

3 in Rights Killings Warned on Bombs

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JACKSON, Miss., Oct. 23—United States District Court Judge W. Harold Cox, still smarting over what he considered a bomb threat, made three men answerable today for any violence involving explosives in southern Mississippi.

He did not say so explicitly, but several references, the people before him and the wide area covered all made it appear that the judge aimed the warning at the militant White Knights of the Ku Klux Klan.

In a highly unusual move, Judge Cox attached a stiff and sweeping proviso to bail bonds granted to three men convicted Friday of taking part in the 1964 conspiracy to lynch three young civil rights workers in

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3 in Rights Killings Bailed and Warned on Bombs

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Neshoba County. Released on \$5,000 personal bonds were Cecil R. Price, the chief deputy sheriff of Neshoba County; Alton Wayne Roberts, a Meridian salesman, and Sam H. Bowers Jr. of Laurel, Imperial Wizard of the White Knights group.

But attached to each document was the notation that "if any explosives are used in any sort of violence in any of the 45 counties in the Southern District of Mississippi. . . this bond is thereupon revoked and canceled."

I just don't want any more of this strong-arm stuff in the Southern District of Mississippi Judge Cox warned the three during a brief hearing here. It's out the window—and I mean for good."

The judge indicated that he had received crank telephone calls over the weekend and said that one of your crowd was foolish enough to try to visit one of the jury" after the all-white panel had returned its guilty verdict.

Dynamite Theft Noted

Judge Cox did not elaborate on these developments. It was understood that the former jurors were under some form of Federal protection, but the details were kept a close secret by the authorities here.

Judge Cox noted that 550 sticks of dynamite had been stolen from a Lauderdale County warehouse in Meridian just before the conspiracy trial reopened in that east-central Mississippi town two weeks ago.

A whole lot of dynamite" as taken, the judge remarked bluntly, and I didn't know which one of you might have



Associated Press

Judge W. Harold Cox

been keeping the commissary."

In all, the jury returned guilty verdicts against seven men in the conspiracy case. It reached no decision on three of the defendants and mistrials were declared. Eight other men were acquitted.

Judge Cox has deferred sentencing the seven until a probation officer can prepare background reports. Five of the men, including Bowers, were continued in regular \$5,000 bonds and released.

On Thursday, after the jury had reported itself deadlocked, Judge Cox delivered a set of legal instructions sometimes referred to as the "dynamite charge" because it is designed to provoke a necessary unanimity.

Afterward, the judge said that Roberts, while waiting

outside the courtroom for the panel to make its decision, had said that "Judge Cox just gave that jury a 'dynamite charge.' We've got some dynamite for them ourselves."

For that, Judge Cox brought Roberts and Price before the bench, denounced them severely, and ordered the two men held in jail until today's hearing. Later, Bowers was also summoned to appear.

At this morning's hearing, the judge indicated that Price had participated with Roberts in the hallway talk about "dynamite." It was, Judge Cox declared, "a personal threat to the court."

"I wanted to show you, not just tell you [how he felt]," he told the two men. "I think you needed a little time for reflection and introspection." Price and Roberts appeared pale and unsmiling.

Judge Cox disclosed today that he had also heard that Roberts's brother, Lee, a Meridian policeman, had been carrying a pistol in the courthouse. The judge said the policeman had left before he could be confronted by deputy marshals.

The reason for the Klan chieftain's appearance was not specified. Judge Cox said he wanted "to let the Klan know" that "this part" of the group contrasted with the "Christian" organization it was portrayed to be during the trial.

Several legal observers said they knew of no Federal Court precedent for pinning the men's freedom to a moratorium on bombings, but they added that the judges have wide discretion in setting and revoking bonds.

Robert Hauberg, United States Attorney for Southern Missis-

sippi, told Judge Cox that under the statutes he could refuse bonds altogether if he thought release posed a danger to the community.

The dead youths were Michael H. Schwerner, 24 years old, of New York, a white field worker for the Congress of Racial Equality; Andrew Goodman, 20, of New York, a white college student; and James E. Chaney, 21, of Meridian, a Negro plasterer.

Murder is not generally a Federal crime unless committed on government property. The conspiracy counts were brought by the Federal Government after the state failed to take action on the murders.

Several state authorities have said since the convictions that they would study the Federal conspiracy evidence to decide whether murder charges should not be filed.