

# NAACP To Court Again In Preston Cobb Case

The NAACP has made another attempt to save the life of Preston Cobb, convicted in 1961 at the age of 15 for the slaying of a 70-year-old white farmer.

In a brief filed March 26 in the U. S. Court of Appeals for the Fifth Circuit the NAACP has asked, through a writ of habeas corpus, that his original conviction be voided.

NAACP attorneys contend that Cobb was denied a fair trial as Negroes were excluded from the grand and petit juries that indicted and convicted him; that a confession was forced from him; and that the original court - appointed white lawyer failed to raise the constitutional issues which were basic to the case and thus deprived him of the right to counsel.

After Cobb was convicted by the all-white jury and sentenced to electrocution, the NAACP entered the case at the request of his mother. The case was fought through the courts of Georgia and ultimately appealed to the U. S. Supreme Court by NAACP General Counsel Robert L. Carter and NAACP Atlanta Attorney Donald L. Hollowell.

When the U. S. Supreme Court denied the motion for a new trial, the NAACP filed for a writ of habeas corpus in the U. S. District Court in Georgia. The U. S. District Court denied the writ.

The present brief filed in the U. S. Court of Appeals is an appeal from this judgement. In the brief, NAACP lawyers point to four specific errors of the lower court, based on violations of the Fourteenth Amendment.

Because of Cobb's youth, the death sentence aroused world-wide concern. Numerous petitions were circulated asking for clemency and a Dutch delegation came to this country to plead with the Governor of Georgia on his behalf.

At the time of the conviction

Georgia law permitted execution of children as young as 10 years old. Since that time the minimum age has been raised to 16.