

1 A. He would come over about 9:00 o'clock at night  
2 and bring us a lunch and something to drink.

3 Q. Did he do that that night?

4 A. Yes, he did.

5 Q. That's all.

6 BY MR. DOAR:

CROSS EXAMINATION

7 Q. How far did you say the trailer was from the  
8 Longhorn?

9 A. It was a half a block or better.

10 Q. Did you usually stay inside the trailer?

11 A. Yes sir, most of the time, I did.

12 Q. How old was the little girl?

13 A. She was two in May after I started taking care  
14 of her in April.

15 Q. And you were busy with her most of the day?

16 A. That's right.

17 Q. You couldn't tell this Court and Jury anyone  
18 Mr. Herndon saw at the Longhorn that afternoon,  
19 or who he saw, could you?

20 A. No.

21 Q. You couldn't tell us whether or not he made  
22 any telephone calls that afternoon?

23 A. No.

24 Q. And he could have left the Longhorn and gone over  
25 to Mr. Akin's place without you knowing about it

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Couldn't he?

A. Well he could have, he's usually in and out.

Q. In and out of the Longhorn?

A. And out to the trailer and back.

Q. You remember him coming out to the trailer about  
9:00 o'clock when he brought you some supper?

A. Yes, he came out there about 9:00 o'clock and  
brought some supper for us.

Q. How do you happen to remember this day?

A. Well, it was Father's Day and my daughter lives  
in Birmingham, and she came down for Father's  
Day, and they spent the night at my house and  
I went down there the next afternoon, and they  
came down to see me and sat with me a while,  
her and her husband.

Q. You usually took care of the Herndon child every  
day didn't you?

A. Yes.

Q. And was it a regular practice for Mr. Herndon  
to bring down food to you about 9:00 o'clock?

A. Yes, he would bring food down there about that  
time every night because I would go to work over  
there about three in the afternoon.

Q. He'd just come down for a few minutes?

A. Yes he would go and come, fixing her bottles

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1 and things like that.

2 Q. Then that day was no different than any other  
3 particular day?

4 A. No.

5 Q. When was it that you were asked to remember what  
6 took place on that June 21st?

7 A. Nobody has asked me that.

8 Q. Nobody has asked you that. Well, you must have  
9 talked to Mr. Watkins about it.

10 A. Yes, I told him about it over the phone. I  
11 talked to him.

12 Q. How long ago was that?

13 A. Yesterday morning.

14 Q. Is that the first time?

15 A. First time.

16 Q. Thank you.

17 (Whereupon witness excused)

18 ALTHEA MOTT, called as a witness for and on behalf  
19 of defendants was sworn and testified as follows:

20 DIRECT EXAMINATION

21 BY MR. McINTIRE:

22 May it please the Court this witness is Mrs. Althea  
23 Mott.

24 Q. Where do you live, Mrs. Mott?

25 A. In Philadelphia, Mississippi.

1 Q. Were you living there in 1964?

2 A. Yes sir.

3 Q. What church do you attend?

4 A. I attend Trinity Baptist Church.

5 Q. What church did you attend in 1964?

6 A. First Southern Methodist Church.

7 Q. And who was the Pastor of that church at that

8 time?

9 A. Willie Dennis.

10 Q. Did you hold any official capacity in that church

11 at that time?

12 A. Yes sir.

13 Q. And what did you do?

14 A. I was Secretary of the church at that time.

15 Q. Were you the Treasurer also?

16 A. Yes sir.

17 Q. You had custody of the books and everything?

18 A. Yes sir.

19 Q. Do you know the Reverend Dennis pretty well?

20 A. Yes sir, I do.

21 Q. How long did you know him prior to 1964?

22 A. I knew him two years prior to 1964.

23 Q. Have you talked to other people about Reverend

24 Willie Dennis in the community?

25 A. Yes sir.

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Q Did you talk to them in the year 1964?

A Yes sir.

Q In talking with these people, do you know the Reverend Dennis for the truth and veracity in the community from the people you have talked to?

BY MR. HAUBERG:

We object.

BY MR. McINTIRE:

I'll withdraw the question and rephrase it, Your Honor.

BY THE COURT:

All right.

BY MR. McINTIRE:

Q Do you know his general reputation for truth and veracity.

BY MR. HAUBERG:

We object, if the Court please.

BY THE COURT:

What community? Where she lives?

BY MR. McINTIRE:

She lives in the same community where he lived.

BY THE COURT:

Ask your question over.

BY MR. McINTIRE:

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1 Q In living in the same community with Reverend  
2 Willie Dennis in the year 1964, do you know  
3 his general reputation for truth and veracity  
4 in that community during the year 1964?

5 A Yes sir, I do.

6 BY MR. HAUBERG:

7 We object, Your Honor.

8 BY THE COURT:

9 I'll let her answer stand. Lady, wait for the  
10 attorneys to make their objections and then wait  
11 for the Court to rule on the objections please mam.  
12 Just don't get intoo big a hurry. All right, go  
13 along.

14 BY MR. McINTIRE:

15 Q You may answer again.

16 A Yes sir, I do know it.

17 Q Is that reputation good or bad?

18 A Very bad sir.

19 Q Would you believe him under oath?

20 BY MR. HAUBERG:

21 We object to that.

22 BY THE COURT:

23 Sustain the objection.

24 BY MR. McINTIRE:

25 I have no further questions.

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1 BY MR. BUCKLEY:

2 Q. Having lived in the same community as the  
3 Reverend Dennis and knowing his reputation  
4 in that community for truth and veracity and  
5 based upon your knowledge of that reputation  
6 would you tell the Court and Jury whether or  
7 not you would give his testimony in a court of  
8 law under oath full favored credit?

9 BY MR. HAUBERG:

10 We object.

11 BY THE COURT:

12 Sustained.

13 BY MR. HAUBERG:

14 We have no questions.

15 (Whereupon witness excused)

16 JAMES WHITTLE, called as a witness for and on behalf  
17 of defendants was sworn and testified as follows:

18 DIRECT EXAMINATION

19 BY MR. McINTIRE:

20 May it please the Court, this witness is James  
21 Whittle, W H I T T L E.

22 Q. Is that correct, Mr. Whittle?

23 A. Yes sir.

24 Q. Mr. Whittle, where do you live?

25 A. Philadelphia.

- 1 Q. How long have you lived in Philadelphia?
- 2 A. Seventeen years.
- 3 Q. Beg your pardon?
- 4 A. Seventeen years.
- 5 Q. Do you know the defendant, Sheriff Lawrence
- 6 Andrew Rainey?
- 7 A. Yes sir.
- 8 Q. How long have you been knowing Sheriff Lawrence
- 9 Andrew Rainey?
- 10 A. Approximately since 1940.
- 11 Q. Would you tell the Court and Jury where you knew
- 12 him, where was he living at the time you came
- 13 to know him?
- 14 A. Well, he was living in the edge of Neshoba County
- 15 at that time, but actually I saw him when he
- 16 was real small, but personally I didn't know him
- 17 then.
- 18 Q. How long has he been living in Neshoba County?
- 19 A. I don't really know how long. I can't give
- 20 a specific date.
- 21 Q. Would you say ten years, give us your best
- 22 judgment.
- 23 A. About that.
- 24 Q. During the time you have known Sheriff Rainey
- 25 in Neshoba County, have you talked with other



1 people about Sheriff Rainey?

2 A. Yes.

3 Q. And based on conversation with these other people  
4 could you tell the Court and Jury his general  
5 reputation for peace or violence as a law abiding  
6 citizen?

7 BY MR. HAUBERG:

8 We object.

9 BY THE COURT:

10 Sustained.

11 BY MR. McINTIRE:

12 Q. During the time you have lived in Neshoba County  
13 with Sheriff Lawrence Andrew Rainey, do you  
14 know his general reputation for peace or violence  
15 as a law abiding citizen?

16 A. Yes.

17 Q. Is it good or bad?

18 A. Good.

19 CROSS EXAMINATION

20 BY MR. HAUBERG:

21 Q. And your name is Mr. Whittle?

22 A. Yes sir.

23 Q. And you've known Mr. Rainey how long?

24 A. Well, I've been seeing him every since he was  
25 about eight years old, but personally knowing him,

1 I've known him for at least ten years.

2 Q. You know him personally, and visit in his home?

3 A. No sir.

4 Q. Does he visit in your home?

5 A. No sir.

6 Q. Are you a neighbor of his?

7 A. Well he lives on one side of town and me on  
8 the other.

9 Q. Just how well do you know him?

10 A. Quite personally.

11 Q. Do you have any business dealings with him?

12 A. No sir.

13 Q. Do you know anything about the Civil Rights  
14 Workers up there in that county in the  
15 Spring and Summer of 1964?

16 A. Nothing only just news media and newspaper.

17 Q. It was common discussion all over the community  
18 wasn't it?

19 A. Yes sir.

20 Q. Did you have any discussion with Sheriff  
21 Rainey about the time of the missing three  
22 persons?

23 A. Yes sir.

24 Q. Did you work with Sheriff Rainey on any of  
25 this?

1 A. No sir.

2 Q. Do you know Deputy Cecil Price?

3 A. Yes sir.

4 Q. How long have you know him?

5 A. I couldn't give you a specific date, six years  
6 I presume.

7 Q. Do you remember when these Civil Rights Workers  
8 were missing?

9 A. Well, more or less hearsay, yes sir.

10 Q. Do you remember the day or the month?

11 A. No.

12 Q. <sup>?</sup>Do you know what month it was?

13 A. No.

14 Q. Is there any date right now that you could point  
15 out that it was said that the three Civil  
16 Rights workers were missing?

17 A. No.

18 Q. Can you, strike that. Are you related to Sheriff  
19 Rainey?

20 A. No sir.

21 Q. Are you related to Cecil Price?

22 A. No sir.

23 Q. Are you related to any of the other defendants  
24 in this case?

25 A. No sir.

1 Q. Did you have any relatives up there that dis-  
 2 cussed these Civil Rights Workers being missing?  
 3 A. Yes.  
 4 Q. Who was that?  
 5 A. Ervin Jones.  
 6 Q. He's a relative of yours?  
 7 A. Brother in law.  
 8 Q. Brother in law. When was the first discussion  
 9 you had with him about it?  
 10 A. I can't give you any specific date on it.  
 11 BY MR. BUCKLEY:  
 12 May it please the Court, Your Honor, I object to  
 13 this line of questioning.  
 14 BY THE COURT:  
 15 Overruled. I don't see the relevancy of it I might  
 16 add.  
 17 BY MR. HAUBERG:  
 18 Q. Do you recall a name of any person by the name  
 19 of Michael Schwerner?  
 20 A. No sir.  
 21 Q. Have you heard that name----- (Interrupted by  
 22 Witness)  
 23 BY THE COURT:  
 24 Mr. Whittle, let him ask and finish his question  
 25 before you start, he's trying to take down what

1 is being said here and he can't both of you at  
2 the same time. So let him ask his question  
3 then you answer please sir.

4 BY MR. HAUBERG:

5 Q. Did you hear his name mentioned before June the  
6 21st, 1964?

7 A. No sir.

8 Q. What did you hear before June the 21st, 1964  
9 being discussed in connection with any workers  
10 being up in that area?

11 BY MR. WEIR:

12 Object Your Honor, to what he has heard, it would  
13 be hearsay.

14 BY THE COURT:

15 I'll let him tell what----

16 BY MR. HENDRICKS:

17 He just said workers, Your Honor, there are all kinds  
18 of workers.

19 BY THE COURT:

20 I'll let him tell what he has heard about these three  
21 victims.

22 BY MR. HAUBERG:

23 Q. Civil Rights Workers?

24 A. I didn't hear anything about them.

25 Q. You didn't hear anything up about them prior

1 to June the 21st?

2 A. No sir.

3 Q. When was the first time that you realized that  
4 you were going to be a witness in this case?

5 A. I would say about a week ago.

6 Q. Had you discussed it with either one of the  
7 defendants here?

8 A. I talked with Price.

9 Q. Did you talk with Rainey?

10 A. And Rainey.

11 Q. You talked with both of them?

12 A. No answer

13 BY THE COURT:

14 Give him your answer he can't take the nod of your  
15 head.

16 BY THE WITNESS:

17 A. I talked with both of them I said.

18 BY MR. HAUBERG:

19 Q. Now have you talked with them here this week?

20 A. Just general discussion in the hall.

21 Q. Now when you discussed this with your brother in  
22 law, Ervin Jones, I believe you said his name  
23 was?

24 A. I talked with him I didn't discuss.

25 Q. Well, I believe you talked with him, was it

1 before or after the bodies were found?

2 A. After.

3 Q. And so far as you know you didn't discuss it with  
4 him before they were found?

5 A. No.

6 Q. That's all.

7 (Whereupon witness excused)

8 HAYS KILPATRICK, called as a witness for and on  
9 behalf of defendants was sworn and testified as  
10 follows:

11 DIRECT EXAMINATION

12 R. A. S. C. S.

13 May if please the Court, this witness is Hays  
14 Kilpatrick.

15 Q. Is that right?

16 A. Yes sir.

17 Q. Where do you live?

18 A. Philadelphia, Neshoba County.

19 Q. Whar direction from Philadelphia do you live?

20 A. Northeast.

21 Q. How far from town?

22 A. Approximately eight miles.

23 Q. How long have you lived in Neshoba County and in  
24 that community?

25 A. My entire life.

1 Q How old are you?

2 A 62.

3 Q Do you know E. G. "Hop" Barnette?

4 A Yes sir.

5 Q How long have you been knowing Mr. Barnette?

6 A All of his life.

7 Q Do you know his general reputation in the community  
8 in which he lives? For peace or violence?

9 A Yes sir.

10 Q Is it good or bad?

11 A Its good.

12 Q Tha's all.

13 CROSS EXAMINATION

14 BY MR. DOAR:

15 Q Mr. Kilpatrick are you related to William Kil-  
16 patrick?

17 A If I am I don't know it, it would have to be  
18 distant.

19 Q Billy Kilpatrick?

20 A No sir, not that I know of.

21 Q Where do you live on highway, do you live on  
22 highway 21?

23 A I live off of highway 21 east.

24 Q About how far from Philadelphia?

25 A Approximately eight miles.



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Q. How do you get down to your house?

A. You go up highway # 21 east about six and one-half miles, turn left and go about a mile and a half.

Q. Back in 1964 were you seeing Hop Barnette often?

A. Well, as I would go to and from work, yes sir.

Q. How far is his home from yours?

A. About three-quarters of a mile.

Q. On the same road?

A. Do you have to pass his house to get to your house after turning off Highway 21?

A. Yes sir.

Q. Going back to June of 1964 before June the 21st, did you ever hear any talk of three Civil Rights Workers working in Neshoba County?

A. No sir.

Q. Never heard anything about it?

A. No sir.

Q. Never talked to Hop Barnette about three Civil Rights Workers being in the county?

A. No sir.

Q. Never talked to him at all?

A. No sir.

Q. Have you ever had any business dealings with Mr. Barnette?

A. Not anything other than friends.

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Q. Do you exchange machinery back and forth on your farms?

A. I don't know whether we ever have or not.

Q. Did you see Mr. Barnette on the 21st day of June, 1964?

A. Well, I couldn't say.

Q. You couldn't say that. How long have you lived in Neshoba County?

A. Sixty-two years.

Q. You're a native there?

A. Yes sir.

Q. Do you know any of the other defendants in this case?

A. Some of them.

Q. Who do you know?

A. Well I know Mr. Price, Mr. Rainey, and ---

Q. Mr. Burrage?

A. Well, I wouldn't know him.

Q. Mr. Posey?

A. There's a lot of Poseys up there

Q. Mr. Willis, a county patrolman up there?

A. I don't think I would know Mr. Posey or Mr. Willis either.

Q. Thank you Mr. Kilpatrick.

(Whereupon witness excused)

BY M

1 GENE WILSON, called as a witness for and on behalf  
2 of defendants, was sworn and testified as follows:

3 DIRECT EXAMINATION

4 BY MR. WATKINS:

5 May it please the Court, this witness is Gene  
6 Wilson.

7 Q. Is that right, Mr. Wilson?

8 A. Right.

9 Q. Where do you live sir?

10 A. Collinsville.

11 Q. How many years have you lived there?

12 A. Practically all of my life.

13 Q. And where is your place of employment?

14 A. Lauderdale County courthouse.

15 Q. And what do you do at the Lauderdale County court-  
16 house?

17 A. I'm maintenance superintendent.

18 Q. How many years have you been the superintendent  
19 there?

20 A. Four years.

21 Q. Do you know Jimmy Snowden?

22 A. Yes.

23 Q. Do you know him to be a resident citizen of  
24 Lauderdale County?

25 A. Yes.

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his

1 Q How many years have you known him in Lauderdale  
2 County?

3 A All of his life.

4 Q I ask you if you know his general reputation in  
5 Lauderdale County for peace or violence during  
6 that period of time?

7 A Yes sir.

8 Q Is it good or bad?

9 A Good.

10 BY MR. HAUBERG:

11 We have no questions.

12 (Whereupon witness excused)

13 BY THE COURT:

14 Members of the Jury, we'll take a recess until  
15 1:30 for lunch, with the same understanding we  
16 have had.

17 (Whereupon the Court took a recess at 12:01 P. M.  
18 for lunch)

19 AFTER NOON RECESS:

20 PRENTICE COPELAND, called as a witness for and on  
21 behalf of defendants, was sworn and testified as  
22 follows:

23 BY MR. WEIR: DIRECT EXAMINATION

24 May it please the Court, Your Honor, this witness is  
25 Prentice Copeland. P R E N T I C E.

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Q. Is that right, Mr. Copeland?

A. That's right.

Q. Mr. Copeland, do you know Cecil Ray Price?

A. I do.

Q. How long have you known him?

A. About eight years.

Q. Do you know his general reputation in the community in which he lives for peace or violence and being a law abiding citizen?

A. I do.

Q. Is his reputation for that good or bad?

A. Good.

Q. Mr. Copeland, what official position do you hold in Neshoba County, Mississippi?

A. I'm the County Superintendent of Education.

Q. And how long have you been County Superintendent of Education of Neshoba County?

A. Eleven months.

Q. And have you ever held that position before this present term began?

A. I did.

Q. And how many times have you served as the County Superintendent of Education of Neshoba County?

A. This will be twice.

Q. And on other occasions have you taught in the

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public schools of Neshoba County?

A. I have.

Q. I believe that's all, Your Honor please.

CROSS EXAMINATION

BY MR. HAUBERG:

Q. Mr. Copeland, what type of business were you engaged in before you became Superintendent of Education?

A. I was Principal at Neshoba High School.

Q. And have you been in the educational work continuously for a number of years?

A. Yes sir. For fifteen years.

Q. This acquaintance with Cecil Price, is that personal acquaintance?

A. Yes sir.

Q. You are a close friend of his?

A. I'm a friend.

Q. Are you friends to any of the other defendants?

A. Well, I know the others, some of the others.

Q. Do you know Sheriff Rainey?

A. I know Sheriff Rainey.

Q. Are you a close friend of his?

A. Well I guess you would say we are friends.

Q. Do you know Hop Barnette?

A. Yes sir.

1 Q Are you a close friend of his?

2 A Yes.

3 Q Are there any of the others that you say you are  
4 a close friend of?

5 A I guess not.

6 Q What about Reverend Killen?

7 A I know Brother Killen.

8 Q Are you a close friend of his?

9 A Not a real close friend, no sir.

10 Q But you are friendly with him?

11 A Well I am when I see him, yes sir.

12 Q Now, do you recall in June of 1964, prior to the  
13 21st day of thatmonth, any information or any  
14 discussion about three Civil Rights Workers in  
15 your area?

16 A No, I don't.

17 Q Then when was the first time that you learned that  
18 Michael Schwerner was up in that area?

19 A When I read it in the paper.

20 Q And when did you read it in the paper?

21 A I really couldn't answer that question.

22 Q Well, did you read it before or after June the  
23 21st?

24 A It must have been after June the 21st.

25 Q Well, then did you hear about it before August

- 1 4th or after August the 4th?
- 2 A. It must have been after August 4th.
- 3 Q. You say it was after August 4th?
- 4 A. Well, I really couldn't say when it was, I surely
- 5 couldn't.
- 6 Q. Well, do you recall when their bodies were found
- 7 out in the dam?
- 8 A. I remember that, yes sir.
- 9 Q. Do you remember about what month or date that
- 10 was?
- 11 A. I believe it was in August.
- 12 Q. Well have you learned of these workers down in
- 13 your area prior to that time?
- 14 A. Prior to the time they were found, yes sir.
- 15 Q. It was just common knowledge around there wasn't it?
- 16 A. Yes sir, it was just common knowledge.
- 17 Q. Was there or not a great deal of discussion about
- 18 it?
- 19 A. Well there was some. There was a lot people com-
- 20 ing through searching the pastures, I know they
- 21 were searching our pastures.
- 22 Q. And while the investigation was going on up there
- 23 were there a lot of people being intereviewed, did
- 24 you know that?
- 25 A. I heard that, yes sir.



1 Q Did you hear any talk or discussion about Chaney  
2 or Goodman being in the area there?

3 A No sir, no more than the other, that they were  
4 missing and that was just the general talk that  
5 they were missing, there were three of them.

6 Q Now, when was the first time that you learned  
7 that you would come here to court as a witness?

8 A Saturday night I believe it was.

9 Q Now when you learned about these three Civil  
10 Rights Workers, was or did anyone contract you  
11 for you to try and remember any dates back during  
12 that time?

13 A No sir.

14 Q Did you know what kind of civil rights work these  
15 workers were engaged in or interested in your  
16 county?

17 A No sir.

18 Q Have you discussed this case with any of the  
19 defendants?

20 A No sir, as far as I know, not lately.

21 Q Not lately?

22 A No sir, I don't recall.

23 Q Well did you discuss the case with them about  
24 the time it happened?

25 A No sir.

1 Q Well did you discuss it right before you heard  
2 the three civil rights workers were missing?

3 A No, just reading about it in the papers.

4 Q Did you know anything about the church burning  
5 up there in the area?

6 A No sir, just reading it in the papers.

7 Q Do you know whether or not any investigation was  
8 made of that?

9 A I don't know.

10 Q I believe that's all.

11 REDIRECT EXAMINATION

12 BY MR. WEIR:

13 Q Mr. Copeland, Mr. Hauberg asked you if you knew  
14 E. G. "Hop" Barnette. Do you know his general  
15 reputation in the community for peace and violence  
16 and as a law abiding citizen?

17 A I do.

18 Q Is it good or bad?

19 A Its good.

20 Q How long have you known his reputation?

21 A About fifteen years.

22 Q Thank you, Your Honor.

23 BY MR. McINTIRE:

24 Q Mr. Copeland, I believe also that Mr. Hauberg  
25 asked you if you knew Sheriff Lawrence Andrew

BY

1 Rainey?

2 A. I do.

3 Q. Do you know his general reputation in the  
4 community for peace or violence and law abiding  
5 citizen?

6 A. I do.

7 Q. Is it good or is it bad?

8 A. It is good.

9 (Whereupon witness excused)

10 E. L. SNOW, called as a witness for and on behalf  
11 of defendants was sworn and testified as follows:

12 DIRECT EXAMINATION

13 BY MR. PIGFORD:

14 May it please the Court, this witness is Mr. E. L.  
15 Snow.

16 Q. Mr. Snow, where do you live?

17 A. Meridian, Mississippi, 1605, 23rd Avenue.

18 Q. And how long have you lived in Meridian?

19 A. About seventy-one years.

20 Q. What is your occupation?

21 A. I am an attorney at law.

22 Q. And how long have you practiced your profession  
23 in Meridian?

24 A. Well, I had come back to Meridian and established  
25 an office when World War I came on, and I went

1 into the Army immediately, and came back in 1919  
2 about July, and began my practice and I've been  
3 practicing every since.

4 Q Now Mr. Snow, I will ask you if you know Mr. B. L.  
5 Akin?

6 A Yes sir, I met Mr. Akin shortly after he came to  
7 Meridian.

8 Q How long has that been?

9 A Well it would have to be an estimate but he came  
10 here and my first acquaintance with him was that  
11 he was running a mobile home business out by  
12 the Mattie-Hershee Hospital on that cut through  
13 street.

14 Q About how long ago was this?

15 A I would say at least eighty years ago and probably  
16 ten.

17 Q Do you know where his business is now?

18 A I certainly do.

19 Q Where is it?

20 A Its on Tom Bailey Drive, near Fruge's Place.  
21 That's on the extension of Grand Avenue across  
22 Iwasha Creek and where Grand Avenue and Tom  
23 Baily Drive intersects. He's just west of there.

24 Q Now, Mr. Snow, I will ask you if you have had  
25 occasion since you have known Mr. Akin to discuss

his reputation with others in the community?

A. Yes sir. I had occasion to find out, well I knew him when he came with and knew what kind of people he was with. My recollection is that I introduced him to Mr. Giles Paddy, President of the First National Bank.

Q. I'll ask you Mr. Snow, if you know Mr. Akin's general reputation in this town for peace and violence? Do you know that?

A. I think I do, yes sir.

Q. What is it, good or bad?

A. Its good. He is a very gentlemanly man as far as I can see and everyone that I talk to about him. He is mild mannered and very capable.

Q. Thank you sir.

CROSS EXAMINATION

BY MR. HAUBERG:

Q. Mr. Snow, I believe you are a brother of Mr. Charlie Snow, a prominent lawyer over at Jackson?

A. Yes sir, he was my brother.

Q. Mr. Snow, did I understand you to say that Mr. Akin's place of business is next to, what was the name of the individual?

A. I didn't say it was next to it, I said near by. If I said next to it I stand corrected because

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a restuarant is in between the Shell Oil Station  
The Shell Oil Station is at the corner of Grand  
Avenue and Tom Baily Drive, and the restuarant  
I don't know what they call it but at one time  
it was Major's restuarant, I don't know what the  
name of it is now, and the next door I think is  
either the Ryder Truck Line Station, I represent  
them and I've been to their place, and the next  
place is where Mr. Akin's place where he has  
his mobile homes or liveable trailers as I call  
them.

Q Where is Mr. Fruge's place?

A Fruge is the Shell Oil Company. His is the one  
right in that northeast corner of that section.

BY THE COURT:

Let me ask you this. When you people talk about the  
Tom Bailey Drive you are really talking about United  
States Highway 80, aren't you?

BY THE WITNESS:

Well it used to be 80 Judge, but I think its 59.  
Interstate 59. It is named after Governor Tom Bailey

BY MR. HAUBERG:

Q How close is Mr. Akin's place to what is called  
the Longhorn restuarant?

A The Longhorn restuarant is a good ways from there

The Longhorn Restuarant as I understand it is where they advertise chicken in the basket or it used to be signs there to that affect, that place is at the Cloverleaf at the South end of 22nd Avenue. That's the Longhorn. Then you go about a half mile West on Tom Bailey Drive and you come to the Grand Avenue Extension and its intersection with Tom Bailey Drive, then I would say that, I haven't measured it, but I would say that Akin's place then is better than a half or quarter of a mile on southwest.

Q. Now, how close is Mr. Akin's place from the Lamp Post?

A. The Lamp Post is that little restuatant that I didn't know the name of and I wouldn't have known it if you hadn't called the name, but a man named Major runs it.

Q. And whats your best judgment as to how far it is from Akin's place of business?

A. I would say that it is the fourth place on the north side of Tom Bailey drive, that there is then the Shell Place, that there is then the Ryder, I'm pretty sure the Ryder is east of 80, could be west but that's my recollection.

Q. During the eight or ten years that you know Mr.

1 Akin, did you have occasion to visit with him?

2 A I certainly did.

3 Q And when was that?

4 A He was a witness for Mr. A. T. Carney in a case  
5 that you will recall that we tried within this  
6 past year.

7 Q And how many times have you visited with him  
8 in his place of business?

9 A I would say I visited with him when he was out  
10 near the Mattie-Hershee Hospital two or three  
11 times, and at that time there wasn't so many  
12 of these trailers out at that time and I wanted  
13 to see what they looked like, so he invited me BY  
14 out there and I went out and looked at several  
15 of his trailers and he was such a good host that BY  
16 I went back and looked again.

17 Q Have you been in his present place of business? BY

18 A I've been there. His son was an eye witness in  
19 the Carney case, and I wanted to talk with the  
20 people that I was putting on the witness stand  
21 so I went out there first to locate and see what  
22 he knew, thereafter, the case was pending for  
23 several times in court in Lauderdale County, in  
24 our courthouse here in Meridian.

25 Q Then it was removed over in Federal Court?



1 A. No sir, I did my best to get it over here, but  
2 you fellows kept me from it.

3 Q. Now Mr. Snow, you consider yourself a very good  
4 friend with Mr. Akin?

5 A. Well, I would say I have more than an acquaintance

6 Q. Did you know that he was a member of the White  
7 Knights of the Ku Klux Klan?

8 A. No sir, they never invited me to belong to it  
9 and I never made any inquiries about it, and I  
10 don't know a single man who is a member.

11 Q. Perhaps you misunderstood my question. I asked  
12 whether you knew Mr. Akin was a member?

13 BY MR. BUCKLEY:

14 Your Honor, we object.

15 BY THE COURT:

16 Overruled.

17 BY THE WITNESS:

18 Q. No sir, I don't know.

19 Q. You don't know anything about that?

20 A. No sir.

21 Q. Thank you.

22 (Whereupon witness excused)

23 JOE HODGES, called as a witness for and on behalf  
24 of derendants was sworn and testified as follows:

25 DIRECT EXAMINATION

1 BY MR. PIGFORD:

2 May it please the Court, this witness is Mr. Joe  
3 Hodges. H O D G E S.

4 Q That is correct is it not?

5 A Yes sir.

6 Q Mr. Hodges, where do you live please?

7 A Pine Springs.

8 Q Where is Pine Springs with reference to east,  
9 north, south or west of Meridian?

10 A Well I would say it was northwest out on the  
11 Anderson Road.

12 Q And approximately how far is it from Meridian?

13 A About ten miles.

14 Q All right. How long have you lived in that  
15 community?

16 A Since 1930.

17 Q I'll ask you please sir if you know Mr. Delmar  
18 Dennis?

19 A Yes sir.

20 Q Mr. Hodges have you ever been a member of the Pine  
21 Springs Methodist Church?

22 A Yes sir.

23 Q I'll ask you if you recall the occasion when it  
24 was said that Mr. Dennis was the Pastor of that  
25 church?

- A. Yes sir.
- Q. Can you remember that?
- A. Yes sir.
- Q. Can you tell us approximately how long he was there at the Pine Springs Methodist Church?
- A. Well it was the Methodist and it changed over to the Southern Methodist---- How long all together?
- Q. No sir, how long was he the Pastor of the Pine Springs Methodist Church?
- A. Well about three years, I guess.
- Q. Did Mr. Dennis live in that community while he was the Pastor of that church?
- A. Yes sir.
- Q. And where did he live in the community with reference to the church?
- A. Well he lived in the parsonage right there by the church.
- Q. And that was on the church grounds?
- A. Yes sir.
- Q. And where did you live, Mr. Hodges in reference to the church?
- A. Well, just down the hill there from the church. In fact, the cemetery is right in front of my house.

1 Q Would that be less than about a quarter of a  
2 mile from the church grounds?

3 A Yes, I would think so, yes sir.

4 Q Now, running by the church there is a paved  
5 highway is it not?

6 A Yes sir.

7 Q Do you live on that highway?

8 A Yes sir.

9 Q Now, I'll ask you if while Mr. Dennis was Pastor  
10 of the Pine Springs Methodist Church if you had  
11 opportunity to discuss his reputation with any  
12 person in the community.

13 BY THE COURT:

14 Counsel, there are two Dennis' in this lawsuit and  
15 I think you should be more specific about which  
16 one you are talking about?

17 BY MR. PIGFORD:

18 Yes sir, thank you, Your Honor.

19 Q I am referring to Mr. Delmar Dennis. And you  
20 say you did have the opportunity to discuss  
21 his reputation with people living there in the  
22 community?

23 A Yes sir.

24 Q I'll ask you please sir if you know Mr. Delmar  
25 Dennis' reputation in that community while he

lived there for truth and veracity?

BY MR. HAUBERG:

We object, this is not the proper predicate for impeachment.

BY THE COURT:

He's not his witness as I understand it, he was the Government's witness.

BY MR. PIGFORD:

That's right.

BY THE COURT:

Overrule the objection.

BY MR. PIGFORD:

The Judge says you may answer.

A. Repeat that again.

Q. I'll ask you if you know the general reputation of Mr. Delmar Dennis in the community while he lived there as to truth and veracity?

A. Yes sir.

Q. Was it good or bad?

A. Well I would call it bad, yes sir.

Q. Just a minute, Your Honor. Mr. Hodges, while you were a member there of the Pine Springs Methodist Church did you ever occupy any official position? In the church?

A. Yes sir, trustee.

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Q. Did you occupy that position before or after  
or what official position did you hold with  
respect to the official duties of the Pastor?

A. Well, after he came there he put me on as  
trustee.

Q. And did you remain a trustee until the time he  
left there?

A. Yes sir.

Q. That's all.

CROSS EXAMINATION

BY MR. DOAR:

Q. Mr. Hodges, is that right?

A. Yes sir.

Q. Back when Reverend Dennis was Pastor of the  
Pine Springs Methodist Church, he left that  
church did he not?

A. Yes, it changed over from the Methodist to the  
Southern Methodist while he was there.

Q. And he left there because he felt the Methodist  
Church was pushing the cause of integration?

A. Yes, I believe that was what he said.

Q. And during that particular dispute, did you  
side with him or decide with the Methodist Church?

A. We-----

BY MR. PIGFORD:

2045

We object to that if the Court please.

BY THE COURT:

Sustain.

BY MR. DOAR:

Q. Did you have any participation in that dispute at all with the Reverend Dennis?

A. No----

BY MR. PIGFORD:

We object to that, if it please the Court.

BY THE COURT:

I'll let him answer and see what he says.

BY MR. DOAR:

Q. You may answer.

A. Did I have what now?

Q. Did you have a dispute with him at that time over that matter?

A. No sir.

Q. And he left there and did you know he started a new church?

A. Yes sir.

Q. And did you go to the new church with him?

A. No sir. Oh, you mean the Southern Methodist?

Q. Yes.

A. I joined the Southern Methodist under him when it went Southern Methodist. Yes sir.

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Q. AND YOU stayed with him at this church?

A. Yes.

Q. From the time it went to the Southern Methodist Church until the time he left?

A. Well I quit going before he left from out there.

Q. About what time did you quit going?

A. Month or two months, I don't know exactly how long.

Q. Was it this year, last year or when?

A. That was in 1965, I believe when he left from out there.

Q. Now are you talking about the Pinr Springs Methodist Church?

A. Yes sir.

Q. And after 1965 he left there and started a new church in Meridian, but you didn't attend that new church did you?

A. No sir.

Q. Did you see him at all since then?

A. Yes, I've seen him since then.

Q. Well, when have you seen him?

A. Last time I seen him was at a funeral up there just about a week or a little over a week ago.

Q. Where did you see him before that?

A. Well I would see him at funerals was about all

BY 1



I would ever see him.

Q. What business are you in?

A. I'm retired, railroad man.

Q. Do you know any of these defendants?

A. I don't believe I do.

Q. Did you know Mr. Akin or Mr. Herndon?

A. No sir, I don't know any of them.

Q. When did you first learn you were going to be a witness?

A. Last night.

Q. Last night?

A. Yes sir.

Q. Thank you.

T. C. NULL, called as a witness for and on behalf of defendants, was sworn and testified as follows:

DIRECT EXAMINATION

BY MR. HENDRICKS:

May it please the Court, this is Mr. T. C. Null.

N U L L.

Q. Is that right, Mr. Null?

A. Yes sir.

Q. Where do you live, Mr. Null?

A. 3645 25th Avenue.

Q. In what town?

A. Meridian.

BY MR.

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Q. How long have you lived in Meridian?

A. All my life.

Q. What kind of business are you in?

A. Hardware business.

Q. Do you know Mr. B. L. Akin?

A. Yes sir.

Q. How long have you known him?

A. I imagine about twelve years.

Q. Do you know where he lives and where his business is?

A. I know where his business is but I don't exactly know where he lives.

Q. Do you know his general reputation in this community where he lives for peace or violence and as a law abiding citizen?

A. Yes sir, I think so.

Q. Is it good or bad?

A. I think it is very good.

BY MR. HAUBERG:

We have no questions.

(Whereupon witness excused)

RICHARD C. ALLEN, called as a witness for and on behalf of defendants was sworn and testified as follows:

DIRECT EXAMINATION

BY MR. ALFORD:

2 May it please the Court, this is Mr. Richard A. Allen.

3 Q Is that correct, Mr. Allen?

4 A That's correct.

5 Q Mr. Allen, where do you live?

6 A Four miles west of Philadelphia, Mississippi.

7 Q How long have you lived in Philadelphia, Neshoba  
8 County, Mississippi?

9 A Twenty-two years.

10 Q Do you know Olen Lavelle Burrage?

11 A I do.

12 Q How long have you known Mr. Burrage?

13 A About fourteen years.

14 Q What kind of business are you in, Mr. Allen?

15 A Forest Products.

16 Q What company have you been working with?

17 A Wyerhauser Company, DeWeese Operation.

18 Q How long have you been working with them?

19 A Twenty years.

20 Q Do you know the general reputation of Mr. Olen  
21 Burrage in the community in which he lives for  
22 peace or violence and as a law abiding citizen?

23 A Yes sir.

24 Q Is it good or bad?

25 A Good.

1 BY MR. HAUBERG:

2 No questions.

3 (Whereupon witness excused)

4 JOE MAJURE, called as a witness for and on behalf of  
5 defendants, was sworn and testified as follows:

6 DIRECT EXAMINATION

7 BY MR. MOORE:

8 Q. Your Honor, this witness is Mr. Joe Majure,  
9 M A J U R E.

10 , Mr. Majure, where do you live?

11 A. Philadelphia, Mississippi.

12 Q. How long have you lived in Neshoba County?

13 A. Forty-nine years.

14 Q. What type of work do you do Mr. Majure?

15 A. At this time I'm retired.

16 Q. Mr. Majure do you know Mr. Olen Lavelle Burrage?

17 A. I do.

18 Q. How long have you known Mr. Burrage?

19 A. Thirteen or fourteen years.

20 Q. Where does Mr. Burrage live with reference to  
21 where you live?

22 A. Approximately two miles west of my place.

23 Q. How long has he lived at this place?

24 A. Ten or twelve years.

25 Q. Mr. Majure, do you know his general reputation

BY MR. I

of Olen Lavelle Burrage in the community which he lives for peace or violence?

A. I do.

Q. Mr. Majure, is it good or is it bad?

A. Good.

Q. Thank you.

CROSS EXAMINATION

BY MR. DOAR:

Q. Mr. Majure, what business are you in?

A. Retired.

Q. What business have you been in?

A. Prior to that I was a bookkeeping.

Q. You worked in Philadelphia?

A. In and about Philadelphia.

Q. Did you ever work for Mr. Burrage?

A. No.

Q. In the Spring of 1964 did you hear anything about Civil Rights Workers being around Neshoba County?

A. No.

Q. Were you there in the Spring of 1964?

A. Yes.

Q. Did you hear anything about them being arrested on June the 21st, 1964?

A. No, no I didn't hear about it on June the 21st?

Q. Are you sure of that?

1 A. That's right.

with

2 Q. Did you ever discuss/anyone the fact those  
3 Civil Rights Workers were in and around-----

4 BY MR. WEIR:

5 We object to the hearsay testimony, Your Honor  
6 please of what he's heard.

7 BY THE COURT:

8 I'll overrule the objection.

9 BY MR. WEIR:

10 May we have a continuing objection?

11 BY THE COURT:

12 Well, I don't know that he is going to continue to  
13 ask that same question.

14 BY MR. DOAR:

15 Q. You may answer.

16 A. Will you repeat that please?

17 Q. Have you ever discussed with anyone in Neshoba  
18 County the presence of these Civil Rights Workers  
19 prior to June 21st, 1964?

20 A. No, as a matter of fact I might have heard of  
21 some being in and around the town but who they  
22 were or what they were or what they were doing I  
23 don't know.

24 Q. Did you discuss that with any of these defendants?

25 A. I did not.

BY MR.

Q Thank you.

(Whereupon witness excused)

FINIS McADORY, called as a witness for and on behalf of defendants was sworn and testified as follows:

BY MR. ALFORD:

DIRECT EXAMINATION

May it please the Court this is Mr. Finis McAdory.

F I N I S M c A D O R Y . .

Q Is that correct, Mr. McAdory?

A Yes sir.

Q Mr. McAdory, I would like to direct your attention to the 21st day of June, 1964 and ask you if you recall that date?

A I do sir.

Q I'll ask you whether or not on that occasion in the night time if you went to the City Police Station in Philadelphia, Mississippi?

A I did, sir.

Q Tell this Court and Jury about what time you went to the Police Station?

A It was around, I would say we got there around 10:30. There had been a little confusion going on. A girl, who was my niece was missing with a couple of boys, and we went up to file some charges.

Q Did you make a complaint?

1 A. Yes sir.

2 Q. Did you see Mr. Cecil Price there?

3 A. I did sir.

4 Q. Did you make a complaint to him?

5 A. I did.

6 Q. What did Mr. Price do?

7 A. He went on out to the vicinity where we knew they  
8 were?

9 Q. Mr. McAdory, who went to town with you that night?

10 A. My wife, Ruby and my brother in law, Bennie Ray  
11 McClain.

12 Q. And where did you all go, in what vicinity did  
13 you all go to from Philadelphia?

14 A. We went highway 16 north and turned out on the  
15 Sandtown road and went over between Mr. David  
16 Watkins' and Beck Smith, its about half way in  
17 there.

18 BY THE COURT:

19 What time did you say this was Mr. McAdory?

20 BY THE WITNESS:

21 I'd say a little after eleven, roughly, maybe 11:30.

22 BY MR. ALFORD:

23 Q. What time were you at the police station?

24 A. About 10:30.

25 Q. And who went with Mr. Price out there if you know?



2055

1 A Sir I don't know. It was two other officers.

2 Q Police officers?

3 A Yes sir.

4 Q Who was the niece that you all were concerned  
5 about at that time?

6 A Her name then was Nancy Rushing.

7 Q Nancy Rushing. And who had she disappeared with  
8 or had this difficulty with that you all were  
9 concerned about?

10 A Well, she had disappeared with two boys from  
11 Louisiana. One of them was Richard Colburn,  
12 which was her boyfriend and a boy, I'm not too  
13 well acquainted with, but his name was Jimmy  
14 Donaldson. Now I knew this Richard Bolburn  
15 in Louisiana and he had done some time why we  
16 were so concerned about her safety and well being.

17 Q How old is this young lady?

18 A I'd say she was about fifteen, maybe a little  
19 younger.

20 Q Did you all find her out there?

21 A Yes sir.

22 Q Did you all find the two boys?

23 A Yes sir.

24 Q And what happened to those boys?

25 A They took them to jail.

1 Q Now during the course of this investigation out  
2 there, did you all come in contact with the  
3 home of Mrs. Dave Watkins?

4 A Yes sir.<sup>th</sup>

5 Q What did Mr. Price do with these two boys?

6 A He arrested them, and carried them to jail.

7 Q What happened to the young lady?

8 A We sent her back home to her grand daddy.

9 Q And who was her granddaddy?

10 A Jessie McClain.

11 Q Did you go back to town or did you go back to  
12 Jessie McClain?

13 A I went on back to Jessie McClain's, I was in-  
14 structed to bring their car and their clothing  
15 up there to the police station and then I did.

16 Q About what time did you all get back to the police  
17 station that night?

18 I would say it must have been about one or one thirty.

19 Q Did you see anybody at the police station when  
20 you got there?

21 A Yes sir, I saw Mr. Price.

22 Q What kind of car did they come out there in?

23 A Well it was a dark colored car, I mean I don't  
24 know if it was green or black and I don't know  
25 just what color the car was because it was night.

BY 1