

1 BY MR. DOAR:

2 Your Honor, may we have a short recess now?

3 BY THE COURT:

4 Mr. Davis joins in that request. Members of the Jury
5 we'll follow the same course that we did yesterday,
6 that is, we'll take fifteen minutes out now and then
7 we'll take out again at 6:00 o'clock and go until
8 8:30 so if you want to make any arrangements you
9 may while you are out at this time, and you can give
10 any orders you want to eat at 6:00 so the Marshal
11 can have it ready for you.

12 (Jurors excused from courtroom)

13 (Whereupon the Court took a recess at 3:12 P. M.
14 for fifteen minutes)

15 AFTER RECESS:

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

18 BY MR. OWEN:

19 Q Would you state your name please?

20 A James Jordan.

21 Q How old are you?

22 A Forty-one.

23 Q In 1964 where did you live?

24 A Here in Meridian.

25 Q Would you keep your voice up now so that everyone

hear
can/you ?

1
2 A. Here in Meridian.

3 Q. How long had you lived here in Meridian?

4 A. Approximately two years.

5 Q. What kind of work did you do when you lived here?

6 A. I worked at a service station for some time, I
7 ran a restuarant here and worked at Akin Mobile
8 Home.

9 Q. Now, while you lived here in Meridian, were you
10 ever a member of the White Knights of the Ku Klux
11 Klan?

12 A. Yes sir, I was.

13 Q. Do you remember about when you joined?

14 A. No sir, not exactly it was in '64.

15 Q. What were the circumstances under which you joined

16 A. I was approached and asked to join, they were
17 recruiting members to save integration, to save
18 the schools and to protect the white families.

19 Q. Who asked you to join?

20 A. I was first approached by Frank Herndon.

21 Q. And did anybody approach you about it?

22 A. Wallace Miller did after that.

23 Q. Did anybody else approach you?

24 A. No sir, I decided to join.
25

1 Q. Now, when you joined, just tell the Court and
2 Jury what the circumstances were?
3 A. Well, I was to be given an oath and we drove back
4 to the service station where I was working at
5 the time and at that time I met Reverend Killen
6 from Philadelphia. He and Wallace Miller and
7 Frank Herndon took me up there and swore me in.
8 Q. Now, look around you, all around this room and
9 see if you can identify any of the people that
10 were present when you were sworn in?
11 A. Frank Herndon.
12 Q. Frank Herndon is which one. Describe what he's
13 wearing?
14 A. Pajamas and bathrobe.
15 Q. Anyone else?
16 A. No sir.
17 Q. You don't see anyone else. Now, what happened
18 when you were up there, when you were sworn in?
19 A. I was told that I was joining, that this oath
20 was to uphold the integration of schools, to keep
21 the colored separated from the white and I was a
22 member of the Klan.
23 Q. Now, did you, uh, were you given a Klan number?
24 A. Yes sir.
25 Q. What number were you?

1 A. Number three.

2 Q. Now, did you attend the Klan meetings fairly
3 regularly after you joined the White Knights?

4 A. Yes sir.

5 BY MR. ALFORD:

6 We object to his leading.

7 BY THE COURT:

8 Overruled.

9 BY MR. OWEN:

10 Q. You did?

11 A. Yes sir.

12 Q. If you'll look around the room and see if you
13 can identify any of the people that you saw at
14 any of those meetings?

15 BY MR. HENDRICKS:

16 We object to his questions, Your Honor, unless he's
17 more specific about which meetings he's talking about

18 BY THE COURT:

19 Yes, I guess you had better tie it down to a place
20 time and who was present.

21 BY MR. OWEN:

22 Q. Do you recall any specific meetings where you
23 attended? And which any of these defendants
24 were present?

25 A. I don't recall the time of any of the meetings.

- 1 Q. Some of the defendants, were in fact, present?
- 2 A. Yes sir.
- 3 Q. Now, do you recall what you did on June 21, 1964?
- 4 A. Yes sir.
- 5 Q. Where were you that afternoon?
- 6 A. I went to the Longhorn drive-inn to pick up my
- 7 wife who was working there at the time.
- 8 Q. About what time did you go there?
- 9 A. Just before six o'clock.
- 10 Q. Now, did anyone, uhh, who was there when you
- 11 were there?
- 12 A. Well, there were a lot of people there I didn't
- 13 know.
- 14 Q. Were any of these defendants there?
- 15 A. Yes sir. Frank Herndon operated the place at the
- 16 time.
- 17 Q. And were any of the others?
- 18 A. Pete Harris was there.
- 19 Q. Can you identify Pete Harris?
- 20 A. Yes sir, he's sitting right there.
- 21 Q. Can you describe him, count down from the right?
- 22 A. He's number five.
- 23 Q. The fifth man from the right?
- 24 A. Right.
- 25 Q. Now, did any of these other defendants come to

- 1 the Longhorn that evening?
- 2 A. Yes.
- 3 Q. Who?
- 4 A. Preacher Killen and two young men.
- 5 Q. Can you identify Preacher Killen?
- 6 A. Yes sir, he's sitting next to Pete.
- 7 Q. Is he the one with the glasses on?
- 8 A. Yes sir.
- 9 Q. Now, two young men?
- 10 A. Yes sir.
- 11 Q. Now, can you identify those two young men?
- 12 A. This young man right there was one of them.
- 13 Q. Which man is he from the left?
- 14 A. The second man.
- 15 Q. Who was driving the car he came in?
- 16 A. He was.
- 17 Q. thThe young man you pointed to over there?
- 18 A. Yes.
- 19 BY THE COURT:
- 20 Do you know the young man's name that you pointed to?
- 21 BY THE WITNESS:
- 22 I believe it was Sharpe, I found out later.
- 23 BY THE COURT:
- 24 Do you know the defendants in this case?
- 25 BY THE WITNESS:

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Yes sir.

BY THE COURT:

All of them?

BY THE WITNESS:

Yes sir.

BY THE COURT:

Do you know them by name?

BY THE WITNESS:

Yes sir.

BY MR. OWEN:

Q Did you know this man by name at the time?

A No sir.

Q Now, what if anything did Preacher Killen do?

A Well, he went in and talked to Frank Herndon first then he came back out and said he had a job he needed some help on over in Neshoba County and he needed some men to go with him.

Q Did he say what kind of job it was?

A He said that two or three of those civil rights workers were locked up and they needed their rear ends tore up.

Q Did he tell you who locked them up?

A Yes sir, he said the Sheriff's Deputy locked them up.

Q And did he indicate to you who any of these

- 1 people were that were locked up?
- 2 A. Just one, Whiskers, Goatee, he had several names
3 for him.
- 4 Q. Who was that?
- 5 A. Schwerner, I believe was his name.
- 6 Q. Now, had you ever seen Schwerner?
- 7 A. Yes sir, one time.
- 8 Q. Before this date?
- 9 A. One time.
- 10 Q. Who was with you when you saw him?
- 11 A. Frank Herndon.
- 12 Q. And Frank Herndon is the man you have identified?
- 13 A. Yes sir.
- 14 Q. Where did you see him?
- 15 A. Down in the colored section of town in Meridian.
- 16 Q. What was the occasion, why did you see him?
- 17 A. So I would know him if I ever saw him again. He
18 said he was down there and we drove along in
19 front of this restuarant and he told me he wanted
20 me to get a look at him.
- 21 Q. Who said this?
- 22 A. Frank Herndon.
- 23 Q. Did he say anything when you saw him?
- 24 A. No sir.
- 25 Q. Now, after Killen came to this drive inn and

1 asked you to go up to Neshoba County, what
2 happened?

3 A. Well, we started calling then on the telephone
4 trying to line up some more men to go with us.

5 Q. Who made the calls?

6 A. Frank Herndon made several and so did Pete Harris.

7 Q. Did Pete Harris have any job in that organization?

8 A. He was the investigator.

9 Q. Did Frank Herndon have any job in that organiza-
10 tion?

11 A. Yes sir, I don't remember exactly what it was.

12 Q. He was an officer?

13 A. Yes sir.

14 Q. Now, after these phone calls were made what
15 arrangements were made after you left the Longhorn.

16 A. Well they said they didn't want too big a crowd
17 gathering there, for us to go down the street to
18 the mobile homes that we could make calls from
19 there.

20 Q. Now, where is the Longhorn Drive-Inn located?

21 A. On Tom Bailey Drive.

22 Q. Here in Meridian?

23 A. Yes sir.

24 Q. Now, you say you went somewhere from there?

25 A. Yes sir.

1 Q Where is this place located?

2 A Its further on down on Tom Bailey Drive on
3 Highway 80 from Meridian.

4 Q And who does that place belong to?

5 A Mr. Akin.

6 Q Can you identify Mr. Akin?

7 A Yes sir. He's the one with the white hair.

8 Q White hair and dark glasses?

9 A Yes sir.

10 Q Now, did you go over to the Longhorn, I mean
11 Akins place?

12 A Yes sir, we did.

13 Q How did you go?

14 A We went in different cars. I went in the car
15 with the boys over there that came down.

16 BY MR. HENDRICKS:

17 We object Your Honor, unless he's more specific
18 about those boys.

19 BY MR. OWEN:

20 Q What boys are you talking about?

21 BY THE COURT:

22 Speak in the microphone, I didn't get your objection
23 Counsel.

24 BY MR. HENDRICKS:

25 He didn't name who he want with, Your Honor.

1 BY THE COURT:

2 Yes, ask him that question again, so he can be
3 specific.

4 BY MR. OWEN:

5 Q. Whose car did you go in?

6 A. I don't remember if I went in Pete Harris' car
7 or in the car that came from Philadelphia with
8 Preacher Killen and Sharpe.

9 BY THE COURT:

10 Who do you call Pete Harris?

11 BY MR. OWEN:

12 Q. Who is Pete Harris?

13 BY THE WITNESS:

14 The man I identify there.

15 BY THE COURT:

16 Is that his name or his nickname?

17 BY THE WITNESS:

18 Its all I've ever known him by.

19 BY THE COURT:

20 You don't know his name?

21 BY THE WITNESS:

22 Not his real name.

23 BY MR. OWEN:

24 Q. Now, after you got over to Akins place, what did
25 you do?

- 1 A. Well several more calls were made add at that
2 time they said they had two or three men on the
3 way, and asked me if I knew a couple lived that
4 we might get, that we needed about six or seven
5 men.
- 6 Q. And who asked you that?
- 7 A. Reverend Killen.
- 8 Q. And what did you do?
- 9 A. I told him I would go and try to find a couple of
10 men that I knew didn't have telephones.
- 11 Q. And who did you try to find?
- 12 A. I went over to Wayne Roberts' home.
- 13 Q. Can you identify Wayne Roberts?
- 14 A. Yes sir, he's the first man on the first row.
- 15 Q. Now, did you go there directly from Akins place?
- 16 A. No sir, we needed some gloves and I asked to stop
17 by and see if I could find any gloves, any rubber
18 gloves, which I couldn't at the time. We stopped
19 at Warren's Grocery Store on the way to Wayne's
20 house.
- 21 Q. Who asked you to do that, if you recall.
- 22 A. Reverend Killen.
- 23 Q. Now, did you see Wayne at his house?
- 24 A. Yes sir.
- 25 Q. And what did you do?

- 1 A I asked him if he could go that they needed some
2 help on a case in Neshoba County and that Reverend
3 Killen was down and could he get away to go?
- 4 Q What did he say?
- 5 A Yes, he would.
- 6 Q Then what did he do?
- 7 A We came back to Akins Mobile Home?
- 8 Q And do you remember whose car you went over in
9 to pick up Wayne Roberts?
- 10 A It was Sharpe's car I presume.
- 11 Q He was driving?
- 12 A Yes sir.
- 13 Q And when you got back to Akins who was there?
- 14 A Mr. Akins was there, Pete Harris was, myself,
15 Wayne at that time, then he said there were some
16 more boys on their way which they arrived in just
17 a few minutes.
- 18 Q Who else came?
- 19 A Travis and Doyle Barnett?
- 20 Q Can you identify those two people?
- 21 A That's Travis next to Doyle.
- 22 Q Count from the right hand side.
- 23 A Travis is number two and Doyle number three.
- 24 Q And they came over?
- 25 A Yes sir.

1 Q Whose car did they come in?
 2 A They came in Doyle's car.
 3 Q Did anyone else come over?
 4 A Jimmy Snowden came over with another man.
 5 Q Did anyone else come over?
 6 A Jimmy Arledge, I met at that time, I didn't
 7 know him before.
 8 Q Can you identify those for us?
 9 A Jimmy Arledge is the fourth man, and Jimmy Snowden
 10 is the last man on the front row.
 11 Q Back over here?
 12 A Yes sir.
 13 Q Now, was Killen still there?
 14 A Yes sir.
 15 Q Now, what conversation was there had after all
 16 these people arrived?
 17 A Well at that time Reverend Killen said they had
 18 three of the Civil Rights Workers locked up
 19 and we had to hurry and get there and we were
 20 to pick them up and tear their butts up.
 21 Q Now, did he indicate to you how they were to be
 22 stopped?
 23 A He said that a Highway Patrol car would stop them
 24 on the outskirts of town.
 25 Q Now, what happened then?

- 1 A. Well he said for he sent me, Sharpe and Wayne
2 Roberts back to get some gloves at Warners which
3 we did.
- 4 Q. Then where did you go?
- 5 A. Came back to Akins Mobile Home.
- 6 Q. Now, what did you do at Akins Mobile Home after
7 you came back from getting the gloves?
- 8 A. We gassed up the cars which were Sharpes and
9 Doyle.
- 10 Q. Now, did, uhh, was there any conversation about
11 which of this group would or wouldn't go?
- 12 A. Well Pete Harris was not supposed to go, and
13 Mr. Akins couldn't go because he had work to do.
- 14 Q. Now, what if anything did Preacher Killen say
15 about the time you got ready to leave?
- 16 A. He said he would go ahead as he had to get on
17 back there as fast as he could and make the
18 arrangements, there were several cars were coming
19 in and these guys couldn't be held much longer.
- 20 Q. And what did he do?
- 21 A. He left.
- 22 Q. Who left with him?
- 23 A. Sharpe and Wayne Roberts.
- 24 Q. Then what did you do?
- 25 A. I left with Doyle and Travis, Jimmy Arledge and

1 Jimmy Snowden.

2 Q Was there any indication at Akins as to where you
3 should go?

4 A We were told that as soon as we got to Philadelphi
5 to park on the far side of the courthouse and
6 we would be told where to go and what to do.

7 BY MR. WEIR:

8 We object to that.

9 BY THE COURT:

10 Overruled.

11 BY MR. OWENS:

12 Q Who told you that?

13 A Reverend Killen.

14 Q Did you go to Philadelphia?

15 A Yes sir.

16 Q And where did you go?

17 A Went to the far side of the court house.

18 Q Now, who did you see there?

19 A Saw Mr. Barnette standing out beside his pickup
20 truck.

21 Q Can you identify Mr. Barnette?

22 A Yes sir. Sitting right behind me.

23 Q Now, how far is he from the man in the bath robe?

24 A Third man over.

25 Q Third man. Are you counting the woman?

A No sir.

1 BY THE COURT:

2 Do you know this gentlemen's name that you are
3 identifying?

4 BY THE WITNESS:

5 Yes sir, he used to be Sheriff over there. I had
6 met him before.

7 BY THE COURT:

8 I asked you what his name was.

9 WITNESS

10 BY THE ~~KXXXX~~:

11 Barnette.

12 BY THE COURT:

13 Is that all you know about him?

14 BY THE WITNESS:

15 His nickman Hop Barnette.

16 BY THE COURT:

17 All right. Go along.

18 BY MR. OWEN:S

19 Q. What did he do or say?

20 A. He told us to wait right there, that he had to
21 leave and he got in his truck and left, said
22 somebody would be, would come tell us what to do.

23 Q. Then what happened?

24 A. Reverend Killen came from around the corner, told
25 us that he would take us by and show us the jail
and then we would be told where to wait until
they were released.

- 1 Q. And where did you go then?
- 2 A. He got in the car and we drove around the corner
- 3 by the jail and then he took us to the spot we
- 4 were supposed to wait ^{old} behind an/warehouse right
- 5 at the edge of town.
- 6 Q. And where did he go?
- 7 A. Reverend Killen?
- 8 Q. Yes.
- 9 A. We took him back to a funeral home there in
- 10 Philadelphia.
- 11 Q. Why did you take him to a funeral home?
- 12 A. He said that he had to go there because if any-
- 13 thing happened he would be the first one question
- 14 Q. Just tell the Court and Jury what you did after
- 15 you left Preacher Killen off.
- 16 A. We left him off at the spot where we were told
- 17 to wait that we would be told when and where to
- 18 leave town and we were to follow that they would
- 19 not be stopped.
- 20 Q. Now, who was in your car?
- 21 A. It was Doyle, Travis, Jimmy Snowden and myself.
- 22 Q. Now, just go right ahead.
- 23 A. We sat there approximately ten or fifteen
- 24 minutes. About that time a City Police car came
- 25 up and said, "they're going on Highway 19 toward

1 Meridian, follow them."

2 Q And who was in that lead car?

3 A I didn't know the man at the time.

4 Q Was he a policeman or was he someone else?

5 A I presume he was he had on an uniform.

6 BY MR. WEIR:

7 We object to what he presumes.

8 BY THE COURT:

9 Overruled.

10 BY MR. OWEN:

11 Q Then what happened?

12 A He turned around and went on back toward town,
13 we turned and went toward highway 19.

14 BY THE COURT:

15 Do you know who the policeman was?

16 BY THE WITNESS:

17 No sir, at that time I did not.

18 BY THE COURT:

19 I didn't ask you when you knew, I asked you if you
20 knew who the policeman was?

21 BY THE WITNESS:

22 No sir.

23 BY THE COURT:

24 You don't know now?

25 BY THE WITNESS:

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A No sir, I've been shown pictures of him.

BY THE COURT:

Do you see him in the courtroom?

BY THE WITNESS:

No sir, I don't think I do.

BY THE COURT:

All right, go along.

BY MR. OWEN:

Q Then what did you do?

A We left and drove out highway 19 back toward Meridian. At that time there was a red car ahead of us and that's what we did, a red Chevrolet. There was some more men in it.

Q Where did you go?

A We came back out to the outskirts of Philadelphia. The red car pulled over beside a Highway Patrol car and we pulled up behind it.

Q And what happened then?

A The man driving the red car got out and said something to the Patrol car and he walked back to our car and said, "never mind, they will be stopped by the Deputy Sheriff, these men are not going to stop them."

BY MR. WEIR:

We object.

1 By Mr. Owens;

2 Q Can you identify the man?

3 BY THE COURT:

4 Just a minute Counsel. I'll overrule the objection.

5 BY MR. OWEN:

6 Q Can you identify the man that got out of the red
7 car?

8 A Yes sir.

9 Q Who was he?

10 A Posey. Sitting right next to Reverend Killen.

11 Q How many men from the right?

12 BY THE COURT:

13 What was his name?

14 BY THE WITNESS:

15 Seven.

16 BY MR. OWEN:

17 Q The Court asked you what his name was?

18 A Posey.

19 Q Who else was in that car?

20 A There was Sharpe, another young man and Wayne
21 Roberts.

22 Q Then what happened?

23 A About that time the Deputy's car came by, said
24 something to the man in the red car, and the
25 Deputy's car, and we took off to follow them.

1 Q What deputy are you talking about?

2 A Cecil Price.

3 Q Can you identify him?

4 A Yes sir, the gentlemen sitting right there.

5 Q How many from the left?

6 A Four, no, five.

7 Q Now, just tell the Court and Jury what happened
8 after you took off?

9 A Well, we were following the red car as we were
10 told to do, we got on down the highways a good
11 ways, the car broke down. Evidently it broke
12 down, it stopped beside the road. We stopped
13 behind it. Posey told us to come on and go
14 ahead that it would be stopped anyway by the
15 Sheriff, the Deputy Sheriff, and we were to
16 follow them. He got in the car with us and left
17 this young man there to try and fix his car.

18 Q Then what did you do?

19 A We went on back toward Meridian from Philadelphia
20 to a cut-off highway, I don't know which number
21 it is, toward Union, and we were travelling at
22 a pretty high rate of speed and about that time
23 we caught the tail end of the Deputy's car ahead
24 of us.

25 Q Then what did you see?

- 1 A. We saw a little Wagon in front of him which he had
2 pulled over to the side of the road.
- 3 Q. What kind of wagon?
- 4 A. I don't know sir, I didn't get that close to him
5 at that time.
- 6 Q. How did he pull it over?
- 7 A. He turned on his red light.
- 8 Q. Then what happened?
- 9 A. We pulled up behind him, he got out and went up
10 and told the three men that were in the car to get
11 out.
- 12 Q. And did they get out?
- 13 A. Yes sir, they got out and he told them to get in
14 his car.
- 15 Q. Now, who told them that?
- 16 A. The Deputy Sheriff.
- 17 Q. They got in the back of his car and Posey told
18 Arledge to get in their car and follow them and
19 we turned and went back.
- 20 Q. And did you see anything happen when these three
21 boys got in this car?
- 22 A. They got in the car?
- 23 Q. °What, if anything, did you see or hear when they
24 got in?
- 25 A. Well I heard a thump like the Deputy was rushing

1 them up to get in there or where he hit one
2 of them or the car or what, but I did hear a
3 thump/

4 Q. And were these people who got in the car, were
5 they white people or negroes?

6 A. Two white men, one negro.

7 Q. Then what did you do?

8 A. Turned the cars around come back toward highway
9 19.

10 Q. Then where did you go?

11 A. Turned left on highway 19 all the way to, ~~OH~~
12 about 34 miles to this other cut-off road which
13 wasn't a paved highway and then they said some-
14 body had better stay here and watch in case any-
15 thing happens, til the other car comes.

16 Q. How about the people, uhh, did you pass the red
17 car going?

18 A. Yes sir.

19 Q. You were going toward Philadelphia?

20 A. Yes sir.

21 Q. And was anyone in the red car when you passed it?

22 A. This young man and Sharpe were still there.

23 Q. Now, did any of these people, uhh, did they both
24 stay there?

25 A. No sir, Sharpe got in the, I believe he got in

- 1 the Wagon or the other car that was ahead of us,
2 I don't know where he got in the police car or not
- 3 Q Then you drove toward Philadelphia?
- 4 A Yes sir.
- 5 Q Which way did you turn off?
- 6 A We turned left off the highway.
- 7 Q On to what kind of road?
- 8 A Just a graded clay road.
- 9 Q I got out of the car to watch and see if anything
10 happening, and the other cars proceeded on up
11 the road.
- 12 Q Will you tell the Court and Jury what you heard
13 and what you did?
- 14 A Well, I hear a car door slamming, and some loud
15 talking, I couldn't understand or distinguish
16 anybody's voice or anything, and then I heard
17 several shots.
- 18 Q Then what did you do?
- 19 A Walked up the road toward where the noise came
20 from.
- 21 Q And what did you see when you walked up the road?
- 22 A Just a bunch of mean milling and standing around
23 that had been in the two cars ahead of us and
24 someone said, "better pick up these shells." I
25 hollered, "what do you want me to do?"

1 Q. Then what did you do?

2 A. Then ---

3 Q. Excuse me, did you see these three boys?th

4 A. Yes sir, beside the road.

5 Q. How were they?

6 A. They were lying down.

7 Q. Were they dead?

8 A. I presume so, yes sir.

9 BY MR. HENDRICKS:

10 We object to what he presumes

11 BY THE COURT:

12 Sustained.

13 BY MR. OWEN:

14 Q. What did you do then?

15 A. We put them through the back window of the truck
16 lid of their wagon.

17 Q. Is that the station wagon?

18 A. Yes sir. At that time the Highway Deputy, or
19 the Deputy Sheriff's car turned around and went
20 back toward Highway 19, Posey said, "just follow
21 me, I know where we're going."

22 Q. So what did you do?

23 A. Got back in all the cars, Posey and some of the boy
24 were in the wagon, got back in the cars to follow
25

1 Posey 'cause he said he knew where wer were going.

2 Q. At the time you left, who was up there at that
3 spot?

4 A. We were all up there.

5 Q. Who are we?

6 A. Travie and Doyle Barnett, Jimmy Snowden, Arledge,
7 Sharpe, Posey.

8 Q. How about the Sheriff?

9 A. The Deputy Sheriff was there.

10 BY MR. HENDRICKS:

11 We object to his leading.

12 BY THE COURT:

13 Yes, I sustain the objection. Don't lead him Counsel.

14 BY MR. OWEN:

15 Q Where, if you know, was Roberts/

16 A. He was there.

17 Q. After you got in----

18 BY THE COURT:

19 Have you named everybody that was there?

20 BY THE WITNESS:

21 Yes, including the Deputy Sheriff.

22 BY THE COURT:

23 All right.

24 BY MR. OWEN:

25 Q. Would you name everyone that was there that you

know of?

1
2 BY THE COURT:

3 What time Counsel, so we'll know.

4 BY MR. OWEN:

5 Q After the time you got up there and you loaded
6 these bodies up.

7 BY MR. HENDRICKS:

8 We object to that Your Honor.

9 BY THE COURT:

10 Overruled.

11 BY THE WITNESS:

12 A There was Travis and Doyle Barnett, the Deputy
13 Sheriff and myself and Jimmy Snowden and Jimmy
14 Arledge, and Wayne Roberts.

15 Q Anyone else?

16 A And Sharpe.

17 Q Who knew where to go?

18 A Posey told us he knew where to go.

19 Q Was he there?

20 A Yes sir.

21 Q And after you got these boys loaded up where did
22 you go?

23 A I don't know sir. We went the same road we were
24 on, we kept on verring back toward Philadelphia
25 I thought on the road we were on at the time, com

1 to the edge of Philadelphia, turned back to the
2 left out of town until we came to the edge where
3 the lights were and then down several more dirt
4 roads.

5 Q. Then I found out later to the damsite, I found
6 out later, I did not know at the time where it
7 was. I thought it was construction. We went
8 through a barbwire fence and was there.

9 Q. And what did you do then?

10 A. Opened the back of the station wagon, took the
11 boys out and took them down in this hollow?

12 Q. Was there any equipment there?

13 A. Two bulldozers.

14 Q. Then what happened?

15 A. Posey told us to go back up the road and listen
16 out that the operator was not there yet so
17 Jim Snowden and I walked back up the road to wait.

18 Q. Then what happened.

19 A. Then at that time we thought we heard something
20 coming through the woods but it was nothing but
21 a cow and about that time he said Doyle and
22 Raymond Sharpe were going to find the bulldozer
23 operator because he wasn't there when we got there
24 so they left to go and get him.

25 Q. Then what happened?

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A Well they came back in a different way they did not come back in by us at that time and we heard someone whistle across the way and Snowden said "I'll go see who it is"and he walked down the road just a little ways, ame back and said it must be the operator and about that time we heard the bulldozer crank up.

Q And how long did it operate?

A I don't know, twenty minutes, at that time I wasn't counting the time..

Q And what did you do then?

A We got back in the car and then we were going to put the license plate back on it which had been taken off of Doyle Barnett's car.

Q Did you have any conversation with Posey at that sight?

BY MR. ALFORD:

We object to his leading and suggesting.

BY THE COURT:

Overruled.

BY THE WITNESS:

A Posey told us we could go back to this place and put the license plate back on the car and Sharpe knew the way to come round the road and that he would wait there and take the operator back.

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Q. Then what if anything did he indicate about the station wagon?

A. He said the station wagon, don't worry about it it would be taken to Alabama and be burned.

Q. By whom?

A. He said by the operator.

Q. Did he indicate to you the name of the operator?

A. He said, "Herman will take it to Alabama" is all I know.

Q. Then where did you go?

A. We went back to a warehouse and office building and gas pump on the outside of Philadelphia.

Q. And who did you see there?

A. Well it was Travie and Doyle and I, Wayne and some other man that I had never seen before, as well as Posey and Sharpe.

Q. Can you identify the man that you had never seen before?

A. I couldn't at that time, but since that time I've seen his picture.

Q. Is he in this courtroom?

A. The gentlemen sitting right next to Mr. Price.

Q. Which side of Mr. Price?

A. Mr. Price's left.

Q. Was he up there?

- 1 A Yes sir.
- 2 Q What did you do then?
- 3 A We got out of the cars, Doyle put the license
4 plate back on his car at that time, they handed
5 me all the gloves, told me to get rid of them
6 when we got back to town or on the way and I
7 said I'll take care of them.
- 8 Q Now, where did you go at that town?
- 9 A We came back toward of Philadelphia and right in
10 the main section of town right to the butskirts
11 by a big brown grocery store we pulled into a
12 parking lot behind Sharpe's lot.
- 13 Q And who did you see at that time, if anybody?
- 14 A There was a police car sitting there with two
15 other men sitting that I don't know at that time
16 who they were.
- 17 Q You don't know any of the men in the police car?
- 18 A I knew the Deputy Sheriff sitting on the opposite
19 side of the car.
- 20 BY THE COURT:
- 21 I didn't understand the witness identification of the
22 man sitting left to Deputy Price?
- 23 BY THE WITNESS:
- 24 He was the same City Policeman that pulled up and tol
25 us which way he was headed out, Your Honor.

1 BY THE COURT:

2 What was his name?

3 BY THE WITNESS:

4 I didn't know his name at that time.

5 BY THE COURT:

6 Do you know it now?

7 BY THE WITNESS:

8 I've been told what his name was.

9 BY THE COURT:

10 What is it?

11 BY MR. HENDRICKS:

12 We object to what he's been told.

13 BY THE COURT:

14 I ask you what is his name now?

15 BY THE WITNESS:

16 Willis.

17 BY MR. OWEN:

18 Q Who are you pointing to now, who are you talking
19 to now?

20 A The policeman sitting next to the Deputy right
21 here.

22 Q Which side of Price?

23 A The Deputy is sitting right there.

24 Q Oh. Can you identify the City Policeman?

25 A It looks like the gentlemen sitting right next to

1 the Deputy.

2 BY MR. HENDRICKS:

3 We object to WHAT HE LOOKS like.

4 BY THE COURT:

5 Yes, I sustain the objection.

6 BY MR. OWEN:

7 Q. Then what happened after you got to this parking
8 lot?

9 A. We stopped there, Posey got out and talked to the
10 men in the car then he came back and told us to
11 go on home that everything would be taken care of.

12 Q. Then where did you go?

13 A. We came back toward Meridian.

14 Q. And do you remember about what time you left the
15 City of Philadelphia, or a quarter of twelve.

16 Q. And what did you do after you got back to Meridian

17 A. I went home.

18 Q. Do you remember about what time you arrived in
19 Meridian?

20 A. Close to one o'clock, yes sir.

21 Q. Now, do you know Sam Bowers?

22 A. Yes sir.

23 Q. Can you identify him in the courtroom.

24 A. Sitting right behind, next to the lady nurse.

25 Q. Now had you seen him prior to this that happened?

1 BY MR. BUCKLEY:

2 We object, Your Honor, after this happened, this
3 is immaterial to this case?

4 BY THE COURT:

5 Overruled.

6 BY THE WITNESS:

7 Yes sir, I saw him before.

8 Q And what were the circumstances under which you
9 met him?

10 A I first met him at a meeting somewhere on the
11 outside of Raleigh, Mississippi.

12 Q Did you see him at any time other than that?

13 A Yes sir, we went down to Laurel to see him one
14 time, there was some discrepancy about some financ
15 in our Klan.

16 BY THE COURT:

17 I think he ought to give us some time or some place
18 to see if it has any relationship with this case so
19 let your questions be accordingly.

20 BY MR. OWEN:

21 Q This particular time that you saw him where was
22 he?

23 A At a church somewhere out near Raleigh, I don't
24 know the route.

25 Q Now, subsequent to that time where had you seen

1 him?

2 A. We went to Laurel, Mississippi and went to a
3 restuarant and he was called and we went on the
4 outskirts of townand sat there and talked?

5 Q. Who was with you?

6 A. Well there was Pete Harris, Mr. Akins' son.

7 Q. Do you remember when that was?

8 A. It was about May of that year.

9 BY THE COURT:

10 About when?

11 BY THE WITNESS:

12 About May of that same year.

13 BY THE COURT:

14 Of what same year?

15 BY THE WITNESS:

16 Of '64 sir.

17 BY MR. OWEN:

18 Q. On that occasion what if anything did this man
19 say about Schwerner?

20 A. He said he was a thorn in the side of everyone
21 living, especially the white people and that he
22 should be taken care of.

23 Q. Now, after the 21st of June, 1964, did you have
24 an occasion to see this man again?

25 A. Yes sir.

- 1 Q. When did you see him?
- 2 A. It was about a month after all of this had
- 3 happened we saw him in Laurel again.
- 4 Q. Do you remember who went with you?
- 5 A. Pete and, uhh, Harris, Pete Harris and I.
- 6 Q. Was there any conversation at that time about what
- 7 happened?
- 8 A. Same said the best thing to do was not to talk
- 9 about it, that everything was well done, it was a
- 10 job to be proud of, if there were any instruments
- 11 involved they should be gotten rid of.
- 12 Q. Now, at this place where you went from the dam
- 13 where the bulldozers were, did you see anyone
- 14 else car there?
- 15 A. I saw Sharpe's car, there were a couple of big
- 16 flat bed trucks there, I saw car pull off just
- 17 as we drove off but I don't know who was in it.
- 18 Q. Now, did you see this particular car again, Sharpe
- 19 car that evening.
- 20 A. His car was going back to where the red car was
- 21 stopped and would be fixed and that's where I saw
- 22 it again.

23 BY THE COURT:

24 Let me ask you this. You say you picked up some

25 cartridges at the scene of this dam where there were

1 uh was some shotting?

2 BY THE WITNESS:

3 No sir, I heard someone say let;s get up all of
4 the cartridges as I walked up.

5 BY THE COURT:

6 Were the cartridges got up?

7 BY THE WITNESS:

8 I don't know.

9 BY THE COURT:

10 How many shots did you hear?

11 BY THE WITNESS:

12 About four.

13 BY MR. OWEN:

14 Q Now, were any of these people or how many of these
15 people were armed if any? On June 21, 1964?

16 A I think we all were.

17 BY THE COURT:

18 Let me ask you this, you say you heard four shots.
19 these

Do you know what ~~xxx~~ shots were directed at or to?

20 BY THE WITNESS:

21 No sir.

22 BY THE COURT:

23 Do you know where either one of these individuals that
24 you had taken out of that truck was hit by these
25 shots?

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shots?

BY THE WITNESS:

I don't know if they were hit by those shots, I understand though they were shot.

BY MR. WEIR:

We object to that Your Honor, what he understands.

BY THE COURT:

Yes, I sustain the objection. I want you to understand this is real important. Do you know whether or not that either one of these boys, Schwerner, and Goodman and Chaney were living at the time of those shots?

BY THE WITNESS:

I don't know sir.

BY MR. OWEN:

Q. When had you last seen them?

A. When had I last saw them? When they were put in the Deputy Sheriff's car on that highway going to Union.

Q. And how long before you heard those shots your self?

A. Well driving back on highway 19 up there was approximately thirty minutes, twenty minutes.

Q. And were they living at the last time you last saw them?

1 A. When they were put in the Deputy Sheriff's car.

2 BY THE COURT:

3 Was that the last time you saw them?

4 BY THE WITNESS:

5 Til' I got up there where their bodies were, sir.

6 BY THE COURT:

7 That wasn't what Counsel asked you and what I asked
8 you. Do you know whether they were living or dead
9 when you saw them last?

10 BY THE WITNESS:

11 They were living when they got in hiscar---

12 BY THE COURT:

13 I didn't ask you that either. I said were these
14 boys, Schwerner, Goodman and Chaney living the last
15 time you saw them?

16 BY THE WITNESS:

17 Yes sir.

18 BY THE COURT:

19 They were?

20 BY THE WITNESS:

21 Yes sir.

22 BY MR. OWEN:

23 Q. When was the last time you saw these three
24 individuals?

25 A. When we got to this dam site.

1 Q Now, at that time were they living?

2 A No sir. I don't believe, I'm not a doctor but
3 they weren't checked to be.

4 Q But this was the same three boys that you had
5 seen?

6 BY MR. ALFORD:

7 We object to his leading.

8 BY THE COURT:

9 Yes, I sustain the objection.

10 BY MR. ALFORD:

11 And we would move the Court to instruct the jury
12 to disregard the answer.

13 BY THE COURT:

14 Yes, don't consider his answer. You tell Counsel one
15 thing and tell me something else. Go along.

16 BY MR. OWEN:

17 Excuse me just a moment, Your Honor.

18 Q When you were traveling back toward Philadelphia
19 after you had picked up these three boys, did you
20 turn left or right off of that highway?

21 A We veered right of the same road we were going
22 until we got back to the outskirts of Philadelphia
23 then we hit a paved road and we turned to the
24 right.

25 Q Now, when Price put these boys in his car, just

1 describe the direction that you took?

2 A. We turned right around ----

3 BY MR. ALFORD:

4 Your Honor please, we object. This is repetitious.

5 BY THE COURT:

6 I'll let him go along.

7 BY THE WITNESS:

8 We turned right down the highway and came back to

9 highway 19.

10 BY H. OWEN:

11 Q. Then which way did you go?

12 A. We turned left on highway 19.

13 Q. And then which way did you turn the left time
14 that you turned?

15 A. To the left again.

16 Q. Is that the place where you loaded these bodies?

17 A. Yes sir.

18 Q. Now, in connection with the information that you
19 told the F. B. I. did you give this information to
20 the F. B. I.?

21 A. Yes sir.

22 Q. Now, did you give this information, uhh, did
23 you receive money from the F. B. I.?

24 A. Yes sir, I was told that they would help me. I
25 told them when they first came, I told them if

1 I tell you anything now when I was first
2 approached on this, they came to the job several
3 times and everything else, they knew all about the
4 case, it was just a matter of tying it up---

5 BY MR. PIGFORD:

6 If the Court please, we object to any conversation
7 between this man and the F. B. I. Agent, it would
8 be an impossibility to cross examine him.

9 BY THE COURT:

10 I don't understand him to be narrating a conversation
11 go along.

12 BY MR. OWEN:

13 Go ahead.

14 A Yes sir, they told me they would help me get out
15 of town, I told them I didn't have anything, I
16 had lost my job----

17 BY MR. ALFORD:

18 We object, Your Honor, this is hearsay.

19 BY THE COURT:

20 I don't think that's hearsay, he's telling what the
21 officers ~~xxx~~ promised him.

22 BY MR. OWEN:

23 Q Go ahead.

24 A They would help me get out of town which they
25 did.

1 Q Do you know how much money they paid you?
2 A At that time?
3 Q Yes.
4 Q Approximately three thousand dollars.
5 Q And what did you do with that money?
6 A I bought a car so I could leave town and made
7 arrangements to rent a trailer and take my
8 family away from Mississippi.
9 Q And did you do that?
10 A Yes sir.
11 Q And subsequent to that time, did you receive any
12 money from the F. B. I?
13 A They told me they would help me and see that I
14 didn't starve til I was situated and got a job
15 and after the publicity of all of this died down.
16 Q And about how long was it before you were able to
17 get a permanent job?
18 A A year.
19 Q And during that year, if you recall, about how
20 much money did they furnish you?
21 A A hundred dollars a month. Per week, I'm sorry.
22 Q A week?
23 A Yes sir.
24 Q And after you got a permanent job about how
25 much money did they furnish you?

1 A After I went to work, \$55.00 a week, then they
2 give me \$25.00 a week for just a while and they
3 said they would then give me just a hundred dollars
4 a month to bring my salary up to a living scale.

5 Q Now, where were you working at the time you gave
6 the F. B. I. the information?

7 A In the Nasa Missile Base out of Picayune.

8 Q And how much were you making at that time?

9 A \$175 a week was about what I was taking home.

10 Q That's all. Your Honor.

11 CROSS EXAMINATION

12 BY MR. WATKINS:

13 Q May it please the Court. Jordan, right after
14 you left Mississippi did you go over in Georgia?

15 BY MR. HAUBERG:

16 We object to that if the Court please.

17 BY THE WITNESS:

18 Yes sir.

19 BY THE COURT:

20 I'll let him answer, he's already answered. Overruled.

21 BY MR. WATKINS:

22 Q After you went over in Georgia, did you have
23 a conversation with this man right here on the
24 telephone? Mr. Tom Hendricks?

25 A If that's Tom Hendricks, I talked to him.

1 Q You made several appointments over the telephone
2 within a few minutes thereafter, didn't you?

3 A He told me he wanted to meet me, and I did not
4 want to see him.

5 Q But you made several appointments with you, didn't
6 you?

7 A I told him where I would be.

8 Q And when he would get there you'd be gone?

9 A That's right.

10 Q And you knew he was one of the lawyers in the
11 case and wanted to talk with you didn't you?

12 A Yes sir, I understood he was sent from Mississippi
13 to see me.

14 BY MR. HAUBERG:

15 If the Court please, we are going to object to this
16 line of questioning as to visits, whereabouts of
17 the witness and where he was or anything about it.

18 BY THE COURT:

19 Well, I'll let him go as far as he has and I'll
20 overrule your objection so far.

21 BY MR. WATKINS:

22 Q At that time you didn't acknowledge to this man
23 knowing anything whatsoever about the case, did you?

24 A No sir, I did not tell him I knew anything about it.

25 Q Why didn't you tell him the truth about it if you

- 1 knew anything about it?
- 2 A. Because I was told he was sent to find me from
- 3 Mississippi.
- 4 Q. Anything wrong about that?
- 5 A. No sir, except for the fact that I didn't want to
- 6 talk with him.
- 7 Q. You had been instructed by the government not to
- 8 talk to him?
- 9 A. No sir.
- 10 Q. Mr. James Harris and Travis Barnett didn't go
- 11 up to Philadelphia during the time you went up
- 12 there and exploding of the gloves did they?
- 13 A. Pete Harris didn't, no sir.
- 14 Q. And you are telling this Court and Jury that
- 15 Travis Barnett went there? Do you know Travis
- 16 Barnett?
- 17 A. Yes sir, I know Travis and I know his brother too
- 18 Q. And you are telling this Court and Jury that
- 19 Travis Barnett went up there?
- 20 A. Doyle went.
- 21 Q. I'm not asking you about Doyle, I'm asking you
- 22 about Travis.
- 23 A. Why did you tell the Court and Jury a moment
- 24 ago that Travis went up there?
- 25 A. I said that Travis was at Akins Mobile Homes;

1 Q All right then. When did you decide for money
2 that you would disclose what you claim you have
3 incurred about Michael Schwerner, Andrew Goodman
4 and James Chaney, when did you decide to do that
5 for the money?

6 A At the time I was working for the Missile Base
7 about November 1964.

8 Q November of 1964. Who approached you at that
9 time and what did you say to you?

10 A It was several F. B. I. Agents approached me
11 which I didn't talk to for quite sometime.

12 Q Do you know the names of any of them?

13 A Mr. Moore, John Procter.

14 Q You go along yourself with this plan to go up
15 to Philadelphia and whip up on somebody?

16 A Yes sir, I did.

17 Q And for your part in it you say you were the glove
18 man, you just disposed of the gloves?

19 A I done several things.

20 Q You didn't see anybody get shot and you didn't
21 hear but four shots and you don't know where they
22 were fired from and at what?

23 A No sir, I didn't know it.

24 Q Is that what you've told the F. B. I. from time
25 to time everytime you've been in communication

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;with them?

A. I told them exactly as I told it while ago, just the way it happened.

BY THE COURT:

°What did you use the gloves for?

BY THE WITNESS:

Every man there had gloves, they said to wear them in case anything happened.

BY MR. WATKINS:

Q. Now, before you went to Philadelphia, you don't know a thing in the world about any plan by you or anybody working in conjunction with the officers of the law up there did you?

A. No sir.

Q. You didn't purport to tell the Court and this Jury that you knew anything about a plan of working in conjunction with the law, did you?

A. I told them about those Highway Patrol wouldn't stop the men when they left town.

Q. But the Highway Patrol didn't stop anybody did they?

A. That's right sir.

Q. And you didn't know anything about it when you left you just know they didn't stop anybody when you got up there?

1 A. That's right.

2 Q. So there was no plan or purpose in working in
3 any plan with the law?

4 BY MR. HAUBERG:

5 We object to that, if the Court please.

6 BY THE COURT:

7 Overruled.

8 BY MR. WATKINS:

9 Q. The Judge says you may answer.

10 A. There was nothing told to me that I would be
11 working with any officers except for the fact
12 that they would be stopped by the Highway Patrol.

13 Q. All right then. What you are saying, in affect
14 you never saw Frank Herndon, or James T. Harris
15 or Jimmy Arledge, Travis Barnett, Jimmy Snowden,
16 Alton Wayne Roberts you never saw either one of
17 these persons threaten, or strike or intimidate
18 Michael Schwerner, Andrew Goodman or James Chaney
19 anytime in your life did you?

20 A. No sir.

21 Q. Have you ever been convicted of a crime?

22 A. Yes sir.

23 Q. Would you tell us how many times?

24 A. About four times.

25 Q. What crime were you first convicted?