

SHUC

Saturday June 28 63

I have decided to keep a type of daily journal in duplicate and have this serve as a letter, as it will best enable me to keep all of you informed of the rapid series of events taking place here, with some semblance of chronological order, and at the same time avoid the impossibility of separate letters which would simply be a restatement of this journal:

Saturday June 22: Two local agents of the FBI came in today to see CB regarding allegations that violence was directed toward Jo Ann Christian and Burt Stech who are in jail. Also was introduced to chief Laurie Pritchett, evidencing the Southern courtliness for which he is so famed in the AP dispatches, readily admitted me to the cell area. The cells are unbelievably filthy, smells of human excretion overwhelm you on entering. Puddles of water covered the floor and the Negro girls complained of having water sprayed on them by the police. 14 Negro males were stuffed into a 4 man cell and will remain there for at least a week until they come to trial, of course sleeping is impossible. In another 4 bunk cell (no mattresses) are 7 white girls, all SNCC workers. They have been on a hunger strike since Thursday and Penny Patch is very sick. Joni Rabinowitz seems to be the main factor in keeping up morale. The others, Cathy Cade, Miriam Cohen, Wendy Mann, Sue Wender, and Felicia Oldfather are very recent arrivals in Albany and are having alot of trouble adjusting to prison life. They are all very sweet little girls from upper middle class homes who were "concerned" and are to be admired for their decision, but it is obvious that a dirty stinking jail wasn't part of their picture of what this summer would be like. The white males (Stech and Blechner are in City jail - 6 others in Lee Co) are in an especially bad situation as they are split up and each has 3 or 4 local whites for cellmates. Blechner is in the same cell with the guy who almost beat William Hansen to death last year, but he was removed today. The remaining 6 SNCC kids have taken refuge at Shiloh and run operations from there. This was necessary as it is obvious that the police intend to arrest every SNCC worker in the city on any charge they can dream up when they see them. The church is under constant surveillance by the police. Joyce Barret and Faith Holsaert seem to be keeping the newer arrivals under control. Joy especially is a great organizer, keeping the press informed, collecting mail and personal items for the kids in jail, and phoning alarmed parents.

Sunday June 23: Around noon I went to Shiloh and filled my briefcase with soap, books, etc for the kids at City jail. The SNCC girls seem less loquacious than yesterday and both Wendy and Miriam don't seem to be able to hold out much longer. We brought juice for Penny who is sick with a high fever, but the rest are still fasting. Bobby Starling who had hot coffee poured on him twice while sitting-in at a restaurant (charged with loitering seems to be in bad shape also. His burns have started to get infected; there are now 16 males in that cell. I spoke with Jean Wheeler for a while - she is a student at Howard, phi beta, an exceptionally brilliant and charming person, completely unselfish and dedicated to changing things here. She is a great help to kids on that side of the jail. Then we drove out to Camilla in Mitchell Co where the juveniles are being kept. We spoke with JoAnne Christian who was beaten, kicked, and dropped through the arrest and while in jail. She is one of the most amazing people I have met, only 15 years old, yet completely fearless. She recounted in exact detail every aspect of her arrest. Right in front of the jailer who is an enormous vicious brute, she told us how he mistreated her, and when he screamed out that she was a "damned liar" she never flinched but kept on giving us the facts in the same composed tone. She told us how the jailer came in and took out the light and she told him, "that's all right, Jesus is my light". I guess my presence with CB was too much for the jailer to take, a challenge to the white monolith, as I ~~came~~ came as close as I ~~hope~~ ever will, of getting killed today, and the experience has sobered me considerably. As we walked out of the cell he came up to me and said: "You're a ~~xx~~ god damn dog for helping CB". I didn't understand what he said, so he repeated "Boy, you're lower than a god damn dog for helpin CB". I asked him if that statement was for the record which incensed him to a point that he stated: "come outside and I'll tear your ass loose". At this point I felt it expedient to step outside of his reach and walked over to where CB was interviewing two juveniles. When we were finished we started to walk out, and he said: "CB, make sure this god damn white boy understands that I'm going to get him", and to me "next time I see you I'm going to kill you". At this point Attorney was sufficiently close to elbow me in the ribs to refrain from any further conversation, and when we got outside he told me that it was at Camilla where his sister-in-law was kicked causing her to suffer a miscarriage. It would seem that the very presence of a white "traitor" is enough to set these imbeciles into a territorial rage and only extreme luck saved me today. However, it has been decided that my usefulness in Camilla is limited and I won't set foot in Mitchell Co again. Jo Ann has been on a hunger strike for four days now. At one point an Albany cop threatened to kill her and Chief Pritchett, who prides himself on his non-violent approach, pulled her around the jail by her hair.

Monday June 24: We went out to Lee Co jail in Leesburg. We were out there in the rain Sunday, but no guard was there to let us in (tho Chief had promised that there is an Albany cop at every jail where people are farmed out at all times) 6 white males with SNCC were out there and before we left Blechner and Steck were brought in from City. The guys at Lee are in remarkably good spirits considering that they have fasted for 5 days and have been off water today. The sheriff's father came in and observed: "I see we have the god damn scum of New York down here". Later we went back to City jail and visited with the girls. Felicia Oldfather's father, a law professor at Univ of Kansas hired a local white attorney to defend her, and he is one of the worst segregationists in town. This is the kind of thing that destroys so much of the good that the SNCC kids have done in the Negro community. The Negro kids were taken across the street to County jail today. CB thought it better that I didn't go in with him as that's where sheriff Campbell split his head open with a club. While in City jail little Miriam Cohen asked so plaintively for my socks that I had to leave them, which must have presented a rather ludicrous sight for the cops as I walked out in a suit but without any socks. At night they had a very successful mass meeting. Dr C.T. Vivien spoke and really moved the crowd (he's from Nashville). Quite a large number left to march downtown, but we won't know how many were arrested until tomorrow.

Tuesday June 25: Today Chief Pritchett banned me from the jail. I had gone up to see the kids at City and bring them some more toilet articles. They told me that everything we brought them was taken away right after we left (tho the Chief personally okayed everything) - more harrassment. Also Penny looks very bad and one of the girls arrested last night (there were 13 all together) had some bad bruises, so I went in to tell the Chief that they both needed medical attention and requested that he allow the girls to have their sanitary napkins back. He told me that I couldn't tell him how to run his jail, and to stay the hell out of his office. I think he was primarily upset because the jailer at Mitchell must have called him and also because I overheard the police setting up the raid on SNCC headquarters. They raided SNCC and Albany Movement headquarters around 10 am claiming to have warrants for two kids to be charged with the attack on the white man a few days ago. An old man who was leaving Movement headquarters as the police approached was arrested in the front yard, charged with vagrancy and fined \$103. Last night 13 people of the group that walked down to City jail after mass meeting were arrested and charged with parading without a permit, 7 of them were juveniles. Patty Gaines, a 13 year old girl, was dragged up the steps of the police station by her heels, so that her head hit every step. During the day Bert Danziger of the Civil Rights Commission came into the office. He is in Albany to investigate charges of police brutality and the concerted effort to "get" SNCC. Heilbrun of the Justice Dept is also here. I spoke with Danziger for about 4 hours, giving him details of the arrests of the past week. He graduated from Boalt Hall in June of '62. It seems that this was a complete waste of time as the Commission and Justice Dept simply investigate and files reports, but nothing ever gets done. Meanwhile the brutality continues. Tho all other juveniles have been released on the order of the juvenile court judge, they are still holding Jo Ann. Around 5 pm we started driving to Montgomery, about 160 miles. We drove through some of the worst red-neck area in the South, and it was very tense driving, especially when passing thru the little towns. Albany license plates are especially dangerous as the other SW Georgia counties feel that the Movement is a direct threat to their status quo and have a special hatred for Albany Negroes (and those who support them). When we arrived in Montgomery we stayed with Dr Harris, a pharmacist. He owns a very large and beautiful home which you would expect to see on about 10 Acres of land, but in the South when a Negro wishes to build a home it must be in an area that is historically Negro - so his home is in the middle of a slum. It has about 7 large bedrooms. At one point 33 Freedom Riders stayed there, so you can gauge the size from that. When Negroes travel in the South it is on a town to town basis. That is, when you are tired of driving at night you don't pull into a motel, but have to schedule your trip to arrive in a town where a friend or relative lives so that you can stay with them.. That night there were at least 9 prominent Negro attorneys staying with Dr Harris. An observation about the middle class Negro: They are the very backbone of the civil rights struggle in the South, tho the ministers as a general rule are very reactionary. However the professional man is at the forefront of this struggle here, ie. Atty King comes from this background. However, there are considerable number of Negroes from this class who are very much opposed to what is being done for a number of reasons. In many instances they indirectly benefit from the status quo in that they control the Negro market; they have developed these paternalistic Uncle Tom connections with the white power structure on which they depend (ie Pres Bledsoe in Invisible Man) most Negro college presidents (of the State Negro Colleges) are in this group; also a lot of the ministers. More on CB's family: his brother, Clennon King, was the f-



Negro to try and enter the Univ of Mississippi, back in ~~1957~~ 1957. He was promptly taken into custody, adjudged insane, and committed. CB managed to get him out on a writ by promising to take him out of the State. Clennon has subsequently gone to Jamaica and is now somewhere in Latin America. A younger brother, Preston, who had been accepted at Yale Law School has also left the US and after having studied in England for a while, is now teaching at the Univ of Ghana. Paul (who is married to the Spanish girl, Amaya) also studied in Puerto Rico and the Univ of Madrid.

Wednesday June 26: Went to hear the 5th Circuit Court of Appeals for argument on the Albany omnibus suit to desegregate all city facilities. Three man panel of Tuttle, Ewing, and Rives. Tuttle is an excellent judge who is unprejudiced, ~~Ri~~ Ewing is an arch-segregationist, and Rives is the swing man. Four other cases were heard that day besides ours: A Birmingham school desegregation suit, and 3 cases from Mississippi involving injunctions against Jackson, Miss to stop arresting peaceful demonstrators; habeas on some already jailed; and a suit under Title 3 of the 1960 Civil Rights Act brought by the US to get the voting lists from Miss. registrars. Mrs Motley of the Legal Defense Fund of NAACP, Inc. argued the Albany and Birmingham cases, and is a marvellous attorney. Also present were Hollowell of Atlanta Williams of Birmingham. Robert Ming argued one of the Miss. cases for the LDF of NAACP and Carter (chief counsel for the NAACP) argued the other. Barbara Morris, his assistant, and Dexter Bell were also present. Other attorneys were Jack Young of Miss, Fred Gray from Montgomery, Ernie Jackson from Jacksonville, ~~Fax~~ also Wiley Branton and John Doar from the Justice Dept was there. Judge Tuttle constantly put counsel for the States in their place. The Asst Atty Genl from Miss was about the most unprepared attorney I have ever seen. At one point he ~~x~~ cited a case which Tuttle advised him had since been reversed. The court promised "emergency action" in these cases so maybe we will get a prompt decision. We visited with Blicher and Conley in Montgomery for a while and started driving back. I got lost twice ~~x~~ in Alabama and it was very nervewracking to drive around back country roads.

Thursday June 27: Today marked the arrival of the "concerned parents". So far ~~xxxx~~ Mr. Cade, Cohen, and Oldfather are in town. I phoned the local FBI about my treatment by the Mitchell Co jailer and have also filed a report with the Civil Rights Comm. We stayed up until about 2 am typing pleas, motions to dismiss, and demurrers for the trials tomorrow. This evening a group of 3 freshman from Harvard Law showed up. They are on a very ambiguous program started by Bill Higgs (he used to practice law in Mississippi until he started ~~doing~~ doing civil rights work, and was charged with child molesting) Anyhow he got up a fund paying them about \$35./wk and they are supposed to try and get clerking jobs on their own. The two guys were little Harvard snots, with no conception of what is happening here. The girl, Liz Holtzman, started off very badly - it seemed to be beneath her dignity as a law student to type. I was very discouraging about her staying as we have enough problems as it is. However, she seems determined to stay in Albany, and King told her that its o.k. with him, but she will not be connected with him in any official capacity and he will take no responsibility for her. So she will be working here in the office, at least until someone yells "nigger lover" and she grabs the first thing smoking for Atlanta.

Friday June 28: Today I saw Georgia "justice" in action. We were up at about 7 am as we had all the witnesses to John Perdew's arrest meet at Shiloh to see if we could find anyone who could testify that he didn't throw a brick at a police car as charged. I was handed an announcement of a Klan meeting on July 6 in Albany; they are quite active in this part of the State. The trials, if this is the proper word to describe the circus that we saw, started at 9 am, presided over by Judge Durden of the Recorder's Ct. Our first problem was getting some of the witnesses in as the Chief gave orders that no one could come in. After we got that out of the way, and with Joni and Penny desegregating the Negro section, and little Patty Gaines in the white section, the proceedings started. Nothing was done about the "mongrolized" seating as there were two people from the Justice Dept in the court. I have the idea that the only reason they are ~~xxx~~ here is because of telegrams from the parents of the SNCC kids, who come from families who can generally exert some political influence. I sat at counsel's table with Atty King, and before the first case was called, Rawls, solicitor for the City, demanded to know who I was, "who is the white boy sitting with King" CB introduced me to the court as his law clerk, and the judge finally decided that I could stay. I think this was the only time during the day that he decided anything ~~x~~ in our favor. First case was City of Albany v Vera Giddens, et al (Robert Cover and Ralph Allen SNCC) They were charged with distributing advertising handbills. The City, as in every other case, offered very little testimony, or proof. We showed that the publications were simply an announcement of a mass meeting to be held that night and a copy of Student Voice a SNCC publication which the kids mimeo every few days.

Neither of these publications contained any advertising matter.. Judge said \$54 or 15 days. This is the kind of blatant unconstitutionality that you face in trying a case in Georgia - and makes you wonder whether the course in Constitutional Law being taught at most law schools shouldn't be re-appraised. It took a while until I stopped ~~saying~~ saying "But, that was decided by the Supreme Court years ago" Seems that Georgia hasn't heard about the Supreme Court, or if they have, they are pointedly ignoring this memory. Of course this conviction won't be reversed until the Ga Supreme Court, or maybe even the US Sup Ct, and all of ~~this~~ this costs time and money which the Albany Movement doesn't have. Next was City v Willie Ricks, charged with disorderly conduct as a participant at a mass meeting in one of the Negro projects. Again, clearly ~~constitutionally~~ constitutionally permissible conduct, but the judge said \$200 and 60 days as Willie is a native of Albany and known as a "bad nigra". He was followed by City v Porter, et al which included Penny, Pete Titelman (both with SNCC) and five local Negroes, charged with disorderly and failure to ~~obey~~ obey an officer. They were walking on a dirt path which serves as a sidewalk, two abreast, making no noise, on their way to mass meeting. Chief Pritchett came ~~up~~ up and arrested them, he testified that they were sitting in the street blocking traffic. Of course the testimony of 5 Negroes and two "Outside agitators" doesn't carry much weight against testimony of the most honorable chief of police, so it was \$103 or 30 days. All these cases will immediately have petitions for certiorari to the Superior Ct filed. But Allen, Cover, and Giddens have decided to serve 14 of the 15 ~~or~~ days before filing cert as their protest to this type of "justice". They will go on fasting until they drop - they have been fasting for over a week now. The damndest part of this farce is that we have to watch the judge overrule every defensive pleading we filed without so much courtesy as to even pretend that he read it. Attorney hands it to him, he puts it aside, and says "overruled". Everytime the Chief testified he just rambled on about the violence perpetrated by Negroes and the SNCC people and CBs objections only serve to fill the record. Last case of the day was City v Mann et al which was Wendy Mann, Cathy Cade, and Sue Wender, three SNCC girls. They had been arrested on suspicion of vagrancy, held 72 hrs and then booked as vagrants. At the trial we brought out for the record that they had informed the police that they were employed by SNCC (at subsistence wages) and that they also had independent incomes or parental support; that the clothes they were wearing when arrested were brand new, etc. The fathers were in court. The judge delivered a speech about how they were obviously nice girls from fine upstanding homes and they should go back home and not be with these bad associations in Albany. Then he sentenced them to 60 days as vagrants, in the face of all the proof that we submitted. At first he said something about suspending sentence if they left the city, but later changed it to 60 days suspended with reservation to jail them if they violated any further ordinance. Then he adjourned court for the day. Mr Oldfather, a law prof at the U of Kansas, who was here to take his baby girl home, told the judge he didn't relish the thought of staying in Albany over the weekend as he had every intention of bringing her back with him, so the judge wanted to stipulate the facts and release Oldfather and Cohen (whose fathers were there) along with the other three, on 60 day suspendeds. But the Attorney only agreed to stipulate facts (as if everyone had been tried together) if all those jailed for vagrancy were sentenced at this time. So, Joni, Blechner, Cohen, and Oldfather were all given 60 days suspended at this time. Felicia is the only one who is leaving, the others have all decided to stay, tho Cathy Cade and Miriam Cohen are home for a few days, but will come back, they said.

Saturday June 29: Things have been very confused here today, as I have to do alot of work Monday, as CB will be in Chicago for a conference, and we spent most of the day working on the details. First thing will be to bond out Penny Patch who is very sick. The fasting had a shocking physical effect on the SNCC kids as they were at it for at least a week - they look emaciated. The Movement is desperately in need of funds especially for fees and bonds to file for cert and carry these cases up in the court system. A really funny thing happened last night. The very proper Mr. Oldfather was picked up by the police for having a faulty muffler. He was handcuffed and brought to the station (like a common criminal I would imagine he said) and told that no charges would be brought if he got out of town immediately and took his daughter (they must have thought he wasn't going to take her out). They left immediately. As far as I am concerned at this point, unless the Movement takes to the streets with mass demonstrations, nothing will get done. Every time a small group gets picked up it makes it that much easier for the police to stop them. We need large groups going to jail, like in Birmingham, before the Movement will be in a position to tell the businessmen what they want.



Sunday June 30: Drove out to Americus with Frank Holley Sat. night to visit his wife and in-laws. When we got there we went to one of the "down home" clubs. Stuff like this depresses hell out of me; Sat night is very bad here, filled with violence and aggression. These people who have their faces rubbed in dirt all week have nothing left but to get drunk and arrested on Sat. Holley has a really beautiful home, but again it sits right next to a run down shack. I keep discovering things about BB's family, they are really a cross section of the American Negro. Slater, the realator, is very outspoken. The other day he was standing on the street and a cop told him to move on. He said: "Move on, shit, I'm a citizen even though you don't recognize me as such" but nothing happened to him. Two other brothers are ex-patriates, and two are complete alcoholic bums, driven to the wall by "the system", so everyone reacts to it in a different way. Had a nice time there, got quite drunk (an indiscretion I can't allow myself in Albany) and stuffed myself on "down home" cooking - grits, greens, and sausage. Also met John L., Franks' brother in law, who is considered worse than Frank - he beat up a Marshall and a State Trooper one night and nothing happened as they were too embarrassed to report it. Also his mother in law who is a huge, squat woman, clearly evidencing the Cherokee strain in the family, who has become a Catholic and spends most of her time trying to convert her Holiness friends. After we got back to Albany, Frank dropped me off at SNCC office where a few of the kids have gone back to do some work, having left Shiloh. They told me 3 Negro kids were arrested when they tried to get into a white church today - Christianity is certainly wonderful. Someone said they were arrested for "prayin' without a permit". I'll never be able to communicate the tenseness of sitting around SNCC office knowing that any minute a shot can come through the window, or walking 2 blocks home and tightening up every time a car approaches, as it could be the cops and a vagrancy arrest. If people on the outside want to know what can be done to help the situation here, the only thing besides money which is desperately needed to appeal these cases, is to write and wire the Justice Dept, Kennedy, etc. demanding to know what they intend to do about the police brutality, and the deprivation of constitutional rights in Albany. This seems to help as Heilbrun of the Justice Dept covered the trials because alot of the kids parents pressured their congressmen.

1: The Attorney is in Chicago today at the NAACP convention, so and I are running the officer. The first thing I had to do was to borrow bond down on Penny Patch (she had already signed it) for my signature. I also had one for Ralph Allen to sign but was told to get to him until noon as he was on work gang. After Durden, the one I was waiting for about 45 minutes I finally got his signature on the bond. The people are such sons of bitches - the first thing he said was how much the bond was \$200 as he had never set a figure (tho police set the fine in these cases) I told him that Atty told me that he was talking with the Judge about the figure but the Judge denied this, but I paid it. I got Penny out at about 11 AM. She was very weak, having been in jail 11 days and could hardly walk. The desk sergeant tried to keep the check I had to show him for her release the same kind of irrelevancies that I had to deal with all the time down here - they just keep you running from one building to building, all of which could be done very simply if the system is simplified for the white attorneys. When I got Penny out she told me that they had been beating Ralph and the other two guys for 45 minutes last night. They had been put in a cell with 6 young thugs including Hansen who had beat up Hansen. I called Joyce to try and get bond money for Ralph and Cover to get them out of there. The money was finally gotten together and I got in at noon to see Cover and Titleman to get their signatures on the bond and they really looked frightened and told me that they had to get out. When I was outside the Negro run-around (a trustee in City jail) told me that the guys in their cell planned to kill them tonight. I couldn't see Ralph but the Desk Sergeant told me that the FBI (Federal Bureau of Investigation he called them) had him and sent me to the 400 block of Pine St (nothing there) Then I went over to the Fed Bldg and no one was there. I came back to jail and asked Chief where Ralph was and he told me he had him in the back room the whole time. More irrelevancies. It was really terrible - he had a big bruise on his forehead and his lip was

Tuesday and Wed, July 2 & 3: Spent these two days trying to get up bond money for those convicted last Friday, also convinced Chief Pritchett to release those still awaiting trial to be let out on property bond as the trials have only been scheduled for Tues July ~~16~~ 9th (which meant that some of these people would have been in jail for 3 weeks before the Recorder's Ct trial) Wed we managed to get most of the people out - only Perdew, deLissivoy, Dvis, Ricks and Lennie Mae Thrower are still in (more about this later) There was a party at the Christians' for the kids who were released from jail and it ran very late. The SNCC kids have come out of Shiloh and are back in the neighborhoods working. Ralph Allen was working out in CME territory yesterday and a police car stopped when they saw him, but he took off over a fence to avoid vagrancy, or similar arrest. It doesn't seem that the harrassment will stop. Saturday night the Klan meets in Albany and tempers are at the breaking int. Also, Sunday Tift Park pool is scheduled to be re-opened. During the hearings on the action to desegregate this pool, it was sold as surplus City property to the owner of the Albany Herald who has opened it as a private pool for use of white citizens of Albany and their guests. Probably on Sunday alot of the Negro youngsters will go out to the pool and bear witness with their presence to the continuance of city policy by private ownership. Elizabeth Wycog went back to Albany yesterday. She had been arrested in Ablany, also in Mis for her activities in the integration struggle. I spent alot of time talking with one of the SNCC girls who had spent some time in jail, Wendy Mann. She ~~writes~~ presents the same conflicts which confront most of the other SNCC workers, and which I also am faced - a kind of depressing realization that so very little is being accomplished, and so much that ~~is~~ must be done. It is painfully obvious what is taking place in Albany at this time. Fewer people are coming to mass meetings, fewer people are willing to go out and demonstrate or go to jail in this struggle. However, this doesn't mean that Pritchett and the whites of Albany have defeated the Negro of Albany. Rather, what they have done is drive the people underground so that weapons are being collected, and people are sitting home with guns, or hanging around bars and arguing, but not doing anything in a positive and constitutionally permissible manner. What will happen, and I am as convinced of this, as of anything I have ever known, is that it is a matter of one more incident, another rape, or beating, or abuse, and the dissatisfied and disenfranchised, who no longer have the patience to listen to the leaders of the Movement, will take their guns, their dynamite, their gasoline bombs, and go out into the streets. I have spoken with people in the gin mills, taxi drivers, some of the kids in the street gangs (The SNCC people do not work in these areas as they are offensive to the more "respectable" element (ie. the religious) of the Albany Negro community) but I am not so confined and have considerable access to these areas through my association after hours with Mr Holley where I have my room. I hear this constantly from all these people, and they represent a far greater number than those who attend mass meetings and advocate non-violence; they are fed up with waiting, fed up with asking, damn tired of being pushed around, beaten, having their daughters raped, and as one taxi driver told me: "Cracker blood is going to run in the streets of Albany, and its going to happen damn soon". Similar sentiment is evidenced from the kids in the street gangs who at one point were totally committed to the Movement program of non-violence, but as one said, when asked by one of the SNCC workers if he was coming down town to demonstrate: "I'm not walking downtown, I'll let my blood run down there for me" - So you listen to this and know it is not alot of smart talk, but the visible evidence of a reaction to the frustration to which they have so long been subjected. Then, with this knowledge, with this feeling of hopelessness and despair, you know that you have to go on preparing pleas which never get read, or that the SNCC kids go on getting themselves incarcerated and punched around, and you can only hope that people will realize what is happening in this town and that enough pressure can be brought to bear on the white leadership of the community to keep Albany from destroying itself. But, this must again be viewed in a context of an extremely limited time period: how long can kids keep going to jail and trying to convince a community which is not apathetic, but smoldering, when any hour the spark which touches everything off will be struck. I wake up every morning and am a little surprised that nothing has happened the night before, but I don't know how long this can last. The sportinggoods stores in town have no more rifles, no more shotguns, and no more ammunition, all of it having been sold to the



Thurs and Fri 4th & 5th: Spent the Fourth at a barbeque at the Nobles, a family very much involved in the Movement, who have two SNCC kids living with them. Great meal of ribs, shicken, and a whole lot of other "down home" food. It was a really nice party as most of the SNCC people were there, also a lot of relatives of the Nobles, and a group of kids who are on the Michigan Daily and are traveling around down here this summer. On Friday we got Vera Giddens and 5 other kids out on cert bonds; they had be convicted of disorderly conduct on last Friday. We had quite a bit of trouble getting the money together for the certiorari bonds but Joni had raised \$3000 in NY and SCLC sent down another \$3000. Also on Friday morning the transcripts from the Friday trial were ~~XXXX~~ sent to the office and I had to go through them to check for errors, and then edit them for testimony we wanted set out for the record in the appeal. Also today one of the girls who had been kept out in Camilla (where I had a brush with the jail came in and told us that he had been bringing police dogs into the cells and intimidating the children with them (~~XX~~ Camilla is where all the juveniles are held). We have also heard that the cook there is a sexual degenerate who is constantly touching the little girls who are sent out there. Unfortunately there is very little that can be done as Juvenile Ct judges are vested with a tremendous power in this State, and the Georgia Supreme Court looks ~~very~~ at mandamus with great disfavor. As things stand now we still have Thrower, Ricks, and Perdew in jail (deLissovoy and Davis who could have come out on property bond have elected to stay in with him as it is extremely dangerous for the white males to be in jail alone as they are put in cells with local whites who take great delight in beating them). In line with this, the guys who beat up Ralph Allen and the other two guys were turned loose by the police, though they had quite a bit of time left to run on their sentences, and one of the Negro kids in jail saw the warden ~~xxxx~~ hand them some cash. Ricks is held on a State charge with inciting to riot, and Lennie Mae Thrower and Perdew are being hedl on State charges of Assault with intent to murder, a felony. The bonds for all three are about \$1900 each and this money has been very difficult to raise. Perdew is really getting framed here. We have 7 kids who were with him the entire time during which he was supposed to have thrown a brick at a police car. One of the kids has even informed us that he knows who actually did throw the brick. However, if Perdew (a white SNCC worker from Denver) does go to trial, all evidence notwithstanding, he will surely be convicted. His parents have hird a white attorney from Americus to represent him and he has been offered a deal that if he pleads guilty to the City charges of disorderly and destruction of property and leaves Georgia the state charge will be dropped. He hasn't decided what he will do yet, but is very frightened and confused. It is very clear to me that if he does take this out, assuming the State does live up to its deal, which is debatable, every SNCC worker will similarly be arrested and charged with a felony to effectively break up their work here. It is only interesting that it has taken the local police so long to hit upon this solution. The other day they arrested Prof. Ojdfather (father of one of the SNCC girls) on a charge of driving with a faulty muffler, told him that he would not be charged if he took his daughter out of town immediately (he had been brought to the jail in handcuffs), and he immediately left town. As he is a professor of law at the Univ of Kansas, I wonder if he feels any uneasiness in facing his classes in September and talking about professional integrity, or if he will re-evaluate the concepts of law that he no doubt previously bantared about in his classroom. Perhpas this is an experience that should be pre-requisite to the teaching of law in our universities. Every professor should come down to Albany and be exposed to police methods, and court trial here. Then maybe they would not feel that they had fulfilled their responsibility by simply repeating "Thou shalt not commingle clients funds" and ignoring any aspect of a social responsibility which should reside in every lawyer. If an attorney cannot accept this responsibility, then it would seem that our society is in sorry shape, as I can't imagine who else will. I did have one pleasant experience on Friday. We prepared a subpeona duces tecum to serve on the Superintendent of Schools of Dougherty Co, as the Fed Dist Ct for the Middle Dist of Ga will hold a hearing on Monday in the Albany School desegregation suit (Anderson v Bd Ed) I had been given the honor of going to Mr Cordell's office and serving him. He didn't come in until about 5:15 PM, but I didn't mind waiting. When he saw my smiling white face there was nothing to make him suspicious, and I introduced myself and engaged him ~~x~~ in a few moments conversation before I stated the nature of my business and watched him turn a deep purple when I served him. These little pleasures help to keep you goigg here. I would expecially relish making service on Chief Pritchett.

Saturday July 6: This morning we were very busy as we had to interview all the kids who were present when John Perdew was arrested. One little 13 year old boy was really beautiful. When I asked him (to test his reaction in case this is brought up at the trial) whether he would tell a lie, or even just tell a little story to save his friend from going to jail he said, "No sir, that would be a wrong thing to do and they tell us at Sunday School that we must never do wrong things". I also asked him ~~ix~~ "who told you to march downtown and demonstrate" (as the police usually try to stick on a charge of contributing to the delinquency of minors) and he said "No one told me to do anything, I'm walking for my freedom" This kid was 13. Also the parents in the school suit came into the office for a final conference today. Besides all the civil rights things, we still managed to squeeze in a couple of clients so that the Attorney can



try to squeeze out some kind of a living. I drew up an option to purchase ~~my~~ property, and also drew up a power of attorney form and guardianship petition in a pending ladd sale. Tonight there will be a mass meeting at Shiloh (Klan meets out by the airport tonight also; I was thinking of going but realize I am too well known in town, and too easily recognized to take the chance.)

Dear Professor Cole:

I received your letter yesterday and was very happy with it. I ~~shared~~ shared it with Attorney King who joins me in the hope that the law schools of this country and the organized bar will pull their heads out of the sand and begin to realize that this is a problem that all Americans must solve, and must do so immediately. With this letter I am enclosing photocopies of the two "handbills" which the three kids were convicted of distributing in violation of a Statute which prohibits the distrib of advertising matter. I can only assume that in the mind of the honorable Judge Durgan of Albany Recorders Ct, integration is a salable commodity, and there is a "special" on Civil Rights today.

As for mimeographing my letter for distribution to the faculty, I have some reservations about this. I would certainly hope that you would first edit out some of the very personal observations I have made about various people here in Albany, connected with the Movement. (As for Chief Pritchett, tho I have not told him that I think he is a son of a bitch, I am sure that my feelings about him would not come as any great shock, but I would rather that the letter be confined to the University itself) However, there is one thing which would bother me about this idea. I have grown very intollerant (in the past few weeks) of anyone who holds himself out to be a professor of law and yet refuses to see his responsibility to help remedy what is going ~~z~~ on in America today. As you can understand, the reaction of Prof. Oldfather to what happened to him in Albany - was one which I consider cowardice, and certainly not conduct becoming one who would teach the future attorneys, and help to form paterns of their responsibility to the law. Therefore, if you feel that a distribution of my letter, this ~~one~~ one, and anything subsequent which I have time to send you, will only serve to titilate these people, with a kind of vicarious excitement (you know, "oh my, how exciting") then I would certainly not wish to be any part of this. However, if you believe that this might serve to awaken some to something I feel is a duty of one in this position, then by all means, publish. ~~Now~~ Again, I wish that you would personally edit the contents, however, both to save me from suits at the hands of various notables mentioned herein, and to save my friends in Albany some embarrassment - ie. Mr Holley and his complicated lovelife. When I wrote, I really only intended it for you, but as you have presented this, I think that perhpas some good could be done with a distribution. As to your suggestion that I keep some form of diary, you will note that this is what I am doing. You are on my mailing list because I appreciate the interest you have shown in what I hope to do this summer, because I am sending copies to very close friends (and you are about the only person at the Law School whom I would rather think of in this category, than as a professor) and because I know you understand what is happening here and can react to it. Also please note that you got the first letter before I learned of the 78, so it was not the fact that I was delighted with my grade that prompted ~~me~~ me to write. I think that the most important part of your censoring duties will be to convey my disgust with "The System" and law as it is practiced in Albany, Ga, but at the same time to strike "distasteful" observations that I might make. I will certainly keep writing, and hope to hear from you again. Also know that when I get to Boalt next year I will not be terribly patient when told by "knowledgable people" not to go South, and will do every damn thing that I can to let people know what time it is here, and to realize that law schools are not ivory towers where the realities of life never enter, but should be the places from whence action appears. I only hope that when I get back to Boalt there will still be time left; because at least in Albany's case, I can't convince myself of this. I don't want to go into this at this particular time, but I am pretty well convinced that upon graduation I will apply for admission to the Georgia Bar. Not that I could stand ~~my~~ spending my life in this Cracker town (even if everything were perfect here it would be a damn unpleasant place to live,) but I feel a moral commitment to put the legal training which I receive at Boalt to some use other than a way to accumulate the greatest possible amount of money in the least possible amount of time.

Sincerely,

Mon. July 8: This morning we went to the U.S. District Ct, (Middle Dist. of Georgia, Albany Div) for a hearing on Anderson v Dougherty Cty Bd of Ed. Norman Amaker of the NAACP Legal Defense and Education Fund, Inc. came down to argue before Judge Elliot. The City argued that the Supreme Court was wrong in Brown v Bd of Ed. and that "separate but equal" is the necessary constitutional compliance. They also stated that it would be impossible to integrate the schools here as the "people of both races are against it". We asked the court to grant a temporary injunction, to integrate the 1st grade for the fall term, and to admit the 6 named plaintiffs to the schools they requested in the fall, also for the Bd to submit a plan within 60 days for full integration in 1964. Elliot didn't grant the injunction, but advised that he would rule before the week is out. Our next step will be to appeal to the 5th circuit. Title of the case has been changed to Gaines v Bd. as Dr. Anderson now lives in Detroit where he is doing graduate work. We took Mr. Amaker to the airport and then went back to the office to start typing the defensive pleadings for Tuesdays cases in Records Court. This kept us going well into the night. We got a call from Joyce that the SNCC office had been shot into, the bullet went through a window pane in the door leaving a rather ominous hole. Luckily, no one was in the office at the time.

Tues July 9: Rushed out to the airport to pickup the court reporter from Atlanta. At the last trial the Justice Dept provided a court reporter, but this was only because of the great amount of pressure put on them by the parents and friends of some of the kids standing trial. Today's cases were mostly local Negro kids, so no one from the J.D. attended. As usual, they were into the same irrelevant crap. Instead of starting with the cases that were left over from last time, with arrests dating back to June 18th, the City first called the Sunday swimming pool arrests. We hadn't started to prepare the defensive pleadings in these cases as we didn't have time to do them and also the backlog that should have been called first. The first case called was Slater King and Mrs Fannie Webb. They were charged with the loitering statute. Slater, a Movement leader, was sentenced to 60 days (as an example) and Mrs. Webb got 30. Actually no case was ever even attempted to be made out against Mrs. Webb, who was standing near Slater, but never requested entry to the pool, nor was asked to leave. I sat next to her during the trial, and all through it she kept elbowing me and laughing, telling me "listen to that fool lie" when Fritchett testified. When the judge read the sentence she said "Give me 60 too" and she just laughed when the cops took her downstairs. She is a great funny old woman and with more people like her, things would move here. Slater gave some excellent answers to the prosecution. They asked him if he were literate (signs stated "Private Pool - White Only") and he told them he was the product of a segregated education and had great reservations about his literacy. He also told them he wasn't really sure if he were a Negro, that his greatgrandfather was white, and he was very confused about his identity. We tried to bond them out after the trial, but the judge pushed past by us saying he was in too big a hurry to sign a bond. So it means we just have to try and hunt him down to get this done. Burt Steck was then brought before the judge and sentenced to finish out the remainder of his 60 day suspended sentence on the old vagrancy charge as he was out at the pool Sunday also. The judge told him he tried to be patient and understanding, but it was obvious that Steck was "only interested in causing trouble" so would serve his time. Pete Rothstein, another SNCC worker was convicted on the same charge (loitering on private property) and given \$102 or 30 days. When he was arrested one of the cops, officer Kussel, kicked him. He testified to this in court and Chief P really looked hurt that someone would accuse one of his thugs of any brutality. During Rothsteins trial the City produced the manager of the pool, Jimmie Gray, Jr., son of the owner of the Albany Herald. This kid was so dumb that with all the coaching and signals from a cop sitting next to the judge, he still answered the questions wrong and got into the record that the City, through Chief P, decided policy at the pool. The case was closed before the Chief realized what happened. Actually Chief P is the city prosecutor as Grady Rawls, whose job it is, seems to be asleep most of the time. He is an enormously overweight slob who puffs on cigars throughout, and jumps up to object when



Chief notices something and prods him. The Chief is a very shrewd man and certainly the most difficult adversary here in Albany. Though physically he seems a fat country bumpkin, he looks exactly like Humphrey in the Joe Palooka comic strip, he is very cunning and constantly alert to everything that happens in court. When he realized Jimmie Jr's mistake he had Rawls request that the case be reopened, Rawls claimed that the noise of the fan made him unable to hear the testimony, and the judge granted this. Then an officer went out in the hall, spent a few minutes with Jimmie, and brought him back in to straighten this point out. With an officer signaling yes or no to him, they led Jimmy through it. The city's most interesting witness was Mrs. Hopkins, the ticket taker. She admitted that she didn't really know who she worked for (she used to work at the same job for the City, but now Gray owns the pool) and it is also in the record that no one told her what to do, so she continued the same policy. The tickets to the pool (we didn't have any) read "City of Albany Pool" but she testified that they didn't say anything about the city on them. All through cross examination by Atty King she sat and glared at him. I have never seen such an intense look of hatred in anyone before. I felt sure she would have loved to kill him. This case ran over into the afternoon, and we finally got started on delissovoy, Davis, Mormon and Daniels (charged with disorderly on the 18th of June) at the end of the day, but court recessed before it was complete and won't go into session until next week probably. I am convinced one of the reasons for stalling like this was because John Perdew's father who ~~fix~~ flew in from Denver, had to leave town today and Pritchett knew this. Perdew is charged with destruction of city property and disorderly, but also a state charge hanging over him of assault with intent to murder. We have an excellent case which clearly shows his innocence, but this isn't terribly important in Dougherty County in the race cases. Here you don't think in terms of having the prosecution make out a case to show the guilt, but rather having a defensive proof of innocence and even then you get convicted. For me, the only redeeming feature of the day was when Chief P forgot himself because King was making fools out of the Chiefs boys. When CB called for a certain officer, Pritchett stood up and said, "He's on vacation CB" (Pritchett is the only one who always calls him attorney but today his temper got the best of him). Attorney calmly replied "Thanks, Laurie" and Pritchett turned a deep purple, shook a little, and finally sat down. Tuesday night there was a small mass meeting held at Carver Park. delissovoy, Davis and Perdew were there and told how they had fasted for 20 days. These three are amazing guys. delissovoy is a student at Harvard and spent over a year in Africa where he was deported from 6 different countries. Phil Davis lives in Berkeley and we have many mutual friends. Perdew is also at Harvard; he is certainly ~~the~~ not the one to try and stick with the felony charge as he is very slight, scholarly looking, with thick glasses. Its only a shame that we can't get his picture into the record. After court I had to go across the street to the County Court to get Perdew released on a \$1500 bond on the felony charge (besides \$400 with the City). On my way over I passed 6 young Crackers hanging out in front of the clothing store. As I walked by them I felt something burn my hand and realized that one had thrown a lit cigarette at me, but realized that non-violence would certainly be the smartest possible tact at this point, so kept walking and ignored the calls of "Nigger lover" and "Comrade". Tonight Frank, Chris, and I bought alot of beer, etc., and had a party for SNCC staff and to celebrate the return of the 3 guys to the outside world (after 20 days in jail). The moral and religious tone of the community being what it is, most parties are dry, so this was a welcome relief, and greatly appreciated by all. Franks wife came down from Americus Wed.morning, so I was up very late trying to clean up most of the mess. Another great statement made in court today was one by Judge Durden, in relation to the anti-trespass (loitering) statute - that the difference between us and the Communists was the sacred right of private property. This is probably the most overworked and abused term today.

Wed. July 10: Today a group of 6 Negro kids, ranging in ages from 9 to 11 were arrested when they tried to buy tickets to swim in the pool. One of them was slapped by the police and lighted matches were thrown on him, in their intimidations. CB went to the jail today to see how everyone

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was being treated. On Monday, Sherrod, Rev. Wells, and about 11 others walked down to City Hall to protest the jailings stemming from the attempt to use the pool Sunday. They were all arrested and Rev. Wells was dragged into the jail from the alley by his genitiles, and is in very bad shape. The brutality of the local police is unbelievable, yet nothing is done, other than a perfunctory investigation by the FBI with the filing of reports and nothing more ever heard of the incident. Press coverage of what is happening here is miserable, and there is a great need for the people to know just what is happening in Albany as it is everyones concern. We spent most of the day preparing the transcripts from the June 28th trials for appeal. I had always wondered why, with all the Negro servicemen stationed around the area, you never had any come to mass meetings. Today Attorney told me that he had spoken with a Negro at the Marine base who comes from somewhere in the North, who related that upon arrival in Albany, a master sargent told him that ~~xxxx~~ anyone who participated in any way with the Albany Movement would have the book thrown at him. This damn collusion between the city and state, and the local Federal people is one of the hardest things to deal with as it is almost impossible to prove, yet everyone knows it exists. I would feel safer with the local cops than with the FBI here. When CB came back from jail he also told me that Willie Ricks (who I once mentioned was from Albany, but is really SNCC staff coming from Tennessee) was forced on the work gang, put on bread and water and is in very weak shape. They are still trying to get enough bond money together to get him out. The most upsetting thing is to watch what is happening to the Movement here. Attendance at mass meetings gets less and less - people are just physically exhausted and feel forgotten and hopeless. The SNCC kids spend the day canvassing neighborhoods talking up the mass meeting, and from some areas only one or two people show up. After a few weeks of this, it seems almost impossible to go back out canvassing again, but they keep on. As a group they are a remarkable bunch, although there are a few I am not crazy about as individuals. At this point they seem to be the strongest element in the Movement as the adults seem very discouraged and beaten down. The SNCCkids are very worried as at this juncture it doesn't seem that a non-violent solution is possible. There is absolutely no communication with the white power structure, the Negro community, or rather the more responsible element, seems bitter and disoluted, and the ~~xxxx~~ only outcome of all of this seems to be that unless something happens that will put vitality back in the Movement, responsible leadership will wither away, and violence will take over.



Thurs. July 11: Started to try and catch up on a lot of the routine office <sup>13</sup> correspondence that is months overdue. We also started a motion to consolidate 730 (deseg of city facilities which was heard in Montgomery) and 731 (injunction v. police and city to stop them from harrasing peaceful demonstrations - which had been denied by Elliot, J in the U S Dist Ct) so that we would have to take 731 up to the Fifth Circuit separately. In the afternoon we went over to SNCC house for a meeting with the staff. They are having some organizational problems in that they are not as effective as they obviously could be, and one of the reasons for this is that there is a tendency among the staff who has been there for over a year to assume all of the responsibility, and simply designate assignments to the staff who just arrived this summer. When you have been here as long as some of the senior staff, one of the symptoms seems to be a lack of acuteness, and a tendency not to re-evaluate situations in the light of change, but to keep on with the same tactics. The newer people are all very bright, and certainly have a lot to contribute, but at ~~xxx~~ times are being frustrated. As the meeting progressed some of the gripes were aired for the first time and it would seem that some organizational changes will be made. One of the areas in which I feel SNCC could do some really effective work, and where absolutely nothing has been done, is among the "Saturday night" people. Canvassing among old ladies is fine, but they are going to come to the mass meetings anyhow, and they aren't going to demonstrate. The program seems to be that if you bring in the "less respectable" element, you will antagonize the old ladies and the ministers. This is a kind of refusal to think things through that is often demonstrated here. The ministers, for the most part, are opposed to Movement policy in varying degrees ( Rev. Wells is a notable exception to this). None of them will march, and the rest run the gamut from allowing the use of their church for mass meetings, to counseling their congregation not to get involved in "that mess"! So I can't see how offending them is going to make a bit of difference. And these are the people who must be reached with non-violence as it is in them that all the potential for ~~xxx~~ violence lies. Tonight I was speaking with James Danies who told me that a car with 5 Klansmen in it drove by, stuck a rifle out the window and took a couple of shots at him. Also tonight a marine stationed out here at the Marine Base drove up to the RR crossing on N. Washington St and shot at the Negro watchman, wounding him. He was arrested about an hour later and told the police, "I just felt like shooting a nigger". Things are starting to break in Americus (Sumter Co) a town of about 15000, about 40 miles away. They have been having mass meetings and this evening a group of 11 went to the local theater and tried to buy tickets at the front entrance, instead of going around to the alley where tickets to the Negro section are sold. They were arrested for disorderly, failure to obey and loitering, and the Recorder's Ct only meets on Monday, they were tried Friday morning and given 60 days sentences.

Friday July 12: This morn I drew up a motion for continuance for a hearing with the Ga Real Estate Comm. (they are trying to take away Slaters license to be a real estate broker). This is the kind of thing which goes on constantly, which makes it almost impossible to maintain the Movement. If a working man is seen in a demonstration he is immediately fired. Slater can't be reached that way, so State power is brought to bear against him. Its only a matter of time before they try to disbar CB on one charge or another. We have been advised by guys stationed at the Marine Base that when a Negro arrives on base (same for the Air Force) ~~he~~ he is told that if he participates in demonstrations or has any connections with the Albany Movement he will be courtmartialed. We are trying to find a guy brave enough to sign an affidavit to this effect and will then try to put pressure on the Govt. Today we had to pull Steck and Rothstein out of jail. They weren't in all that long but were put into cells with a group of crackers who had razors, and a knife, so we couldn't take the chance of leaving them in. I guess I am starting to adjust to Albany living, because it doesn't bother me when the cops follow me around. At first you get very selfconscious; wherever you drive, there is a cop car right on your bumper, and as soon as he turns off, another picks you up. Now I expect to see them and if I drive some where and am not followed it is unique. One's whole concept changes down here. Things you never think about, just ordinary action such as walking down a street, takes on a whole new perspective. You have to wonder if you will be arrested for vagrancy or loitering. When you see whites on the street you wonder if you should cross to the other side in case they recognize you; it is very hard to verbalize the feeling of never being sure that you are safe. All the trivial things that one never gives any consideration to, suddenly become very important. You don't jaywalk, under any conditions; if you stop at a meter, even if just to run into a store, or if you wait in the car while someone else runs in, you put money in it. For the first time, the Constitution becomes immensely important and real to me: First Amendment guarantees that we constantly take for granted are here denied to the people, and you realize how vital and alive this document ~~is~~ is and how unbelievably bad this country would be without it. You never give any real thought to the right of free speech, or that of peaceful assembly, until it is denied you. In the evening Dick Gay, owner of the poolroom, bar and several other establishments in Harlem took us out to the Disabled American Veterans restaurant for shrimp gumbo which was great. There is nothing sicker than a disabled Negro war veteran - to get ~~shot~~ shot up for "our Democracy" and then return to Albany, Ga is a special kind of torture. After dinner I went by the SNCC house and sat around with the people there, and helped letter signs for pickers to carry on Sat; most of my suggestions for the wording were voted down by the more religious element.



Sat. July 13: Tonday was the greatest day in Ablanys history. Tift Park pool w was desegregated!! James Dāniels, Randy Battle, and another guy went up there about 9 AM, climbed over the fence, dove into the water fully dressed, swam around for about 5 mts, and climbed out and walked out the exit and down the street. All the little white bastards jumped out of the pool and started screaming for the police, the life guard pretended he didnt see anyting, and the cps were so dumb-founded that they just stood around and didnt do anything. Eddie Brown got some pcitures of this historic event, and when they get published by the Southwest Georgian (weekly Negro press) it will do much to raise the peoples spirits. By Sunday everyone in town wēll know about this. I talked to Randy after he came out and he ~~said~~ said that water has ~~be~~ never felt so good. The thing that was hrdest to figure is that here they had valid grounds for arrest (one of the rare times they do) and yet they police didn't arrest. But 15 mts later 6 Negro women and kids, also Betsy Wycoff presented themselves in an orderly manner to the ticket taker, tendered their money, and requested a ticket to enter the pool - they were arrested for loitering. I might have mentioned this in a previous letter, but both Daniels and Eddie Brown, are leaders of the largest ~~NEKKO~~ Negro street gags in the city, and both have been doing alot of work for SNCC, and have kept the violence to a minimum. Daniels is x from CME, the roughest territory in Albany, He is about 23 though he claims to be 18, tall and muscular, very dark with processed hair (called a "do") and a broken nose - one of the most striking people I have seen here. Brown is a little shorter, very hadnsome, neat conservative in dress, two font teeth are ringed in gold. Browns leads a gang from out at Six Point where most of the Negro night clubs are located. Also today 10 kids went out to the Wetherbees and Haleys to picket them and were arrested and juv. petitions were taken against them. These are the two wealthiest families in town and the real force behind segregation here. Both are on the B/D of the First State Bank; Haley owns the Ford agancy and most Coke bottling planst in the area; Wetherbee owns most of the plantations in Dougherty and surrounding counties. Around 11 AM I went down to see Judge Durden to bond out Willie Ricks. Ricks has been on break and water since the 28th of June and for a while was being forced out on the work gnag. Of course, the same crap starts all over again. Judge has to very carefully consider the idea of the cert bond - then its too late to get the City Treasurer to receive the money; then the street warden is out so the transfer to county jail can't be effected. Later Ralph Allen came into the office with Danny Lyons ( a photographer working with SNCC out of Atlanta). they were going out to "Terrible Terrell" county and wanted to know if I would like to go along. CB said I could go if I wanted as there wasnt much going in the office, so we picked up Wendy Mann add Faith Holseart (SNCC field secretaries) and drove out to Sasser, Ga. Sasser is one of the meanest cracker towns in the South; it was here that two churches were burned because people were having voter registration meetings in them. Here also an FBI man was beat up by one of the boys as "another damn outsider . Ralph spent most of last year doing voter work out in Terrell, so he is very well known, both in the Negro and white community; this can be very dangerous. We went out and spoke with the Breuner family, their daughter Johnni Ruth is very active in Sasser and throughout the county. Then went up the read to Leroy Shannon's, a sharecropper on land owned by one of the wealthy white families. We stayed on his place about an hour, and it was really nice - he had a bunch of pigs and other farmtype animals, and insisted on showing us how his crops were doing, and how his wife puts them up - told us to come by anytime and pikk all the vegetables we want. Then we drove out to Dawson where Ralph spent some time in jail and was beaten several times. Visited Carolyn Daniels, the beauty parlor operator whose house was shot up by the crackers when she let some of the SNCC workers stay there. She told us that registration is progressing very slowly as the people are scared; they are afraid for their jobs, that their churches will be burned again, afraid for their lives. It is very upsetting to find tat people are ~~be~~ being denied the right to vote today, not beaause of tricky literacy tests or they way they are graded (although this goes on too) but by a wave of terror that grips these outlying counties. The Klan still rides in this part of the country and the people have seen to many lynchings and burningsto be very brave. Carolyn Daniels and a few like here must carry all the work on their shoulders. The other day she was arrested for "speeding" and her license revoked for 90 days this was beaause she had been carrying people down to register to vote. After we came back from Dawson I took Wendy out to the DAV to eat as we hadnt eaten all day excpet for some peanut butter and jelly sandwiches which one of the people in Terrell Co gave us. After we ~~saw~~ sat down, some guy and his girl friend asked us to join them at their table, and later invited us to his house for dinner next Sunday; then another guy came over and after he left 3 more people aske d us to join them. It was great because these people are inviting you, so its very clear that they want to talk Movemnet, not like when SNCC goes around knocking on doors asking if you have a few minutes to talk about the Movement, as whenever a white comes to a Negroes door here it either means cops or insurance agnets, so the people are prone to agree to anything just to get rid of you, and the SNCC kids get a very distorted idea of how the community feels about anyting. These people are never reached by the Movement as they work all day and spend their nights out at the clubs. But all of thamm expressed great concern and promised to come to mass meeting Monday night. It is much easier to talk to people and find out h they feel about things in this setting as they are relaxed, in circumstances which they feel very comfortable. People keep telling you how glad they are t you came to help them, and it is hard to make them understand that we "did nt come to help them" but came to help ourselves - that when Albany, Ga is rott





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Tues July 16: Today we tried the rest of the cases in Americus. A group of 4 kids had been picketing the movie, protesting the fact that they had to go around the side to buy tickets and sit up in the Negro balcony. They had picketed in the afternoon, then the council met in emergency session and passed an ordinance which prohibits picketing other than between 9AM to 6 pm, and they were arrested in the evening (it is interesting to note that in Americus one can exercise free speech until 6 pm and then constitutionally protected rights vanish with the sun) Again this group got 60 day sentences. The kids in Americus are very enthusiastic as the Movement there is just starting out, and quite willing to go to jail for freedom. The local SNCC worker is Don Harris, a grad of Rutgers, and he is doing a great job. They finally let the juveniles out of Camilla today; last night Mrs Singleton, who has two kids in jail, called the Judge at 2 AM to tell him she couldn't sleep, worrying about her babies. She also told him that she was praying for him and "every prayer I ever prayed has been answered". There is an interesting story concerning the power of prayer which is told in the South. It seems the Negroes of Miss. prayed for Bilbo and he died of throat cancer; anyhow this morning the juveniles were turned loose after about 8 days. In line with this prayer thing, Sheriff Screws (who beat Bobby Hall to death in Baker County) is now paralyzed, Sheriff Campbell who hit CB with a cane is hospitalized with a bad heart and his wife died of cancer today, and the guy in Camilla who kicked Slater's wife and caused her miscarriage was struck by lightning the other day, and the people keep on praying. Pritchett is back up to his old tricks. Today Davis and deLissovoy were arrested again and held on "suspicion" for which you can hold without charge for 72 hrs in Ga. Their "crime" was to walk down the main street with two Negroe guys. Pritchett's image "the cop who copes with non-violence by non-violent methods" is a complete farce, yet most of the people who come down for a few days to interview him are completely taken in. No one ever stops to consider that this so-called prevention of violence is achieved by prohibiting constitutionally permissible conduct and enforced by illegal arrests; democracy ceases to have any real meaning in this context as police power has suppressed the constitution here.

Wed. July 17: Today everyone (except Lennie Mae Thrower who has been in since around June 20) got out on property bonds as the City has decided not to try these cases (some of which go back to 6/20) until 7/26. We spent most of the day working on certiorari to Superior Ct on the cases already tried. CB's non-civil rights practice has deteriorated to almost nothing, as we just don't have time to do anything but run between here and Americus trying cases and working on appeals. Davis and deLissovoy were released today - we really couldn't figure this out until we learned that deLissovoy's grandmother is a close friend of Lyndon Johnson and when she finally heard that he had been beaten by the cops when arrested <sup>just last week</sup> Bobby Kennedy sent a personal note to the local FBI for investigatory action, and Pritchett just found out about this. Today we learned that a church in Sumter Co was wrecked all the windows shattered, and the inside gutted (this is how they deal with anyone talking about voting in the counties). The smaller towns are filled with fear. The other day a Negro was shot to death by the police in Leary, Ga but the family was afraid to talk to CB about it. Nothing has ever been done about Annie Hayes, the girl who was raped to death in Sumter Co, and her parents are terrified also.

Thurs. July 18: SNCC tried an interesting experiment with their phone today. They called up two people from the office and told them there was to be a major demonstration on a certain downtown corner. Then a few went down to see the area suddenly fill up with cops. On Monday we go down to Newton, Baker Co (where Screws was sheriff). Mr. Charley Ware (who was shot in the neck 4 times by the sheriff a few years ago, is now being tried by the state for assault with intent to murder, and CB and Hollowell from Atlanta are handling the case. Hollowell has asked the Justice Dept to send someone down and CB asked the local FBI to come along, but they are "too busy" - it is certainly a sad commentary on things here when an attorney needs Federal protection to get into a court to defend his client-; the last time Hollowell was in Newton the sheriff beat him. Today I went to the jail to bond out Mrs. Webb who finally agreed to come out. I asked the desk sargent for Mrs. Webb, Mrs. Fannie Webb. He said, "you mean Fannie Webb don't you boy" and I told him "I came for Mrs. Webb". He just said, "you haven't been around long enough to know the customs" and let her out.



I also went for my Georgia driver's license today. When I got to the building I walked into the first door I saw and noticed that ~~in~~ only Negroes were applying for licenses. Then I discovered that the State has partitioned the building into two sides according to race. I am not exactly sure what caused me to do this, perhaps because I was already on the Negro side, and perhaps because the whole idea of this classification is so ridiculous, but after I got 100% on the written test and was given the license blank to fill in, I marked an "N" in the race box. The State Trooper looked at the application, then at me, and back to the application for about 2 minutes but never said anything. Then he threw the form back at me, said "do it in ink" and when I finished, gave me my license. If nothing else, at least I've solved my identity problem, and if I do get arrested it will present an interesting problem about which side of the cell block to put me. At this point, something should be said about the role of the Justice Dept in prosecuting cases here. In the very few cases that they do seek to bring (only when the brutality was so shocking that it receives nationwide attention, such as where a Negro is beaten to death with a blackjack) they always seek a Grand Jury indictment (something that is rarely, if ever, given). Since they could prosecute without first going to the Grand Jury it would seem that the Government would rather avoid bringing these cases and escape its responsibility by letting the Grand Jury take the blame for it not coming to trial. This is an area where the Govt should be pushed, and pushed hard. It doesn't matter if they won't win a case before a Southern jury; they must bring these actions, and constantly so that everyone here will learn that the Govt is vitally concerned with deprivations of Civil rights. With the action starting in Americus I am afraid CB will work himself to death as this trip is about 80 miles round-trip, and it is impossible to give effective representation to people in both places; here is the compelling need for the law schools to press for a social responsibility - that people in out-of-the-way areas like southwest Georgia get, ~~a~~ if not a fair trial, at least good legal representation so as to be able to form a record for appeal. A recent issue of the New Republic carried an article on Albany. It was typical of the inaccurate reporting, and the misconceptions, misstatements, and absurd conclusions, all too frequently found in articles on the South. The writer's conclusion is that Albany was tactically wrong - that demonstration and an attack on all forms of segregation at once were foolish, and that the best solution would have been through the courts. This would seem to assume that you don't have one attorney who works throughout <sup>all</sup> southwest Ga, but dozens of attorneys, all with nothing to do but provide legal representation to all the people arrested on civil rights "crimes" and to file suit after suit in the court system. There are only a small handful of Negro lawyers in the South. Certainly the Southern Bar Assn., does not now, and probably never will see its responsibility here. Then who the hell is supposed to bring these suits. NAACP has a relatively small staff, and they must serve the entire South, but this writer smugly views things here from NY or Atlanta and decides that "legal action" is the answer. Articles of this nature are a great disservice not only to the brave people of Albany, but misinform the interested and genuinely concerned people throughout America.

Friday July 19: Drove up to Americus for the juvenile hearings in the morn. Under Ga law the juv. ct judge has tremendous power guided only by the provision that he act "in the best interest of the juv" Judge James Smith, a rather heavy set old man, had a complete lack of understanding of the situation. He spoke in terms of "that mess" and that the kids shouldn't get involved in it. He told them that it is wrong to protest, that they should stay out of it, though in school they learn that free speech and the right to petition for redress of grievances are not only permissible, but must be encouraged if a democracy is to function. The saddest comment was when he announced in a very hurt tone that "I have really tried to keep these kids out of trouble...I don't send them away...I make them memorize the 10 commandments and waste my time having them come in and recite this, because I feel it is important enough, and after all I have done for them, they turn around and get into this mess". The great white father is upset as the naughty children have disobeyed and he translates this into a direct insult to him, "they just don't appreciate all I have done for them." This is the white mentality of the South.

Judge Smith also decided that the juveniles couldn't go to any church for any reason if mass meetings were being allowed there; then he told the parents they could be released after payment of \$16. "rent" to the county jail for their room and board while locked up awaiting hearing - those who didn't pay would be sent to Industrial School. The Sumter County Movement finally got the money together, but they are very poor and will have a lot of trouble once the City starts making them come up with cash bonds like Albany does.

Sat. July 20: Today there were 41 arrests in Americus, mostly picketing and loitering charges. We phoned Judge LeSueur for a continuance as on Monday we have to be in Baker Co Superior Ct for the Ware case, but the civility of Americus is starting to fray and he gave us a whole lot of trouble about the continuance and wants to go ahead and try everyone without an attorney. Holloway is sending someone from his office Monday to argue with the judge about the continuance. Today something happened that can only happen in the South, and only to Negroes; it isn't the kind of open and notorious violence that makes the papers, but it is very typical of a kind of intimidation and evidence of the second class citizenship which confronts the Negro daily. A middle aged woman, her husband, son, and 3 little children drove down from South Carolina to visit their daughter and son-in-law (Marine in Albany). They left Fri eve and arrived very early Sat am. Around noon police arrived at the house in Albany staked out the yard with armed officers, kicked the door open, cops with shot-guns entered, and hauled the husband and son off to jail without explanation. The woman was hysterical, phoned her son at the Marine base, and he came by to see CB. We phoned the police to tell us they were being held for "investigation" on behalf of the Dublin, Ga. Police, who charged them with speeding, fleeing from an arrest, and shooting at the police. The woman told us no one was speeding (they had driven thru Dublin at around 4 am) that they never owned a gun, that they never saw any police, etc. The family is very poor, they all work in the textile mills and are paying off a house, and this trip was for 2 days to visit the daughter - their only vacation this year. The Dublin police arrived at 6 pm and finally everything was explained. It seems that around the time they drove thru Dublin the cops had been chasing moonshiners in a Ford (they owned a '56 Ford) who shot at the police and got away. The police went to a nearby gas station and asked if he remembered some Negroes in a Ford; these people had bought gas there and had a conversation with the white owner in which they mentioned they were going to visit in Albany. The gas station guy remembered them so told the cops and knew the SC license plates. Dublin called to Albany to search for the car, and the arrest resulted. So on this kind of information the police break into a home with shotguns, arrest people, hold them for 6 hrs without allowing a phone call or giving an explanation, finally the Dublin cops (who had said they had definitely put a few bullets into the car, arrived, and established it wasn't them, and they are released without any apology, but with the feeling that they are damn lucky to get off so easy. I had sat and talked with this woman most of the time her husband and son were in jail and saw the nightmare she was going through. When they left Albany she said she would never leave her home again. This cannot happen anywhere but in the South and only to Negroes, and it happens all the time. Today I heard about a Negro girl from NY who is visiting relatives here, a white man in a gas station saw her, asked around to find out who she is, and has been making obscene calls to her trying to get her to meet him, etc. She phoned the police in Albany and they told her to set up a meeting and let them know. She agreed to meet him in downtown Albany, and after waiting five minutes and stalling him, she made up an excuse and got out of the car (the cops never arrived) She went to the station and they told her they forgot, or were detained or something like that but that she should call if he bothered her again; the next day he called and wanted to meet her way out in Terrell Co, she phoned the police and they told her to meet him, that they would certainly be there. Luckily a friend of the family phoned CB and he told her to stay home or this girl would most likely have been raped with the tacit consent of the police. Of course, when it is a Negro male and a white female, things are entirely different.

Sunday July 21: This morning I heard that "unidentified persons" threw a yellow dye marker into Tift Park pool late at night. This, and a series of other acts of vandalism would seem to indicate that one illustration of the Negro youth has reached its breaking point. The gang kids are coming to the SNCC office much less frequently than usual. On Sat night I had stopped by the SNCC office for a while to talk with John Perdue. A few hours after I left



4 bullets smashed thru the bedroom window and wall, narrowly missing 19  
Perdew and Daniels. The slugs traveled into the apartment next door, one  
smashing into a picture shattering glass over a sleeping woman and her baby,  
and another embedding itself in a chair (if the chair weren't there it would  
have hit them. The police came out and investigated and now want Perdew and  
Daniels to take a lie detector test about it before they investigate further.  
In the evening I drove to Americus to try and get into the jail to find out  
how many had been arrested and for what charges. Chief Chambliss wouldn't  
let me in not give me any info "send lawyer King to see me" because "they  
ain't cooperating with me, singing and making noise in my jail, so I ain't  
cooperating with you". Before I went to Americus we spent all day in the  
office working out details on the Ware case to be tried in Baker Co Sup Ct  
Monday. I wrote up a motion to quash the indictment and a plea to abate,  
we also did research into the assault with intent to murder and the public  
drunkenness charge. State v. Charlie Ware is a criminal prosecution based  
on an incident that took place in Newton (Baker Co) Ga on July 4, 1961.

Charlie Ware (against whom Sheriff Johnson held some sort of a grudge) went  
to a picnic at Ichauway Plantation. The plantation manager, Touchstone,  
claims he was drunk and disorderly (tho he said in his deposition that Ware  
was trying to break up a fight) this is in the afternoon. Around 2 in the  
morning, Sheriff Johnson drove out to Ware's house with a friend, pulled  
him out dressed only in pants and an undershirt, no shoes, searched him and  
took a pen knife off him, and drove him to the police station (they had no  
warrant for his arrest for the drunk misdemeanor tho one was readily obtain-  
able). When they got to jail Sheriff Johnson claims Ware pulled a knife  
(tho he was thoroughly searched) and to save himself, Sheriff put 4 bullets  
into Ware's neck and shoulder. I saw the bullet holes which enter his  
neck and shoulder on the left-front and come out the right-rear, except for  
one which is still in his shoulder, and it is unbelievable that he is still  
alive. Anyhow Ware sued the sheriff under the Federal Civil Rights Statute  
but the jury found against him, and now the State is charging him with assault  
for allegedly attacking the sheriff with a knife. I am not looking forward  
to going to Baker Co - it is really primitive.

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Early Monday morning we got into the car and drove down to Newton, Baker Co., Georgia. We carried Attorney Hollowell from Atlanta who has been working on the Ware case from its inception, Charlie Ware and his pregnant wife Louise, and Robert Lee Daniels, the eye-witness to the shooting. If you could remove yourself from the frame of reference which is ever present, the trip down to Newton would be a pleasant one indeed. Driving in the bright morning sun you travel 22 miles of well paved road, lined on either side by slash pine which occasionally interrupt to afford a view of lush green fields dotted with grazing black angus beef cattle. Actually, as the scenery rushes by, you momentarily forget where you are, and enjoy the peace and serenity of the countryside; then the sign "Baker County" and you know you are in the balliwick of High Sheriff L. Warren Johnson. County signs always affect me adversely in Georgia as though I have never been there before, the names are indelibly impressed in my mind, and seeing "Terrell" "Lee" or "Baker" in bold black letters always makes for frightening reality. It goes very quickly after that - across the highway bridge you see a water tower with "Newton" painted on it, and an automatic reaction drops your speed to 20 miles per hour, as this is no place to be stopped by the police for any reason. Now it's only a two minute drive past rickety shacks, a white frame church, past Madam La Donna the fortune teller or palmist as she bills herself, a filling station, and you are in front of Baker County courthouse. On the left is the county jail in front of which the sheriff pumped three bullets into the neck of the handcuffed Charlie Ware; to the right a few hundred yards up the road is the bridge to Mitchell County, the bridge from which High Sheriff Claude Screws, under whom Johnson got his training in "law enforcement", dragged Bobby Hall from the bumper of his car and up to the artesian well next to the court house where he beat him to death for half an hour with a steel ~~xx~~ blackjack. A stone wall runs completely around the court house and leaning against it at the front of the building are the local citizens, come to see the circus. Dead eyes stare out of stone faces as we alight from the car; this is something they have never seen before, but the only emotion registered is a kind of calm hate. We enter through the rear entrance, walk past the "White Only" drinking fountain and the "White Male only" toilets (Negroes of both sexes use a shed outside, which also serves for storage purposes) and climb the rickety stairs to the court room. The building is old and decrepit, and the people inside bear it a striking resemblance. The downstairs part of the courthouse contains various county offices, and upstairs the court room and two small ante-rooms. Inside the courtroom the whites sit on the main level and Negroes are relegated to a roost in the balcony which is hot as an oven. The courtroom itself is disgusting; paint is peeling off the walls, spittoons which haven't been cleaned since the Civil War clutter most of the floor space, and hot stale air is pushed around the high ceilinged room by old fashioned fans whose constant hum makes it almost impossible to hear anything. The judge sits behind a high wooden bench, also badly in need of a coat of paint, and rocks back and forth in a squeaky chair. Behind him is an American flag and a paint flecked wall, bare but for a small sign which ludicrously proclaims: Keep Smiling. The bailiff, an incredibly old man with a parched pock-marked face, no teeth, a long pointed nose and rabbit ears announces the presence of the Honorable Carl E. Crow, and Baker County Superior Court is in session.

C.B. immediately introduces a motion to quash based on the arbitrary and systematic exclusion of Negroes from the Grand and traverse (trial) Jury. We elicit testimony from the County Clerk, a Mr. Leslie Bush, and others, that no Negro has ever served on a grand or traverse jury in Baker County for as long as anyone can remember. To this the audience murmurs its approval. Bush has a pronunciation problem as whenever he says "Negro" it comes out "nigger". After about the tenth time, Atty. Hollowell objects to this and Bush replies "they've been niggers all my life and I'll go on saying it; this is the first time I've ever heard anyone object". O'Neil, the State Solicitor has a little better pronunciation; from him it comes out "nigrah" but occasionally gets slurred. Hollowell's motion that this is prejudicial gets ~~promptly~~ promptly overruled. In the course of arguing the motion Sheriff Johnson is called. He is a huge man, 6'2½" tall weighing 246 lbs, with little pig eyes, reddish blading hair, and a red complexion which ranged to purple when he got mad. He was a real crowd pleaser, and caused the overall clad audience to occasionally laugh and smile, and act which seemed to make their leathery faces crack. R.I. Hudson, the tax collector, also testified. He is emaciated (there seems to be a fantastic amount of inbreeding among these people - they either run to huge proportions like Sheriff Johnson and the Kelley's (who are relatives of his) or to exceedingly thin withered men like the Hudson's or Bush.) and his hands are deformed with some sort of palsy so that he cannot turn the pages of his tax digest. We elicit that there are 760 white property owners in the county and 400 Negroes (total population of Baker County is 4500), but it has only been since 1961 that Negroes occasionally get on the jury roll (never on an actual jury) and Charlie Ray the jury commissioner blurts out that after the white names are added to the jury roll of potential jurors, a certain % of Negroes are then included. By the time we got done finishing the argument on the motion it was time for lunch. There is only one restaurant in Newton and there was no question in our minds about the possibility of getting served



so we drove the 22 miles back to Albany. This isn't a problem for someone in New York or California, so you never really give it much thought, but let me tell you, it is a real pain in the neck to have to drive 44 miles round trip for a bad hamburger. We returned at 2:00 and the ~~xxx~~ selection of the jury started ~~xx~~ for the first charge against Charlie - drunkenness on the public highway (misdemeanor). The defendant doesn't get voir dire in a misdemeanor, but simply 12 strikes. This is no bargain in Baker County as it is impossible to get an unbiased jury and the 5 strikes that the State gets was enough to exclude the three Negroes who had been put on the jury roll for that term. The panel that was assembled consisted mostly of farmers who wore either overalls or kahkis pants and short sleeved shirts. Everyone had been born in Baker Co and the few who had been anywhere else (other than Albany) were in the military and after their service was up came right back home. This arrest had taken place in late May, 1961. Charlie had asked his friend to drive him home and had gone to sleep in the back seat. The car was stopped by Deputy Sheriff Ben Johnson, the High Sheriff's kid brother, and Charlie was arrested on this charge. Case law would seem to indicate that the purpose of this statute is to prevent people from making a spectacle of themselves by being drunk outside, frightening women and children, etc. but the jury stayed out 15 minutes and found Charlie guilty as charged; for sleeping in his car while another drove it. The judge was fascinating to watch; every few minutes he would lean way over and let a big gob of tobacco juice fly towards a ~~xxxxx~~ spittoon, which he did manage to hit on rare occasions. Most of the audience chewed tobacco and those who weren't near the spittoons simply spit on the floor. When I mentioned this to CB he said that this was the best behaved audience he had ever seen in Baker County. They generally bring whiskey into court and get roaring drunk during the trials. As the court is only convened twice a year, it is a big social occasion, and ~~xxxx~~ for a trial of this magnitude, everyone who could get away from the cows and pigs was in town. The sheriff was very curious to us; the last time CB and Hollowell had him in Federal Court and raked him over the coals and it seemed that he didn't want to take the chance on antagonizing them again and get made a fool of in front of his constituency. The Sheriff Johnson only has a 5th grade education and strikes one as a barely functional literate, he is quite shrewd. In his term as a law enforcement officer for Baker Co. he has managed to kill two Negroes (also killed two women when he smashed into their car while drunk one night, but that doesn't really count) and shot and beaten many others; he is as feared as he is hated, a symbol of the ugliness filth and corruption of "the system". There were no unpleasant remarks directed toward me. The sheriff was overheard asking one of his friends if he thought I was "a white man or a nigger" and his friend responded that "he sho' looks white, but he must be a nigger sittin' up there with them other niggers". I don't remember if I had mentioned this previously, but we asked the local FBI to come down to Baker Co with us, as it is a very dangerous place, and they told us ~~xxxx~~ that they were much too busy. On Sunday night Hollowell phoned the Justice Dept in Washington and requested the same thing but they refused to take any responsibility. ~~xxxx~~ Said that "there is no federal issue here" when we asked them to protect our surprise white witness, the cowman. When we got back Monday night we worked well into the early morning making preparations for the next day in court. I also found out that SNCC has started to reorganize; they sent four girls out to Terrell to do voter registration work and 3 guys into Lee for the same purpose. This is very vital work and I am glad they are getting back into voter registration, but I really don't think sending 4 girls into Terrell (three of them white) was one of the smarter moves they have made, and I am very afraid something might happen out ~~xxxx~~ there. Charlie Ware took the stand in his defense on the misdemeanor. Charlie is about 5'5" tall, and weighs about 140 lbs, a rather ridiculous picture is presented when he walked past the Sheriff, whom he is supposed to have grabbed around the neck and attacked. It would seem that the Sheriff could crush him with one hand. Besides his very slight build, Charlie wears very thick glasses without which he can barely see, and looks years younger than he really is - around 47. He has 6 kids and his wife is heavy with another (all boys). Right now he is living in Albany (CB got him out of Baker immediately after bond was posted, though he spent 19 months in jail until bond was gotten up) and works in a gas station. At first Charlie is a title of a criminal case, but after spending a week with him and watching the anguish he must go through, seeing his 6 kids and his wife in their tiny house, watching the Sheriff stare at him and knowing what must be going through his mind at that point, then he is no longer State v Ware, but a very real, warm, goodnatured human being, someone who asks nothing more from life than a decent job with which to support his family, and one against whom the weight of a mighty State is being unjustly turned against, to "save face" and to perpetuate the most inhuman system man has ever known.

Tuesday was a cloudy, overcast day. We left late and had to drive through Baker way over the speed limit. However, there isn't much danger as all the cops (there aren't that many) are hanging around the courthouse waiting for the fun to start again. We stipulated that Charlie's other public drunkenness charge (from July 4, 1961) and also the assault with intent to murder (felony) would be tried together, and started with a ~~xi~~ selection of a new jury. The first names of some of the people are extremely interesting, there was a



Deloy, Durant, Braxton, Idus, Lamar, Alto, Alton, Vester, Turner, E and Hopson. Actually, the first names are sort of interchangeable w last names in that you could take any two of the above names and ma name. Another interesting that cmae out in the voir dire was thhat no one in Baker County reads the newspaper. They have a tri-county besides the Albany Herald and the Atlanta Constitution; only one of questioned read the Constitution, two read teh Herald, two readd the press, and about 30 others didn't ever take a newspaper. The basic in the case are these: Every year Ichauway Plantation (pronounced It plan ation) which is owned by Woodruff who owns Coca Cola, has a big for all the Negroes who work there and whose who live around Baker Cou One of the people there, Bud Walker, got into a fight with his common-1 wife Rosa Lee Jones. Her son, Coke Walker (you see the Woodruff influ started to join in, wwinging a soda bottle, but Charlie stopped him - t was testified to by about 4 people. Guy Touchstone, the white overseer the plantation said that Charlie was rotten drunk and dangerous, tho he also testified that he never had seen Charlie before, never got closer t 15 feet to him, that he was neatly dressed, spoke clearly, didn't stagge But he insisted that Charlie was drunk and ordered him off the premises, Charlie left. Local gossip has it that Touchstone has a Negress concubin and that she had eyes for Charlie, so this is what provoked him to report Sheriff Johnson that Charlie was drunk and causing trouble. Anyhhow, ins of swearing aut a warrant, Touchstone doesn't do anything for the rest of the afternoon. In the ~~early~~ late afternoon he had a severe attack of kidn stones and the Sheriff rushed him at speeds of 115-120 mph to the Camilla Hospital. Sheriff said that Touchstone was in intense pain, writting ~~in~~ or the seat of the car, moaning and screaming, yet during this 5 minute drive managed to tell the Sheriff all about Charlie being drunk and that "he's dangerous and if you don't arrest him tonight he'll hurt himself or somebody else". Anyhow, after this the Sheriff starts out looking for Charlie. He drives out to his house, about 16 miles out in the country, at least 3 time There is testimony from the "Cow-man" (this is a whiteman named Jack Markha who breeds and cares for cattle) that the Sheriff has been drinking heavily Finally Charlie comes home around 2 AM on the morning of July 5 and the She along with Frank Jones come out to his house again and arrest him, without a warrant, on the misdemeanor charge of public drunkenness. Frank Jones is not a deputy or acting in any official capacity, but rides around with the sheriff quite a bit. There was a deputy Frank Jones who was with Screws an helped beat Bobby Hall to death, and we aren't sure if this is the same Fra Jones, or is his son. Anyhow, Sheriff testified that he completely searche Charlie and found a little w 2" fingernail knife which he took; that he nev handcuffed him, but drove him down to the jail; that he reached over to the glove compartment to get the jail keys when Charlie pulled a knife from som where (tho he also testified he never saw or felt the knife) grabbed him around the neck and said, "I'm going to cut your god damn ~~head~~ head of" The sheriff (who had been leaning stretched across the seat on his right hip to reach the glove compartment) somehow managed to pull his gun which he wore in a holster on his right hip and put three bullets into Charlie. Charlie says that when the Sheriff got him out of his house he accused Char of hiding out, put him in the car, handcuffed him, and hit him with his gun butt above his eye (which required stitches to close); on the drive in to town Jones asked Charlie if he worked and if he owed his boss any money. Wh Charle told him he didn't owe any money, Jones said "its o.k. to kill this nigger, he don't owe his boss, so the most he'll loose is a good hand". When they got to the jail, Johnson let Jones out, then parked in front of the jail, took a 7" switchblade knife from his pocket, dropped it next to Charlie, picked up the car radio-phone, said "there is a nigger coming at me with a knife and I have to shoot him" and then started shooting. In the front cell of the jail about 25 feet away was a taxi driver from Albany who had been arrested earlier that day. He saw the whole thing and corroborate Charlie's story. An attempt to cross his name out of the jail record book failed; so did an attempt to get a warrant the next day for Charlies arrest and back date it. Two people testified to the fact that Daniels was in the front cell, but the State also brought in two Negroes to testify that D'nie was in a rear cell with them (one is currently in jail in Camilla, and the other is a driver for ex-sheriff Screws). Alot of testimony was given on Tuesday. At noon we were invited to the Miller's farm for lunch. These people are fairly well off by Baker County standards. They are a big family and own their own farm. Old Mr. Miller is a product of the night ti integration that is practiced heavilly in plantation country. Except for his hair he looks white, with the lightest blue eyes I have ever seen. In the back country you see some very odd families, several coal black childre and one who is very, very light skinned with green or blue eyes. Mrs. Mill is a great cook. She filled the table with a mountain of food, two differ kinds of chicken, about 5 different vegetables, corn pone, everything in huge serving bowls. When the 8 of us got up from the table another 8 sat d

~~show~~  
 There is a very interesting guy in the jury. He is much younger than most of them, worked for Eastern Airlines in Albany, and reads a newspaper. A piece of paper blew off our desk and he bent over to pick it up. Everyone in the audience started to laugh and he got very embarrassed. The sheriff'



The sheriff's daughter has been in court every day since the start. She is a very striking girl, not really that pretty, but beautiful long black hair and dark skin. She doesn't resemble the sheriff at all, but bears a striking resemblance to his brother Ben. More Baker County gossip has it that the sheriff and his brother married sisters, and when Ben went into the army the sheriff divorced his wife and married Ben's wife who got a divorce from Ben; however, as to why the Sheriff's daughter resembles Ben and not the sheriff, this is one of those mysteries. It started raining today and the courthouse roof leaks. There was a constant drip right next to our table, so the bailiff came over and put a spittoon under it to catch the water. After it filled up slime and tobacco juice spilled out and onto the floor. Another interesting bit of testimony today: seems ~~xxx~~ that after sheriff shot Charlie 3 times and then rushed him to the hospital (a great humanitarian) Charlie is supposed to have bit the sheriff on three different occasions (all of this with a guy sitting behind him with a pistol pressed to his head, and Charlie with 3 bullet holes in his neck) The trial got a little heavy; the Judge has seemed to stop following, just spits from time to time and cleans his ear with a paper clip.. The state solicitor put his head down on the desk and went to sleep this afternoon during some of the cross-examining. He is assisted by B.C. Gardner, Jr. , an Albany attorney who is hired by the State as he represented the sheriff in Charlie's Civil Rights suit against him. Gardner has a short grey crewcut, kind of pudgy and soft looking, with watery blue eyes and no chin, reminds me of a sick penguin. O'Neil, the State Solicitor is very distinguished looking, grey-streaked hair, seems in very good physical shape. Dan Redding testified today, also that Charlie wasn't drunk at Ichauway, but tried to stop the fighting that was going on. Dan is a real "uncle Tom" He is chauffeur for Woodruff (who rarely comes to Ichauway, except to hunt) loves to entertain and ~~xxx~~ play up to the white audience. In his charge to the Jury, Gardner said of him: "Old Dan is all right, yessir, Old dan is a good old boy". He just sat there and played the clown, completely without any self-respect, this is what the system does. Another interesting thing. Mr Bush, the Clerk, has a wife who is deputy clerk of the County. She is not pretty at all, has a very hard, mean face, but a striking body. Looking at her you get the impression that Bush might have gotten his job not based entirely on his competence. During the trial the doctor had Charlie take off his shirt to point out the bullet holes. Mrs. Bush started to wriggle in her seat and got a very strange look in her eyes.. Mr. Bush saw this and started to get purple.

Today we unleashed our big suprèse, "the cowman". He pushed the sheriff's car when the battery died on the night of the 4th of July and testified that the ~~xxx~~ sheriff had been drinking. Markham is a Catholic, so has felt some of the prejudice and hatred that the South has to offer anyone "different". He moved from Baker Co last year and swore never to return, but we convinced him to come and testify. He is a segregationist, but a very ~~xxx~~ honest man and couldn't sit by and watch Charlie get framed, so he risked his life to come back to Baker and testify. When he walked into the courtroom, the Sheriff turned white and looked like he would faint. When he came into the court, he was told to wait outside as we had another witness on. Hollowell followed him outside and saw the ~~xxx~~ deputy (Ben) sneaking up to him. When Ben saw Hollowell he turned and went back inside. After the cowman's testimony was finished we asked the court that he be excused as he had to go back up to near Atlanta where he is now working, but the State would not allow this tho they never called him for cross-exam again. We heard that the local boys were planning to follow him out of town and murder him for turning "against his own" like that; also today two of the FBI came down from Albany to testify for the State about a statement that Charlie made to them. When they were excused I went up to one of them, Agent Bollyard, and asked if he were driving back to Albany then. He said he was and I said that he would do the cowman a great favor by driving up behind him as the cowman was frightened for his life and that we had heard these ~~xxx~~ rumors. He said that there was no point in doing this "as there isn't anything we can do anyhow, its out of our jurisdiction" I couldn't believe he could stand there and tell me it was out of his jurisdiction when a man had a good chance of being murdered and told him "if I were driving behind him and saw a car pull him off the road and some guys jump him, I, as a private citizen could certainly effect an arrest, so why can't you" He got very evasive, said something about how they don't act as private citizens. Then I told him that if they were to follow him up to Albany, if ~~was~~ obvious that no one would try anything with the cowman and asked him if he would do this. He didn't reply, so I told him I would tell the cowman that they would. I ran outside, told the cowman, and ran back to tell Bollyard and Agent Eneek where the cowman was. When I got back (about 30 seconds had elapsed) they were gone. One can't prove any collusion between the FBI and the local law enforcement officers, or the local citizens, but things like this certainly make one wonder just where they stand. This isn't an isolated instance by any means. The other day the SNCC house was shot into 4 or 5 times. The local detectives and FBI came around and told the two guys who were almost

We also put on Robert Lee Daniels, the Taxi-driver who was in the jail and saw the entire shooting. He testified that the sheriff got out of the car just like Charlie said, pulled his pistol, and shot him three times. Daniels made a great witness as they couldn't terrorize him like they can the Negro who live in Baker Co. He refused to ever say yessir, as Gardner called him Robert. At one point Gardner asked him how ~~xxxx~~ he could be so sure the sh had a pistol in his hand if he were standing in shadows. Daniels said, "I you, I saw fire jump out three times and I was sure it wasn't a slingshot". Another time Gardner wanted to know how he know that Minter got into the ca with the sheriff when they took Charlie to the hospital, as this was ~~xxxx~~ on the dark side of the car. Daniels said, "I saw him walk around to the doo I heard the door open, I heard the door shut, the car drove away and he wa there, so I guess he must have gotten in and drove away with it". During t charge to the jury one of the boys in the courtroom pulled out a fingernail clipper and started working on his fingers. The first time he did it, Hol who was speaking, jumped about a foot, as it sounded like a pistol being co The jury went out around 10:15 am friday and stayed out until after lunch, was a suprising long time for a Baker Co jury to stay out when a trying a Ne When they came back they found him Guilty as charged, but recommended that felony be reduced to a misdemeanor, which almost killed the audience - the judge saved the day for the local boys by denying the ~~xxxx~~ recommendation. would seem that this is some indication that there is hope even in Baker Co Maybe these people haven't reached a point where they will not allow a Negr to be sent to jail on a trumped up charge to save the sheriff's face, but t did seem to want to mitigate it as much as possible. We couldn't expect mo and there ~~was~~ doesn't seem to be much of a problem getting this reversed as was so full of reversible error as to be unbelievable. I guess I must be getting very complacent about the court system in the South. I don't expec to ever think of getting justice at the trial court level - when a Negro is involved with a white, or in a civil rights case, trial court is simply the place to build your record for the trip up the appellate route. You can on hope for justice once you get over into the Federal side. We were worried first that Charlie might have to stay in Baker County jail for a few days, we were convinced that Johnson wouldn't mess up the job this time; Charlie would have been shot trying to escape, and that would have been the end of but the court allowed a property bond instead of cash, and we got the Mille family to sign for it, so we took Charlie back to Albany with us. As Mr. M said when he signed the bond, I couldn't sleep tonight, knowing that Charli was sleeping in the Baker jail, and this voiced ~~xxx~~ the sentiment of all of



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Sunday July 28 was a very uneventful day. I was invited to CB's mother's house for dinner, along with his brother Paul and wife Amaya. Spent the rest of the afternoon over at the SNCC office talking with Ralph and James Daniels. In the evening the four girls from Terrell County came in and we all went out to the DAV for supper. CB had gone by the post office in the afternoon and we received Judge Tuttle's opinion in Anderson v. City of Albany (the suit to desegregate the city facilities.) The court ruled 2-1 in our favor, Gewin, J wrote an elaborate and prosaic, if slightly irrelevant dissent. Anyhow, they remanded back to US Dist Ct to issue the injunction against the City. Of course, this is primarily a moral victory as the City has since sold the Tift Park pool to private owners who discriminate based on "the right of free-enterprise, that bastion in our American way of life", but there is language in the opinion which might indicate that the fifth circuit would be willing to hear argument that the sale was solely to facilitate State segregation - we will have to see. On Monday it seemed as if the day would never end. We left here about 1 pm and drove to Americus for hearings on the 16 juveniles arrested about a week ago. They were in three groups of charges: blocking the sidewalks; interfering with an officer making an arrest; and parading without a permit. The parade consisted of about 15 kids walking two blocks downtown. The interfering with an officer was really ridiculous - it seems that while the cops were loading the "paraders" into a grain truck which serves as a paddy wagon in Americus, a group of 5 kids came by to watch, one of the cops yelled, "you want to come along too", and they promptly jumped into the wagon. The blocking of the sidewalk charge came when two people were standing one behind the other at the white ticket window of the movie waiting to buy a ticket (by custom in Americus they would have to wait forever). Anyhow, the presence of two people, standing next to the building sufficiently blocked free passageway of the sidewalk to cause their arrest, tho the Chief testified that a white line going around two blocks doesn't block the sidewalk. Anyhow, the Juvenile Court judge is starting to crack down - he put most of the kids on probation after making them pay room and board, also turnkey and other assorted charges to the sheriff, but two of them were on probation from the Industrial School for other charges, and since he considers peaceful protest a "crime" he has written to the School to see if they want to revoke probation and send these two back. Well, Judge Smith rambles on a good many hours in his little homely lectures on the virtues of learning the 10 commandment and of going to church (but not if they are using it for Movement purposes) and it was about 6:00 before he finally got done. We then had to drive the 40 mile back to Albany, and then another 60 miles to the southeast, to the city of Thomasville in Thomas County, where CB was invited to speak at a bi-racial council. He brought me along because he thought the change would do me some good. Not that Thomasville is any marvelous place, but it is simply one of the many smaller towns around Albany that are scared to death of having "an Albany" of their own - they are looking to the future, and see the possibility of new industry by-passing their town as it has avoided Albany in the last few years. Thomasville has about 25,000 population; it has two Negro policemen\* (a rarity in the South) and opened a few petty city jobs to Negroes. Though the Council hasn't really accomplished much, it is a very necessary structure to have in existence, as the only way the Negro is going to get anyplace is to take to the streets (note Cambridge, Md)x but you will then need some sort of forum where things can be worked out, so it is easier if this exists already. It was a really beautiful thing to walk into this very modern building and see six Negroes and six whites sitting around a conference table. Black and white sitting together is something one rarely sees around here (other than in the SNCC office or at mass meetings) and my initial reaction was almost one of shock. As I said, they aren't accomplishing a hell of a lot; the whites expect constant reassurance and approval that they are doing a marvelous and magnanimous act, and the Negroes have the impossible job of trying to convince them that their people aren't satisfied with a whole lot of talk and two desegregated drinking fountains, but at least the forum is provided. Moultrie and Brunswick, Ga. have also made some strides, both based primarily on a fear of having a repetition of Albany in their cities - it is only Albany who can't learn from Albany. We stayed pretty late and then drove back to start preparing pleas for Fitzgerald, Ga - this is another little cracker town about 75 miles to the East. Seems about 21 kids went down to the City library and staged a sit-in on the steps when they were locked out, and were arrested. I had been feeling sick all evening and finally had to go home. I must have gotten some kind of flu as I was awake all Monday night and couldn't stand up Monday morning. CB went up to Fitzgerald without me and tells me I missed quite an experience. The "judge" there (no law degree) completely ignored the fact that the defendants had counsel - he would occasionally cut off CB's cross-examination to "speed things up", etc. Being sick caused me to wonder what happens if CB gets sick; this problem hasn't come up before, but actually he can't get sick as there is no one to take his place, just as he can't take a vacation. I came in Wednesday morning but still wasn't feeling too good. Everyone around here is some kind of minor medical expert and offers all sorts of terrible tasting remedies in dirty old bottles, which generally taste very much like chalk, but is "sho good for stomach ills" and it is a great offense to refuse this, so I drank lots of bitter chalky stuff, some of which I found out later was ulcer medicine as this is what the person who gave it, misunderstood my problem to be. We prepared the transcripts for certiorari for Slater and those tried with him, also some of the first Americus trials (in Americus you get 20 days for certiorari, not the standard 30 days). We also took depositions

on a case CB has against the insurance company that insured Mt. Olive Baptist Church of Sasser, Ga (one of the four churches in Terrell Co that was burned last year to register the protest of the good white neighbors against all that voter registration business that was going on there). The insurance company is now claiming that it canceled the policy shortly before the fire, but we have a pretty good chance of winning this (at least on appeal - in this context you never consider winning a case at trial court level). Anyhow, around noon I couldn't take it anymore, CB said I looked kind of green, so I went back to Franks house and went to sleep - I got up around 5 and felt fine, some of the ulcer and assorted other medicines I was given probably helped, and I had heard there was a meeting out in Terrell County, so I went over to SNCC and went out with them on the bus. The SNCC bus is something else; it was a gift from someone in NYC, it used to belong to a Reform Democrat Club, is painted red, white and blue, and very well known in the area. Also it is about as mechanically unsound and still running as any vehicle can be. Everything under the hood is held together with wires, and when it doesn't start people kick it violently, which usually gets it going. About half way out to Sasser, which is real bush country, the headlights went out. We spent a very hectic half-hour trying to get them fixed, knowing that any minute kindly old Sheriff Zeke Mathews would be coming by, just delighted at his catch, but we finally got them working (one of the guys had to sit under the dashboard and hold the wires in place) and made it out to Sasser. The meeting was held in a tent on the burnt out site of old Mt. Olive, and there were about 25 people from Albany (some SNCC kids and alot of local teen-agers working with them) and about 25 from Terrell Co. It was a really great meeting; these people have been intimidated, beaten, burnt out, thrown off their land, but they keep on fighting for freedom, keep going around trying to get their more timid numbers to go down and register, and the spirit felt at this meeting was very moving. When everyone sang "We Shall Overcome" at the end, you can really believe it. SNCC has sent four girls out to Terrell to do voter registration work. Last year Ralph Allen and Charles Sherrod were out here, and Ralph was badly beaten, and arrested several times. Prathia Hall is the head of the group, she has been working in southwest Ga for quite a while now, the only Negro in the Terrell Co group, she is originally from Phila. Faith Holsaert, student from Barnard is also working here. She is the girl who the cops were messing with when she was locked up in the Albany jail. Also Wendy Mann, grad. of Skidmore College, lives outside Boston, and Sue Wender from Detroit, student at the U. of Mich. Great girls, all very capable, but I worry about them as Terrell is a whole lot worse than Albany. It is very hard for whites to work in the counties, first because of the hostility of the white community (they are much more easily identifiable) and also because the farm Negroes are very suspicious and afraid of any white, but so far they seem to



have been making progress, took a few people down the other day and got them registered. Terrell Co has about 12,000 (60% Negro) but before SNCC came into the county they had only 40 registered voters. Last year they got about 130 more new people registered, besides recruiting alot of local people to help them canvas. On Thursday we did some more work on the certiorari's, also worked on pleas for the trials in Albany tomorrow. Pritchett again allowed me into the jail ( it is very hard for him to be consistent, today he was all smiles and very gracious) I had to see Lennie Mae Thrower, who was arressted June 24th and has since been in jail, about 5 weeks now, as there wasn't enough money to bond her out and they wouldn't allow her out on property bond as they did most of the others pending trial. She is charged with the same kind of thing as John Perdew - state charge of assault with intent to murder, and a city destructio of public property for throwing a pop bottle at a police car. We have three witnesses who were with her when this supposedly happened, but it won't do much good. What happens here is that alot of people are standing around, some kids in the back of the crowd start throwing bricks and bottled, and the cops grab the first person they can, then swear that is the one they saw throw the bottle which broke their window, and there is very little you can do about it. We also got a call from a Reverand in Bainbridge, Ga (near the Florida border). It seems that there the voting officials are marking Negroes ballots to see how they voted so we might be bringing a suit down there soon. They still maintain segregated voting lists and seg. voting places. Also the other day a 15 year old Negro girl who was baby sitting had the unpleasant experience of having the father of the family for which she was working, come in and undress in front of her, and tried to force her into a sexual act. She ran out and her mother reported it to the police who told her to swear out a warrant with the justice of the place as there was nothing they could do. At times I think my accounts of what happen here read very matter-of-fact, but this is only because your senses get very dull to the behavior of the whites and the humiliations Negroes are subjected to daily, and all these things start to seem like just another occurance to be ~~xxxxxx~~ set down on paper. I don't know whether its just that I'm damn tired, or have been here too long, but it takes a whole lot to upset me now. There is a very interesting thing going on ~~at~~ in Macon at this time, and an excellent example of the speed, power and effciency that can be used by the Federal Govt in this area when it wants to. There was a juror named Carl Smith who served in the civil trial of Charlie Ware v. the Sheriff (suit for damages) Smith owned a grocery store in Harlmm with an exclusively Negro trade. A<sup>F</sup>ter the verdict some of the people started to picket his store, word got around, and he was put out of business. Anyhow, there is a Federal Statute which makes it a crime to interfere with a juror both during his service, and after based on his service.

So far the government has suppeoned about 70 people to Macon for the grand jury presentment (including people from Detroit and NY). They sent a team of 15 FBI investigators into Albany he spent days investiagting. Here is the full panoply of the Federal Government in action (when they want to be), but when a Negro is brutalized by the local police, or the SNCC house fired into, there is a cursory investigation by the local FBI agents, perhaps a report filed somewhere, and that is the last anyone hears of it. You can imagine the effect this has on the Negro community; not the fact that the US wants to prosecute under one of its laws, but that it puts its full waight here, when one white man goes out of business, yet does nothing more than a superficial job of investigating when Negroes are murdered under color of law. Anyhow, the government can rest easy, they wont have any trouble getting a true bill from the grand jury in this case. Tomorrow morning (Friday) we have trials in Albany again. They haven't had a session since when Slater was tried as the Judge went on vacation; same old farce starts again. I have heard from alot of the SNCC people that they aren't getting all of their mail - letters that they were expecting never arrived and letters which they sent out never got there, so I would appreciate it if everyone to whom a copy of this is sent, write back a note immediately to let me know if you got this letter (and you should all have a complete sequence starting from the time I got here) as I am not getting a hell of a lot of mail and am beginning to wonder if all of mine is getting through.

Friday the Recorders Court in the City of Albany again sat to dispense its own special kind of justice. First on the calander was James Daniels, Lucille Mormon, Pete de Lissovoy and Phil Davis whose trial was started the last time; they were being charged with disorderly conduct. James is a big gang leader from CME who is very involved with SNCC now and does a great amount of work for them, and has brought alot of his people into the Movement, ie. Lucille is a young girl from CME who was never active until James got into things. Pete and Phil are two white SNCC workers, among the most active of the group, and very good people. Davis is from Berkeley, and Pete is from outside of Chicago, was a student at Harvard, traveled throughout Africa last year, both these guys are very "aware" in a very meaningful sense; they have been working with Daniels out in CME, actually they wereresponsible for his coming into the Movement. deLissovoy is a very crackerish looking guy, light blondish hair, very light blue eyes, small build; Davis is somewhat bigger, dark complected, about my age - Pete being quite a bit younger tho this is notevident. Grady Rawls, the City prosecutor, was at his best - he is an enormous, disgusting looking man, huge belly and several chins, very hard of hearing, usually with a soggy cigar mashed in his mouth. His questions were so ludicrous that I



couldn't help smiling, so did Liz (the Harvard law student who is working with us). Rawls announced to the Court "those that sit with counsel are grinning and sneering at me and I find that obnoxious". Then Rawls made a face at us, he is quite a bit of a baby at times, but Judge Durden, who was extremely nervous today (when he gets bad he starts rifling the pages of the judgment book on his desk) ignored the whole thing, other than to have us identify ourselves again - he said he knew me, but wanted to know who Liz was. Durden is disturbed by this whole thing; he can never look at CB when he overruled an objection, and speaks barely above a whisper. Daniel's testimony was terrible for the case, he got rattled and then very angry, and when Rawls asked where he was going, said, "we were marching downtown to go to the movie" Rawls said, don't you know you can't get a ticket there, you were going to go so you would get arrested, James said, "that's right". Then they called deLissovoy back on and asked him if he were arrested in South America. Pete said he had never been to South America, but had been to Africa and was arrested there (he had been deported from the Union of S. Africa, and had problems with the police in about 6 other countries because of his racial beliefs) He is an extremely brilliant and articulate person, and seemed to enjoy the stupidity of Rawls questions. Then Rawls asked "When was the last time you were in Russia and Pete told him he had never been there; also asked him "do you have any Communist affiliations" CB was objecting all through this, but Durden, for the first time that day, seemed to be paying attention, and overruled the objections. Clearly this line of questioning had some bearing on whether they were guilty of disorderly conduct in Albany, Ga. CB told them there was no foundation for questions on economic or political views unless they are admitting that these arrests were for conduct against the social norm of the community. Pete was also asked if he had attended Highlander Folk School or Dorchester (similar voter reg school in Ga, which is about to be investigated by the State HUAC). deLissovoy answered all the questions and never got rattled, but was his best when Rawls asked if his activities were regulated by Martin Luther King and Pete said, "my activities are regulated by my conscience". After a couple of more idiot questions trying to make him out to be an "agent of a foreign power bent on the violent overthrow of tradition, etc" with a fabulous salary paid by Russian gold they let him off the stand, and the good judge found the four of them guilty - \$102. or 30 days. We had \$1000 left in the bond fund so I went down that afternoon and with the usual running around finally got them bonded out. After I corrected the desk sargent that Mister Daniels and Miss Mormon were Negroes, and he didn't say anything more, I was really happy. The next case called was Lannie Mae Thrower - she has been in jail for 40 days because there wasn't enough bond money (she is also held on a state assault with intent

murder charge (like Perdew) She is about 20 years old, mother of 2 children, under 5' tall, and supposedly hurled a bottle 100 feet through the window of a police car. This is one of these arrests made in Harlem on a Sat. nite. A lot of people are milling around, a bunch of kids start throwing bricks and bottles at the cops who are down there harrassing them, and the cops grab the first person they can catch. Durden started to sound like a humanitarian; it is possible that in his own mind he really didn't believe she was guilty, so he said something about the time already spent in jail and the fact that she has two kids and sentenced her to 60 days probation (where she will not be much of a problem as she goes over to County to spend more time in that jail waiting for her State trial - there just isn't sufficient bond money here and her bond is around \$1500 - as an aside the Marine who shot the Negro RR guard is also charged with assault with intent, but he is out on \$500 property bond. Seems to make a difference who the victim is in these cases. We still didn't get to try Perdew or Jeanne Wheeler, or a lot of people still waiting trial from June 18th as tho Pritchett promised these trials would be called today, he then said that all his police witnesses in these cases were on vacation. CB got into a big argument and called him a liar in court, it was beautiful to see Chief get purple, but that ended court for the day. The rest of Friday was spent getting the certiorari petitions for Americus ready. On Saturday we started in on the pleas, demurrers, and motions for the 29 kids to be tried in Americus on Monday; they were arrested for "parading" and "loitering" which means some kids were trying to buy a ticket to the movie and were arrested, while others didn't get to walk as far as the ticket window. Americus has a parading ordinance which is almost unbelievable. Any group of over 5 people, or any two or more vehicles must get a permit 10 days previously, at the discretion of the Chief which can only be appealed to the final determination of the Mayor.; its frustrating to know that these damn ordinances are blatantly unconstitutional and yet that we haven't got the time or the money to appeal these cases under them.

Joni Rabinowitz got back from NY the other day to appear at the Grand Jury in Macon in the Carl Smith matter. She raised a lot of money for SNCC in NY and will probably go to Calif. in the fall to try and raise money there. On Sat. she



Daniels (owns a beauty parlor there, her house has been shot up several times when Ralph and Jack Chatfield were staying there last year) Carolyn is a very bright woman, very interesting, but also very unpredictable. Like many of the very intelligent Negroes you meet here, she is hopelessly frustrated from a lack of anyone to talk to, but has found an outlet in the Movement, while so many others leave school and wind up as junkies in NY. Living with Carolyn is a very hectic proposition as she reputedly has a very extensive love-life and occasionally tells the girls to go back to Albany for a few days, a friend is coming to visit. Prathia is the leader of the three, a very big Negro girl, very matronly looking, immensely popular with the church ladies, she has no trouble getting established in any of the county communities. Faith is a Sephardic Jew and very olive complected - when she walks around in the white community with Barbara Ann (Carolyn's daughter, who is also very light skinned) the people assume she is Faith's daughter, a product of the thing they fear most - the spectre of miscegenation, and tho nothing has happened to her yet, she says the hatred is so open and obvious as to be very frightening. Wendy is a very pretty girl, light brown hair, and a source of great curiosity to the Negroes in Terrell County who have had very little personal dealings with whites. Groups of guys will come over to Carolyn's house and spend the afternoon just staring at her and Faith. In Albany the Movement has been around sufficiently long so that whites are no great novelty and even the white community is used to seeing black and white together (tho they still react in the same way, generally by spitting at you) but Terrell is new to this, and alot of times you get the feeling that people don't even listen to what you are saying, they are so fascinated by the whiteness, which has so long been held out to them as some kind of damn virtue. Anyhow, things are starting to move in Terrell County as far as voter registration goes, but it is a long slow process. Terrell has 12000 people, Negroes number some 67 percent of the population, which would be about 8000, yet only about 159 are registered. In Albany, registration is only a hassle, you never seem to have the identification they require, or they office had to shut early, or some other irrelevancy, but in Terrell County, to register means to loose your job or get thrown off the land. None of the Negro teachers will register and students have been thrown out of school because of this (in Georgia you vote at 18). This is where the 4 churches were burnt and the landowners have announced that any Negro who attends (even for worship) they churches that they are rebuilding will be put off the land. But they have started a citizenship school which meets once a week, they registered 2 the other day, one more yesterday, and a couple have promised to go down during the week. The 3 kids are also trying to get a community center started as the youth have no place to meet, and aside from the ~~church~~ church, there is no social center for the adults. I just heard something that happened on Friday night. Mrs. Christian, mother of the Christian girls who are in every demonstration and have been arrested, beaten, and otherwise mistreated by the police countless times, was arrested (she has also gone to jail for demonstrations along with JoAnn, LaVetta, Jamesine, and Dolores her daughters) The police chased a group of teen-agers into a restaurant in 6 Point but the kids got away. When the cops saw her sitting there they just arrested her and charged her with disorderly. Her brother-in-law and the woman who owned the restaurant asked why she was being arrested and mistreated (they twisted her arm behind her and pushed her through the door) and they were arrested also, for interfering with the police. I thought this might touch things off as she is an immensely popular woman, and a bunch of the gang kids got their guns and started to round up others, but things cooled off. People started going around the streets to collect money to bond her out, and I think the three have been released on bond today. On Sunday I didn't do much, mostly finishing up these letters. I went over to Box Bottom (north side) to see some people and heard that the white grocery owner in the neighborhood just kicked some old man, so the people will probably start a boycott out there. Box Bottom is a very poor area where the people don't have much to do with the Movement (except for Randy Battle who is very involved) Randy is very much like Eddie Brown, very handsome kid, used to be in alot of trouble with the police, did some time for cutting someone but has now started to work with SNCC and is very effective in the Box Bottom area, getting the kids interested.

~~Liz Holzman.~~ Liz is a first year student at Harvard who came down a while ago and has been working in the office ever since. At first I was very much against her staying and both CB and I were very scepticle about the whole thing, but she is a fine girl, works very dilligently doing any job given her without complaint, and has completely identified with what is happening here. A friend of hers from Harvard also showed up here. This kid~~s~~ is unbelievably bad, antagonizes everyone he comes into contact with; has a real paternalistic attitude to what is happening here "the great white hero down from the north to get the darkies straight" kind of a thing, anyhow, he will be leaving shortly so we just ignore him. CB is far too good a person to tell him to get lost, so he hangs around the office, and now has enough sense to keep out of our way. So, they took poor Liz off to Macon to the grand jury hearings in the Carl Smith matter. We couldn't figure out why they wanted her as she wasn't in Albany when the picketing was going on, but it turns out they wanted to question her about a meeting that was supposedly held in our office (but it would seem that she was primarily important for the shock value to the grand jury of a white girl working for a Negro.) What happened in this Carl Smith case was that he owned a grocery which sold exclusively to Negroes, and like many other stores that deal with Negroes but mistreat them and refuse to hire, he was picketed, and now the Fed Govt is trying to indict under 18 § 1503 (injuring a juror). When we got back to Albany we found out the Govt Marshalls also took Mrs. Butler (secretary) up to Macon; also that someone tried to run over Phil Davis while he was doing voter registration work-he reported it to the police but nothing happened. Also discovered that the protests on the part of local kids are taking on some very original forms. Almost every ~~at~~ STOP sign in town had the word "SEGREGATION" stenciled under it so now the signs read "STOP SEGREGATION" also there is a very offensive statute out near the park in front of someone's house - a Negro jocket hitching post. His face was given a coat of white paint. On Tues (July 6) CB was subpoenaed to Macon so I was left alone in the office. Wrote letters to get continuance in different cases as we anticipated CB being kept up there for a while, but he was excused at the end of the day along with Liz and Mrs. B. All said it was the most humiliating experience they have ever had - the grand jury asks any questions it wants, no matter how irrelevant, and they gave CB an especially bad time. Penny Patch's parents came down from Englewood and ate dinner at CB's



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Monday Aug. 5: Early this morning we drove up to Americus for the trials of those arrested on July 19 and 20, most of whom were seeking to purchase a ticket of admission to the Martin Theatre, but refused to get same at the back door, historically the Negro entrance of the theater. The manager refused to sell tickets and the kids were arrested for blocking the sidewalk (which meant in some cases the amount of sidewalk blocked when two people lined up one behind the other at the ticket window) As usual we elicited the testimony that this line was blocking the sidewalk (a line of 2 people) but lines of whites which run around the block, don't. The Chief also said that the arrests had no racial basis, but were simply for violations of City ordinances. The day wound up with 11 convictions for 11 defendants, all given the maximum 60 days or \$106. There was also a girl convicted of disorderly conduct, a charge which generally carries a penalty of 7 days of \$15 in Americus, but she was identified as being involved in the Movement here (she was wearing a SNCC pin when arrested) and therefore was given 30 days of \$55. We have been getting them out on property appeal bonds when we file certiorari, but the City is beginning to realize that the Movement is here to stay and started causing trouble with the property bonds. John L. Barnum (Frank Holleys brother-in-law) had been going bond on everyone convicted. He and his family own a funeral home in Americus (the funeral business is one of the most lucrative of the Negro businesses) and he has property worth over \$300,000. which everyone in Americus is well aware of, but now the City is demanding a financial statement. John L.'s involvement in the Movement is rather interesting; he was constantly getting into serious trouble with the police, generally for getting drunk and beating them up, and buying his way out. He is very well liked by the white community (in the way that any rich Negro is well liked). I am sure that most of the things that the average Southern Negro encounters never touched him, as money was never a problem, and when he had ~~in~~ trouble he had only to write a check - so that this was a way of life. But Don Harriss, the SNCC worker in Americus got through to him and now John L. is completely involved - all his "good connections" with the whites uptown, the Chief, etc. aren't worth a damn anymore, and they have been harrassing the hell out of him. No one in town can understand what has happened to him, "he was always one of the finest niggers we had" I was told by a city official. The people (white) cannot understand what the Negro wants, what the Negro must have - that being a sense of dignity and achieving the status of human being. Also, I think that the Movement gives John L. a great outlet for his ego and a chance to show the white community "where its at", both of which he needs, so the association is good for both parties. In the middle of the trials a Federal Marshall came in with a subpoena for Liz Holtzman. Liz is a friend of mine.

house where I had been invited; Albany has proved to be a very shocking experience for them, as no matter how much you read about this place, it is only after you are here and see what happens that it can really affect you. We got a call from Fitzgerald, Ga, a little Cracker town about 65 miles East of Americus Albany. They had been having sit-in's at the library there about a week ago. The leader of the movement there is a girl named Mary Moss, and everything revolved around her. To get her out of the way three citizens took out peace warrants against her for a total of \$1500. What this means is that a person goes before any judge and states that he believes that his safety or that of his family, or his property is being threatened by the person named. They are then arrested, a hearing held, and if the Judge feels that this is true, can set a bond which lasts until the next term of Superior Ct (they only meet twice a year in the smaller counties) and if you can't meet bond you sit in jail until then. This is what they have been doing to Hosea Williams in Savanna. Anyhow, at the first hearing she asked to be represented by counsel, so the judge gave her 20 minutes to produce CB, and then went on and heard the case and put her in jail pending \$500. bond. These peace bonds are hell, as you can get every white citizen in town swearing them out, and bond someone to death - a very effective tactic for getting at the movement's leaders. On Wednesday we wrote up motions for a new trial in Slater's case (where he is being sued by his former tennant) - of course the motion was summarily denied. Wed night I went out to Terrell for the mass meeting. Work is progressing on the burned out churches, but it goes very slowly. They are having trouble registering people as they have about rounded up everyone who has enough nerve, all the others tell you they remember what happened to Brazier (police beat him to death a couple of years ago, written up in Justice - Civil Rights Comm publication) Also alot of the people who do not live on the land and depend on "Mr. Charlie" to let them stay, work for a peanut oil company who fired a few workers who registered, so they refuse to go down; but alot of local people have joined in the efforts to canvas for voters, so it might pick up - getting people over the fear (which certainly has a valid basis) is the hardest part. Thursday we managed to get another piece of private practice done - drew up a warranty deed in a land transaction, also a will.. This is the first outside work (other than civil rights) we have managed to get done in quite a while. Thurs. night I drove up to Americus with Joni Rabinowitz, Eddie Brown, Emory Harris and Bobby Holloway for the mass meeting there (the three guys are all ex-gang members working with SNCC) I was amazed at the fantastic work Harris (Don Harris) has done in Americus. The church was packed and everyone was ready to march. Don is from NY, a grad of Rutgers, been here for about a year, but I believe he only went up to Americus around March. He has gotten John L. into the Movement, and the local kids love him. After the meeting about 150 people walked up to the end of the Negro section, singing. Perdew and Ralph Allen (both SNCC from Albany, and white) went up with the local people. This morning we heard that the cops, state troopers, and Sheriff pulled Harris from the crowd, beat him on the street and arrested him, also Perdew, Allen, and Sallie Mae Durham and have charged them with resisting arrest, attempting to incite insurrection, inciting to riot, and a few other choice charges. We heard that all of them were beaten badly in jail, but the worst was saved for Harris whom the cops hate. Friday CB won a case: Lannie Mae Thrower (who was being held in jail as we didn't have bond) had a commitment hearing on the charge of assault with intent to murder. We had dug up a 1904 case, State v Bray, which held that one who threw a rock at a train which narrowly missed hitting a passenger lacked the necessary intent for this charge, and the judge went along with this. Truly amazing, as the judge was Clayton Jones (McGill of the Atlanta Constitution wrote an editorial on him recently) who addressed the last KKK rally in town. Since she was put on probation for the City charge she is out of jail now, and can go back to her two children. Also today the inditements came down from Macon. Bonds totaled over \$20,000 on the 9 people: Joni Rabinowitz, Goldie Jackson, Rev Wells, Slater, Chatmon, Robbie Thomas, Luther Woodall, Dr Anderson, and Robert "New York" Colbert. The last three were charged with the jury statute and everyone else with perjury. This is about the worst thing I have ever seen here, as here the Fed Govt seems to be doing the dirty work for the power structure. We ran around all



afternoon trying to convince the more affluent members of the Negro community to sign property bonds, which was like pulling teeth. The Clerk of the U.S. District Court is Sheriff Cambell's son (the sheriff clubbed CB last year) so this made the job extra hard. Finally Frank Holley, who really had been virtually uninvolved in Movement activity, came through beautifully. He personally signed 2 of the bonds and talked another guy into signing three, so we have everyone out on bond. It would seem that the Fed Govt, in this particular instance, has shown the resources at its command - its ability to send approx. 15 FBI into Albany to "beat the bushes" for witnesses; its readiness to issue subpoenas for over 60 witnesses to come to Macon for the hearing, a distance of over 100 miles for most, but in some cases from as far as NY and Michigan; its very thorough preparation for the hearing which lasted over a week; the fact that obviously this was arranged and coordinated in Washington, and was not the work of some local hot-shot prosecuting attorney who has aspirations to be governor someday. One would wonder why the Fed Govt cannot begin to approach this display of efficiency and attention when Negroes are shot, beaten, and brutalized at the hands of the local police. As an elderly Negro resident of Albany stated: "Even the Federal Government is a white man". The purpose of the hearing was not disclosed in the subpoenas, and one witness who inquired into the nature of the hearing was told to just answer the questions. The lengthy hearings seemed to be directed towards establishing that a local boycott of a white grocery store owner because of his hiring policies and general mistreatment of Negro customers was really instituted because of his verdict in Charlie Ware's suit against the Sheriff (after being shot 3 times by him) Other white store owners with similar policies were also boycotted and even today a ~~selective~~ selective buying policy is in force. Now, for the first time, and long overdue, the Federal Government shows an involvement in Albany - but it is on the wrong side of the table. Early Saturday (July 10) we drove to Fitzgerald, Ga, about 65 miles to the East. This is tobacco and peanut country; highway has many stands which sell boiled peanuts (wierd tasting, boiled in salt water) We went down for hearings on peace bonds for Mary Moss (she already had one on her, when she had been given 20 minutes to produce counsel). Amazing things happened in Fitzgerald. The guy who swore out the peace bond was illiterate, and his testimony seemed to show that he signed it without having it read to him. He also signed a pauper affidavit but testified that he owned a car worth about \$700. and was paying off his house and was employed. His testimony was fantastic. At one point CB asked him about the conversation he was having with relatives in his house when allegedly 30 Negroes including Miss Moss were talking in front of his house at 10 PM (he was in fear of imminent harm to himself and family, also violent injury to property - the Statutory prima facie case) The witness said "I object, don't have to tell you what I do in my house". The judge then said, "the court objects, his house is his castle" when the court sustained its own objection. Finally the City attorney made an objection and told the judge to sustain it, and not the court's objection. This characterizes the whole tone of the trial. Actually Mary Moss wasn't even there that night, but could prove (with police as witnesses that she was at a mass meeting blocks away. But we didn't have to offer any evidence as the judge ~~xxx~~ granted our motion to dismiss at the end of the State's case (after having a recess where he left the court) The other peace bond was signed by a "white lady" and he called her name, waited 10 seconds, and then dismissed as she wasn't there) - it would seem that he wasn't about to let "that Nigra lawyer" rake her over the coals as the last person was. So we left Fitzgerald around noon, drove back to the office, then right up to Americus. CB was very tired as he woke up at 4 AM because of a crank call threatening his life. We went to county jail to see Perdew, Allen, and Harris, but were told the sheriff (Sheriff Fred Chappell) wasn't in. I walked inside and saw Sallie Mae Durham in the first cell (I couldn't get to any others) but could yell thru her cell and Harris could hear me thru the vent pipe. He said he had been pretty badly beaten but was all right now. Sallie had been punched in the face by the troopers, Ralph had some stitches over his eye, and Perdew had been *clubbed by the cops.*

Friday August 16: On Wednesday Aug 14, the Albany Herald carried a headline reading: "FBI Agent Denies Albany Cop Brutality" and the rest of the story concerned statements made in a speech by Mr. James McMahon, FBI agent from Atlanta to the Albany Lions Club, including this quote: "Vocal pressure groups, said McMahon, set up a hue and cry for the FBI to intervene in the 'breakdown' of local law enforcement, but the special agent went on to record flatly that 'no such case has occurred in Georgia'. The Editor, James Gray stated the article and headline had been read by McMahon and approved in its entirety. McMahon first denied reading the article but then admitted it after being told of Gray's statement. When asked specifically and directly whether he denies the existence of police brutality in Albany he evaded the question and agreed that he had no comment to make. This is the "impartiality and good faith" of the FBI in the area. Same issue of the Herald carried an AP story which began: "The Justice Department says it has found nothing to substantiate Negro charges of police brutality during anti-segregation demonstrations in this South Georgia City (Americus)" The local FBI agent, Bolyard, advised us that investigations were still under way and that such a statement was "premature". I saw the bloodstained shirts of these teenagers, I saw Milton Wilkerson with a blood soaked bandage around his head and over 20 stitches, I saw the burns on the arms and shoulders of Thomas Douglass, and I saw the clubmarks and burns on the bodies of many other young men and women. Statements like the above by the Justice Department and FBI convince the Negro that there is absolutely no where to turn in the struggle - that the Government itself is unconcerned and worse. I phoned the local FBI two days ago to advise them that I would be glad to give them a complete statement as to the nature of the wounds that I saw - they promised to come up and get this, but still haven't shown. Where does the Negro turn when the Federal Government shows itself to be completely disinterested in the deprivations of his constitutional rights - unconcerned when he is beaten, burned, and murdered, often by local law enforcement officers. Talk about patience, talk about making gradual progress in the civil rights area, SHIT! And now, the latest, clearest, and most blatant example of Federal concern - the indictments at Macon. When the Federal Government does decide to involve itself in the travail in Albany it alligns itself on the side of the bigot, the Klansman, and the arch-segregationist - we have alot to be proud of.

Taking its cue from the Federal Government, the local police have again begun their harrassment of SNCC workers. Robert Weil, a student at Columbia, who just arrived in Terrell County to work with SNCC on establishing a community center (there are no recreational facilities for Negroes in Terrell) was arrested yesterday by Chief Cherry (who beat Mr. Brazier to death a few years ago because he had a new car). He was held for investigation for 25 hours on a stolen government check charge - then released. In Albany Chief Pritchett hasn't wasted any time. The SNCC house was broken into and John Washington arrested on the street in front of it - investigation.

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James Daniels was also picked up and held a few hours - investigation. Joni Rabinowitz, who was giving out voter registration material, ran up into the office, the cops were after her in Harlem. Pete deLissovoy was picked off a porch in Box Bottom and taken down for questioning. He was told by one cop, "now that the Federal Government is going to put the Movement's ass in jail, we will put your ass in too if you don't stay off the street". He was also told "The Government will have Slater and all those niggers in jail in a month". One cop, with the friendly approach, told him that "You are working for a larger force than you realize, and when those niggers and communists get done with you they will slit your throat and dump you in the river". No question in my mind that all SNCC workers left in Albany (many are in the North trying to raise money for the March on Washington) will be arrested for "investigation" or held on some trumped up charges in the next few days.

Saturday: worked on more legal memo's in the committment hearings on Allen, Harris, and Perdew. Finished insurrection; unlawful assembly; and obstructing a legal arrest. This afternoon I am riding to Americus with Sherrod - hopefully I will be able to obtain the names of those arrested last week; the Chief won't give them to us over the phone. Also enclosed is a statement put out in Albany re those indicted in



I find myself so depressed lately, it is unbearable. I really can't face the prospect of leaving Albany, yet I want desperately to escape the reality of all of this. I feel as if I were deserting, no matter how much I try to rationalize it. After the trials (hearings) on Harris, et al - they stopped before they got to Zeb Aloyen (CORB) - but I guess it doesn't matter much, he won't have his hearing until Sept 3 but they will bind him over without bond until Nov. also, so what does it matter if they go through the formality of a hearing - just lock everyone up, screw them, no one really cares anyhow. I keep reflecting on this and it bothers me: I think about reading about 5 people getting killed in a car accident, it doesn't phase me, its more words in the paper, what the hell do I care, I didn't know them, they weren't friends of mine, I don't know what they thought about or who they were sleeping with or anything else.- and I know that this is what happens when people read that James Brown was shot to death in Americus - who the hell was he; some poor demented Negro, so what. So what if Milton Wilkerson gets his head split open, or if Rosie Rushin has burns from the cattle prodders or if Harris and Sallie and the others stay in jail until November, then are ~~found~~ bound over for trial by the grand jury and convicted and sit around in jail for maybe a couple of years while the appeals drag on - so what, you don't know them, they are just names. Does anything make ~~any sense~~ anymore. Do you understand what is happening here, here in America. Understand that these are people I know, that I love, that I care about very much and their personal wellbeing is as important as mine, and they sit in jail while their stitches heal and my head hurts with theirs, but to everyone else they are just names so it just doesnt matter, they are just 5 more people whose life was snuffed out in a car accident.

Perhaps I can get out of this bag by telling you how much fun I had today in the sheriffs office after the hearing. I sat there waiting for CB - the sheriff doesnt let me in his stinking jail. So while I sat there reading Justice (sometimes I do very ludicrous things) some imbecile comes over to me and has a whole lot of questions about where do I come from, etc. and then gets into this whole hate things, calls me every obscenity imaginable, tells me he wants to beat me to death, to go outside with him - but I am just numb to stuff like this, so I sit there and listen and smile- I really cant react, I cant get mad or pity him or anything else, I am just like a mushroom lately. But the Judge is there and hears all this, and doesnt say anything, and a deputy comes out and puts his hand on his pistol and looks at me with all the hate in the world in his eyes and I know he wants to shoot me, because I challenge the myth - the totality of blackness and whiteness, everything he has every believed and known; I know this and it doesnt affect me, I just sit there. Then they go into the otherroom and discuss what they will do to me, "go out there and kill the dirty niggerlovin son of a bitch"

but nothing happens and CB comes out and we drive back to Albany. I wish I could feel some reaction but nothing happens. I dont pity him, I am not really afraid, I guess the only thing I feel is a kind of cool hatred (this isnt the word) - the kind of thing you feel when you see a caged lizzard, you kind of despise it but not really as it isnt worth feeling anything toward.

This will be my last letter from Southwest Georgia, as it is now Sunday, August 25, and I will be leaving here early Tuesday morning. Thinking of leaving Albany is impossible, and the full awareness of this hasn't really set in. To go back to Berkeley and school means to leave some of the finest people I have ever known, to be out of touch with everything. John, Ralph, and Don stay in jail in Americus, for god only knows how long, while I will sit in a classroom and read meaningless cases. I leave people here to be beaten and shot by police, to be frustrated at every turn in this struggle, to wait for a messiah in the form of the federal government, a savior who will never come, and I go back to smug inbred Berkeley. Resolving this was not easy and I find that it is only the fact that I have one year left, before I can function more effectively down here, not two years, that I will go back at this point; i can only leave Albany knowing that I can come back, and do more when I return. It is strange to see how this his affected so many people who came here from the North - some were never really part of what was happening, never really understood, add they have long since left for Atlanta or their campus, but those who came and were moved, they will stay on, tho this is a great personal sacrifice for many of them. One of the SNCC kids has turned down a full fellowship to study in the Orient to stay and do voter registration work, others stay ~~at~~ with the knowledge of complete alienation from their families (and this is not restricted to the whites, many of the Negro SNCC kids have parents who have absolutely no sense of what is being done here). One guy just came down from Atlanta, he wont be going back to school in the fall, but will be out in the field. We sat around and talked about non-violence, about the Muslims, about freedom. When are people going to understand that non-violence has been pushed to the brink, that the police continue to arrest and beat its advocates, those who are most influential in keeping demonstrations peaceful. When will people realize that the Negro is now awake, he will no longer be "kept in his place", but will take what is rightfully his, and if this cant be done painlessly, then it will be done violently, but it will be done. Some of the finest minds have bittered over this, have reacted in various ways to the frustrations. There are SNCC workers who have spent months in jail, have been beaten over and over by the police, and who could not endure anymore - they are now Muslims. A frightening thought for the white community, no? Shouldnt the Negro love us; after all, we have given him scraps from our table, gave him cast off clothing for years, and now he does us this way. There are others who left movement activities entirely, and now wander around Harlem in a narcotic trance. This is America's responsibility, that some of the most brilliant Negro college graduates, when faced with the prospect of teaching other Negroes to become teachers to teach still more Negroes, have decided to just get coked up and forget it. But those are the people who have left. You still have Charles Sherrod, who has gone through two years in southwest Georgia, and will keep on going. I dont know how he can function, and at times he only functions at a bare minimum, but somehow he comes through. The other day he appeared with another bus - the ~~only~~ old one they had finally died. He sits up all night trying to figure out how to get 150 people to Washington on \$500. but he comes up with the extra money. At times his moral program gets oppressive but what he is doing is beautiful so you can ignore it. Sherrod is only one of the many who have been here for so long, and who will stay on - Joyce Barrett Prathia Hall, Ralph and the others, they will stay on here, but how much longer can they counsel non-violence in the face of this oppression. How can they tell people that they can go out and register to vote - that the Fed Govt will guarantee these rights, when the Federal Government is out indicting the leadership of the Movement. We sat up all last night getting the people ready who were going up to Washington early to picket the Justice Dept., they left about 5 A.M., some thirty people ranging from 11 to 80 years old. Maybe Burke Marshall will trip over some of them on his way into the office and realize that there is an Albany, Georgia, and that it is a terrible place. Maybe he will see Mrs. Christian and some of her many daughters, little girls who have been beaten by the police, who were molested by jailers and had police dogs put in their cells with them - maybe he will see them when he gets out of his airconditioned car, but I doubt it. I am enclosing with this two pages of facts on police brutality in the area, which the pickets will have, and also



a brief statement on the Macon indictments of the Albany Movement leadership. Maybe the Justice Department officials will read the fact sheet and explain how "an official spokesman" could state, in an AP dispatch, that "there is no evidence of police brutality in Americus". Maybe J. Edgar Hoover will get one and wonder how McMahon, of the Atlanta FBI could tell a white group in Albany that there is no police brutality in Albany. When the local cops lie you expect it, but when the government lies, there is no hope. What do you tell Mrs Christian who has seen the lumps on her daughters head, who has been beaten herself by the police, when the government tells her there is no police brutality.

I dont remember how far my last letter ran, but I will end this by giving you a run down of what happened this week: On Tuesday Mrs. Motley and Norman Amaker of the NAACP Legal Defense, etc. came to Albany to argue against the Dougherty Co Bd of Ed plan (nothing this year, 1st grade in '64) in Gaines v. Dougherty Co. Bd of Ed, et al. It is a beautiful thing to see Mrs. Motley in action, and everyone in town who can get into the Federal courthouse comes to see her work. She is a large, powerful woman, who stands up, folds her arms over her ample bosom, and starts laying out the law - she never stops, and never pauses to look at notes - she must have every Supreme Court decision memorized. She cut Cordelle (Supt. of Schools) into pieces, and finally Judge Elliot started asking the questions to help the Bd out. All to no avail, however, as he said he wouldn't decide immediately, but we would hear early this week - too late to do anything about 63 anyhow. We took them out to the airport and ran into Heilbrun, the Justice Dept representative from Atlanta who had just got back from Americus where he noted great concern about two things - the amount of false reports, and "the kids up ~~there~~ there are crazy, someone will get hurt". The accurate reports didn't seem to trouble him, or did the cause for "the kids going crazy" (after having been hosed, clubbed and burned by the police) He told us that he was perfectly satisfied that there was no Federal involvement in the shooting of James Brown, the Negro who the Americus police shot to death the other day. Perhaps there might be a negligence action, but certainly not Federal intervention; On Wednesday 7 more were arrested in Americus, I think they were on their way to try to buy tickets to the movie; just lock everyone up, thats the perfect solution to a demand for constitutionally guaranteed rights. The rest of the week has been somewhat of a nightmare. Leaving is very painful and I keep seeing people who I know I wont see again for quite a while. We have been preparing certiorari petitions and compiling the record for the Albany disorderly case (Daniels, deLissovoy, et al) and also all the loitering cases in Americus, all of which are deadlined for Monday. Monday will be frantic because we have to file in Americus and then get out to Fitzgerald for a juvenile hearing and then back to Albany to finish up more petitions. Victor Rabinowitz got to town Saturday and we discussed the Macon case, this took most of the afternoon. Saturday night we had a meeting with the pickets going to Washington (we meaning Liz and I, not CB, as he doesnt get into this stuff for very obvious reasons). Sherrod also informed us of the arrangements for Washington, which promises to be the most confused thing ever. Arrangements are non-existent. When asked where we will meet the response is "out at the south side of the Monument" (with about 100,000 other people.) But I guess somehow all this will work out. Right now the big problem is finding cars to drive to Thomasville, about 65 miles, where we get the train to Washington - Sherrod is "thinking" about this (when Sherrod "thinks" it seems like he is sleeping) but somehow he comes up with answers so I cant criticize it. I guess thats it for now. I will see most of you within the next two weeks.

dennis