al Bronstein, who left in November. Dertner has been a corporation lawyer in Washington, D.C.

From Mr. T.C. Smith, Carroll Co.: May 8th, 1968, state wide meeting of all black races which believe in celebrating the day that from the year 1865 when the Negro were free from slave. On the said date we are asking all black people to park their tractors, lay down their work tools and go to the state meeting of black people.

Each person is asked to bring some food so all will be served. Time and place will be notified later. Guest speakers will be present to speak on Negroes rights and freedom.

From W.D. Benjamin, Brooklyn, Miss. I'm trying to get the News Letter all around. I'm working in Gulfport, Miss. I also wish Mr. Clark well. He have 121 to fight against one. I do pray for his success to fight against the House of Representatives. If Black People put God in front and forget about the white, put God in front and go forward, we need more men that will stand up for the right.

The home of a white man who gave information to the FBI about the Neshoba murders, was fired into by a shotgun on December 11.

A special 15-judge court in Houston, Texas, is considering whether civil rights were violated in 1967, when all city swimming pools were closed in Jackson. The city claims there were threats of violence if the pools were integrated. But lawyers for Negroes in Jackson says they should have put on more police, if necessary, but allow everyone to use the pools.

Negro civil rights worker Charles McLaurin of Ruleville is appealing for the fifth time to a higher court, trying to stay out of jail for "disturbing the peace and resisting arrest" in Greenville in 1967. McLaurin, now employed by the Associated Communities of Sunflower County, was fined \$200 and sentenced to 180 days in jail in a 1967 trial.

The Jackson Council on Human Relations will meet Tuesday, January 16 at 8 P.M. in the Rose Room of the Heidelberg Hotel. Guest speaker John Hartman, secretary of the Mississippian Education Association, will speak on the Booz-Allen-Hamilton Report and the M.B.A. Report.

Student volunteers are wanted to help Welfare/Rights Groups get started and do related work. Write to Poverty/Rights Action Center, 1762 Corcoran Street, N.W., Washington, DC 20009, for more information. Some financial help may be available if you want to do this work.

75 members of the Greenville NAACP met Monday night and discussed discrimination they have seen in garbage collection and in employment at a local factory.

## F. B. I. W I L L " I N V E S T I G A T E " T H I S -

("Anti-subversives agents" from the F.B.I. say they will investigate the following statement by Julius Lester. The statement was published in the September-October SNCC Newsletter, published in Atlanta. The F.B.I. is apparently upset about Lester's statements that black people should spit on Lyndon Johnson, overturn his car, and make him afraid to leave the White House.)

## TO HELL WITH PROTEST

by Julius Lester

To protest is to speak out against. To let it be known that you do not like a certain action of another.

To protest is an act of intellectual commitment. It is to say, "Sir, I protest" when you are slapped in the face.....

To protest is to play a game. You go to a demonstration, listen to speeches, wave signs, and go home to see if you got on television.

There are many toys in the game of protest.

There is the picket line, Originally a picket line was formed by striking workers to keep strike-breakers out. If anyone tried to cross that picket line, the strikers tried to kill him. Today you get a permit from the police to protest.

There is no protest if permission must be sought and rules abided by. We have allowed the form that our protest takes to be defined for us by those whom we protest against. Thus our protest is drained of its power because we do not have the power to make our protest effective.

We think the war in Viet Nam is being waged only against the Vietnamese, but we are its victims, too. It is our own deaths we protest, but we haven't realized it. It is not a war against "the Vietnamese people." It is a war against us and the little humanity we have remaining. Too little humanity we have remaining. Too little humanity because we are no longer outraged at what is being done to us.

If we were, we would resist.

To resist is to say, NO! without qualification or explanation.

To resist is not only to say I won't go. It is to say, I'll make sure nobody else goes, either.

To resist is to pit Life as you define it against Life as they define it and to do all that is necessary to see that their definition is destroyed in all its parts.

To resist is to not go to jail when sentenced, but only when caught and surrounded and there is no other choice but death.

To resist is to make the President afraid to leave the White House because he will be spat upon wherever he goes to tell his lies, because his limousine will find the street filled with tacks and thousands of people who will surge around it, smashing the windows and rocking the car until it is turned on its side.

Have we forgotten? The man is a murderer.

(continued on page 5 at bottom)

## News from the Movement Against the War

Four anti-war demonstrators asked a federal court in Baltimore to postpone their trials until the Viet Nam war is over. They are charged with conspiracy to damage draft records, after they threw blood on Selective Service files in November.

They are asking for the trial to be delayed because they cannot get a "fair and impartial trial" while the Government has an "official negative policy toward" people who don't agree with it.

Groups opposed to the war announce that the next nation-wide return of draft cards will be April 3, 1968.

Dick Gregory spoke by phone to 500 people at a University Christian Movement meeting in Cleveland. He urged them to go to Chicago this summer to prevent the Democratic National Convention from taking place. He said he would wear only work clothes and refuse to shave or cut his hair until the war is over.

(Also at the University Christian Movement meeting, 3 South African students, 2 black and 1 white, risked having their passbooks taken and (in the case of the blacks) possible execution when they spoke against the racial separation and legal restrictions on their freedom under the racist South African government.)

The Peace and Freedom Party in California has turned in more registrations than it needs to get its candidates on the ballot this year. The Black Panthers, a militant Black Power group from Oakland, joined forces with the PFP in December and helped make it a success in the last weeks of the drive.

A PFP leader says that "the war in Vietnam, the racial crisis and other issues facing America will not be over when McCarthy loses at the Democratic National Convention....To support McCarthy...undercuts our most important need: to build a movement willing to oppose Johnson in the general elections and capable of fundamentally challenging American foreign policy and the power behind it."

### TO HELL WITH PROTEST, continued

It is us he is killing.

To resist is to realize that your own life is at stake at this very moment.

To resist is to become alive, truly alive for the first time. It is to say not only will I not accept what you are doing, I will stop you from doing it. No one shall sleep peacefully against until you cease, desist and abdicate.

To resist is to say if the parents of Viet Nam weep for their children, the the parents of America shall weep for theirs.

If the people of Viet Nam are unable to harvest the crop without fear, to live their lives without being shrouded by the shadow of death, then no American shall harvest his crop without fear, no American shall live outside the shadow of death.

To protest is to dislike the inhumanity of another.

To resist is to stop inhumanity and affirm your own humanity.

One does not protest murder.

One apprehends the murderer and deals with him accordingly.

## Man Suing Sheriff Killed

Ernest Richmond, Jr. was beaten up by sheriff's deputies in 1965, and he decided to file suit for damages against the sheriff. The suit was to come up in court soon. But on November 26, 1967, Ernest Richmond died on Highway 311 north of Holly Springs, and nobody has yet found out how and why.

He was run over by two or more cars, but there is at least one report that he was first hit deliberately by a car and left lying in the road.

The autopsy showed he had a great deal of alcohol in his blood - more than he normally could have drunk without passing out. But a friend who left him off on 311 less than 2 hours before his death says Richmond was not drunk and had no liquor with him. And witnesses who saw him just a short time before he died did not think he was drunk.

The court suit Richmond filed was big news in Marshall County, because nobody had ever sued a sheriff before. Richmond was suing former sheriff "Flick" Ash, who is now the chancery clerk. Ash gave some help to Negro candidates in return for their votes in the November election. But it is reported that his deputies arrested, jailed, and beat up Richmond several times after he filed the court suit. The Houston, Mississippi, doctor who performed the autopsy told us that "the former sheriff removed all records" of autopsies done last year.

It is reported that a Benton County lawyer offered Richmond money (one person says it was \$25,000) to drop the case. But Richmond wanted to go through

with it, "even if he didn't get a dime out of it."

Richmond's death has had an effect on people in Marshall County. Unless his killer is found and brought to justice, they will be afraid to assert their rights as citizens to have a day in court when wrong is done. And surely with all the harassment he went through before his death, it is hard for people to believe it was any "accident" that killed Richmond.

## Ross Challenged

New Negro supervisor William Matt Ross of Beat 1, Claiborne County, is being challenged in court for supposedly not being qualified to vote or hold office.

The white man who used to be supervisor, A.H. Eaton, says that Ross is not qualified because he was convicted of petty larceny in Mayor's Court of Port Gibson in 1947.

A lawyer for Ross says that state law does say a person convicted of "theft" loses his right to vote. But there are many questions about whether this applies in Ross' case. For example, Ross' conviction may not be legal because he did not have a lawyer at his 1947 trial. Also, it would be important to have a court decision as to whether the state constitution can, without violating the U.S. Constitution, take away a man's right to vote because of such a petty crime. (Ross was fined \$25. and sentenced to 90 days in jail.)

Eaton's case against Ross will come up in the Claiborne County circuit court on Monday, February 12th.

GET PEOPLE REGISTERED NOW SO THEY CAN VOTE IN NOVEMBER FOR COUNTY BOARDS OF EDUCATION.