

July 11, 1965

Dear Phil: Despite is at its best. I read Deutscher hurriedly, and realized you cant do that and still understand him, so will re-read before commenting. The piece on the NS was great in the way it was treated. I forgot I had written most of those letters and re-reading them "objectively" I see they are damn good. Ivanhoe too is excellent and I have no reservations about you using the stuff. Please send me three extra copies as I want a few people here to have them. Check enclosed for this plus something for publishing expenses. The odd amount is because it balances my checkbook.

Dear Friends:

I guess I mentioned that this summer the LSCRRD (the group supporting me here) sent down 5 law students to work with us. All things considered they have really worked out very well. One guy especially, who went up to Americus, spends most of his time involving people in putting out a news paper and organizing madixia maids into unions. He goes along perfectly with SNCC and is areal asset. Tho he isn't doing that much "legal" work what he's doing is a hell of a lot more important - an aside while I am thinking of this. CB is beginning to also feel that "legal" work isnt any kind of ultimate - like when people came up from Baker County and wanted a suit brought against a drugstore which discriminated he told them that he could certainly bring a suit which would gratify his ego feeling that he had remedied that situation but since the people in Baker Co constituted 60% of the drugstore businesss, that they could bring about change themselves and didnt need a lawyer. It was really inspiring for the pople who were there because they think of themselves as helpless and here was a laywer telling them that they didnt need him but could do this by themselves. They got very excited and are now organizing a complete boycott down there. - But back to the law students: Two others have been in the counties but only for short times. The other two have pretty much stayed in tae office. They all produce a hell of a lot of work, and very good work too. I think three of the second year guys are law review and the other two (first year guys) are in the upper 20%. So there are alot of very challenging ideas and arguments around here constantly. As an upshot of this we have devised a whole new strategy in our affirmative litigation. Like intk the ~~spit~~ suit against Pritchett they brought a motion to dismiss but made a technical mistake and you can argue (tho no court will ever by it) that they are in default. What it was was that they didnt answer within 20 days as provided by the Fed Rules but instead file a motion to dismiss which tolls the 20 days time. But they didnt seek to get a time for hearing which means that if they never ask for a hearin on the motion they wouldnt have to answer our complaint until after the trial starts. The r ule says that 10 days after the Judge acts onthe motion (decides whether to ~~max~~ hear it immed or save it for trial) than they have 10 days in which to answer. So we are arguing that since the judge doesn't act on it, because thye didnt ask him to, the 10 days never starts to run, which is an absured result - therefore theyr motion to dismiss, lacking what it doss, is not really a bar to their necessity to answer and since the time has run they are in default. Elliot will have a fit when he sees what's happening. We did a very similar thing in the Bowling Alley case. After we filed the complaint and interrogatories were served we waited a couple of days and then served requests for admission. The lawyer got a 30 day extention of time to answer the complaint and interrogatories (he is the former law clerk of Judge Elliot) but I guess he either forgot to mention that the requests for admission or the client didnt give them to km him until after he sent in the request for extention of time to answer and he just forgot about it. Again its a chickenshit technical thing, and the Fed Rules are always construed so that the case gets argued on its merits and not on procedural crap, but since he didnt answer the requests for admission within the time provided

the Fed Rules deem them admitted. Since the Requests for Admission were drawn so as to encompass every fact in the complaint he has actually admitted that the entire complaint is true. So we filed a motion for summary judgment. I realize that what I have just written about the Pritchett and Bowling Alley cases will be completely incomprehensible, but it is only because I am trying to decide whether to write it so that laymen might understand what I am talking about, or to write it for the lawyers and my compromise isn't too successful. In language that both groups will understand, with my little band of law review boys with fertile imaginations we are coming up with new and devious ways of fucking over these bastards.

The big news this week has been Cordele. At the beginning of the week (4th of July weekend) a big group of people from Cordele and another group from Americus met at Lake Blackshear State Park. There had been all sorts of protest from the police that they couldn't provide police protection and no one was really sure who had jurisdiction over the park but when they learned that the Negroes still intended to use the park and protect themselves if necessary, there were more cops than was picknicker. The Sheriff, deputies, city cops, park cops, and highway patrol were all out there and there were no other incidents than some name calling and insults.

The people in Cordele are having a running battle with the Towne House restaurant. It is owned by a foul mouthed segregationist old bitch who resolved that she would "serve niggers but not race-mixers". So she refuses to serve integrated groups. On one day she told a group that she would only serve the Negroes but not the whites, but then later on that day when they returned she just told people "you're too nasty to serve". A couple of days ago one of the law students went down there to draw up a complaint on this particular place and get all the necessary info. While he was there two white SNCC workers and two local Negro guys went in. She told both Negroes and one of the whites that they were too dirty to serve (as an aside this woman is one of the most slovenly people I have ever seen - dirty, wrinkled stockings, lipstick all over her blouse, etc.) She arbitrarily told one of the whites she would serve him. They refused to leave until all were served and the police came and arrested for trespass. They were taken to jail and immediately to a j.p. who wanted to have a commitment hearing, but Drew, the law student, interceded, and told the Judge they had counsel and requested time to get him there - which he went along with. We got there in an hour and after a ridiculously funny hearing, at which the complainant (the bitch who owns the restaurant) testified that "whites who hang around with Negroes are all automatically dirty" - they were bound over to the grand jury and released on \$200 property bonds. Everyone then went into the City Manager and demanded, and got, a parade permit, for the next day. Then 50 people marched on her restaurant, escorted by white police (she closed down immediately) and they had a mass meeting in the street (a major US highway which the cops blocked off) sang freedom songs, made speeches, etc. When the grand jury returns indictments we will immediately remove to Fed Court - also sue her under the Civil Rights Act and possibly the cops for their role. A couple of days later there was another picket line around her place. This time the cops didn't provide protection and two white SNCC workers were punched out. One of them was hit from behind by a marine using judo karate. He was knocked unconscious. The ambulance wouldn't pick him up until they were paid \$10 and the hospital wouldn't admit him until \$50 was paid. The marine comes from the Marine Corps Supply Center in Albany. The same place where their personnel officer announced recently that "the small amount of off base discrimination

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doesn't affect the morale of the Negroes on his post. So we plan to write him, cc: to MamNamara, asking whether, by the same token, the participation of his white troops in fostering discrimination is necessary to bolster the morale of the white troops. A group of Negro kids who were not taking part in the picketing but who saw the guys get hit got so incensed that they went to Farmers Market in Cordele, grabbed the first Cracker they saw, and kicked the shit out of him. Two of them were caught and taken to the police station. We were told they admitted to beating the guy up but the ~~samp~~ cops turned them loose. And the cops also arrested the two whites who hit the SNCC workers and held them on \$1500 bond, an exorbitantly high bond in these cases, of the nature of bonds leveled against the movement. The only explanation for this is that Cordele has the image of a peaceful city and the power structure doesn't want to get any large demonstrations started so is acting fast to squelch any incidents which might turn people ~~want~~ out.

Things are also starting to build in Americus again. They have been having very large and successful voter registration meetings there. The other night we got a phone call from the FBI who told us that Stan Aaks, our law student, had been shot at. It later turned out that it wasn't Stan but two other guys working with the Movement up there. The Sheriff was in the car that took a shot at them. The FBI is "investigating".

And in Baker the pressure is starting to get a reaction from the whites. A local Negro was picked up on a trumped up traffic charge. Instead of paying the fine, which is customary in Baker, a group of Negroes showed up and told the Sheriff they wanted to post bond for him so he could get a trial. The Sheriff told them to get the hell out of his office before he killed them. So I guess it's getting back to like the ~~gms~~ "good old days". Of course the FBI was informed and "they are investigating".

On the War on Poverty front there are two developments. In Worth County the power structure drew up a CAP Board with 18 whites and 6 Negroes (the Negroes are over 50% of the population, and certainly a much greater percent of the poor population. But the number wasn't bad at all. It's the specific Negroes who make up the 6 that is really good. Two principals and the other 4 are in their late 60's and 70's, one guy over 80 - all real old shakey Toms. They people in the Worth County Improvement League wrote a letter to Shriver spelling out the composition of the group and Edgar Cahn has been pushing for an investigation so maybe something will come of it yet. Meanwhile things are really funny in Dougherty County. First of all it looks very much like the Feds are going to give Dougherty some money. Not what the proposal calls for, but about one fifth of it. But the smell of money is in the air and people are going wild. The power structure who refused to have anything do do with the program held a special secret meeting, called by an employee of the Office of Economic Opportunity to get them a piece of the pie. But they finally decided against taking part because "we aint going to get in nothing with them Kings". The some of the OEO people are pretty good (in context) the local people are the ~~sm~~ same old crackers on federal payrolls.

Dennis