

1 time. I have never failed to do my duty and the
2 distance was never too great and would never be too
3 far if only I could get the terrible thing settled
4 that has happened. I was promised by my ex-employees
5 that he would talk to me this past week but he has
6 not. I need this job desperately. I need to have
7 the situation investigated by you. All of the people
8 involved are my friends and I will be always faithful
9 to them and would in the future do everything I
10 could possibly do for all of them. I have always
11 took your advice on other matters and was at the
12 present time on December 19, 1964 working on the
13 last matter that we had discussed when this happened.
14 I hope to hear from you in the near future as I need
15 your help desperately. Trusting you as always and
16 faithfully yours, Henry Wesson.

17 Q Now, who was Henry Wesson?

18 A Wallace Miller.

19 BY THE COURT:

20 Wallace who?

21 BY THE WITNESS:

22 Wallace Miller.

23 BY MR. DOAR:

24 Q And what, uhh, he refer something that happened
25 on December 19, 1964, do you know what that

was?

1
2 BY MR. BUCKLEY:

3 Your Honor may it please the Court, I object to this
4 unless he can tell us how he came to have this know-
5 ledge.

6 BY THE COURT:

7 Overruled.

8 BY THE WITNESS:

9 A Wallace Miller was banished from the Klan on that
10 date.

11 Q Who was the personnel manager that was fired?

12 A Wallace Miller.

13 Q Now, did you receive any documents from the, uhh
14 when you became a member and after you became a
15 member of the White Knights of the Ku Klux Klan?

16 A Yes sir.

17 Q I would like to hand the witness some documents
18 and ask if he recognizes them?

19 A Yes sir, this is the Constitution of the White
20 Knights. This is a leaflet that was distributed
21 to a great number of the White Knight members
22 called the standard examination form. The purpose
23 of it is included on there. This is an applicatio
24 blank for membership and this is also a manual
25 for recruiters, I have had several copies of all

1 of this, this is the instructions on secrecy, and
2 this was the promotional leaflet here that was used
3 to get people to join the Klan, and this is the
4 form that was used to keep record of members and when
5 they paid their dues and the size of their robes,
6 this is also the local chapter record sheet, this
7 is the executive lecturer's part first which was
8 referred to throughout the time that I was in the Klan
9 the executive lecture of Sam Bowers concerning the
10 White Knights, and I believe that's all of it.

11 Q Would the Deputy Marshal show that to Counsel.

12 BY THE COURT:

13 Yes and we'll take a fifteen minute recess while
14 Counsel are looking at those.

15 (Whereupon Jury excused from courtroom)

16 (Whereupon the Court took a recess at 10:26 A. M.
17 for fifteen minutes)

18 AFTER RECESS:

19 BY MR. DOAR:

20 Q I would like to offer those documents as one
21 exhibit which witness has identified.

22 BY MR. BUCKLEY:

23 To which we object, they have not been properly
24 identified as we see it. He has not stated where
25 he got them, how he got them or when he got them.

1 BY THE COURT:

2 I'll overrule that objection and let them be entered
3 and marked as one exhibit,

4 (Whereupon exhibit entered into evidence and marked
5 P-74.)

6 BY MR. DOAR:

7 Q Can you tell me whether or not you ever delivered
8 any money from Sam Bowers to any of the defendants
9 in this case following June 21st, 1964?

10 A Yes sir.

11 Q And to whom did you deliver the money?

12 A I got money for Wayne Roberts----

13 Q To whom did you deliver the money?

14 A To Wayne Roberts.

15 Q And did you deliver money to anyone else?

16 A To Billy Wayne Posey.

17 Q Do you recognize these documents?

18 A Yes sir I do.

19 Q And where did you get these?

20 A These are receipts signed by Billy Wayne Posey
21 for mpney that I carried to him.

22 BY MR. ALFORD:

23 Your Honor please, we would object to the introduction
24 of these because a proper predicate has not been laid.

25 BY THE COURT:

1 I'll overrule your objection and let those be entered
2 into evidence. Those are receipts signed by the
3 defendant Posey?

4 BY THE WITNESS:

5 Yes sir.

6 BY MR. HENDRICKS:

7 We object to that being used as evidence against
8 any of the other defendants.

9 BY THE COURT:

10 Yes, that is to be treated only as evidence as to
11 defendant Posey, and is not to be used or treated
12 as evidence against any of the other defendants
13 except I might say against Sam Bowers.

14 (Whereupon exhibits entered into evidence and marked
15 P-75)

16 BY MR. DOAR:

17 Q. Where did the money come from?

18 A. The money came from Sam Bowers?

19 Q. How much was the money?

20 A. Five hundred dollars each time, or a total
21 of one thousand dollars. Each of these receipts
22 is for \$500.00.

23 Q. What are the dates of those receipts?

24 A. March 11th, 1965 and April 16, 1965.

25 Q. Do you have any receipts from money that you

1 furnished to Wayne Roberts?

2 A. I do not.

3 Q. Do you know how much money he was furnished?

4 A. I brought a hundred dollars on one occasion and
5 went with him to get another hundred dollars on
6 another occasion.

7 Q. From whom?

8 A. Sam Bowers.

9 Q. Can you fix the times?

10 A. It would have been in the Spring of 1965.

11 Q. Where did you see Mr. Roberts?

12 A. I saw Mr. Roberts in front of Druid Hills
13 Methodist Church here in Meridian, Mississippi
14 and we met and went together and met Sam in
15 Pachuta.

16 BY THE COURT:

17 This money you say you gave to Mr. Posey and to Mr.
18 Roberts does it have any relationship directly or
19 indirectly with any of the facts in this case?

20 BY THE WITNESS:

21 This money was requested by Mr. Posey for Neshoba
22 County citizens who were involved, uh, who were
23 defendants involved in this case.

24 BY MR. WEIR:

25 We object, if Your Honor please, if I understood him

1 he's undertaking to testify about events and not
2 of something that had to do with the alleged
3 conspiracy.

4 BY THE COURT:

5 Well, you may ask him about that. I just wanted to
6 be sure that this money had some connection with
7 what we are concerned about.

8 BY MR. BUCKLEY:

9 Your Honor if it please the Court, I would further
10 object to this as far as Wayne Roberts was concerned
11 ----- Counsel mumbling.

12 BY THE COURT:

13 Counsel I can't understand your objection, You don't
14 speak very distinctly, you talk loud enough but you
15 don't speak so we can understand you.

16 BY MR. BUCKLEY:

17 Yes sir, Your Honor, we object to it as far as
18 the receipts or the money that was alleged to
19 be delivered from M^r. Bowers to Mr. Roberts because
20 there has been no connection with this case.

21 BY THE COURT:

22 Well that is why I asked him the question I did and
23 I'm satisfied with the answer that he gave me and I'll
24 let you gentlemen develop that.

25 BY MR. DOAR:

1 That's all the questions I have, Your Honor.

2 BY THE COURT:

3 All right, you may cross examine.

4 CROSS EXAMINATION

5 BY MR. WATKINS:

6 May it please the Court.

7 Q What prompted you to join the Ku Klux Klan and
8 what representation was made to you concerning your
9 membership there in?

10 A I was invited to join by T. C. Dixon and was told
11 before going to the meeting and during the first
12 part of the first meeting that the White Knights
13 of the Ku Klux Klan is a White Christian militant
14 organization, its dedicated to State Rights,
15 segregation, and the preservation of the white
16 civilization.

17 Q Was Wallace Miller active at that time?

18 A He was.

19 Q Did he make any representation to you as a
20 what do you call the organizer?

21 A Kleagle, but he was not the Kleagle at that time
22 he was a member.

23 Q Was any representation made to you by anyone
24 else other than T. C. Dixon as to what the Klan
25 stood for?

1 A Yes, Mr. Killen told me what the Klan stood for.

2 Q Did you take some type of oath at the time you
3 became a member?

4 A There was an oath administered to the group in
5 general.

6 Q And there was not anything in that oath that
7 pertained to violence or intimidation was it?

8 A No sir.

9 Q And the questions that they asked you when you
10 became a member there was nothing in those questions
11 that would reflect violence or intimidation of
12 anyone?

13 A No sir, not at that point.

14 Q Now, I ask you if they didn't ask you a series of
15 questions, maybe as many as ten before you took
16 the oath?

17 A Well, there was a question and answer period be-
18 fore anyone took the oath and Mr. Killen gave
19 the answers.

20 Q Well, referring to questions that they asked you
21 preparatory such as is your ambition to be a
22 klansman serious and unselfish? Did they ask
23 you that?

24 A Yes.

25 Q And you answered that it was.

1 A Yes.

2 Q And you are a white boy, gentile American citizen
3 and are you absolutely opposed to and free of
4 any allegiance to any other government or in the
5 United States of America, they asked those things
6 and you answered that you were not. They asked
7 if you believed in the tasks of Christian, did
8 they not?

9 A They did.

10 Q And you answered that you did. Do esteem the
11 United States of America above any other government
12 civil or political in the whole world, did they
13 ask you that?

14 A Yes.

15 Q And you answered in the affirmative?

16 A Right.

17 Q And will you without mental reservation take a
18 solemn oath to defend and perserve and support
19 the constitution of the United States, did they
20 ask you that?

21 A Yes.

22 Q They asked you if would you abide by the by-laws
23 and constitution and if you could be depended upo
24 they asked you that didn't they?

25 A Yes.

1 Q And then after that, you took the oath and is
2 there an oath listed in some of those exhibits
3 that you referred to?

4 A Its probably in this constitution. Yes sir. Page
5 thirty-six.

6 Q May I see the exhibit? Would you read the oath
7 that you took?

8 A I, then there is a place for a person to place his
9 own name, Delmar Dennis, consciously, willing
10 and soberly standing in the presence of Almighty
11 God and these mysterious Klansmen, do hereby
12 pledge, swear and dedicate my mind and my body
13 to the Holy cause of preserving Christian civili-
14 zation. The deity and integrity of the Holy Writ
15 the Constitution of the United States of America
16 as originally written as the good safeguards
17 of justice and true liberty ever written. I swear
18 that I will preserve, protect and defend the
19 Constitution of the White Knights of the Ku Klux
20 Klan of the State of Mississippi and obey the
21 laws and act thereunder and the lawful orders of
22 the officers of the Klan. I swear that I will
23 wholeheartedly embrace the Christian militancy
24 which is the basic philosophy of this order. I
25 swear that I will pray for daily guidance to

1 help me determine my proper balance between the
2 humble and the militant approach to my problems
3 in order that my arm might remain always as an
4 instrument of justice in the hands of Almighty
5 God, and not become tools of my own vengeance. I
6 swear that I will constantly and continuously
7 prepare myself physically, morally, and spiritually
8 in all that I may become an increasingly useful
9 instrument in the hands of Almighty God and that
10 his will be done through me as part of his
11 Divine purpose. I swear that I will remain
12 constantly alert to the force of evil which is
13 and shall remain my enemy and I swear that I will
14 oppose and expose this force at every opportunity
15 (witness dropped voice) and in life. I swear
16 that I will uphold of both my physical courage
17 and moral courage which may require or sacrifice
18 both bodily comfort in combat with the enemy,
19 and also the sacrifice of my ego and daily life.
20 I hereby dedicate my being not only to combat
21 Satan but God willing to the triumph over his
22 malignant forces and visits here on earth. Not
23 only will I die in order to preserve Christian
24 civilization but I will live and labor mightily for
25 the Spirit of Christ and all men. I swear that

1 I will cleave to my brother in this order
2 and their families above all others and to protect
3 them from our enemies both foreign and domestic.

4 I swear that I will never state a cause or the
5 breach of secrecy or any other act that may be
6 detrimental to the integrity of the White Knights
7 of the Ku Klux Klan of Mississippi. All these
8 things I will swear to do and I will daily seek
9 Almighty God, My Creator and Saviour that I may
10 be granted the strength, the ability, and the
11 grace that I may be eminently successful in that
12 performance of this obligation. I do hereby
13 bind myself unto this oath unto my grave, so
14 help me/^{Almighty}God.

15 Q Did you take that oath?

16 A Yes sir, I took that oath with the others in
17 the group.

18 Q And when you took the oath did it conform to
19 your beliefs and ideas?

20 A Yes sir, it did.

21 Q And does it also now?

22 A For the most part it does.

23 Q When did you become an officer of the local
24 activities or whatever you might call it?

25 A In April of 1964.

1 Q April of 1964. You became an officer shortly
2 after you became a member?

3 A I did.

4 Q And you then were afforded the literature that
5 you refer to, they gave you these and other
6 allied papers concerning the order?

7 A Well, I didn't get all of this immediately after
8 I became a member nor immediately after I became
9 an officer.

10 Q Right. In other words you are telling the Court
11 and Jury that it is not given to the members
12 other than taking the oath and the questions
13 that are asked, that's all the members know about
14 it is it not?

15 A Yes sir.

16 Q And that's all you knew about it when you went
17 in there, and that's all you knew about it for
18 a long period of time?

19 A No.

20 Q Except what you related here?

21 A Yes.

22 Q All right, now you mentioned this morning these
23 men, they were not officers, were they? Let's
24 take Jimmy Arledge, he's not an officer was he?

25 A I didn't mention Jimmy Arledge.

- 1 Q What about Jimmy Snowden, he's not an officer was
2 he?
- 3 A I didn't mention Jimmy Snowden.
- 4 Q And Travis Barnett, he was not an officer, was he?
- 5 A No sir, not to my knowledge.
- 6 Q And Alton Wayne Roberts was not an officer?
- 7 A No sir.
- 8 Q And when you were there taking an officer, excuse
9 me, when you were taking the oath, he was not an
10 officer was he?
- 11 A No sir.
- 12 Q And Frank Herndon was he an officer when you
13 took the oath?
- 14 A Not when I took the oath, no sir.
- 15 Q And he wouldn't have been afforded any of that
16 literature because all he knew about it and the
17 rest of them knew about it and all you knew about
18 it was the taking of the oath that you read-----
- 19 A Sir, I don't know what information they had, I
20 can only testify to what I knew when I joined.
- 21 Q Well you knew what the police was, you had
22 just as much access to it as any of the rest
23 of them, did you not?
- 24 A I don't know where I did or not, I was the
25 thirty-second person to join, and I don't know

1 what the rest of them knew when I joined.

2 Q. Well, did they have an opportunity to any
3 information or literature that you didn't have?

4 A. Not in my presence.

5 Q. How long was it before you knew of any information
6 being distributed among the membership that was
7 not taken up at the meetings?

8 A. You mean printed material or information?

9 Q. Printed material.

10 A. I don't know of any printed material that was
11 available to others that was not available to me.

12 Q. All right, now when did you start, excuse me I'll
13 withdraw that. Do you find in that literature
14 twenty reasons why a person should not join the
15 Ku Klux Klan?

16 A. Yes sir.

17 Q. Would you find that for us please? Will you
18 read those twenty reasons?

19 A. Now here my fellow Americans are twenty reasons
20 if you are qualified to join and support the
21 White Knights of the Ku Klux Klan of the State
22 of Mississippi. Because it is a a Christian
23 and benevolent organization, because it is a
24 democratic organization governed by its members;
25 because it is a dedicated and just organization;

1 because it is a working organization that not
2 only talks but acts; because it is a very secret
3 organization; and no one will know that you are
4 a member; because it is a legal organization and
5 no one can be prosecuted for being a member;
6 because it is a politically independent organi-
7 zation and is not pledged to any political party;
8 because it is a pro-american organization that
9 opposes anything, person or organization that
10 does or is unamerican; because it is an organizatio
11 that is sworn to uphold the constitution of the
12 United States of America; because it is composed
13 of native born white gentile and protestant
14 American citizens who are sound of mind and of
15 good moral character; because the goals of the
16 KKK are pro-segregationists of the races and a
17 total destruction of communism in all its form;
18 because the KKK has twice saved this nation from
19 destruction as history clearly recalls it; because
20 there comes a time in the life of every man when
21 he has to choose between the right or wrong side
22 of life, and because there are today many alien
23 forces here in the United States of America bent
24 upon its destruction; because it informs its
25 members and an informed citizen is a good citizen
because a Christian-like brotherhood must be

1 revived in America; because one of the goals in
2 KKK is States Rights and complete state soverienty
3 because neither the conservatives or the liberals
4 will save our nation for patriots always save a
5 nation; because it is stated now that if communism
6 is to be defeated in America it will be done in
7 the South and primarily in Mississippi; because
8 the KKK needs you today to help fight America's
9 battles, now did you just want those twenty or
10 do you want the rest that is on that page?

11 Q The twenty reasons are what I'm asking you at
12 this time. Now, will you, or when you became
13 a member of that organization, you believed in
14 State's Rights, did you not?

15 A I still do.

16 Q You still do, and you then believed in separation
17 of the races did you not?

18 A I did then and I still do.

19 Q You still do, and you were then opposed to
20 communism and you still are?

21 A That's right.

22 Q Now there is nothing whatsoever then about the
23 representations that is made to the prospective
24 members or the new members of the Klan that
25 would have anything to do with intimidation or

- 1 violation of the law?
- 2 A This is for prospective members you are talking
3 about?
- 4 A Right.
- 5 Q And on the night they became members there was
6 nothing whatsoever in their oath that had anything
7 to do with intimidation or threats or anything
8 to do with any person was it?
- 9 A Not in the oath.
- 10 Q Well, the questions that we have gone over the
11 ten questions that were asked, the representation
12 made in the newspaper and the oath was the only
13 thing the new member had access to at the time
14 he joined, is that right?
- 15 A That's right, at the time he joined.
- 16 Q Well, are those the reasons that you joined the
17 Klan that we have gone over?
- 18 A Yes sir, I thought it was a good organization.
- 19 Q And when did you begin to give information to
20 the government about the Klan?
- 21 A It was in November of 1964.
- 22 Q November of 1964. Then you were a good member
23 then of the Klan from the time you joined in
24 the Spring of '64 until that time?
- 25 A No sir, I was a member until June the 16th and I

1 did not pay my dues after that date.

2 Q Well, whether you paid your dues or not you were
3 right there talking to the same old friends
4 you had made, and carrying on activities with
5 them weren't you?

6 A I was not carrying on activities ~~for~~ the Klan
7 during the period of June until November.

8 Q November was when you started giving this infor-
9 mation to the government?

10 A It was November.

11 Q And from June until November you did not go to
12 any of the meetings?

13 A We had some informal meetings during that period.
14 That is I was associated with people that were
15 Klansmen.

16 Q Now ah, what part of June did you attend the
17 last meeting?

18 A On June the 16th.

19 Q And you tell the Court that you don't know anythin'
20 that went on in the Klan between those two dates?

21 A Between what two dates?

22 Q The 16th of June and November/

23 A Only what I have heard, sir.

24 Q What you've heard, and a great bit of the infor-
25 mation that you gave to the Court earlier was

1 what you heard wasn't it?

2 A. Yes sir.

3 Q. Now, I'll ask you please to tell the Court and
4 Jury whether or not you ever saw Frank Herndon
5 intimidate, threat, or attempt to do so anyone
6 while he was in your presence, at anytime while
7 he was in your presence, whether it was at a
8 meeting or on the streets, or otherwise?

9 A. Did you say doing it or talk about doing?

10 Q. I ask you please to tell us whether or not you
11 ever saw Frank Herndon threaten or intimidate
12 any person, namely Michael Schwerner, Andrew
13 Goodman or James Chaney anytime during 1964?

14 A. No sir.

15 Q. I'll ask you the same question as to Jimmy Arledge

16 A. No sir.

17 Q. I'll ask you the same question as to James T.
18 Harris?

19 A. No sir.

20 Q. And the same question of Travis M. Barnett?

21 A. No sir.

22 Q. And the same of Jimmy Snowden?

23 A. No sir.

24 Q. And the same of Alton Wayne Roberts?

25 A. No sir.

1 BY THE COURT:

2 What would you say if he asked the same question
3 about the other 18 defendants?

4 BY THE WITNESS:

5 It would be the same sir.

6 BY MR. WATKINS:

7 Q. Now, what you are saying to the Court please sir
8 that while you were there the conversation that
9 you were telling about this morning primarily
10 meant that members of the Klan just didn't like
11 what Michael Schwerner was doing in Mississippi,
12 wasn't that the jest of it?

13 A. Well, the jest of it would be that they didn't
14 like it because they believed him to be an
15 atheist and a communist.

16 Q. Yes sir, and actually you didn't like what he
17 was doing here?

18 A. No sir.

19 Q. You had heard or read about what he was doing
20 here didn't you?

21 A. I had heard about what he was doing here, I didn't
22 know what he was doing here.

23 Q. So, at the time the feeling of yourself and the
24 feeling of the defendants was the same wasn't it?

25 A. Not in regard about what should be done about him.

- 1 Q Well, I'm asking you jast about this one question
2 about your feelings in regard to what he was
3 doing here and who he was?
- 4 A Yes, I did not like what I was told he was
5 doing or what he represented.
- 6 Q And in that regard your feelings and the defendant
7 that I have named was the same wasn't it?
- 8 A I suppose it would be.
- 9 Q Now, I want to ask you if you will tell me whether
10 or not at these meetings there were any formal
11 procedure. What is referred to as a Kludd.
- 12 K L U D D?
- 13 A The Kludd was the Chaplain of the Klan.
- 14 Q Did you have a Chaplain?
- 15 A I was the Chaplain.
- 16 Q You were the Chaplain, and did you perform the
17 duty of a Chaplain in these meetings?
- 18 A I tried to for a while.
- 19 Q And how long did you perform these duties as a
20 Chaplain in hplding prayer at these meetings?
- 21 A I held prayer in all of the three years that I
22 have been in the Klan.
- 23 Q And that was the atmosphere at every meeting that
24 you attended wasn't it?
- 25 A Now what do you mean by the atmosphere?

- 1 Q Well, that you held prayer?
- 2 A Its a fact that I held prayer at some of the
- 3 meetings, not all of the meetings.
- 4 Q Well----
- 5 A I occasionally was called upon to lead in prayer
- 6 and I always lead in prayer when I'm called upon
- 7 to.
- 8 Q Well, do you remember approximately how many
- 9 meetings that you attended that you weren't called
- 10 upon to lead in the prayers as Kludd?
- 11 A Well there was a good number of them that I did
- 12 not hold prayer in?
- 13 Q Did someone else hold prayer?
- 14 A Usually someone else did.
- 15 Q All right sir, I want to ask you whether or not
- 16 at any meeting that was held during the year 1964
- 17 that you or someone else did not hold prayer?
- 18 A You mean a formal meeting?
- 19 That's what I'm referring to.
- 20 A All right, there was none.
- 21 Q There was no meeting. Now, as you began to
- 22 disclose information to the federal government
- 23 did you engage in any of the activities at any
- 24 of their meetings?
- 25 A Yes sir.

1 Q Was there any change in your status at that time?

2 Were you the Titan at that time?

3 A I became Titan shortly after I began to work for
4 the F. B. I.

5 Q And in other words you were promoted about that
6 time?

7 A That's right.

8 Q And as far as you were concerned and as far as
9 the F. B. I. were concerned you were officially
10 working for the F. B. I. as an Agent?

11 A Not as an agent.

12 Q Well an investigator.

13 Q What position do you hold with them?

14 A As an informer.

15 Q All right now, this information that you were
16 giving them, you were expected that it would be
17 used against persons with whom you were talking
18 about was it not?

19 A Well, I didn't know what it would be used for.

20 Q Well now, are you telling this Court and Jury that
21 it is your whole duty to obtain information from
22 the persons that you knew and that you didn't
23 have any idea what it was going to be used for?

24 A Well, I had an idea. You asked me what it was
25 going to be used for.

1 Q But this time was after the said disappearance
2 of the parties named in this indictment was it
3 not?

4 A Yes, it was.

5 Q And did you not know full well that the purpose
6 of your work was to be used in that case?

7 A To obtain information which might be used in that
8 case.

9 Q All right, did you tell one single person ~~that~~
10 you talked to that the information he might give
11 you would be used or might be used in that case?

12 A No sir, I didn't.

13 Q In other words, whether you might call yourself
14 an agent or an informer or what not, you did
15 obtain this information whatever it was and re-
16 lated it to the government and you did not give
17 any person you were talking to any warning, or
18 apprise him of anything whatsoever?

19 A That is true.

20 Q And in that method the government got information
21 without apprising one single person of his rights
22 in any way as to the release of that information
23 did they?

24 A Well, I didn't apprise any of them of those
25 rights.

- 1 Q All right. Did you act as a Captain of the Leer
2 or Cyclops or Grand Dragon or anything like that?
- 3 A Beg pardon?
- 4 Q Did you act as Captain of the Leer or Cyclops
5 or Grand Dragon?
- 6 A I was the Titan.
- 7 Q You were the Titan. That's the only position
8 that you ever had?
- 9 A I was Kludd of the local chapter.
- 10 Q And Titan is higher and the Captain or the Cyclops
11 is it not?
- 12 A Yes.
- 13 Q And is it a higher position than the Grand Dragon?
- 14 A No sir.
- 15 Q Well, what is the position of your immediate
16 superior?
- 17 A I was responsible to Sam Bowers only.
- 18 Q And he was what?
- 19 A The Imperial Wizard.
- 20 Q How do you classify the Grand Dragon and you
21 were responsible to the top man, how do you
22 account for the Grand Dragon?
- 23 A The Grand Dragon was what was known as the number
24 two man and he was a type of Vice President and
25 he would step into the place of the Imperial

1 Wizard if something happened to the Imperial
2 Wizard.

3 Q And the membership of such as some of the defen-
4 dants didn't have anything to do with any kind
5 of policy making or the purpose of the Klan having
6 to do with the death of anyone or anything like
7 that?

8 A Have anything to do with what?

9 A The membership here, the ones that I have named.
10 Let's take them again by name, Herndon, Arledge
11 Harris, Barnett, Snowden and Roberts, they were
12 just members and they under the rules and regula-
13 tions of the order if there were any orders to
14 give anybody they wouldn't give those orders and
15 they wouldn't set up such policies?

16 A The policies were not set up necessarily by the
17 members and you will have to remember here that
18 I wasn't the Titan until November of 1964.

19 Q You were just a regular member?

20 A So I couldn't say who they communicated with or
21 anything with regard to that.

22 Q That's what I'm getting at, you were a regular
23 member just like they were and you know you
24 didn't engage in a plan to kill anybody you were
25 just like they were, were you not?

1 A Well you just volunteered for extra duty if you
2 wanted to do any violence, you didn't do it that
3 way you just informed the Cyclops that you were
4 willing to do it and he would see you later.

5 Q In other words at these meetings that you have
6 been telling the Court about they didn't discuss
7 anything like that at these meetings, that just
8 wasn't discussed was it?

9 A Well they did discuss that at the meetings.

10 Q Well, I'm asking you if members like yourself
11 had anything to do with the plan or policy or
12 setting up anything concerning the death of anyone

13 A They could have under the instructions I related
14 in direct examination.

15 Q But without relating what they could do I'm
16 asking you what you did and what those that I
17 named with you concerning that?

18 Q What we did together?

19 Q Yes, about killing anybody.

20 A We didn't make any plans in the meetings to kill
21 anybody except when we were advised that it had
22 already been taken care of and it would be un-
23 necessary for the folks at the meeting to take
24 an elimination vote on it.

25 Q They never did take a vote on it they never did

1 make any plans on it at any of those meetings,
2 did they?

3 A They talked about it, they never did vote on it
4 while I was there.

5 Q What you are saying is that all of it was in the
6 negative and not in the affirmative

7 Q What was in the negative sir?

8 Q Killing someone, harming someone, the conversator
9 was in the negative and not in the affirmative,
10 was it?

11 A Well, not always in the negative sir, there were
12 times even after the fourth meeting when pros-
13 pective members were present and nothing was ever
14 said about violence and after that part of the
15 ceremony they started talking about violence.

16 Q In other words you are not saying now that you
17 and Wallace Miller and others organizing members
18 were not in there giving the members a false
19 pretext?

20 A I wasn't an organizer sir, I was Chaplain and
21 later a Titan.

22 Q But I'm asking you now if a plan that you heard
23 talk about Michael Schwerner , whatever that was
24 at this meeting, whenever it was, that discussion
25 was in the negative and not in the affirmative,

1 that's what you testified to wasn't it?

2 A. I testified that we were told that it would be
3 taken care of by some other than the local group/

4 Q. And the local group didn't take any vote on it?

5 A. It was not necessary to.

6 Q. That's not affirmative, that's negative.

7 A. I understand.

8 Q. All right. Do you know or have any knowledge
9 as to when Andrew Goodman came to Mississippi?

10 A. No sir, I don't.

11 Q. Andrew Goodman was not even in Mississippi during
12 the time you were active in the Klan was he?

13 A. I don't know, his body was here after I was
14 working with the Klan.

15 BY MR. WEIR:

16 We object to that Your Honor about his body.

17 BY THE COURT:

18 Overruled.

19 BY MR. WATKINS:

20 Q. Do you know whether or not Frank Herndon was at
21 this meeting at Philadelphia, do I understand
22 that he was not at that meeting?

23 A. Yes sir.

24 Q. Frank Herndon was there?

25 A. Yes sir.

- 1 Q Did he ride in the car with you?
- 2 A No sir.
- 3 Q Did you see him up there or what?
- 4 A I saw him when we met at his place to leave
5 and when we came back.
- 6 Q Well, whenever you left his place, was he
7 leaving to go?
- 8 A No sir, he was waiting for some more people to
9 come in. d
- 10 Q And you left him here waiting?
- 11 A Yes sir.
- 12 Q And when you were up there he did not return
13 with you?
- 14 A He did not.
- 15 Q To the best of your recollection it is your
16 judgment that he was there?
- 17 A Yes sir.
- 18 Q All right the others that you have named, Mr.
19 Harris, Mr. Barnett and Mr. Roberts, I want to
20 ask you if either one of those persons did anything
21 that had to do with threats or violence or inti-
22 midation against anyone in your presence at that
23 meeting.
- 24 A It was Mr. Barnette that reported that the church
25 was under heavy guard and suggested that some-

1 thing should be done about it and that they should
2 go armed because it was going to be a dangerous
3 mission and I assumed that it was.

4 Q. Now what was your activity at that time. You say
5 you were standing there and you heard these things
6 so please tell me the difference in your activitie
7 between yours and those persons that you say, just
8 one single thing that they said or done that you
9 didn't?

10 A. Well I didn't come back and report that I had
11 beat niggers.

12 Q. Well, I'm talking about the plan that you say
13 was perfected there, where was this?

14 A. We met in this gym building.

15 Q. All right is there anything that was said or done
16 there that you didn't acquiesce there?

17 A. After they left I told the group that was left
18 that I didn't approve of what was going on.

19 Q. All right, while they were gone you told them that

20 A. I did. I told the group that was left, and it was
21 a large group that was left that I didn't approve
22 of them going.

23 Q. What did you have to say to the group that was
24 left concerning that?

25 A. I didn't have anything to say, in the first place

1 I would not have been permitted to go because I
2 didn't have a gun, and we were told that nobody
3 could go that wasn't wearing a gun.

4 Q. You didn't do anything to discourage or stop or
5 prevent their going to investigate the matter?

6 A. No sir.

7 Q. And you never did at any time while you were a
8 member see anything carried on that you felt was
9 your duty as a citizen to stop did you, you didn't
10 think they were that type of unlawful activities?

11 A. Yes sir, there were things that I did help to
12 stop but they were not all related to this case
13 and I don't know where you want to go into that.

14 Q. Well, I'm asking you about this case only and
15 about my clients that I have named, you were
16 not with them at anytime that you felt it was
17 your duty as a citizen to stop them from doing it

18 A. Now, are you talking about up until the date of
19 June 16th or thereafter?

20 Q. Up until that time ?

21 A. Up until that time, no sir.

22 Q. You weren't with them after June 16th were you?

23 A. Until later on.

24 Q. Now I want to get that clear in my mind that
25 from the time you were a member in the Klan when

1 you first joined until the 16th of June and then
2 thereafter you were not with them until after---

3 A N_o sir, I didn't say I was with them I said earlier
4 that I was with them at informal meetings, on the
5 streets, down at Frank Herndon's.

6 Q All right now from the time that you joined until
7 June the 16th you did not see anything carried
8 on at a time you were with them at a meeting
9 or otherwise, something that you should have
10 stopped them from doing?

11 A Right.

12 Q All right. Now, after the 16th you didn't meet
13 with them formally anymore until when?

14 A I suppose the next formal meeting would have been
15 somewhere uh in November, and during this time
16 not only was I not in formal meetings but formal
17 meetings were suspended, I was told.

18 Q And therefore, during that period of time you
19 could have therefore not heard anyone talking
20 about any intimidation or violence or anything?

21 A Yes sir. We're talking about here whether or not
22 the group gets together or whether or not there
23 was a formal meeting of the Klan and these two
24 things are entirely different.

25 Q Well they are different but I'm asking you during

1 that period of time I 'm asking you if you met
2 with any of them on the street or anywhere else
3 at a time they did something in your presence
4 or that you knew about that was directed toward
5 violence that you should have done something about

6 A. No sir, I didn't see them committing an act of
7 violence.

8 Q. Thank you. Now, please sir, you, in discussing
9 this trip to Neshoba County you kept referring
10 to other people that were not defendants. Who
11 went with you up there that night that are not
12 defendants here in this case?

13 A. I went in the car with Billy Birdsong, Dick
14 Warner, B. C. Lyle, and Wayne Roberts.

15 Q. Without regard to what the so-called activities
16 might have been tell this Court and jury that
17 isnt it true that Billy Birdson was the mostth
18 active or is active than anyone else in the Klan?

19 A. I would say he was.

20 Q. And yet he is not a defendant here, is he?

21 A. No sir.

22 Q. And he has never been a defendant has he?

23 A. I don't know that.

24 Q. Do you know where he is today?

25 A. No sir.

1 Q And you haven't seen him in a good while have you?

2 A No sir.

3 Q Did you have an opportunity to see him here and
4 there while you were a member of the Klan?

5 A Yes sir, I saw him many times.

6 Q And he was very active was he not?

7 A Yes sir, he was very active, until they kicked
8 him out.

9 Q You mean he got so bad they had to kick him out?

10 A I suspended him myself.

11 Q For some misconduct?

12 A Yes, he was too active.

13 Q He was not like theses defendants here was he?

14 A Well he may have been like them-----

15 BY MR. HAUBERG:

16 We object-----

17 BY THE COURT:

18 What's your objection, Mr. Hauberg?

19 BY MR. HAUBERG:

20 We object to his statement not being like these
21 defendants.

22 BY THE COURT:

23 I'll let him answer that and then let him make any
24 explanation of it thathe wants to.

25 BY THE WITNESS:

1 A. I would say he was more active than most of the
2 defendants as far as doing or volunteering to do
3 things and talking about violence.

4 Q. I ask you please sir about Jim Jorden, did you
5 ever know about Jim Jordan?

6 A. I knew about Jim Jordan for a little while.

7 Q. Was he very active in the Klan?th

8 A. I only know about one meeting that I was in with
9 Jordan. I don't know but there might have been
10 other meetings that we both attended, but I
11 didn't know anything about what he did in the
12 Klan, I knew him to be a member.

13 Q. Do you know whether or not he is indicted as a
14 co-defendant in this indictment with these people?

15 A. I understand he is.

16 Q. Do you know where he is now?

17 A. No sir, I do not.

18 Q. Would you say in your judgment that Narris, Hernder
19 Arledge, Snowden, Barnett and Roberts, like you
20 said were good members of the Klan?

21 A. You are asking for my judgment----

22 Q. Well, like yourself. Would you state in a fashion
23 they were reasonably good members of the Klan.

24 A. I don't know if they would have been good members
25 by my standards.

1 Q Did you consider yourself as a good member?

2 A I was a good member by Sam's standards or by
3 somebody else's standards who believe in the
4 organization?

5 A When I went into it on the basis that I was told
6 and read.

7 Q Well what you saw and read in the presence of the
8 defendants that I have named do you believe they
9 thought it was a good organization?

10 A They believed it to be to begin with.

11 Q Now, you have introduced in evidence here written
12 by a man you say is Wallace Miller, what position
13 did he hold at the time he wrote that letter?

14 A At the time he wrote that letter he had just a
15 few days before been banished from the Klan.

16 Q In other words he had acted up or done something
17 like Billy Birdsong that you and the rest of them
18 didn't approve of, right?

19 A Sam believed on the basis of the testimony given
20 him by Birdsong in my presence that Wallace Miller
21 was an informer for the F. B. I. and so he ordered
22 him banished.

23 Q In other words they began to think they had an
24 informer working with them?

25 A That's right.

- 1 Q Is that what he meant when he wrote that letter?
- 2 A Well he wanted a trial so that he would have a
- 3 chance whether he was or was not an informer for
- 4 the F. B. I.
- 5 Q So you are certain because of your experience
- 6 that Wallace Miller who was an officer of the
- 7 order at that time didn't inform these members
- 8 that he was seeking information to turn in to the
- 9 government, did he?
- 10 A Well, he didn't inform them to my knowledge and it
- 11 would be my opinion that he didn't at all.
- 12 Q And because of your experience in what we are
- 13 talking about you are pretty sure that he didn't
- 14 inform him about it from the information he was
- 15 accumulating for the government?
- 16 A That's right.
- 17 Q So any statement that these defendants made in
- 18 your presence or his presence that information was
- 19 related to the government sources without anything
- 20 whatsoever to protect their rights, wasn't it?
- 21 A Yes sir.
- 22 Q Now, please sir, when was it that you got a
- 23 subpoenae to appear before a Congressional Committee
- 24 during this period of time?
- 25 BY MR. HAUBERG:

1 We object to that if the Court please.

2 BY THE COURT:

3 Overruled. You may answer.

4 BY THE WITNESS:

5 November of 1964, no, November of '65.

6 BY MR. WATKINS:

7 Q. November of 65. Were you still active for the
8 F. B. I. then?

9 A. Yes sir.

10 Q. Are you still active for them now?

11 A. Yes sir.

12 Q. And did you issue some type of publication con-
13 cerning this subpoena concerning this committee
14 of Congress?

15 A. There was a letter that I wrote the committee.

16 Q. What was the subject matter of that letter if you
17 can recall?

18 A. I wrote that in the manner in which the subpoena
19 was given to me because people came to me and told
20 me I was going to be subpoenaed before I got it
21 and I understood that to be irregular and improper
22 to tell somebody else that a certain person was
23 going to be subpoenaed.

24 Q. What subject matter did you use in reference
25 to Klan activity, or what representation did you

1 make through the news media at that time regarding
2 your Klan activities, if any?

3 A. I was not sympathetic to the Klan and I opposed
4 violence.

5 Q. Come again with that please?

6 A. I opposed violence and I was not sympathetic with
7 the Klan.

8 Q. And at that time were you having any meetings with
9 the Klan or membership with the Klan?

10 A. Yes there were meetings at that time.

11 Q. And certainly there was no violence going on at
12 that time or you wouldn't have been present, is
13 that right?

14 A. Well certainly there was no violence going on in
15 the meetings where I was, no.

16 Q. And that's pretty well summarized your entire
17 testimony about the meetings, that there was
18 no violence?

19 A. There was no violence at the meetings.

20 Q. As a matter of fact that you had some kind of
21 rule that if the boys used cursed words they
22 would be punished or fined?

23 A. I fined them for four or so weeks and finally
24 they just refused to pay their fines and continue
25 to curse and take the Lord's name in vain, and

1 this one of the things that made me disappointed
2 and disillusioned with the Klan because they
3 didn't do what they said they would do.

4 Q Well, at any rate it was the policy of the Klan
5 that they wouldn't do that.

6 A They said it was the policy but they didn't put it
7 in practice as far as curse words were concerned.

8 Q Now, tell me please sir, whether or not in your
9 presende during your entire time with the Klan
10 that you saw any plan or activity of any nature
11 on or grouped together or federated together
12 or otherwise the law enforcement officers of any
13 county?

14 A Did I see any law enforcement?

15 Q No, I asked you if any plan or any activity at
16 any time or in your presence was ever correlated
17 with any law enforcement officers or any activity
18 with law enforcement officers, did you ever see
19 that at any time?

20 BY MR. HAUBERG:

21 We object to that if the Court please, it would be
22 a legal conclusion on the part of the witness.

23 BY MR. WATKINS:

24 Your Honor please, ----

25 BY THE COURT:

1 I suspect you had better break that down a little
2 bit and make sure he understands it.

3 BY MR. WATKINS:

4 Q This charge here that he was acting under the
5 color of law, will you tell this Court and Jury
6 that at any time that you were a member of the Klan
7 that you were with these defendants that I have
8 named, that there was any correlation or any
9 activity of any kind ever made with law enforcement
10 officers?

11 BY THE COURT:

12 Do you understand his question?

13 BY THE WITNESS:

14 No sir, I'm not sure that I do.

15 BY THE COURT:

16 I suspect that correlation is not only a big word
17 but also a broad word, so you had better tell him
18 in understandable English what it is that you want
19 to find out.

20 BY MR. WATKINS:

21 Q The meetings that you refer to were there any
22 law enforcement officers there other than Wallace
23 Miller who was a government witness?

24 A There were times that they were.

25 Q And who were those law enforcement officers?

1 A I remember that Mr. Hatcher was present, that
2 Mr. Lee Roberts was a member, and that Wallace
3 Miller was a member.

4 Q Now, there are other law enforcement officers
5 that are named in this case, were they there
6 that you remember?

7 A I did not attend any formal meetings with Mr.
8 Rainey or Mr. Price.

9 Q I ask you please if anytime that during the period
10 that you were a member working with the members
11 of the Klan that you ever attended the meeting
12 where there was ever a discussion or a plan made
13 or anything when Wallace Rainey and Cecil Price
14 as law enforcement officers participated with you
15 and others?

16 A I was not at any formal meeting of the Klan with
17 these men.

18 Q And you were not at any meetings of the Klan
19 whereby their names were discussed?

20 A Yes sir.

21 Q As participants in any activity whatsoever,
22 were you?

23 A Their names were frequently mentioned in formal
24 Klan meetings and as being active members of
25 the Neshoba Klavern.

1 Q But that's what you heard?

2 BY MR. WEIR:

3 I object to anything that was said outside of the
4 presence of these defendants.

5 BY THE COURT:

6 Well, of course one of your colleageues has inviged
7 the answer to that so I'll overrule your objection.

8 BY MR. WATKINS:

9 Q Other than what you heard, you never had any
10 knowledge of the participation of Rainey and
11 Cecil Price in any of these activities that you
12 have referred to personally, do you?

13 A Except what Mr. Price told me.

14 Q Except the statement that you said he made.

15 A Right.

16 Q But other than that there has been no activity
17 of these members as law enforcement officers?

18 A But when I have been in Neshoba County for the
19 Imperial Wizard for administrative matters these
20 were the men that I contacted to see if there was
21 anything that I could do on behalf of Sam or the
22 Klan. They represented the Klavern to me.

23 Q You know since you were doing that, that didn't
24 involve any activities of intimidation or threats
25 of violence, you know that don't you?

1 A I understand that.

2 Q That's all.

3 BY MR. BUCKLEY:

4 Q Reverend Dennis, during the course of your employ-
5 ment with the Federal Bureau of Investigation did
6 you render them that same oath as taken by you?

7 A No, you mean reports?

8 Q Yes.

9 A Yes sir.

10 Q Did you do this at the time or during the course
11 that you were supplying them information?

12 A There were periods that no reports were given
13 but the reports covered most of my activities.

14 Q Yes sir. And did you testify before the federal
15 grand jury in Jackson, Mississippi?

16 A I did.

17 Q On how many occasions?

18 A One time.

19 Q And when was that?

20 A February of 1967.

21 Q Now, Reverend Dennis, the time that you have worke
22 for the Federal Bureau of Investigation and sold
23 them information has been for approximately two
24 years, or three years, is that correct, and the
25 events about which you testified cover approximate

1 another half a year, does it not?

2 A. Yes sir.

3 Q. And during the course of these investigations
4 or these reports and this information that you
5 sold the Bureau of Investigation they have
6 frequently gone over these reports with you as
7 it relates to the dates, places and names have
8 they not?

9 A. We have met frequently, yes.

10 Q. And prior to your testimony before the federal
11 grand jury in Jackson, Mississippi and your
12 testimony here they went over your notes and
13 briefed you, did they not?

14 A. I didn't see the notes, we did discuss some of
15 the information that I had given them.

16 Q. Yes sir, but they had something in their hand
17 didn't they?

18 A. Yes.

19 Q. And they were reading from it, weren't they?

20 A. Yes sir.

21 Q. And you know it to be a fact that there were
22 notes they were reading from and not an open
23 Bible they were reading from, don't you?

24 A. I didn't say it was a Bible, I am sure it was
25 those reports.

1 BY MR. HAUBERG:

2 We object to Counsel arguing with the witness.

3 BY THE COURT:

4 Yes, I'll sustain the objection.

5 BY MR. BUCKLEY:

6 Q Brother Dennis, without the benefit of those
7 notes that have been compiled it would have been
8 physically impossible for you to have remembered
9 for the distinctness and the clarity that you
10 have related here this morning would it not?

11 A Sir, the things that I have stated here this
12 morning are from my memory. They were asking me
13 what I remembered about it, they weren't telling
14 me and I was instructed to tell the truth, the
15 whole truth and nothing but the truth and only
16 as I remembered it.

17 Q Yes, in other words what you are telling us
18 Brother Dennis is that you can go back right
19 now and tell us every date that you gave them
20 in that information and what you did?

21 A No sir.

22 Q That is not what you can do, can you?

23 A I can give them every date-----

24 (Counsel talking at same time witness talking,
25 reporter unable to transcribe)

1 BY THE COURT:

2 Counsel, I hope you know that the reporter can't
3 take both of you at one time and you are not letting
4 him answer your questions. You are not going to
5 have much of a record here.

6 BY MR. BUCKLEY:

7 Q. Can you remember exactly at what time whom was
8 with whom and where else can you?

9 A. Now, which one are you referring to?

10 A. Well I'm just going through the whole course of
11 this, you can not remember all of the details
12 can you?

13 A. No sir, I can't remember all the details.

14 Q. And at the time that you testified in Jackson,
15 Mississippi it as, uh, you could remember things
16 that happened closer to that time than you can
17 right now, naturally.

18 A. Probably, naturally.

19 Q. Yes, and at the time you gave them this information
20 you could remember it better and more distinctly
21 and clearer than you can now?

22 A. I might have.

23 Q. Your Honor based on the testimony of this witness
24 we respectfully move that the United States
25 Government be required to produce for inspection