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ROBERT HODGES,

A witness introduced for an on behalf of the State,
being first duly sworn, upon his oath testified as follows:

DIRECT EXAMINATION

BY MR. SMITH:

Q What is your name, please?

A Robert Hodges.

Q Where do you live, Robert?

A Down in Philipp, Mississippi.

Q And what county is that you live in?

A Tallahatchie.

Q How old are you, Robert?

A Seventeen.

Q Are you a fisherman?

A Yes, Sir.

Q And you live right out on the river, I believe.

A Yes, Sir.

Q Now, Robert, on the last day of August of this year,
of 1955, on the 31st day of August, did you go fishing that
morning?

A Yes, Sir.

Q And I believe you said that you had set out some
lines and went out to see them, is that right?

A Yes, Sir.

Q Robert, did anything unusual happen while you were 100

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out there setting out the lines?

A Yes, Sir. I seen two knees and feet.

Q Just describe to the jury and court what you saw there.

A Well, I saw right along here, up and down, both of them (indicating with his hands).

Q And that would be from the top part of the legs and knees down, is that right?

A Yes, Sir.

Q And the front part of the feet, is that right?

A Yes, Sir.

Q Robert, where did you find that?

A Well, it was about one mile from my house.

Q Which side of the river was it on?

A On the left side going down the river.

Q Would that be in LeFlore County or Tallahatchie County? Was that on the LeFlore County side or Tallahatchie side?

A Tallahatchie.

Q What was the reason for it being there? Was it hung up or floating?

A Yes, it was hung up there on a snag in the bottom of the river.

Q When you saw those two feet and legs sticking up

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there, what did you do then, Robert?

A Well, I had a few more set out down below there, and then I went on and run them, and then I came down and told my Father about it. And then my Father - - -

MR. SMITH: You can't tell what you told your Father.

THE COURT: Don't tell any conversation you might have had with anyone.

Q Then after you had run your lines, what did you do?

A I reported it to my Father.

Q Do you know of your own knowledge what he did about it?

A Well, he told the landlord that we live with, and then he reported it - - -

Q Who is your landlord?

A B. L. Mims.

Q And what time of the morning was that?

A It was between six thirty and seven o'clock.

Q In the morning?

A Yes, Sir.

Q Did anybody do anything about that body down there during the rest of the day?

A No, Sir, - - didn't nobody go down there.

Q Did somebody go down there later in the day?

A Three men was the only ones that went down there

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and there was the Deputy Sheriff.

Q Did they go down there with Mr. Mims or by themselves or how?

A No, Sir; in B. L. Mims' boat.

Q Is that B. L. Mims?

A Yes, Sir.

Q Who were those men?

A Well, the Deputy Sheriff.

Q Mr. Melton?

A Yes, he was one of them; and there was Charlie. Fred Mims and my Father.

Q Do you know whether that was in the Sumner Court District of Tallahatchie County?

A Yes, Sir, in the Sumner court District.

Q That is where the body was found?

A Yes, Sir.

Q Robert, when you all went back down there, I believe you took two boats, did you not?

A Yes, Sir.

Q When you got back down there, was the body there in the same place?

A Yes, Sir, in the same place. It hadn't been moved a bit.

Q And was it still in the same position?

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A Yes.

Q When you got down there, tell the court and jury what you all did.

A Well, the first thing we done, one boy went down there - - - the first thing we done - - the first boy - - let me see now - - when the first boy went down - - Bo Mims and Mr. Melton, I think that was the deputy's name, and Fred Mims - - well, they came back to the house and got me and my Daddy, and we went down there at first.

Q And then what happened?

A Well, they brought the rope back there, and then me and this other boy was in a boat, and Mr. Melton was there, and they had the rope around the boy's legs and then they hung it on there, and they had it on this other boat, and then they carried it down the river and took it out on the other side there.

Q How did you hang it there?

A Well, they pulled up the river a little ways and got in unhung, so that they could move it, and then they got this rope around the legs, and then we carried it on up the river, and then we just come on across and pulled it over on the bank in the boat.

Q When you pulled it back up the river, did the body float?

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A Yes, Sir, I think so.

Q When you pulled it out on the bank, what if anything, was attached to the body?

A An iron weight.

Q What?

A A weight.

Q What kind of a weight was it?

A A gin fan.

Q Robert, how was that weight or fan, as you say, attached to the body?

A With a piece of barbed wire.

Q How was the barbed wire attached to the body?

A It was wrapped around his neck, as best I can remember.

Q Would you remember that fan or weight if you saw it again?

A Yes, Sir, I believe I would.

Q Will you come around and take a look at this (indicating an object on the floor)?

A It looks like it.

Q Does that look like it?

A Yes, Sir.

Q And does that look like the barbed wire that was attached to it?

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A Yes, Sir. It looks like it except the mud has been cleaned off it.

Q And you say when you pulled it out on the bank that the barbed wire was wrapped around the neck of this body and that it was attached to the fan, is that right?

A Yes, Sir.

Q And that was serving as a weight for the body, is that correct?

A Yes, Sir.

Q Did you have a chance to observe the body there relative to any blows or any wounds of any kind?

A It was beaten pretty bad in the back.

Q On the back?

A Yes, Sir, and hips.

Q What about the head?

A It was also gashed in on the side.

Q What was done with the body then after you drug it out on the bank with that weight?

A Well, this - - -

MR. BRELAND: Your Honor, we want to object to the statement of the witness that the body was beaten on the back.

THE COURT: You can tell what the condition of the body was, but not your conclusions as to what caused that.

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You can state to the jury what the condition of that body was with reference to any marks, wounds, or anything else that you could actually see. But you can't draw your own conclusion as to what might have caused that.

THE WITNESS: No, Sir, I can't.

THE COURT: And you gentlemen (to the jury) will, of course, disregard that statement made by the witness.

Q What did the marks on his back look like?

A Well, it looked to me like it was blood-shot.

Q Robert, what was done with the body after you all pulled it out on the bank with that weight attached to it?

A Well, they unconnected the barbed wire from the weight. I believe that was the first thing. And then they put the body in the boat, and they got the weight and set it in the back end of the boat.

Q And where was the boat taken, if anywhere?

A We carried it up to the landing there.

Q Is that the landing you normally used there?

A Yes, Sir.

Q And when you got back up there, what did you do with the body and with that weight?

A Well, the undertaker came down - - will you repeat that? I didn't get that.

Q After you got the body up there in the boat, and

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it was in the boat, what did you do with the body and this weight up there at the landing?

A Well, they just left it in there. And then after that the ambulance come, or the coach, or whatever you want to call it.

Q Did you stay there until the ambulance came?

A Yes, Sir..

Q Do you know who the undertaker was that was driving or operating with that ambulance?

A Chester Miller, I believe his name was.

Q You saw him come there, did you?

A Yes, Sir.

Q And you were there when he got the body?

A Yes, Sir.

Q And when the undertaker got there, what did he do with the body?

A He put it in a box.

Q And what did he do with the box?

A He set it back in the coach.

Q Now, Robert, did you see anything on this boy's hands or fingers?

A There was a ring..

Q What kind of a ring was it?

A A silver ring.

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Q Did you examine that ring? Did you look at it?

A No, Sir. I didn't get close to it.

Q Would you recognize it if you saw it again?

A I might.

Q There is a ring, Robert, that has engraved on it "May 25, 1943" and the big initials "L. T.". Do you recognize that as being the ring that was on the finger of that body?

A It looked like it. I didn't get close enough to see the initials.

Q But that looks like the ring though?

A Yes, Sir.

Q Who took charge of this weight out there, Robert?

A Who was in charge of it?

Q Yes. Who took charge there and took it away from there?

A There was some sheriff - - I forgot who it was - - from Greenwood. I can't remember his name.

Q Was it Mr. Cothran, if you know?

A It could have been. I don't remember.

MR. SMITH: Take the witness.

MR. BRELAND: No Questions.

(WITNESS EXCUSED)
