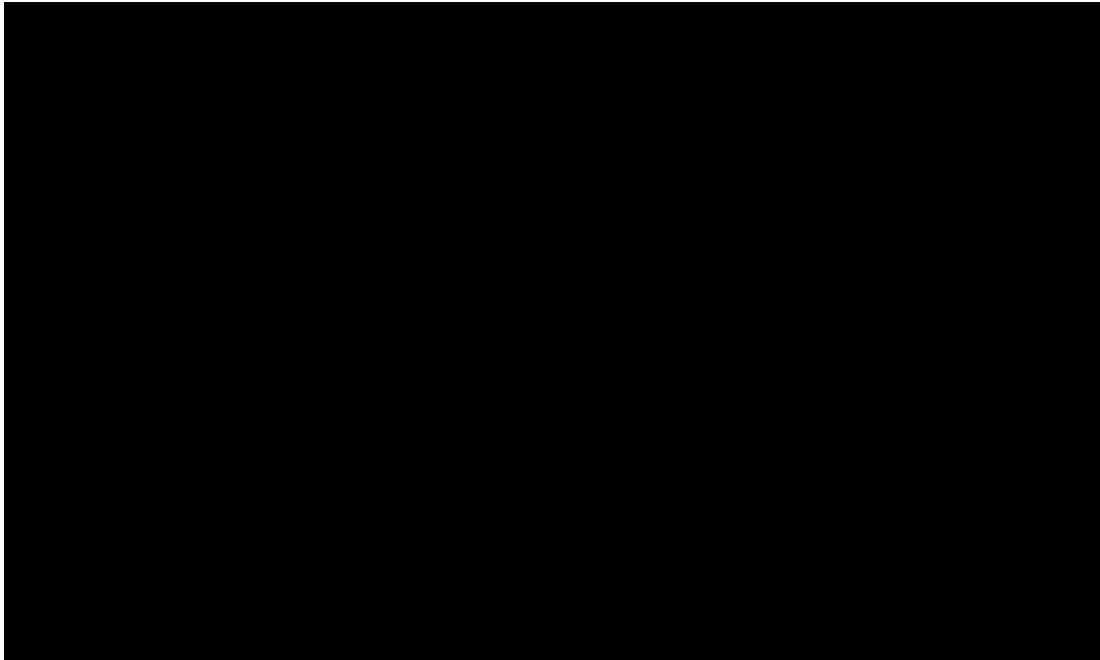


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D. State of Mississippi vs. Roy Bryant and J. W. Milam: Milam and Bryant were indicted by a Grand Jury in Tallahatchie County on September 5, 1955 on one count each of kidnaping and murder. ¹⁶⁰ The kidnaping charge was dropped by the prosecution and the trial for murder took place in Sumner, Mississippi from September 19, 1955 through September 23, 1955, on which date they were acquitted.

Press accounts reveal that after the trial had begun, additional witnesses were identified and a break in the proceedings occurred on Tuesday September 20, 1955 in order for these leads to be pursued. ¹⁶¹ advised that a barn on the Clint Shurden Plantation was searched on September 20, 1955 by Sunflower County District Attorney Stanny Sanders and Sunflower County Sheriff's

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Misc O/S

¹⁶¹ *The Lynching of Emmett Till, a Documentary Narrative*, Christopher Metress, 62 to 63
82

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Department Deputy Rice. Dr. T.R.M. Howard, a prominent black citizen who is credited with finding some of the additional witnesses was also allegedly present when the barn was searched.¹⁶²

A partial transcript of the trial was made and a copy was in the possession of defense attorney J. W. Kellum. Kellum apparently loaned the transcript to someone, could not recall who he had loaned it to and thus it became lost. At the time of Kellum's death in 1996 his son, [redacted]

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b7C

[redacted] searched Kellum's files and was unable to locate the transcript.¹⁶³ In 1985 [redacted] recalled

"...a transcript of that case was made for the purpose of having it in the event a kidnaping charge was placed against those boys in Leflore County."¹⁶⁴ [redacted] currently a [redacted]

[redacted] understood that [redacted] had a transcript of the trial made. [redacted] had borrowed a copy of the transcript from [redacted] during [redacted] attendance at law school and subsequently returned it to [redacted]

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[redacted] a native of Tallahatchie County, and a [redacted]

[redacted] obtained a copy of the trial transcript from defense attorney J.J.

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Breland. [redacted] used the transcript as a reference material in writing [redacted]

[redacted] never returned the transcript and kept it for many years. Some years ago, [redacted] home suffered a flood and the transcript, along with other Till research material, was destroyed.¹⁶⁶

[redacted] recalled that the family had ordered a copy of the court records and had to pay \$75 to have them made.¹⁶⁷

Misc O/S

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[redacted] a native of Tallahatchie County, provided the Federal Bureau of Investigation with a copy of the trial transcript. [redacted] Lee McGarrh, Sr., had testified at the trial of Milam and Bryant as a character witness for the defense. Upon McGarrh, Sr.'s death, [redacted] obtained the copy of the transcript from [redacted] ¹⁶⁸

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A review of the purported transcript provided by [redacted] reveals that the final page is a certification of the document which is signed by Court Reporter James T. O'Day in Tate County, Mississippi on October 28, 1955. ¹⁶⁹

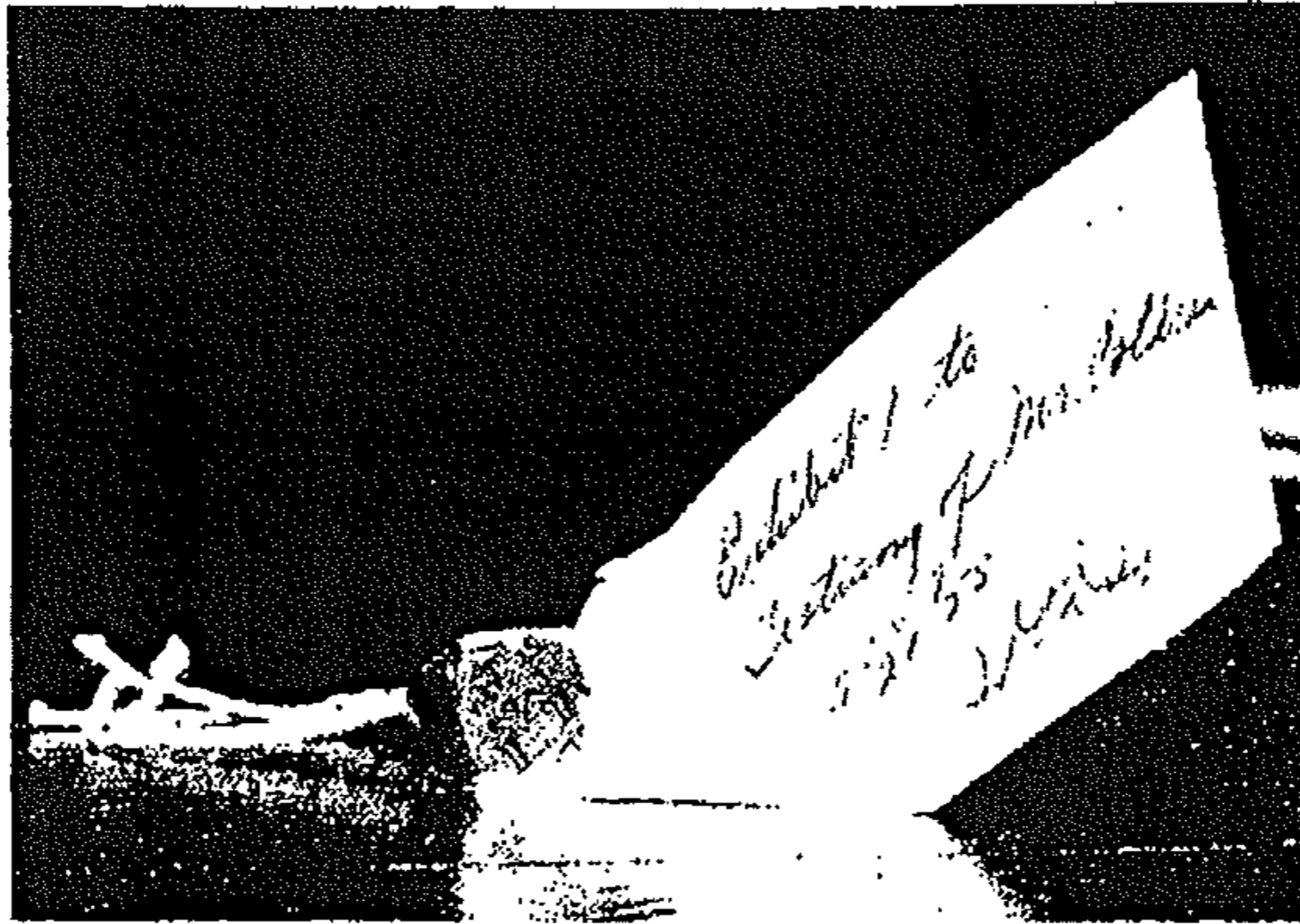
News accounts of the trial depicted photographs of the ring which was entered into evidence, one of which is shown below. A review of this photograph reveals the tag attached to the ring has the words "Exhibit 1 to Testimony of Mr. Cothran 9/21/55" and appears to bear a signature of "J T O'Day."

¹⁶⁸ [redacted] Misc O/S
¹⁶⁹ Appendix A - Transcript - State of Mississippi vs. J.W. Milam and Roy Bryant, Second District of Tallahatchie County, Seventeenth Judicial District, September 1955, 351

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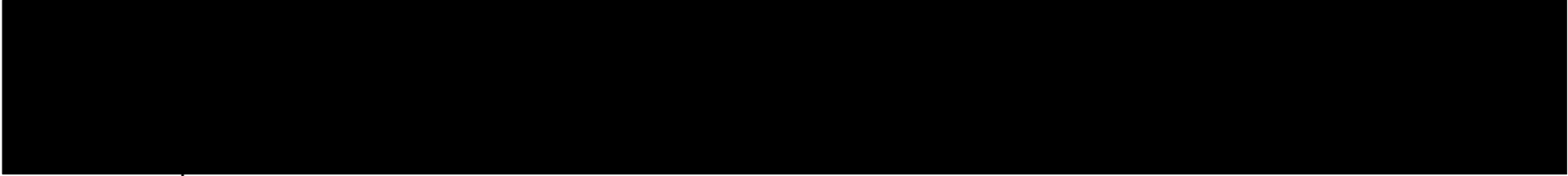


Ring Taken From the Body and Identified as Till's

Photograph from "Death of Innocence, The story of the Hate Crime that Changed America," by Mamie Till-Mobley and attributed to AP/Wide World Photos

Records from the Tate County Circuit Clerk's Office reveal James T. O'Day was a Court Reporter working for the Chancery Court of Tate County from July 1, 1955 until his removal from office on August 15, 1958.^{170, 171} An interview with [redacted] revealed that James T. O'Day died in 1993 at a Veteran's Hospital in Arizona.¹⁷²

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¹⁷⁰ [redacted] - Records from the Tate County Circuit Clerk, October 31, 2005, [redacted] Misc
¹⁷¹ [redacted] - Records from the Tate County Circuit Clerk, September 16, 2005, [redacted]
¹⁷² [redacted]

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