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cannot foresee.

THE COURT: If they have been subpoenaed by the defense, then they will have an opportunity to talk to them before they are put on the stand.

CHESTER A. MILLER,

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

DIRECT EXAMINATION

BY MR. SMITH:

Q Your name is Chester A. Miller?

A Yes, Sir.

Q Where do you live, Chester?

A I live in Greenwood.

Q Greenwood, Mississippi?

A Yes, Sir.

Q What is your occupation?

A I am an undertaker.

Q How long have you been in the business of an undertaker?

A Sixteen years.

Q Do you own your own establishment or not?

A No, Sir.

Q You do not?

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A No, Sir.

Q You just work there as an undertaker, is that it?

A I am there as Manager.

Q You are manager of it?

A Yes, Sir.

Q Chester, have you been continuously employed in that occupation for sixteen years, for the sixteen years that you have been there?

A Yes, Sir.

Q Now, on or about the 31st day of August, 1955, were you called upon to come to Tallahatchie County to pick up a body?

A Yes, Sir.

Q Who came with you on that occasion? Who came from your funeral home up here with you?

A One of my helpers.

Q One of your nephews?

A No - - one of my helpers.

Q Where did you go when you came up here?

A I went beyond Philipp, back in there on the river.

Q You went down to the river?

A Yes, Sir.

Q Who called you and requested you to come up there?

A Mr. Cothran.

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Q Who is Mr. Cothran?

A He is a deputy sheriff of LeFlore County.

Q When you got up there, what did you do?

A When we got there, they ordered us to turn the body over.

Q Well, when you got there, did you see a body?

A Yes, Sir.

Q Was it living or dead?

A It was a dead body.

Q Where was it when you got there?

A It was lying in a boat.

Q And where was the boat relative to being up on the bank or in the stream?

A The boat was up on the bank.

Q Was the body laying face down or face up when you first got there?

A Face down.

Q Then what did you do relative to the body at that time, you and your helper?

A Well, we got ready to move the body.

Q How did you move it? What did you do?

A We just turned it over. We first turned it over.

Q Was that while it was still in the boat?

A Yes, Sir.

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Q All right - - then what did you do? What did you do with the body then?

A Well, we - - someone - - some of the law officers asked us to go and move that ring off his hand. After we turned it over, then we discovered this ring on one of his fingers.

Q What kind of a ring was that?

A It was kind of silver. It was a big ring up in here (indicating with his hand), but it was kind of small underneath.

Q Would you recognize that ring if you saw it again?

A Yes, Sir.

Q I hand you here a ring that has marked on it, engraved on the front of it, "May 25, 1943", and with the large initials, "L.T.". I will ask you if that is the ring you removed off the finger of that dead body?

A Yes, Sir.

Q You can positively identify that as the same ring?

A Yes, Sir.

Q Now then, Chester, who took the ring off?

A My helper, because he had the gloves on, and when we got the call, we rushed off and only had one pair of gloves with us. And when one of the law officers said, "Take the ring off that finger", well, he had the gloves on, and then

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I said to him, "Take it off." And then he took it off and handed it to me.

Q Did you or did you not see the ring taken off of the finger of that hand?

A Yes, Sir.

Q And when the ring was taken off, what did you do with it?

A Well, he gave it to me. I was standing right there by his side when he took it off.

Q And what did you do with it?

A I laid it over on the floorboard of the ambulance, on the left-hand side there.

Q That was your ambulance that you took up there for the body?

A Yes, Sir.

Q And afterwards what did you do with the ring?

A Well, after we got the body turned over, then we decided to load it, and then he took the ring off, and I put it away there where I told you, on the floorboard of the ambulance.

And then we decided to get ready to load the body and move it away. And then we went and got the casket - - or rather it was kind of like a regular shipping case, you might call it. You see, the body was swollen so, and we

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had this casket and box there, and we took the shipping case, which is really a metal article, you know. It was there on top of the regular casket case.

And then we taken it out and put it aside, and then we taken the lid off the casket box, the outer box, you know, and then we taken this casket, and we set it there by the side of the body.

And then I and my helper, we lifted the body and taken the body out and laid it there in the casket. And then we closed the casket as best we could, and then we put the casket in this outer box, and we took the box, the entire box, and we pushed it up in the ambulance.

Q Now, go back to the time the body was still in the boat - - was there any other thing in the boat there with the body?

A Yes, Sir.

Q What was it?

A Well, there was a big wheel there.

Q A big wheel?

A A wheel and a strand of barbed wire.

Q Was that barbed wire attached to the big wheel? Was it wrapped around it or attached to it in any way?

A I just don't remember whether it was attached to the wheel or not.

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Q Was it attached to the body?

A Yes, Sir.

Q The barbed wire was?

A Yes, Sir.

Q And the barbed wire - - how was it attached to the body?

A It was right around the neck.

Q In what manner was it right around the neck? Was it wrapped around?

A Yes, Sir, it was wrapped around; well wrapped.

Q It was around the neck of the body?

A Around the neck, Yes, Sir.

Q Now then, you said you put the ring in the funeral coach, or the ambulance, this vehicle you took up there with you, then what happened to that ring after that?

A Well, we pretty much got everything taken care of, and then I went up there - - well, I went up to some colored men who was standing there, and I asked if this boy had any relatives that they knowed about, and then someone pointed to this old man standing there, and someone said, "This old man is his Uncle or some relation."

And then I went up and I asked him, "Will you identify the body as the boy who was taken from the house - - -"

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MR. BRELAND: We object to that, Your Honor.

THE COURT: The objection will be sustained. You can't state anything that would be hearsay. And I will ask you, gentlemen on the jury to disregard that statement.

Q Did anyone present there at the scene identify the body as any particular person?

A Yes, Sir.

Q And who did they identify it as being?

THE COURT: That is, if you know.

MR. BRELAND: We object, Your Honor. That calls for a conclusion.

THE COURT: The objection is overruled.

Q Who did they identify that body as being, if you know?

A The body of Emmett Till.

MR. BRELAND: We object, Your Honor, because that was a statement made there.

THE COURT: The objection is overruled.

Q Did you later find out who the person was who identified the body that you testified to?

A Yes, Sir.

Q And who was that?

A Mose Wright.

Q Have you seen Uncle Mose since then?

A Yes, Sir, I have seen him since then.

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Q And you know that was Mose Wright?

A Yes, Sir, I know him well.

Q Now then, I will ask you, in your business as an undertaker for sixteen years, have you seen a number of dead bodies in that time?

MR. BRELAND: I object to that leading form of the question.

THE COURT: Objection overruled.

Q Have you or not seen lots of dead bodies during the time you have been in your profession?

A Yes, Sir.

Q In your opinion, was the body that was there in the boat that you took out of the boat and put in your ambulance, was it possible for someone who had known the person well in their lifetime to have identified that body?

A Yes, Sir.

MR. BRELAND: I object to that, Your Honor. That definitely calls for a conclusion.

THE COURT: The objection is sustained. And the jury will disregard that answer.

Q Now, Chester, when you got the body up, you testified you got the body up and then put it in a casket, and put it in a box, and then you put it in your ambulance - - then what did you do with that body thereafter?

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A I taken it to my place, to the funeral home.

Q And where was that?

A Greenwood.

Q What instructions were you given relative to what to do with the body? Now don't tell what anybody said, but just what instructions you may have received as to what to do with it after you got it.

A Well, we were instructed to unload it because there had to be some more investigation made of it.

Q Did anyone take any pictures of that body while it was down there?

A Yes, Sir.

Q And who took them?

A Mr. Strickland.

Q And who is Mr. Strickland?

A He is one of the police officers there in Greenwood.

Q and that was while the body was down there in your place?

A Yes, Sir.

Q What instructions were you later given as to what to do with the body?

A To take it to burial.

Q Where?

A We had planned to take it to Money.

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Q Now, to go back, how long was it after the body was taken from the river that Mr. Strickland made those pictures, Chester?

A About two hours.

Q And I believe I understood the answer to your question was that you were instructed to prepare the body for burial at Money, Mississippi, is that right?

A Yes, Sir.

Q Did you carry out those instructions?

A Yes, Sir. I delivered the body to the cemetery at Money.

Q And when you got there with the body, what happened?

A When I got there, Mose wasn't there, but he left word - - -

MR. BRELAND: We object to what he was told or what word had been left, Your Honor.

THE COURT: Don't tell what you heard. Just state what you know.

THE WITNESS: Yes, Sir.

Q Did you bury the body there or not?

A No, Sir.

Q What did you do with it?

A I taken it back to my funeral home at Greenwood.

Q And who did you later deliver it to?

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A To the undertaker there at Tutwiler.

MR. BRELAND: WE object to that, if Your Honor please, unless he did it himself.

Q What is the man's name at Tutwiler to whom the body was delivered?

A I don't remember.

Q Now then, Chester, I asked you about the ring awhile ago, and we got up to the place where you laid it in the ambulance, or the funeral coach - - what did you do with that ring thereafter?

A I gave it to Mose Wright.

Q You gave the ring to Mose Wright?

A Yes, Sir.

Q And you have never had that ring since?

A No Sir.

MR. SMITH: Take the witness.

CROSS EXAMINATION

BY MR. CARLTON:

Q Chester, this body that you had there, did you carry it to Tutwiler, yourself?

A No, Sir.

MR. BRELAND: Now, we move the Court to exclude the statement made by the witness that he took it to Tutwiler.

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THE COURT: The witness says it was delivered to Tutwiler, and he is the manager of the funeral home. He should know where he sent the body.

MR. BRELAND: Well, he can still state just what he did.

MR. CHATHAM: One other question, Your Honor, if you will permit it, I think it might save some time.

THE COURT: All right, Sir, I will permit it.

REDIRECT EXAMINATION

BY MR. SMITH:

Q When that body was laying there in the boat at the time you got there, Chester, how was the body clothed, if it was clothed?

A It wasn't clothed.

Q Dit it have anything on it whatsoever except that piece of barbed wire?

A No, Sir.

Q I believe you stated that you are the manager of the funeral home down there, is that right?

A Yes, Sir.

Q Will you state whether or not the body was delivered to Tutwiler at your directions?

MR. BRELAND: If the Court please, we object unless he knows.

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THE COURT: The objection will be overruled.

Q Was it delivered to Tutwiler at your directions?

A Yes, Sir.

MR. BRELAND: If the Court please, we move to exclude that witness' statement as being a mere conclusion on his part, as he did not go with the body to Tutwiler.

THE COURT: The objection is overruled.

Q Did you direct anyone in your establishment there to deliver the body that you got out of the river to Tutwiler?

A No, Sir.

Q What?

A No, Sir.

Q Did you understand my question, Chester? I said, did you give directions from someone or to someone in your establishment to deliver the body which you found in the river, or which you got from the river, to Tutwiler?

MR. BRELAND: If the Court please, we object to that as being a leading question.

THE COURT: I think it would be better if the witness were to state the directions that were given, if any, and if so, what they were.

Q The body that was down there at your funeral home, what directions did you give and to whom did you give them to deliver the body to Tutwiler?

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MR. BRELAND: We object, Your Honor. That is leading.

THE COURT: The objection is overruled. Let's proceed.

THE WITNESS: Well, I don't remember instructing anyone the way to go from Greenwood to Tutwiler.

Q Who did you instruct to take the body up there to Tutwiler?

MR. BRELAND: We object, Your Honor. That is still leading the witness.

THE COURT: The objection is overruled.

THE WITNESS: Crosby Smith.

Q Will you state whether or not the body which left your funeral home with Smith was the body that you took from the river down there?

A Will you say that again, please, Sir?

Q Will you state whether or not the body which Smith left there to take to Tutwiler was the same body that you picked up down there at the River?

A Yes, Sir.

MR. BRELAND: We object to that, Your Honor.

THE COURT: The objection is overruled.

MR. BRELAND: But he has not said that Smith left there with any body.

THE WITNESS: Well, I went to Tutwiler the next morning to see if the body was going to be shipped, and it had a bill

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or a tag with the name "Emmett Till" on the casket. And I helped load it on the coach in the train.

MR. BRELAND. We object to that, if your Honor please. The witness was not asked about that at all.

THE COURT: The objection is sustained. You gentlemen will please disregard that statement made by the witness.

Q Will you describe the body generally that you picked up down there on the river out of the boat? Would you tell the court and jury generally just what kind of body it was?

A Yes, Sir.

MR. CARLTON: If the Court please, we object to this. This is not proper cross examination.

THE COURT: The objection is overruled. I believe they asked permission to ask additional questions.

MR. WHITTEN: But, if the Court please, it was just one question that they wanted to ask.

THE COURT: The objection is overruled.

Q Will you give the jury a description of that body as to size, age, weight and so forth?

A Well, it looked to be about five foot four or five inches in height; weight between one hundred and fifty or sixty pounds. And it looked to be that of a colored person.

Q Could you tell whether or not it was the body of a young person, or middle age or an old person?

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A yes, Sir. Well, the flesh in the palm of the hand, well, it looked like it was the body of a young person. And from certain parts of the body - - well, in my experience in handling those kind of bodies, by certain parts of the body it looked like a youth more so than a grown person or an older person.

MR. SMITH: That is all.

MR. BRELAND: We will excuse the witness at this time, Your Honor.

(WITNESS EXCUSED)

C. A. STRICKLAND,

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

DIRECT EXAMINATION

By MR. SMITH:

Q Will you state your name, please, Sir?

A C. A. Strickland.

Q Where do you live, Mr. Strickland?

A Greenwood.

Q What is your occupation?

A Identification Officer for the Collision Department.

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(The jury returned to the courtroom, and the proceedings continued with the jury present.)

CHESTER A. MILLER

Recalled as a witness for and on behalf of the State, having been duly sworn, upon his oath testified as follows:

REDIRECT EXAMINATION

BY MR. SMITH:

Q Now you are Chester A. Miller, is that right?

A Yes, Sir.

Q And you are the same Chester A. Miller who testified here awhile ago?

A Yes, Sir.

Q And you are an undertaker at Greenwood?

A Yes, Sir.

Q Now, we asked you about the body of a person taken out of the Tallahatchie River on August 31st, 1955, and you testified to that. Did you examine that body while it was in your possession or while you observed it?

A Yes, Sir.

Q Did you make a close or casual examination of it?

A I would say casual.

Q Did you notice anything unusual about the body relative to wounds or anything of that nature?

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A Yes, Sir.

Q Where were those wounds?

A It seemed like a bullet wound - - -

MR. BRELAND: We object, Your Honor.

THE COURT: The objection is sustained.

Q Chester, just describe the situation. Describe what you saw.

A Well, the whole crown of his head, from here above (indicating with his hand) was just crushed in.

Q Where there any other wounds about the body?

A No, Sir.

Q Were there any other wounds on the head? Any other indications of a wound on the head?

A There was no other wound except it looked like a pistol wound - - -

MR. BRELAND: We object, Your Honor.

THE COURT: The objection is sustained. The witness should not state his own conclusion. Just state what you know.

Q Just describe what any wound about the head looked like. Was it a round hole, or a square hole or what?

MR. CARLTON: We object to counsel testifying, Your Honor.

THE COURT: The objection is overruled.

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THE WITNESS: The crown of his head was just crushed out and in, you know, and a piece of his skull just fell out there in the boat, maybe three inches long or maybe two and a half inches wide, something like that.

Q Now don't tell what your conclusion is, but just state what the wound was there about his head.

A Well, that is about all the wound I know of.

Q I believe it was objected to your testifying about something over his ear. What did that look like?

A It looked like a bullet hole.

MR. BRELAND: We object, Your Honor.

THE COURT: The objection is sustained.

Q Chester, just describe it. Don't tell your conclusion as to what caused it. Just state what it looked like. What did you see there?

A I saw a hole in the skull.

Q And how big a hole was it?

A Oh, about - - - maybe half an inch square, something like that.

Q And where was that hole? Will you point on your head to where it was?

A It was somewhere around there, above the ear (indicating with his hand).

Q And that is about three-quarters of an inch above

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your right ear, is that right?

A Yes, Sir.

Q Was there any hole or similar thing over on the other side of his head?

A Well, it was crushed on the other side. You couldn't tell too much it was crushed so. And it was all cut up and gashed across the top there.

Q Will you state whether or not the wounds which you have described here were sufficient to cause his death?

MR. BRELAND: We object to that, Your Honor. He is no expert to that. And the jury knows as much as he does about that. I think that is within the province of the jury.

THE COURT: I am going to let the witness answer the question.

Q Will you state whether or not the wounds which you have described here were sufficient to cause his death?

A Yes, Sir.

Q I believe I asked you this, but I am not sure. you testified that there was some barbed wire in the boat, but did I ask you whether or not the barbed wire was on the person or the deceased?

A Yes, Sir, you asked me.

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Q Was it?

A Yes, Sir.

Q Where was it?

A Around the neck.

RE-CROSS EXAMINATION

BY MR. BRELAND:

Q Chester Miller?

A Yes, Sir.

Q What you saw about that body was a decomposed condition. You couldn't tell what caused that condition, could you?

A Well, Yes, Sir. It was blown from some kind of instrument.

Q It was caused from some outside agency? Would you say that? That is all, you can say, is it?

A What do you mean, by outside agency?

Q Well, you said a blow or something, isn't that right?

A It was a bruise caused by some instrument, I would say.

Q Then you would say that there was a bruise or something there?

A Well, some of the wounds I noticed were caused from some instrument of some kind and some I saw might be something like from a gun.

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MR. BRELAND: The Court has already ruled on that, and we move that it be excluded.

THE COURT: The conclusion of the witness will be disregarded by the jury.

Q Now, what you saw about the condition of that man as to his head, you couldn't tell whether it was caused before or after his death, could you?

A No, Sir.

Q And you couldn't tell whether it was caused in a car accident or otherwise, could you? You couldn't tell that to be truthful about it, could you? You couldn't tell could you?

A No, Sir.

MR. BRELAND: That is all. Take the witness.

MR. SMITH: That is all.

(WITNESS EXCUSED.)

(At this point in the proceedings, 11:45 a.m., the Court took a recess until 2:45 p.m., this date, at which time the proceedings were resumed.)
