

Dear Phil:

I'm returning the letters from Andrew and Dutscher, also the letter from the girl in Miss. I have deteriorated into a fucking mushroom from the strain down here - I really mean to re-read the Vietnam piece and I swear I can't find the time. We've been to Americus every day all week (we have to leave here at 7 a.m. to be on time), we get home late at night, and I don't even have the energy to shower. I may be ~~an~~ the only lawyer to appear in Fed Court unwashed, unshaven, and burning with hatred. The letter from Lea is very interesting. I like the way she expresses herself and I can read her exhaustion into every line. I'm also sending you the latest from Head Start which I will mention in the letter because it deserves mentioning. This is really the END. I assume the next step is tiny tots graduation with rolled diplomas and each center being mailed a Pomp and Circumstance recording, to be returned along with HS Form 318 which you check yes or no whether you played it and yes or no whether the kids dug it. I find the "We Accuse" from the Viet-Kooks really amusing. It reminds me of Dada photographs I have seen, esp. the little Negro boy on the sideline with the fancy bike and the guy with the dog. Wait until they lay down at the airport as the C-103's take off. Shit like this really annoys me as it just makes the position they represent look absurd. It's like all the fucken pimply faced fat chicks who marched around in Americus, locked tight to cute little Negro guys who were hussling them for whatever they had - I can understand why the crackers hate them; I hate them because they embarrass me. Savio's observations that mass defendants should reject combined trials and not waive trials is very correct. The big ~~problem~~ problem is getting enough lawyers who are willing to give up many days of practice to handle these cases. But if people stick to it they can ~~break~~ break the superficial farce of "justice" and bring it crumbling down. I'm not convinced that they will release people without bond but if you can get enough who will stay in without bond, and set up a continual howl about being in jail with good lines of communication to the outside so they can build up a sympathetic audience ~~anti~~ re their incarceration; if you can force the system into individual jury trials (or small groups) and drag them out with long voir dires and lots of various motions to be separately argued, you can completely break down the "judicial process". The Public Defender in Oakland once told me that if all the Saturday night drunks in L.A. demanded jury trials one day the L.A. court calendar would be jammed for the next ten years. In fact, what they do with drunks in Oakland (and other misdemeanor offenders) who demand jury trials is to set the highest bond possible and then to schedule the trial for 30 days later - meanwhile the guy can't get out on bond so he does 30 days dead time before his trial - enough to discourage anyone from exercising their constitutional rights. I just thought of something. If my memory serves me correctly in California you have a right to a trial within 30 days IF YOU DON'T WAIVE THE RIGHT or they have to release you (this is only for misdemeanors). I'm not sure about this but I think I'm right. Lawyers as a matter of course waive this right - courtesy of the Bar and all that shit - but if you could find a few lawyers who would work outside the system, with all that it means in terms of the harassment they would face when they appeared in any other cases - but if you could get a corps of young lawyers who could make do on a little bit of bread and who would fuck with the system, then it could be done. The reason this is so fucken incoherent is that I am absolutely exhausted.

I realize I have so many enclosures for you that this might come in two separate envelopes. I am enclosing the Head Start Diploma - it arrived between the time I first started this letter and today (Aug. 18). Isn't it fantastic! Also an article from the Atlanta Consti. about a young Negro soldier who refuses to fight in Viet Nam - did the West Coast press carry this - I wonder how many other guys in army bases around the country are doing the same thing. Also a letter we wrote to Seeley's Supply Co. where Wendy buys most of her N.S. stationary supplies, and their absolutely moronic, paternalistic answer. Also a handbill put out by SCLC in Americus which is really funny. They actually call him "The Leader" - neither HE, nor his right arm, or even his asshole showed up however. Finally, the latest Minis (please return this to me eventually) on the War on Poverty. Minis has been falling off lately, but the statistics on the Poverty Warriors salary is really interesting. Pls show it to Phil Davis if he doesn't already get it. Tell him he should send War Notes to John Perdue and ask to be put on Minis' mailing list. As for the MFDP and the war in Vietnam, the only thing I know is that a guy named Clint Hobson, a law student (who I think the LSCRRRC is sponsoring, tho I'm not sure) and another Negro guy who are working in Miss this summer, came out with the article encouraging people not to fight in Vietnam. It wasn't the "official" MFDP statement, just an article by them, and this was made clear. But the press has made much of this and are trying to hang the MFDP as "traitors" and worse - anyhow it put Guyot in the uncomfortable position of having to say that this was not the MFDP official position. I haven't heard any more about it. I'm also enclosing an article on Head Start in Miss in the New Republic. You can gain interesting insight into the Establishment position - nothing that we don't already know - but the capper is the note I have appended to the article. They fired the poor bastard; and the sickest thing is that he was really "tomming" for OEO by firing any teachers who got involved in demonstrations, and the like. In fact, from what I've heard, most of the SNCC folks who initially got involved in this have either been fired or quit.

One other thing. Dennis Parks came by to visit us on his way to Knox College in Illinois where he will be teaching in the Fall. He is to set up their Ceramics and Sculpting Department. He is planning on starting a school next summer where he will teach pottery, and eventually hopes to gather a "community" - NOT people teaching other people about Radical Trade Union Movements in ~~SWAN~~ Tobago, however. Perhaps you should write him to see what his thoughts are and offer whatever advice you might. I'm sure he'd be receptive to it. The school will be in Tuskarora, Nev. a town of about 40 people north of Winnemucca, Nev. Well, I see now that this is too much for one envelope so I'll send it separately. Now on to the chore at hand.

August 18

Dear Friends:

The situation here has gotten completely out of hand. No one, neither C.B., nor I, nor any of the law students, has anything left. A combination of heat and over-work leaves us all walking around like mummies. Meanwhile the cases pile up all around us. Since last Wednesday

we have been driving to Americus every damn day. We brought an action to enjoin the cops from harrasing demonstrators and also requiring them to protect demonstrators from white mobs. A judge in New Orleans granted similar relief very recently, but it looks like it will be another story with Judge Elliot. The case is about to kill us. First of all he has scheduled it to start at 8 a.m. instead of 9 daily, which means we have to get up at 6 to get there. Then it only runs until 1 p.m. because the court isn't air conditioned and he doesn't want to hold court in the hot afternoon - so it means we waste a whole damn day (with talking to witnesses and the long drive) tho we only get in a half-day of Court time. We finally finished our case after 4 days, and now they are putting on their defense - which includes a cross-~~action~~ action enjoining the Movement from demonstrating except within the terms of their picketing and parade ordinances which are absurd. Ann, please note: Barnum, et al v. Chambliss, et al (Chief of Police) MDGa C.A. 582 Americus Div. The Judge is hot and irritable and extremely impatient - he has refused to let alot of testimony into the record stating that testimony of SNCC workers shot at by cop, because it was 2 hours after a demonstration, isn't relevant, etc. I've lost all perspective at this point and have no idea ~~wa~~ how the record will look, but he is constantly taking over the questioning of witnesses and the other day he asked C.B. if he was in agreement with the shop-in that some of the demonstrators staged. I guess the fact that they ~~x~~ interfered with the normal workings of the free enterprise system (tho they were protesting the fact that Negroes are outside the system because they can't get jobs) completel overshadows the fact that after the demonstrators were locked out of one store they were set upon and beaten for t5 or 10 mts by a white mob while a couple of dozen state patrol and city cops looked on. Anyhow, at the rate its going it shouldn't be over until Friday or next Monday. And before we started this hearing we had been up in Americus on the arrests of some 22 SCOPE people who tried to integrate the First Baptist Church in Americus - a big mistake as the committing magistrate is a member and the Fire Chief (who has also been deputized as a police officer during the demonstrations) is the head of the Ushers. Some of the 22 were at the Methodist church which dropped the charges and some were juveniles, but we wound up with 13 defendants who we will remove to Fed. Court. One big problem is that they are all, except for one local kid, "outsiders". In fact they are double outsiders as they not only come from all over the county, but most of them are working in SCOPE projects in Macon or Augusta and were brought in for the dmonstration. Now that they are out of jail they are back in Macon, or headed for whatever school they came from - which makes it damn hard to get them to sign the papers necessary in the removal petition. The bond for them was set at \$600 apiece and a local guy went on the property bond - shit like that makes me sick as I know that when these cases eventually get called these people aren't going to make it back from Indiana and points west for the trial - especially since it isn't their bond money at stake. To back up our removal petition and also to try and get an order enjoining the prosectuion in the state court we wanted to have a committment hearing with a court reporter. We had a reporter come down from Macon but the J.P. (Southwell, who is a member of the Church and also the guy who ran in the election against Mrs. Bell) wouldn't allow him to be

present. He also excluded all members of the public including parents. It was a very short hearing - and of course they were bound over for trial.

I had a whole lot of problems with SCLC and SCOPE before Americus but now there is no question in my mind that they do terrible things. Because there are only "leaders" and "followers" the SCOPE kids are in kind of a ~~fix~~ daze - getting confused directions from one "leader" only to have another counter these directions - and they never get to question anything. They use the SCOPE kids like scrap parts - keep them bunched together in a corner of Barnum's Funeral Home until it's time for a march or mass meeting, and then turn them loose, march them to the courthouse and then back to the Barnums where they sit, without asking questions, until the "leader" tells them its time to march again. Americus had a Movement before SCLC ~~came~~ came in. It didn't have huge marches but it had damn strong people - but the SCLC machine marched in waiving its money (I've been told that Ben Clarke has stood up at a mass meeting and waived a \$1000 bill and told people that SCLC had \$80,000 to put into Americus) and completely took over. Just like in Selma SNCC was pushed aside and the local people were ignored. The local leadership like Rev Campbell, ~~and~~ Rev Freeman, and Mrs. Bell just finally got disgusted and backed out of the whole thing with a kind of "it's their show" attitude. The big demand that the Movement had was a real bi-racial committee, with people whom the Movement selected ~~xxx~~ to represent the Negro community. They had gotten some other demands like Negro registrars at the Courthouse, but this was the big thing. When it looked like there was a good chance to get this SCLC completely sabotaged it by first putting it down and then announcing it to the press after they promised to not discuss the fact that a committee was getting started. Local people say that SCLC did this to prolong the marches with the hopes of building them up into numbers worthy of De Lawd making his appearance. But having other people come in and take over control has its repercussions in many areas. All of the things that the local Movement had build, like the Maids Union, a youth council, and a local paper (the Voice of Americus) ground to a halt. The maids were told they couldn't have a meeting one night because it would interfere with the mass meeting called by SCLC; the youth council meeting was broken up so that the 40 or so kids could be available to take part in one of the many marches - adding to the 500 or so people already marching. The mimeo machines were busy grinding out flyers announcing the coming of "The Leader" (actual quote) or "Rev. Andy Young, the Leader's right hand" (another quote) and couldn't be used to print The Voice - nor were people available to work on it. And now after all the sound and fury there is nothing. SCLC has gone off to Birmingham to hold its convention; the SCOPE people have gone back to Macon and Savannah, the local Movement is disintegrated and impotent - they have just agreed to call off all demonstrations (as if they had a choice) and have a "cooling off" period in return for a promise that the power structure will "consider" a bi-racial committee. And meanwhile we have to go to court every day to argue a moot issue. The only good to come out of the SCOPE program is that a hell of alot of people went down to register - about 800 so far; and even this

cant be attributed to SCLC - SCOPE as there was comparatively little voter reg. canvassing done - most of the time was spent on marching, and the increased reg is as a result of the general civil rights activity, the novelty effect of the ~~sixtyeight~~ voting bill (the courthouse crowd is scared with the combination of the Bill, the demonstrations, and our suit to void the J.P. election and has made the registration process as painless as possible - and most of the registration was as a result of folks just deciding to go down and register on their own accord.

While I am writing this Wendy is finishing up the ~~most~~ mountain of records required by Head Start. That whole program isn't worth a shit because of the dues it exacts in terms of meaningless paper work. Files of questionnaires mostly geared to self-praise of the program, have to be completed, e.g. "As a result of contact with Head Start parents are...; children are...; I am a better teacher...;" and on and on. This absured 8 week program which can't possibly make any kind of change in a child's life, esp. when there is no kind of follow up and he goes into a first grade which is segregated and where the teacher's main duty seems to be to beat him into submission. Wendy gave one group of tests in which one question was, "what does a teacher do" and almost every answer was "beat me" or "hit me". This is what they hear from older siblings about school and teachers - they don't think of the nursery school as a school or Wendy and Bettye as "teachers". I must admit that that particular test was very revealing about the way these children grow up - compare their responses to the following questions to that of a middle-class white child "What does a policeman do" A: "shoot me"; "put me in jail"; "What does a mother do" A: ~~XXXXXX~~ "goes to work"

Phil: There is no question about it. Wendy is now convinced that the only role she can have in a "Head Start" program is to be a teacher, where all the beauratic chickenship paperwork is done by someone else.

The other day one of the ~~the~~ law students, Ken Cloke, drove down to Camilla, Ga with Stan, another clerk. We were in Americus in Court and they had heard that the juveniles in Baker County (more about this latter) were to be tried in court in Camilla (in neighboring Mitchell county) and they wanted to be on hand. After they learned that there wouldn't be any trials they wanted to get to Newton (Baker County) and forgot the prime rule of successful driving in the South - never ask a white man directions. In this case they doubled the blunder by asking a guy who turned out to ~~be~~ the Chief of Police. He told them how to go and then followed their car, with California plates, out of town. After a couple of miles he pulled them over and charged them with reckless driving. He made Stan get in his car with another cop and he drove back with Ken. Stan decided to assert his constitutional rights and during the course of the trip asked if he were under arrest. "Shut your fucking nigger-loving mouth" was the reply and the cop put his hand on his pistol. That ended any assertion of constitutional rights. At the courthouse they managed to get exactly \$75 ~~in~~ between them (the amount of bond which was set) and escaped. *Before they left the cops*

searched the car. They ~~didn't~~ started reading various books and pamphlets which were left in there from California but got bogged down in a law review article on the 14th Amendment and didn't get as far as some FSM and DuBois Club pamphlets. They also turned up a bottle of pills which turned out to be tranquilizers, and rushed it off for chemical analysis at the local drug store - and were greatly disappointed when it didn't turn out to be "dope".

In Baker the situation is also very tense. The Movement has been building all summer, a real local movement, but it is in trouble now. There is just too much fear and intimidation in Baker County. People are terrified of going down to register because they will have to face Sheriff L. Warren Johnson in the Courthouse. The other day Sherrod brought an old woman in to register her and Johnson threw him down the stairs. The report goes off to the FBI and Justice Dept where nothing will be done but it also circulates among local Negroes and anyone who was considering registering is sure not about to go down now. Also for three days in a row the Movement decided they were going to picket at the courthouse to protest the fact that the books are only open once a month. They were told they could only picket on the street behind the courthouse, not in front of it. They refused to go around back and after the cops held them for over an hour in the same spot, suddenly arrested them for blocking the sidewalk and refusing to obey an officer. There were about 17 arrested. The next day another group of about 18 went down. They got to the ~~back~~ corner across from the courthouse and were then arrested. Completely arbitrary, unconstitutional, and illegal conduct, but what the hell can you do about it. We are tied up in Americus and about exhausted. The clerks stayed up all night and drew up removal petitions for the people. But they are still in jail in Baker - on \$300 bond, and Elliot won't lower it tho he has the power to - very few people have enough money to be bonded out. They are locked in hot concrete block building, the cells are packed and filthy with water on the floors and no mattress - the usual south Georgia jail situation - and with LA. and Chicago in the news not a word has hit the papers and no one gives a shit about these people. Meanwhile we go 40 miles to Americus, then back to Albany, and another 22 to Newton - and then have to put up with all the Sheriff's crap. Last night they were supposed to come to trial in the Records Court. We had filed the removal petitions but came down anyhow, to present the notice of removal in person. First they called the juveniles and dismissed the charges against them. The kids were absolutely amazing. Each one was called before the judge (who is also the banker, owner of the only department store, etc.). Not one said thank you or anything when he was told the charge was dismissed. After the Judge did this one walked over to C.B., he couldn't have been more than 12, and asked whether they could now go back and demonstrate - and this right in front of the Sheriff and cops. They are amazing children. When they called the adults CB announced they were removed. This threw Johnson into a fit. Tho they are city cases and not in his control, he is still "top man" in the local power structure and has to assert himself. He started bellowing like a bull ordering the prisoners back to jail. We walked out

behind the prisoners. ~~xxxxx~~ The Negro spectators started to follow us - when the first man got to the door, he was carrying a tiny baby in his arms, Johnson grabbed him and pushed him, telling him X that he couldn't go until he was told to go. It was really frightening as everyone is completely terrified of him. He is a huge man, about 6'4" and maybe 250 pounds, beefy red face, with a reputation for having murdered several Negroes without any provocation - and there is a good reason to fear him.

Today I went back down there with another of the law students to talk to the prisoners. After the City Chief of Police stalled me for about an hour - tho the prisoners are in his jail L. Warren still calls the shots - Johnson showed up and told me I couldn't get into the jail because I wasn't a member of the Georgia Bar. A large crowd of crackers had built up by this time and several remarks were made so I figured it wasn't the time to argue about "courtesies extended to members of the Bar" and all that other crap and just made it out of there fast. CB got back from Americus, exhausted, and then drove down to Baker. When he got there the entire courthouse gang had gone off to a barbeque and he couldn't get into the jail. He finally reached the deputy sheriff by phone who promised to come down in an hour, but never showed up. Tomorrow we will present the situation to the U.S. Marshall as they are technically Federal prisoners until they remand the removals. Stan is in jail down there. He went down on the last demonstration and got thrown in jail along with everyone else. But he is a very sharp guy and will be a help to people because he can explain what the situation is with the removal, etc. We are still hoping we can get Elliot to agree to reduce the bond - maybe the fact that we can't even get into jail to see our clients will help. The really big problem will come ~~xxxx~~ in a few weeks when all the law studnets go back to school. They were a great help this summer because they were all very bright and did a hell of a lot of work. But most of it is unfinished - in terms of suits filed which still have to be tried, removals filed which will be remanded and will have to be appealed, etc. And we will be absolutely deluged in the Fall. I really don't know what we are going to do. But I do know that if we don't get away for a couple of weeks (we are going to NY on Firday) I will go about crazy.

Dennis