

January 16, 1965

Dear Friends:

Next week, the 22nd through 28th, we will be in New York. I am going to the U.S. Civil Rights Comm conference on title VI of the Civil Rights Act (dealing with discrimination in the use of federal funds) in Washington on the 28th, and then to the Law Students Civil Rights Research Council conference the weekend of the 29-31, so we decided to go up to NY for the week before the conferences and then attend them on the way back to Albany.

On Tuesday they tried the cases against Plemon Daniels and Gene Bailey for possession of numbers (lottery). I think I wrote about this before - the charge is a frame up caused by one of the Negro cops who had been hitting on Daniels girlfriend. It was an interesting trial. Here you had the cops really trying hard to set this up and make it stick. But they even had a warrant to search the barber-shop, something that they almost never bother about. But the warrant was completely defective, there being absolutely no probable cause shown to the issuing magistrate. The cop testified he simply went up to the magistrate and told him he wanted a warrant and the magistrate gave him one - so our record looks good. But that wasn't our only contention. The City Ordinance is unbelievably vague. It says something about it being illegal to "possess numbers, lottery tickets, or other chances..." So we argue void for vagueness, and also equal protection in that the statute is never applied against people buying church lottery tickets or schools who sell chances on various things as fund raising. The Judge ruled as a matter of law that we couldn't argue the equal protection argument. Of course they were convicted as a matter of course and fined the maximum for misdemeanor, \$200 or 60 days. But then the irrelevancies started. Although it is a customary for a bondsman to just sign the bond in court and the prisoners are then released, and this was done for those two crackers the other day, but now the judge says that he doesn't know if the bonding company has enough receipted property to go this bond (the bonding company is a multimillion dollar outfit out of Atlanta), so they have to spend the night in the filthy Albany jail until the main office of the company can send the Judge a telegraphed statement of their finances. Just more shit that they come up with around here. While we were waiting for CB to make the arrangements about the bond, Harris, Rev. Wells, and I hang around outside the City Hall. Harris was in a funny mood and started goofing on the white folks who came by. Everytime a cracker passed by he would say a real loud to Rev Wells, "my aint white folks ugly" and a whole lot of stuff like that. This is done mainly to show Negroes that they don't have to take a whole lot of crap from the crackers but can stand up and talk right up to them, tho I'm sure he also does it because he enjoys it.

I finished up a motion to nolle prosequi an unlawful assembly indictment dating back to March 1962 against Jim Foreman, Zellner, and other SNCC people (it was one of the freedom rider arrests). The case had never been called for trial and the Federal Court has ruled the unlawful assembly statute unconstitutional in the Americus cases and also in Wright v Georgia (USSC). There will be a couple of thousand dollars bond coming back on these cases. We also have finished up motions for return of bond in two cases against Ricks and Perdue which total \$2500 in bond. Slowly but surely this bond money, that these towns have used interest free for these years will start coming back. I am now trying to put all out "sit in" cases in order to go up on them and get bond returned there also - that will also amount to an appreciable sum.

On Wednesday night we had the meeting with the Committee on Political Action (COPA), the group which was organized for CB's campaign for Congress. We wrote 28 people telling them to come to this meeting which we planned to talk about the possibilities of getting Poverty Bill money into the area, and also to make arrangements for distribution of clothing secured by the National Sharecroppers Fund. I expected maybe 10 people to show up. The meeting was scheduled for 7:00 and when I got back at 7:15 I found both

offices completely packed, and people out lined up in the hall to the stairs. There must have been at least 75 people, and all of them representing the Negro leadership of their respective counties. It is amazing when you consider that the call was only sent to 28 people in a group that hasn't had any purpose for existing since the July primary, or perhaps the November election. What it seems to ~~mean~~ mean is that the Negroes in these counties saw for the first time in CB's campaign the potential of their combined strength as a block and were unwilling to give up ~~a~~ the only existing framework for making this strength felt. So we are very excited about this development. We have scheduled another meeting for Fed 3 at which time we will try to work out a program for COPA to pursue. We hope to incorporate clothing distribution and possibly surplus federal food as this creates a very tangible thing for people to see as a change from the status quo; also to work on getting Poverty Bill money into the area, and as an informational center for farmers, etc to advise them and assist them in exercising access to Federal programs.

Some of the initial elation is wearing off. Yesterday one of the people to whom clothing was given (he was to be in charge of working out an equitable distribution of it in his county) called to complain that one of the women who helped carry it home (they put in in various cars) wouldn't give hers up to the group, but was keeping it locked in her garage. So all the petty shit will have to be worked out, but I still think that this group has a real potential.

Two new cases came into the office yesterday which are very typical of the kind of things we handle; first five men came in from Wheeler County, a county about 100 miles from here in the south central part of the state, with a population of 5000 which has been declining steadily. It seems that their children had gone squirrel hunting and had wandered onto the land of a white man. He came out and chased them off the property and they readily walked off, not realizing they had trespassed. He followed them cursing them out with all the vile racial epithets he could think of. When they reached the county highway and were off his property, one of the kids, aged 14, turned around and told him to ~~stop~~ stop calling them names. The white took his rifle and hit the child in the head with it. His friend handed him his rifle and the 14 year old hit him back, knocking him down. They took off and were arrested and held for the Grand Jury, so we will have to drive that 100 mile trip quite a few times until this is over. It isn't the drive that bothers me so much, it's the counties we have to pass through, and the court we will have to work in that scares me. The other case is a guy we met at a dinner held to honor the manager of the North Carolina Mutual Insurance company, which was a weird thing in itself. The guy is about 26, Northern educated with a wife from Chicago, living in Fitzgerald Georgia. His father is a very rich farmer in Fitzgerald and the white folks have been out to get his land for years. The son was in an accident where some little white kid who was too young to even have a driver's license, drove his motor scooter into the side of this guy's car. Now they are suing his father (I don't really understand the liability theory here, if there is one) for \$30000 - and the damn thing is that he's good for it. He is an old man and went to one of the white lawyers in Fitzgerald who has so far gotten \$1000 out of him and not done a ~~damn~~ damn thing about the case. The son met CB at the dinner referred to above and told us about it; he says he will try to convince his father to come in and talk to us about the case this week.

The dinner was something else. The company, N.C. Mutual Ins. is one of the richest insurance companies in the country, 65th in size, and I think the biggest Negro business there is. The people who attended were all the black bourgeoisie of southwest Georgia; merchants, doctors, insurance salesman; and it was great because they were into the same dopey things that Prudential or MONY or any other insurance company would be into, with the same funny language about "our great team", and all that Madison Ave crap.

I finally got to meet the local Muslim, Hulan X, the other day. He is an extremely ~~hixg~~ bright guy, spent a year at law school, and is very articulate. ~~q~~ The Muslims aren't very strong here, probably because of the very strong religious influence in the South among Negroes - one of the wealthier women in town who he has cultivated told Attorney King that she goes to all of their meetings except those held on Sunday because ~~ks~~ she has to go to church then. He is a little too middle-class to make it with the pool ~~hixx~~ hall guys and cant really make ~~z~~ it with the middle-class element who dont want to reject white society, but want very much to be part~~af~~ of it. But Harris says they are growing and might yet be a real force in town.

We also wrote a letter today to the County Commissioners demanding that they take down the segregated signs in the courthouse over the toilets and drinking fountains. They probably wont answer and then we will bring a suit. These signs have been pissing the people off for a long time, and guys will go in from time to time and rip them f off the walls, but maybe the suit will put a stop to it once and for all.

Dennis