

PURCHASED DATA MAY BE PRODUCED

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Government Building Case In Miss. Death Plot Trial

MERIDIAN (AP)—The government began building a pyramid of evidence today in the trial of 18 men charged with conspiracy in the 1964 slaying of three young civil rights workers in the backwoods near Philadelphia, Miss.

Justice Department attorneys may later produce in U.S. District Court key information from paid informers. This testimony is regarded as the heart of the case against the 18 white defendants, including a Ku Klux Klan chieftain and three law enforcement officers.

All are charged with conspiracy to violate the three slain workers' civil rights.

IN THE SECOND day of testimony, the prosecution broadened its case with witnesses ranging from the Neshoba County sheriff's department clerk to the operator of the county jail.

A jail docket from the summer of 1964 was entered as evidence. It contained the names of Michael Schwerner, 24; Andrew Goodman, 20, both white New Yorkers, and James Chaney, 21, a Merid-

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ian Negro. Chaney had been booked for speeding and the other two were on the ledger "hold for investigation."

Mildred Herring, who along with her husband operates the county jail, testified that when the three were lodged behind bars they "caused no trouble."

LATE THAT NIGHT, the government maintains, Schwerner, Goodman and Chaney were released, then shot to death on a country road near Philadelphia. Their deaths attracted worldwide attention during the long summer of civil rights turmoil in this deep South state.

Asst. U.S. Atty. Gen. John Doar, the Justice Department's chief civil rights troubleshooter, told an all-white jury of seven women and five men yesterday that the slayings were plotted by the militant White Knights of the Ku Klux Klan.

After the trio's charred blue station wagon was found in snake-infested swamplands by Indians on June 23, 1964, President Lyndon B. Johnson ordered sailors from the Meridian Naval Auxiliary Air Station to search for the workers.

Their bullet-riddled bodies were found buried 15 feet deep in an earthen dam. FBI

agents discovered the bodies on a farm eight miles southwest of Philadelphia after a 44-day search.

DOAR, WHO HEADS the Justice Department's civil rights division, told the jury that paid informants broke the case. He said their testimony would be offered during the trial.

Among the 18 defendants are Imperial Wizard Sam Holloway Bowers Jr., a Laurel coin-machine operator who heads the White Knights Klan; Neshoba County Sheriff Lawrence Rainey; his chief deputy, Cecil Price, and Sheriff-elect Ethel Glen "Hop" Barnette of Neshoba.

One of the government's key witnesses is expected to be James E. Jordan, who was named in the indictment but not put on trial here. His case has been transferred to a federal district court in another state.

Doar said the government would prove that the Klan plotted the slayings "because they didn't like what these boys stood for."

HE SAID HE would show that Price arrested the workers as they were returning to Meridian from a Negro community near Philadelphia where they had inspected a burned church.

After their 10:30 p. m. release from jail at Philadelphia, on June 21, 1964, the

workers were chased by three autos, Doar said. One of the cars was occupied by Price, he added.

The three were stopped on the road and arrested again, he continued. They were then driven toward Philadelphia in Price's auto, said Doar, and when they had gone four or five miles they were taken out of the car and shot and killed.

U.S. Dist. Court Judge Harold Cox said he expects the trial to be over by Oct. 18.

JUDGE COX, A STERN courtroom disciplinarian, dressed down a defense attorney when a government witness, the Rev. Charles Johnson, a Negro, testified about his acquaintance with Schwerner.

Laurel Weir, one of the defense lawyers, asked Johnson: "You and Schwerner undertook to get young male Negroes to sign a statement agreeing to rape a white woman once a week during the hot summer of 1964. Isn't that correct?"

"No, sir," the minister replied.

Judge Cox said he wanted to see the question substantiated, and demanded to know which one of the 12 defense lawyers posed it.

AFTER A PAUSE, the lawyers said defendant Edgar Ray Killen passed on the question.

"I'm not going to allow a farce to be made of this trial," the judge remarked hotly. "I don't appreciate a question like that and I'm going to say so before the trial is over."

Besides Rev. Johnson, the government put on three other witnesses. The testimony of one, however, was stricken from the record by Judge Cox.

The witness, Frances Baines, said she saw a station wagon halt along the highway and Price's car drove up behind it. But later she said she couldn't positively identify Schwerner, from a photograph, as one of the occupants of the station wagon.