

1 hand represents the minute hand. The bottom hand  
2 has to represent the hour hand and the winding  
3 stem is always on the three o'clock position.

4 Q When did you remove the ignition lock of this  
5 station wagon?

6 A On the 24th of June during my initial examination.

7 Q And when did you remove the right and left door  
8 lock on this station wagon?

9 A At the approximate same time that I removed the  
10 ignition lock.

11 Q On the same date?

12 A Right.

13 Q When did you remove the tailgate lock?

14 A I didn't testify that I removed the tailgate lock.  
15 I testified that I received the tailgate lock  
16 on the 25th of June, it was removed by another  
17 agent at my instructions.

18 Q You testified also that you took a ring of keys  
19 that were found in the station wagon?

20 A That's correct.

21 Q Where did you find those ring of keys?

22 A In the the debris which I removed from the station  
23 wagon.

24 Q I mean physically inside the car, where were they  
25 located?

- 1 A In the debris that I removed from under the front  
2 seat.
- 3 Q And I believe you said the watch was under this  
4 area where the front seat was occupied?
- 5 A That's correct.
- 6 Q And the ring of keys you turned over to Agent  
7 Coyle?
- 8 A That's correct.
- 9 Q Now when you started to examine this automobile  
10 you did not even notice the county of the  
11 Mississippi tag that was on it, did you?
- 12 A I have no independent recollection of noticing  
13 the county on the tag, the tag was bent in a very  
14 peculiar fashion.
- 15 Q Now, Mr. Cochran, on this photograph that has  
16 been introduced of the crime and scene search  
17 that you made, that is a photograph that you made  
18 of the crime and the scene, when did you make  
19 that photograph?
- 20 A Which one are you referring to?
- 21 Q I believe its' government exhibit number 30.
- 22 A May I see the exhibit please? (Handed to witness)
- 23 Q When was that photograph made?
- 24 A O<sub>n</sub> August 6, 1964.
- 25 Q And who made the photograph, that photograph,

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exhibit 30?

A. Do you mean who exposed the negative or who printed the negative? Or who made the photograph?

Q. If there are two people that had anything to do with it, tell us who they were?

A. I exposed the negative and turned it over to the F. B. I. photographic laboratory in Washington, D. C. upon my return.

Q. Now, what date did you expose the negative?

A. On August the 6th, 1964.

Q. I'll ask you please sir did you have any information with you while you were on the scene where you would find any evidence about this alleged incident?

A. Oh yes.

Q. Who did you get that information from?

A. Well I had just two days previously been on the scene and dug out of the dam the bodies in question.

Q. When did you first go to this area?

A. When did I first set foot on the area?

Q. Yes.

A. On the area where the bodies were located,

Q. Yes sir.

A. On August 1st, 1964.

Q.

- 1 Q And what led you to go there, please sir? To  
2 this particular location?
- 3 A At that time I had no information other than  
4 Inspector Sullivan asked me to accompany him.
- 5 Q You went with him in his car on August 1st?
- 6 A Correct.
- 7 Q What did you do there on August 1st?
- 8 A Well, the first time and the first thing was to  
9 fly over the area in a helicopter and geographically  
10 fix the location of a large earthen dam based upon  
11 information that Inspector Sullivan gave me.
- 12 Q And do you know anything about where the informatio  
13 came from that you were looking for a large  
14 earthen dam?
- 15 A No sir, I do not.
- 16 Q Now, did you go back then between August 1st and  
17 August 4th?
- 18 A No the next time I stepped on that area was at  
19 approximately 8:15 A. M. on August the 4th, 1964.
- 20 Q All right. What was your purpose in going there  
21 on August 4th at 8:15, did you say A. M. or P. M.?
- 22 A I said A. M.
- 23 Q What was your purpose in going there on that day?
- 24 A To dig up a dam that we had seen on August 1st.
- 25 Q I see. Now, I believe that you took a picture

1 of the earthen dam itself and that's government  
2 exhibit, those two exhibits that the Marshal is  
3 handing you please sir, did you take both of those  
4 photographs?

5 A. No sir, I didn't take either one of them.

6 Q. Do you know who took them?

7 A. Yes sir.

8 Q. Were you present when they were taken?

9 A. Yes sir.

10 Q. Who took them sir?

11 A. Exhibit 31 was taken by Special Agent John  
12 Proctor and exhibit 32 was taken by Special  
13 Agent Edward Brennan.

14 Q. Were they both taken on the same day?

15 A. They were.

16 Q. And that was on the fourth of August?

17 A. That's correct.

18 Q. After those pictures were taken how long was it  
19 that you began to excavate?

20 A. Well with regard to exhibit 31 this one was  
21 taken, to the best of my recollection, sometime  
22 after 8:15 A. M. and before approximately ten  
23 minutes until nine or nine o'clock which was  
24 the time the heavy equipment made it through the  
25 road from highway 21 to the dam.

- 1 Q I believe you said on your direct examination that  
2 you went there on that piece of property to let  
3 on that piece of property the equipment to be  
4 used in the excavation?
- 5 A No, I didn't say that. I said I, at 8:15 A. M.  
6 approximately I directed this equipment onto the  
7 property.
- 8 Q Oh I see, you directed it onto the property.
- 9 A That's as far as I went in my direct testimony.
- 10 Q All right now, who directed the equipment or the  
11 people running the equipment where to do the  
12 diggin?
- 13 A I did.
- 14 Q Where did you get information as to where to dig?
- 15 A From Inspector Sullivan.
- 16 Q I see. Now do you know where he got the infor-  
17 mation?
- 18 A No sir.
- 19 Q He just told you where to tell the people running  
20 the equipment where to dig?
- 21 A No, he didn't use those words.
- 22 Q Well, had it been staked out?
- 23 A It had not.
- 24 Q Was anybody else there determining where the  
25 digging was to be done other than Inspector

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Sullivan?

A. Inspector Sullivan was not there. I made the decision as to where to dig.

Q. And the only information that you had was from him?

A. That's correct.

Q. But he had told you where to dig?

A. He didn't tell me at what point to dig, no sir.

Q. I see. Did you have anyother information other than what he had given you?

A. No sir.

Q. How did you know where to dig?

A. Based upon the information that Inspector Sullivan had given me I selected a point approximately 150 feet from the west end of the dam.

Q. I see. Was that a matter of guess work as far as you are concerned?

A. I would say that it was logical deduction from what he said and what I saw, plus a little luck.

Q. I see. Would you say that Inspector Sullivan had received information from other source as to where the digging should be done?

A. I have no idea where Inspector Sullivan received his information.

Q. You would not know?

1 A Not that I would not know, I do not know.

2 Q What I'm trying to get at is whether or not there  
3 was a definite area pointed out to you by In-  
4 spector Sullivan or whoever speculated or made  
5 a deduction and yourself without any other infor-  
6 mation?

7 A Without involving hearsay, I can only say that  
8 based upon information that Inspector Sullivan  
9 gave me, I selected this point.

10 Q What information did he give you?

11 BY MR. HAUBERG:

12 We object to that if it please the Court.

13 BY THE COURT:

14 Overrule, I'll let him answer.

15 BY THE WITNESS:

16 A Inspector Sullivan told me that these bodies  
17 would be found in the center of a earthen dam  
18 on the old Jolly farm under approximately twelve  
19 feet of earth.

20 Q And you calculated the approximate center of  
21 the dam? Then you calculated where that would  
22 be strictly on the ground there as to the point  
23 where the digging should begin?

24 A Based on this information I selected a point,  
25 that is correct and that's all the information



- 1                   that I had.
- 2                   Q.    I see.
- 3                   Q.    Do you know whether or not money was paid for
- 4                   the information as to where these bodies were?
- 5                   A.    I have no information to that affect.
- 6                   Q.    If it was, you had nothing to do with it, is
- 7                   that your testimony?
- 8                   A.    I don't know that money was paid to anybody.
- 9                   Q.    I see. Now, after you did some digging and the
- 10                  exhumation of the bodies as you call it, you
- 11                  notified Inspector Sullivan?
- 12                  A.    That's correct.
- 13                  Q.    And he did come there to the scene?
- 14                  A.    He did not.
- 15                  Q.    But you did notify him?
- 16                  A.    I did.
- 17                  Q.    Now how was it that the Neshoba County Coroner
- 18                  got there?
- 19                  A.    I have no knowledge of how he was notified by
- 20                  direct information.
- 21                  Q.    But he did come there?
- 22                  A.    He did.
- 23                  Q.    I believe you said also that Sheriff Rainey came
- 24                  there?
- 25                  A.    No, I didn't.

- 1 Q Was Sheriff Rainey notified?
- 2 A I don't know.
- 3 Q Did you notify him?
- 4 A I did not.
- 5 Q And you did not notify the Coroner?
- 6 A I did not.
- 7 Q Dr. Featherstone, is he presently practicing  
8 medicine in Jackson or do you know?
- 9 A I'm quite certain he is.
- 10 Q Now, you did testify that Sheriff Rainey was  
11 present in Jackson when the autopsy was made?
- 12 A Yes sir.
- 13 Q And that Deputy Price was there also?
- 14 A That's correct.
- 15 Q And the Coroner of Neshoba County was present?
- 16 A That's correct.
- 17 Q A professor of pathology and his two assistants?
- 18 A Yes sir.
- 19 Q You did not name him, do you know his name?
- 20 A Dr. Joel Brunson.
- 21 Q You did name a Mr. Ruel May, who is he please sir?
- 22 A An oral surgeon presently practicing in Jackson,  
23 Michigan, uh, excuse me, Jackson, Mississippi.
- 24 Q You mentioned the fact in your direct testimony  
25 that some of the clothes, or one of the articles

1 of clothing on one of these bodies was cut, was  
2 it cut when it was found up in Neshoba County?

3 A. No sir.

4 Q. Who cut that?

5 A. I believe I testified that it was cut by Dr.  
6 Featherstone to remove from the body.

7 Q. For the purpose of the autopsy?

8 A. For the purposes of the autopsy, yes sir.

9 Q. Now, these dental charts that have been introduced  
10 into evidence----

11 BY THE COURT:

12 They are not in evidence are they?

13 BY THE CLERK:

14 Yes sir.

15 BY THE COURT:

16 Excuse me, I believe you are right.

17 BY MR. PIGFORD:

18 Q. These dental charts I believe they are exhibit  
19 41, 42 & 43, excuse me, government's exhibit  
20 43 and government's exhibit 44, you don't pretend  
21 to tell or testify anything about what those  
22 charts show to the teeth of whoever they do  
23 represent?

24 A. No sir, I do not.

25 Q. You don't pretend to testify or intend to or giave

1 the idea that you did any examining of these  
2 bodies with reference to those charts to see what  
3 the identify of the bodies were?

4 A. No sir, I had no basis to make such an examination.

5 Q. Now, the charts were sent to you by the New York  
6 F. B. I. office?

7 A. They were not sent to me, they were sent to our  
8 office here for the use at such time the bodies  
9 might be recovered.

10 Q. That's your office in Meridian? Or Jackson?

11 A. Our office in Meridian. Actually they were sent  
12 up to New Orleans which was the office that  
13 covered this area and they were immediately  
14 forwarded up to Meridian.

15 Q. I see. Now, you had nothing to do with the  
16 preparation of the charts you say?

17 A. No sir.

18 Q. You did listen to an interview of the dentists  
19 that you say prepared the charts?

20 A. Yes.

21 Q. I believe the government attorney says they are  
22 here. Now, you can not vouch for the authen-  
23 ticity or the accuracy of those dental charts  
24 can you?

25 A. Well, I certainly can't vouch for the accuracy

1 of them and I don't know exactly what you mean  
2 by their authenticity.

3 Q. The authenticity is that they were prepared  
4 according to the condition of the teeth at the  
5 time they were prepared.

6 BY THE COURT:

7 Mr. Pigford ask him something that he knows about.  
8 He's told you in two or three different ways that  
9 he didn't know anything about those charts so get  
10 on something that is important.

11 BY MR. PIGFORD:

12 At this time, Your Honor, if he doesn't know anything  
13 about them we move to exclude them until the person  
14 that did make them can tell the Court that they  
15 are authentic charts of these people who they  
16 represent.

17 BY THE COURT:

18 I ruled on that once and I rule on it again for  
19 the second time, and that is, its overruled.

20 BY MR. PIGFORD:

21 Q. All right now, Mr. Cochran, who is a Mr. Stokes  
22 that you have testified about?

23 A. I meentioned a Stokes at Stokes Body Shop in  
24 Philadelphia, I believe its owned by a Mr.  
25 Harold Stokes.

1 Q Now do you know of your own knowledge whether or  
2 not this automobile was damaged in anyway between  
3 the time it was found and the time that you first  
4 saw it?

5 A No sir.

6 Q Do you know whether or not it underwent any rain  
7 or weathering between the time it was first found  
8 and the time you first saw it?

9 A Of my own knowledge I don't know, but I understand  
10 that there was a rain, on the day that it was  
11 recovered.

12 Q On the day that it was recovered?

13 A That's correct.

14 Q All right, I believe that's all, Your Honor.

15 BY MR. WEIR:

16 Your Honor please, I would like to cross examine the  
17 witness.

18 BY THE COURT:

19 All right.

20 FURTHER CROSS EXAMINATION

21 BY MR. WEIR:

22 Q Mr. Cochran, you testified something about the  
23 watch that 12:45 P. M. was showing on the face of  
24 it, you don't know what stopped the watch, do you?

25 A I don't think I said 12:45 P. M. I just said 12:45,

1 and to answer the rest of your question, I don't  
2 know what stopped it, no sir.

3 Q. And you don't mean to be telling the Court and  
4 Jury then that the fire stopped it to you?

5 A. Not that the fire stopped the watch, no sir, I  
6 can't say that.

7 Q. And actually, you don't know where it stopped at  
8 12:45 A. M. or 12:45 P. M., do you?

9 A. That's correct.

10 Q. And you don't know whose watch it is, do you?

11 A. No sir, I don't.

12 Q. And its a matter of common knowledge that there  
13 are many things that stops watches from running  
14 sometimes they just wear out and stop?

15 A. There are many things that can cause a watch to  
16 stop, that's correct.

17 Q. So then you wouldn't undertake to tell the Court  
18 and Jury what did stop this watch?

19 A. No sir.

20 Q. Now, did you testified that, I believe, when  
21 Mr. Pigford was questioning you about Sheriff  
22 Rainey and Deputy Price being present when this  
23 autopsy was made in Jackson. They were not there  
24 when this autopsy began were they?

25 A. Deputy Price was.

- 1 Q. Are you just as sure of that as anything else  
2 that you have testified about?
- 3 A. Yes, the reason I am is that he helped us take  
4 the bodies into the autopsy room.
- 5 Q. And then was he permitted to go into the room and  
6 remain?
- 7 A. No one threw him out, no one made any effort to  
8 keep him out, then after the autopsy began,  
9 Sheriff Rainey arrived.
- 10 Q. Did they remain in the autopsy room at all times?  
11
- 12 A. I was engaged in the observation of the autopsy  
13 and frankly at that time I could have cared less  
14 where they were in there, I don't know where they  
15 remained in there all the time or not. They were  
16 reported as being there as witnesses to the autopsy  
17 because of their presence in the room at the time.
- 18 Q. Well, did the autopsy once it began continue on  
19 until it was completed or was there a stop or  
20 halt in the autopsy.
- 21 A. Once it began it continued until its completion.
- 22 Q. Well, didn't some attorney or some Civil Rights  
23 organization ask that it stop and in fact it  
24 did stop?
- 25 A. Not to my knowledge.
- Q. Until they could get a doctor from somewhere else?



- 1 A. No sir, no other doctorexamined those bodies on  
2 that day.
- 3 Q. In other words, let me ask you if you know if  
4 some other doctor examined the bodies later on?
- 5 A. Of my own knowledge, no.
- 6 Q. Did you have any order from the Court to make  
7 this autopsy?
- 8 A. No sir.
- 9 Q. Isn't it a fact that you requested Deputy Price  
10 and Sheriff Rainey to obtain a court order so that  
11 the autopsy could proceed?
- 12 A. I made no such request of either man.
- 13 Q. Did anyone else make such a request to them?
- 14 A. Not to my knowledge.
- 15 Q. Now, I ask you if the Coroner's Jury was ever  
16 empanelled in Neshoba County, Mississippi?
- 17 A. I have no knowledge of this.
- 18 Q. Well, the Coroner was sent for by someone at the  
19 time?
- 20 A. Yes.
- 21 Q. And he did come?
- 22 A. He did.
- 23 Q. And did he empanel a Coroner's jury then?
- 24 A. If he did, I failed to recognize it as such.
- 25 Q. You weren't aware that such went on?

- 1 A. On that night in question?
- 2 Q. Yes sir.
- 3 A. I was there all the time, I saw nothing that  
4 looked like a Coroner's jury to me.
- 5 Q. Have you ever known or understood then that later  
6 on a Coroner's jury was empanelled?
- 7 A. I heard one was, yes, later on.
- 8 Q. How much later on?
- 9 A. You mean how much later on I heard it or how  
10 much later on did it occur?
- 11 A. Well how much later on was it until you heard  
12 about it?
- 13 A. Oh it was within a day or two of the autopsies.
- 14 Q. When did you hear that it began?
- 15 A. I don't recall but I did hear, but I don't recall  
16 the time or date it began.
- 17 Q. Of course, a Coroner's jury that you heard was  
18 empanelled never did get to view the bodies that  
19 you testified about, did they?
- 20 A. No sir.
- 21 Q. Now, you had already been into this dam area  
22 before the digging began, a day or two before that  
23 hand't you?
- 24 A. Yes sir.
- 25 Q. Did you fly in or drive in or how?

- 1 A. Fly over and later walked in.
- 2 Q. How did you get in, did you come by automobile
- 3 from the point where that you began walking or
- 4 did you come by helicopter or what?
- 5 A. I fly over in a helicopter, returned to Philadelph
- 6 and was driven out to the area where I walked in.
- 7 Q. And did you obtain permission from anyone to do
- 8 that?
- 9 A. No sir.
- 10 Q. Did you drill or do you know of anyone else
- 11 drilling down into the dam before August the 4th?
- 12 A. We did not drill, as you put it, into the dam
- 13 on August 1st, and I know of no one else who did.
- 14 Q. Have you heard that anyone else did that?
- 15 A. No sir, I have not.
- 16 Q. What about on any occasion besides August the 1st?
- 17 A. My first knowledge of any removal of any material
- 18 from that dam was as of 9:00 o'clock A. M. on
- 19 August the 4th, 1964.
- 20 Q. Then you have never heard that anyone drilled into
- 21 the dam in any manner before August the 4th?
- 22 A. That's right.
- 23 Q. Of course, you yourself couldn't identify the
- 24 bodies that you testified about as to whose
- 25 bodies they were, could you?

1 A. You mean on the basis of facial features and  
2 this type of identification?

3 Q. Or identification of the body in any way by  
4 just observing the bodies that were there?

5 A. I----

6 Q. I wouldn't confine it just to the face, but just  
7 from observing the bodies we'll say, but if you  
8 have some other way of identification from  
9 observing the body?

10 A. I would say based upon their physical condition  
11 and deterioration would be impossible for anyone  
12 to have identified them from their physical  
13 features.

14 Q. Then you tell the Court and Jury that you yourself  
15 can not swear under your oath as to whose bodies  
16 those were?

17 A. I don't believe I ever testified that I did. No,  
18 I can't identify the bodies as such, no sir.

19 Q. All right, then you are swearing to the Court and  
20 Jury that you can not swear that the bodies found  
21 in the dam on August the 4th were those of  
22 Mr. Schwerner, Mr. Goodman and Mr. Chaney, can you?

23 A. No, I have no basis of which I can swear under  
24 oath that these were the three bodies in question.

25 Q. All right, now then, you went in to the dam on

1 August the 1st, did you go in from the front or  
2 from the back way?

3 A. Do you mean from the front of the dam?

4 Q. Yes sir. Front side or the back side?

5 A. This was what, on August the 1st?

6 Q. Yes sir.

7 A. We approached from the North side of the dam  
8 which I don't know where you would call that the  
9 front of the dam or the back of the dam it  
10 wouldn't be the side, but if anything it would  
11 be the front of the dam, but it was from the  
12 north side of the dam.

13 Q. And on August the 4th what about it?

14 On August the 4th which way did you come in from  
15 the front side or the back side?

16 A. No, on August the 4th we came in from the south-  
17 east, I guess would be the best description I  
18 could give you, east or southeast, and approached  
19 on the scene at the eastern edge of the dam.

20 Q. If the Court please, grant me just one moment  
21 please sir. (Conferred) You said a while ago  
22 about drilling into the dam, did anyone go into  
23 the dam before August the 4th?

24 A. Not to my knowledge.

25 Q. Was any kind of special equipment used there

1 before August the 4th? With reference to determining  
2 whether or not these bodies were in the dam?

3 A. No type of special equipment was used.

4 Q. You relied solely on information received from a  
5 man, Mr. Sullivan, and he relied solely on infor-  
6 mation he received from a man or people in  
7 reference to locating these bodies, is that true?

8 A. I don't know what Mr. Sullivan relied on, but  
9 I relied upon information given me by him and  
10 my observation of the dam at the time I entered  
11 the dam on August the 4th.

12 Q. But your operation of the dam with reference to  
13 locating the bodies in the dam was based on infor-  
14 mation Mr. Sullivan gave to you, you dug in the  
15 spot he told you to dig, wasn't it?

16 A. I don't recall that he told me to dig in any  
17 particular spot, he gave me a certain set of  
18 facts and I began to dig.

19 Q. Do you know if the Federal Government paid for  
20 the information that Mr. Sullivan had or obtained?

21 A. I think I have already answered that question.  
22 I have no knowledge of it.

23 BY THE COURT:

24 I think you have too.

25 BY MR. WEIR:

- 1 Q On August the 1st when you first went in to this  
2 area on the first time, did you go in from the  
3 uh down the road or did you go through the  
4 wooded area?
- 5 A On the northern side of that dam is a large open  
6 field, we came right down the middle of that open  
7 field, to the best of my recollection.
- 8 Q You didn't go down the main road?
- 9 A I don't know that there is a main road.
- 10 Q The road leading to the dam, there is a road  
11 leading directly to the dam site isn't it?
- 12 A I wouldn't call it a road, there is evidence of  
13 maybe a logging trail where pulpwood vehicles have  
14 made paths down there but insofar as ---
- 15 Q But its a road as can be travelled and is traveled  
16 by motor vehicle?
- 17 A We picked up that road, as I recall we entered  
18 from the western side of this open field and  
19 traversed toward the center and down and picked  
20 up that road on the way back, we came back that  
21 way.
- 22 Q So, in August the 1st you had already received  
23 your information from Sullivan then hadn't you?
- 24 A Yes, on the morning of the first.
- 25 Q And how long before the morning of the first was

- 1                   it that you had received your information?
- 2           A.   That was the first I knew of it.
- 3           Q.   And you immediately went to the area that Mr.
- 4                Sullivan advised you about?
- 5           A.   Really, as a matter of fact, I led him to the
- 6                area because I had gone up in the helicopter
- 7                and spotted it.
- 8           Q.   But you went up in the helicopter and spotted it
- 9                as soon as Mr. Sullivan gave you the information?
- 10          A.   Shortly thereafter, yes.
- 11          Q.   Same day?
- 12          A.   Same day.
- 13          Q.   Now, this station wagon that you testified about
- 14                I believe you recognized a pattern that was on it?
- 15          A.   Yes sir.
- 16          Q.   Now, did you recognize that tag that was on it?
- 17          A.   Yes sir.
- 18          Q.   Now to whom was that tag registered?
- 19          A.   I understand that it was issued to the Congress
- 20                of Racial Equality in Jackson, Mississippi.
- 21          Q.   And it also would be your understanding that the
- 22                Congress of Racial Equality was the owner of
- 23                that vehicle, wouldn't it?

24 BY MR. HAUBERG:

25                If the Court please, this calls for a conclusion



1 and we object.

2 BY THE COURT:

3 Well, if he knows he may answer if he knows.

4 BY THE WITNESS:

5 I'm not that familiar with the registration vehicle  
6 laws in the State of Mississippi, where it would be  
7 legally possible for an organization to register  
8 something and have the license issued to an organi-  
9 zation rather than to an individual or vice versa,  
10 I'm not sure about that.

11 BY MR. WEIR:

12 Q Mr. Marshal, would you just show that to the  
13 witness please? What is that you are holding  
14 there please sir?

15 A Its a road and privilege tax receipt, State of  
16 Mississippi, H<sup>+</sup>nds County for 1964 tag number  
17 H-25503.

18 Q And to whom is it issued?

19 A As I said, the Congress of Racial Equality in  
20 Jackson.

21 Q And what exhibit you are holding and are testifying  
22 from?

23 A Exhibit P-25.

24 Q Thank you. You didn't say anything to the Sheriff  
25 or the Deputy Sheriff or any other officer of law

1 in Neshoba County, Mississippi when the search  
2 began and until after the bodies were found?

3 BY MR. HAUBERG:

4 If the Court please, we've been over that.

5 BY THE COURT:

6 I'll let him answer it. I think that question has  
7 already been asked and that's one of the things I  
8 have been trying to avoid.

9 BY THE WITNESS:

10 A. I can't recall having any conversation with any  
11 law enforcement officer of Neshoba County in  
12 connection with the recovery of these bodies.

13 Q. Was there some special reason that you didn't  
14 offer to help the officers there or the officers  
15 to help you that you care to tell the Court about?

16 A. I don't believe I understand your question.

17 Q. Well doesn't the Federal Bureau of Investigation  
18 as a general rule cooperate with the local law  
19 enforcement officers?

20 A. Most assuredly.

21 Q. But you didnot offer your cooperation to them in  
22 this particular incident?

23 A. We were engaged in the investigation of a  
24 violation of federal law, I failed to see, your  
25 question, I don't understand it.

- 1 Q Well, could not a state law also have been  
2 violated, was there a possibility of that?
- 3 A Well yes, definitely.
- 4 Q Let me ask you about this motor vehicle, the  
5 station wagon. You say you had examined it, was  
6 the hubcaps on it?
- 7 A No they were not.
- 8 Q Where were the hubcaps that belonged on that  
9 station wagon at?
- 10 A In our custody, in the custody of the F. B. I?
- 11 Q Where did you find them?
- 12 A I didn't find them.
- 13 Q Who found them?
- 14 A You mean who within the F. B. I. found them?
- 15 Q Yes sir.
- 16 A No one.
- 17 Q Were they brought and delivered to the Federal  
18 Bureau of Investigation?
- 19 A That's correct.
- 20 Q By whom?
- 21 A I don't know.
- 22 Q Your records show, don't they?
- 23 A My records don't the records in the Federal  
24 Bureau of Investigation show, yes sir.
- 25 Q Well, who in the Federal Bureau of Investigation

1                   would know who it was that brought those hubcaps  
2                   in?

3           A.   I would suspect that Special Agent Proctor would  
4           know and several other agents, I could find out  
5           who brought them?

6           Q.   Would you do that for me and then let me know by  
7           in the morning?

8   BY MR. HAUBERG:

9           If the Court please, we object to this we don't see  
10          the materiality of it.

11   BY THE COURT:

12          Well----

13   BY MR. ALFORD:

14          Your Honor please it would raise the materiality of  
15          this to show that someone had been here tampering  
16          with this automobile before they got there.

17   BY THE COURT:

18          I'll let him get your answer for you.

19   BY MR. WEIR:

20          All right, thank you Judge.

21          Q.   You do know that someone came to the scene where  
22          this station wagon was found and burned before  
23          the Special Bureau of Investigation Officers  
24          arrived on the scene, don't you?

25          A.   I heard that, yes sir.

1 Q And one thing that you know or heard to be true  
2 is because you know someone came and tampered  
3 with the vehicles at least to the extent of re-  
4 moving the hubcaps from that vehicle and taking  
5 them away before any officer of the federal  
6 government arrived, don't you?

7 A I heard this, yes.

8 Q And that's official information among-----

9 BY MR. HAUBERG:

10 We object to this, Your Honor.

11 BY THE COURT:

12 I'll sustain the objection.

13 BY MR. WEIR:

14 Q Isn't it a matter of official information in  
15 the records of the Federal Bureau of Investigation

16 BY MR. HAUBERG:

17 We object unless he knows.

18 BY THE COURT:

19 Sustain the objection. You may answer if you do know  
20 though. Do you understand?

21 BY THE WITNESS:

22 Yes sir, Your Honor, I understand it.  
it

23 A I am reasonably certain that/is a matter of  
24 official, uh, hat it was made a matter of record.  
25 I did not make that record is the reason I am

1 hesitant to answer.

2 Q. Is it or not common knowledge amongst all the  
3 F. B. I. Agents who helped to investigate the  
4 incident that someone did come there ahead of the  
5 F. B. I. Agents and actually remove the hubcaps  
6 therefrom?

7 A. I would like to clear up this point if you would  
8 let me explain it. I had no responsibility for  
9 the conduct for the investigation outside the  
10 handling of the physical evidence in the matter  
11 in conducting the crime scene searches and the  
12 things about which I have given here in my  
13 testimony.

14 Q. But you will get the information for me. Will  
15 you still be here in the morning?

16 A. Yes sir.

17 Q. Before Court starts?

18 A. Yes sir.

19 Q. If the Court please will I be permitted to recall  
20 this witness?

21 BY THE COURT:

22 Yes sir.

23 BY MR. WEIR:

24 Your Honor, just one more conference and I think I  
25 might be through.

1                    May I proceed, Your Honor.

2 BY THE COURT:

3                    All right.

4 BY MR. WEIR:

5                    Q. Mr. Cochran, on the occasion that this autopsy  
6                    was made was Agent Sherrod there?

7                    A. Yes, he was.

8                    Q. What is his first name?

9                    A. Lawrence Sherrod.

10                    Q. Lawrence Sherrod. S H E R R O N ?

11                    A. S H E A R E R.

12                    Q. Now, was the County Prosecuting Attorney of  
13                    Neshoba County, Mississippi, Walter Rayford Lamar  
14                    Jones there?

15                    A. No sir, he was not, to the best of my recollection  
16                    I don't recall seeing Mr. Jones there.

17                    Q. Now isn't it a fact that Agent Lawrence Shearer  
18                    called the County Prosecuting Attorney, Rayford  
19                    Jones, and Cecil Ray Price, the Deputy Sheriff  
20                    and advised them that an attorney from the  
21                    National Association for the Advancement of  
22                    Colored People had telephoned him and told him  
23                    that they were requesting that the autopsy be  
24                    stopped until a doctor of their own choosing  
25                    come there and that Mr. Shearer advised them that

1 the Federal Bureau of Investigation required a  
2 court order before the autopsy could proceed  
3 and that the county attorney telephoned the  
4 Circuit Judge, Honorable O. H. Barnett, Jr.,  
5 at Carthage, Mississippi, who in turn referred  
6 them to the Coroner and the County Coroner finally  
7 gave them the order for the autopsy to be made  
8 before the autopsy continued?

9 BY MR. HAUBERG:

10 We object to that if the Court please, five or six  
11 questions rolled into one.

12 BY THE COURT:

13 Well I think he's been asked about the first three  
14 fourths of that question, and I'll sustain the objec-  
15 tion.

16 BY MR. WEIR:

17 Your Honor please, I realize that but I do have  
18 information from my clients that----

19 BY THE COURT:

20 Well, break your question down because you've asked  
21 him about half a dozen questions in one and he's  
22 answered about five of them before.

23 BY MR. WEIR:

24 Q All right. You are positive that the County  
25 Coroner of Neshoba County, Mississippi did not



1 issue the order for the autopsy to be performed?

2 BY MR. HAUBERG:

3 We object to his going into this, Your Honor.

4 BY THE COURT:

5 I'll let him answer if he knows.

6 BY THE WITNESS:

7 I have no knowledge of that.

8 Q You have no knowledge at all that the county  
9 attorney, Mr. Jones, was even there?

10 A I do not recall his presence there. I do recall  
11 him being at the gravesite, yes.

12 Q But not in Jackson, Mississippi?

13 A To the best of my recollection that is right, I  
14 don't recall him being there.

15 Q Where is Agent Lawrence Shearer at at this time?

16 A Upstairs, I presume, he is in Meridian.

17 Q Do you know whether or not he is planning to  
18 leave before this trial is over?

19 A No, I don't.

20 Q What is your understanding as to how long he is  
21 going to remain here?

22 BY MR. HAUBERG:

23 We object to that.

24 BY THE COURT:

25 Sustain the objection.

1 BY MR. WEIR:

2 Q so you have no knowledge at all about what I've  
3 mentioned about the obtaining of the order  
4 and ordering up the autopsy or any connection at  
5 all, is that right?

6 BY MR. HAUBERG:

7 We object to that.

8 BY THE COURT:

9 I sustained the objection.

10 BY MR. WEIR:

11 Just so that I will have it in the record once and  
12 for all.

13 BY THE COURT:

14 I think you've got it in there.

15 BY MR. WEIR:

16 I think so, if Your Honor please, I'll withdraw  
17 the question. Your Honor please, this is all of  
18 the cross examination of this witness that I have  
19 for my cleints, I do move the Court to exclude the  
20 evidence concerning the photographs of these  
21 purported bodies for the reason that the witness has  
22 testified that he can't identify the bodies of being  
23 those of any certain person and it is certainly not  
24 connected to this case at this time.

25 BY THE COURT:

1 Sustain your objection.

2 BY MR. WEIR:

3 Thank you, Your Honor.

4 BY MR. McINTIRE:

5 Your Honor, if it please the Court I have a few  
6 questions I would like to ask the witness on behalf  
7 of my client, Sheriff Lawrence Andrew Rainey.

8 BY THE COURT:

9 All right.

10 FURTHER CROSS EXAMINATION

11 BY MR. McINTIRE:

12 Q Mr. Cochran, on August the 4th, 1964 what time  
13 did the heavy equipment arrive at the damsite?

14 BY MR. HAUBERG:

15 Your Honor we object to that, we've been over all of  
16 that.

17 BY THE COURT:

18 I'll sustain the objection. We certainly have been  
19 over that. It got there at 8:15 A. M.

20 BY MR. McINTIRE:

21 Q What time were the bodies recovered from the  
22 dam site?

23 A The heels of the first body was uncovered at  
24 approximately 3:00 o'clock P. M.

25 Q And what time were they transferred to Jackson,

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Mississippi?

A. All three bodies were transferred at the same time and the hearse left the gravesite at approximately 11:15 P. M.

Q. What was the delay?

A. I don't know. I advised Inspector Sullivan at 6:00 o'clock P. M.

Q. Advised him of what?

A. That we had gone as far as we could go at the graveside.

Q. Everybody stood around there at the gravesite?

A. Waffing for the Coroner, that's correct.

Q. What time did the Coroner arrive?

A. Approximately 8:05, 8:00 P. M., or something like that.

Q. Was a Coroner's jury empanelled?

BY MR. HAUBERG:

We object to that.

BY THE COURT:

Let me get that question again.  
(COURT REPORTER) WAS A ~~XXXX~~ CORONER'S JURY EMPANELED.

BY MR. MCINTIRE:

I----

BY MR. HAUBERG:

We've gone into that.

BY THE COURT:

I think so, sustained.

1 Counsel, you weren't listening, were you?

2 BY MR. McINTIRE:

3 Yes, Your Honor, I was just trying to lay the predicate  
4 here before I go into it.

5 Q I believe you stated, Mr. Cochran, to your know-  
6 ledge there was no court order issued?

7 BY MR. HAUBERG:

8 We object to that, he's going over that again.

9 BY THE COURT:

10 Sustained.

11 BY MR. McINTIRE:

12 Just reiterating the witness statement.

13 BY THE COURT:

14 Well we are not going to have any reiterating, that's  
15 out right now.

16 BY MR. McINTIRE:

17 Q Did you obtain a removal permit from the State  
18 Board of Health?

19 A Permit for what?

20 Q To remove the body from the gravesite.

21 A The Coroner removed them.

22 Q To your knowledge did the Coroner obtain a  
23 removal permit from the S<sup>t</sup>ate Board of Health?

24 A Not to my knowledge.

25 Q In other wordsthes<sup>e</sup> bodies were removed without

1 any legal permits?

2 BY MR. HAUBERG:

3 We object to that, if the Court please.

4 BY THE COURT:

5 Sustained. I don't think that is illegal, you will  
6 find that in Roberts vs. the State of Mississippi.

7 BY MR. McINTIRE:

8 No further questions, Your Honor.

9 BY THE COURT:

10 All right sir.

11 REDIRECT EXAMINATION

12 BY MR. OWEN:

13 Q. You indicated in your cross examination accelerant  
14 what do you mean by that?

15 BY MR. BUCKLEY:

16 We object to that, Your Honor, this is just a means  
17 of starting all over.

18 BY THE COURT:

19 I didn't understnad your question, Mr. Owen.

20 BY MR. OWEN:

21 Q. What do you mean by accelerant?

22 BY THE COURT:

23 Oh, you may answer.

24 BY THE WITNESS:

25 A. Any substance that is placed for the purpose of

1 accelerating or promoting the fire and continuing  
2 it.

3 Q. On cross examination you indicated a place called  
4 the Old Jolly Farm, do you know who owns that  
5 farm?

6 A. I've been told who owned it.

7 BY MR. ALFORD:

8 We object to what he's been told.

9 BY THE COURT:

10 Yes, I'll sustain the objection.

11 BY MR. OWEN:

12 Q. I hand you a photograph and ask if you recognize  
13 that?

14 A. I do.

15 BY THE COURT:

16 Is this in rebuttal now, Mr. Owen?

17 BY MR. OWEN:

18 Yes, Your Honor.

19 Q. What is it?

20 A. Its a photograph of the area where we entered onto  
21 the property on where the dam is located, the  
22 dam which we removed the three bodies.

23 Q. Does that photograph fairly and accurately reflect  
24 with relationship of highway and the road and that  
25 dam?

1 BY MR. ALFORD:

2 Your Honor please we would interpose an objection  
3 to him introducing this or asking questions by him  
4 that were not gone into on cross examination.

5 BY THE COURT:

6 Well, I believe it was asked him on cross examination  
7 about how he came into that area, he was asked in  
8 detail whether he came in by the road or path, and  
9 he said no, he came in by the open field, so I'll  
10 overrule your objection. I think he's got a right  
11 to go on with this as I believe its in rebuttal.

12 BY MR. OWEN:

13 Q Is that a fair and accurate representation in  
14 relationship to roads in that area in the dam?

15 A It is

16 Q I would like to have this marked and entered into  
17 evidence.

18 BY THE COURT:

19 Show it to Counsel.

20 BY MR. ALFORD:

21 Your Honor please this is a color picture and an  
22 objection again is interposed to the introduction  
23 of this picture to this witness' testimony for the  
24 grounds that it is an exaggeration by being in  
25 color and second there has been no proper predicate



1           laidfor the introduction here of and as to the  
2           time when this picture was taken, and if your  
3           Honor will inspect this picture I think he  
4           will note certain features there that are not  
5           present here in this other picture.

6           BY THE COURT:

7           Let me see that. I believe I'll let you ask him  
8           something about that picture. Let's show where  
9           it either is competent or its not, go along.

10          BY MR. OWEN:

11          Q. Now do you know when this picture was taken?

12          A. No, I do not.

13          Q. Now, at the time you were there do the roads  
14          reflected in that picture fairly reflect the  
15          road in that picture to those roads to the  
16          dam area as they were when you were there in  
17          August, 1964?

18          A. They do.

19          Q. Now, are there some differences in that picture  
20          and other areas as the way it was then and the  
21          way it appears in that picture?

22          A. There are.

23          Q. Would you name those differences?

24          BY MR. ALFORD:

25          Your Honor please, we object to that. It would

1 be prejudicial in this case to let him point  
2 out the entirely different features in that  
3 photograph, and we submit that this picture is  
4 inadmissible because its not a fair and accurate  
5 representation of the road and features of the  
6 land there at the time he has been testifying  
7 about.

8 BY THE COURT:

9 Did you ever see that picture before?

10 BY THE WITNESS:

11 Yes, Your Honor.

12 BY THE COURT:

13 Do you know who took that picture?

14 BY THE WITNESS:

15 It was taken by an agent of the F. B. I. the exact  
16 identity which I do not know but I believe it was  
17 Mr. James Awe.

18 BY THE COURT:

19 Were you present when this was taken?

20 BY THE WITNESS:

21 No I was not.

22 BY THE COURT:

23 Do you know when it was taken?

24 BY THE WITNESS:

25 Eact date, no I do not.

1 witnesses, if one person subpoenaed him that  
2 witness is here for the other side without a  
3 subpoena until the Court releases him.

4 BY MR. WEIR:

5 Then may we inquire of the United States Attorney  
6 if he is here in fact as a government witness?

7 BY MR. DOAR:

8 He's here, Your Honor, he's not under subpoena.

9 BY MR. WEIR:

10 We request that since he's here that he will not  
11 be permitted to leave without our having an  
12 opportunity to confer with him.

13 BY THE COURT:

14 Process is available to you, Mr. Weir, you have  
15 the right to handle that without asking the Court  
16 to do it for you.

17 BY MR. WEIR:

18 Thank you.

19 BY MR. ALFORD:

20 If the Court please I would like to renew our  
21 continuing objection with reference to the witness  
22 that has entered all of those exhibits.

23 BY THE COURT:

24 All right, every objection made during this trial?

25 BY MR. ALFORD: