

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
AMERICUS DIVISION

HATTIE BRAZIER, widow of
James Brazier, deceased,

Plaintiff

v.

W. B. CHERRY, RANDOLPH
McDONALD, Z. T. MATTHEWS, et. al.
Defendants

Civil Action

No. 475

AT: ALBANY, GEORGIA,
November 24, 1962

<u>Discovery Depositions of</u>	Mr. Hollowell <u>Page</u>	Mr. Bloch <u>Page</u>
DR. CHARLES M. WARD	2 32	31 33
V. L. SINGLETARY	34	
MANSFIELD EDWIN MATTHEWS	46	
ROBERT T. HANCOCK	61 66	66
HAROLD JONES	67 74	74

O r i g i n a l

CLAUDE JOINER, JR.
REPORTING SERVICE
920 PERSONS BUILDING
MACON, GEORGIA

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AMERICUS DIVISION

HATTIE BRAZIER, widow of
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W. B. CHERRY, RANDOLPH McDONALD,
ZACHARY T. MATTHEWS, THE FIDELITY
CASUALTY COMPANY OF NEW YORK,
Defendants

314 Post Office Bldg.,
ALBANY, GEORGIA

1:05 P. M.

NOVEMBER 24, 1962

Depositions of: DR. CHARLES M. WARD,
V. L. SINGLETARY,
MANSFIELD E. MATTHEWS,
ROBERT T. HANCOCK, and
HAROLD JONES

witnesses called by Plaintiff in above case for purpose of
discovery under Rule 26, Federal Rules of Civil Procedure,
before Claude Joiner, Jr., Notary Public, Georgia, Bibb
County, and Official Reporter for above Court, at place,
hour and date above stated.

A p p e a r a n c e s:

For Plaintiff:

MR. DONALD L. HOLLOWELL,
859½ Hunter St. N. W.
Atlanta, Georgia.
MR. C. B. KING,
221 S. Jackson St.
Albany, Georgia.

For Defendants:

BLOCH, HALL, GROOVER & HAWKINS,
710 Walnut Street, Macon, Ga.
MR. CHARLES J. BLOCH, of counsel.

S t i p u l a t i o n:

Depositions taken by agreement of counsel for all parties.

CLAUDE JOINER REPORTING SERVICE

1 with all formalities being WAIVED. Reading and signing of
2 depositions expressly waived. All objections, except as to
3 form of question, RESERVED to the time of trial.

4 =====

5 DR. CHARLES M. WARD

6 witness called by Plaintiff for discovery,
7 being first duly sworn, testified on

8 DIRECT EXAMINATION

9 BY MR. HOLLOWELL:

10 Q You are a medical doctor?

11 A That's correct.

12 Q How long have you been practicing, Doctor?

13 A I graduated from Medical School in 1952.

14 Q From where?

15 A Medical College of Georgia, Augusta, Georgia.

16 Q Do you want to give us a little run-down on
17 your qualifications, Doctor, for the benefit of counsel?

18 A Well, I'm a licensed physician in the State of
19 Georgia.

20 Q Where did you interne, sir?

21 A I interned at the U. S. Naval Hospital, Portsmouth,
22 Virginia.

23 Q For how long?

24 A One year.

25 Q Did you serve a residency?

A No residency training. I had six months in the

1 School of Aviation medicine at Pensacola, Florida, and then
2 a year with the Marine Corps at Miami, Florida, before going
3 into private practice.

4 Q Are you a general practitioner, Doctor?

5 A That's right.

6 Q Where is your office?

7 A At the present time it's at 106 Orange Street,
8 Dawson, South Orange Street.

9 Q Are you a staff physician at any hospital?

10 A I'm the Chief of Staff at Terrell County
11 Hospital, Dawson, Georgia.

12 Q Doctor, on or about April 20, 1958, did you have
13 the occasion to visit a Negro male about 31 years of age
14 by the name of James Brazier?

15 A I can't be exact about the date because on visits
16 made away from the office or away from the hospital, we do not
17 keep any written records. Now, I could refer back to the date
18 that the call was charged, I think in that instance to the
19 County, the call to see the prisoner was charged to the County
20 but I don't remember the exact date; but that's approximately
21 right.

22 Q But you do have a recollection of having made a
23 visit?

24 A Very well.

25 Q Charged to the County, of James Brazier?

1 A Very well.

2 Q And you know this was in the spring of '58, you
3 don't recall the exact date as such?

4 A I do not recall the exact date.

5 Q Your records would reflect this, is that correct;
6 that is the record of the charge?

7 A That would be the only way that I would know
8 what date.

9 Q On that occasion do you recollect who put me in
10 the call to you?

11 A At the present time I would truly have to recall
12 from memory, I think it was Mr. Cherry.

13 Q Mr. Cherry, as near as you can recollect?

14 A As near as I can recollect, he's the one that
15 called me.

16 Q Would this record to which you made reference,
17 Doctor, reflect from whom the call came?

18 A It would not indicate from whom it came but, as
19 I recall, he is the one who called me to see him.

20 Q Do you recollect where you were at the time?

21 A Not at the time, no.

22 Q About what time of day was this?

23 A It was in the early evening.

24 Q 5:00, 6:00 o'clock?

25 A Well, maybe that, maybe a little later; I don't

1 remember.

2 Q But it was not dark, as a matter of fact?

3 A Near dark.

4 Q Where did you go to see James Brazier on this
5 occasion?

6 A I went to the jail that's used jointly by the
7 City of Dawson and Terrell County, in Dawson, Georgia.

8 Q Inside of the jail itself?

9 A I went to the jail; it was inside of the jail
10 itself. He was in the office of the jail. The prisoner was
11 brought to the office by someone. I did not go into the
12 cell block itself at that time.

13 Q Was he in the office at the time that you came
14 to see him or was he brought to the office?

15 A He was brought to the office.

16 Q After your arrival?

17 A After my arrival.

18 Q Do you remember who brought him?

19 A No, not right off hand, I don't; and I honestly
20 don't recall who was present, who all was present when he
21 was brought.

22 Q Do you remember whom you saw at the time that you
23 first came into the office?

24 A No, that's what I said then. I have just a vague
25 recollection of who was in the office. I don't remember exactly

1 who.

2 Q Did you see Mr. Cherry?

3 A I saw him while I was at the jail. I don't
4 recall whether he was the first one that I saw.

5 Q You saw several persons while you were there?

6 A I saw several persons while I was there.

7 Q You saw the Sheriff while you were there?

8 A I think so and I think I saw the Deputy Sheriff
9 and Mr. Cherry. I think they were all three there, but I
10 couldn't swear to the fact that they were all there.

11 Q Do you remember - Do you know Mr. McDonald,
12 Doctor?

13 A Quite well.

14 Q Do you recall whether he was there?

15 A Not right off-hand, I don't.

16 Q Your best recollection then, as I understand it,
17 you recollect seeing Mr. Cherry while you were there and the
18 Sheriff and the Sheriff's nephew, Deputy Mansfield Matthews;
19 you have recollection of seeing them?

20 A That's correct. I know that I saw Mr. Cherry and
21 I think that I saw the others, the Sheriff and I think I saw
22 Mr. Mansfield Matthews there too; and McDonald might have
23 been there but I forget; it's been four long busy years.

24 Q Do you recollect how the patient was dressed
25 as of that time?

1 A No, I could not swear as to what his clothing
2 was at the time.

3 Q Well, do you recollect whether he was fully
4 clothed at that time?

5 A No, I can't. There are certain things that
6 stick in my mind, so far as the patient was concerned and
7 so far as the physical examination was concerned, but not
8 so far as his wearing apparel was concerned.

9 Q Would you be kind enough to indicate what these
10 things are relative to his physical condition that you noted
11 as of this time?

12 A Would you like to know what I found on physical
13 examination, is that correct?

14 Q Yes, that's correct?

15 A Well, he was - as is customary on seeing a
16 prisoner at the jail, if the prisoner be white or colored,
17 he is brought to the jail office, if possible, to be examined.
18 And the prisoner was brought, as I say I don't recall who
19 brought him from the cell block into the office, but he came
20 under his own power. He walked in.

21 His gait was not steady and, trying to recall,
22 I don't recall, I think he had on his trousers, I'm not sure
23 but I don't think he had on his shirt.

24 At the time, I knew James and I spoke to him
25 and from all indications he knew who I was. His speech at the

1 time though was - well, incoherent, not as you would ordinarily
2 expect.

3 Q Not what you had been used to experiencing in
4 your talking with him, is that correct?

5 A That's correct. But there was another thing in
6 the general examination. One of the things, the odor of
7 alcohol was fairly strong; and on examination of the patient,
8 I don't recall - as best I recall, he had a small bruise and
9 laceration or abrasion in the right frontal region of his
10 scalp that was small enough to be considered inconsequential,
11 so far as suturing is concerned; it didn't have to be
12 sewed up. There was another, as best I recall, in the
13 left occipital region of the scalp of the same sort, evidently
14 from a blunt instrument of some sort, but again not large
15 enough to warrant suturing. And above his left ear there
16 was a hematoma or bruise above his left ear.

17 On examination of the patient as a whole, his
18 pupils, they did react to light and accommodation but
19 sluggishly. I didn't think too much about that at the
20 time. The pupils were equal in size at the time and I didn't
21 think too much about it because, as I said just now, the odor
22 of alcohol was pretty strong.

23 On further examination, nose and throat, nothing
24 of any particular consequence. On examining his ears, that
25 is looking at his left ear, there was evidence of some

1 apparently some hemorrhage into or behind the tympanic
2 membrane, the ear drum, which in some instances is evidence
3 of a basal fracture of the skull; at other times just direct
4 trauma to the ear itself; it can be from either.

5 And I checked his reflexes since that was
6 present. His reflexes at the time were within normal
7 limits.

8 And other than that, his physical examination
9 was just routine. Everything was - most of the positive
10 physical findings were located from here up (indicating).

11 After finding the possibility of hemorrhage into
12 the middle ear or into the ear-drum itself on the left, I
13 told the people present, and I think it was Mr. Cherry and
14 the two Mr. Matthews, by all means, to put him in a cell
15 by himself, to see that he could be roused hourly; and
16 if at any time he could not be aroused, then they were to
17 call me immediately. And it just so happened that we had
18 another person in jail that required some attention some time
19 between midnight and daylight, 2:00 or 3 o'clock in the
20 morning, that I had to go to jail to see the other person;
21 and I myself went in and looked at James then, and I could
22 rouse him then. In other words, he was not comatose; he could
23 be aroused. His speech was still not what I would expect it
24 to be from him, a little incoherent, but I still didn't think
25 too much about it, since he could be aroused. And I asked

1 the police if they had been checking on him routinely and
2 they said that they had.

3 Q Do you recollect who it was that let you in on
4 the second visit?

5 A No, I don't.

6 Q Do you recollect --

7 A I recollect who I went to see.

8 Q Who was that?

9 A A white male from Terrell County, Mr. Sam Hattaway.

10 Q Is he the alcoholic that --

11 A He's an alcoholic, he was there in jail; and I
12 was called to see Mr. Hattaway some time about 2:00 or 3
13 o'clock in the morning.

14 Q At the time that you went in to see Mr. Hattaway
15 and were let in, what do you have to refresh your recollection
16 as to this time?

17 A Well, it was about the only thing I had -- the
18 time that I went in?

19 Q Yes?

20 A The fact that I never get to bed before around
21 midnight and I had been to bed and been to sleep when I was
22 called to see Mr. Hattaway. And, as I say, it was some time
23 between midnight and daylight, because I'm usually up at
24 daylight too.

25 Q At the time that you went to - strike that --

1 When you went to see Mr. Hattaway, did you visit him prior to
2 the time that you went back to Mr. Brazier's cell?

3 A I went to see Mr. Hattaway and as I came out,
4 they had put James Brazier in a cell by himself.

5 Q Where was that, excuse me?

6 A I don't know the cell number but I know the loca-
7 tion. In going in, it's on the east side of the jail; and,
8 if I recall, it was either the first or second cell.

9 Q Let me show you PLAINTIFF'S EXHIBIT No. 1,
10 which is a pretty roughly drawn diagram, Doctor; but if
11 this is the courthouse --

12 A I know this quite well. This is the screen porch.
13 The Sheriff's office is here (indicating on diagram). . .
14 and this general -- well, you come up on the walk into the
15 office right in here.

16 Q Do you see where it says "Sheriff's Office" and
17 points and points right into here? Is this the general loca-
18 tion?

19 A That's the general location of the office. Now,
20 as I recall, Mr. Hattaway was in the big cell block, the
21 bull-pen, and James was in either the first or the second
22 cell here (indicating on diagram); I don't recall which one.

23 Q Now, when you say "here", if we were looking on
24 this diagram from the courthouse toward the jail, then that
25 would be in the left wing?

1 A That's right.

2 Q In the left wing and the first one or two cells
3 coming from the direction of the porch, is that right?

4 A That's right.

5 Q Is that right?

6 A As I understand it, he was in this group of cells
7 over here when I went down to examine him and he was brought
8 across to the office and, since I was concerned about his
9 welfare, I told them to be sure and put him in a cell by
10 himself, and he was put over here.

11 Q So, you're saying initially --

12 A Initially --

13 Q -- he was on the right wing looking from the
14 courthouse to the jail?

15 A Correct.

16 Q And subsequently when you went back between 2:00
17 or 3 o'clock --

18 A Something like that.

19 Q -- he was in the left wing?

20 A He was where I had asked them to put him. Would
21 you like for me to continue from that point as to the rest of
22 the -- ?

23 A Oh yes, I believe you had already seen Mr. Hattaway
24 before we got off there?

25 A Yes.

1 Q And you were in the process of explaining what you
2 did as relates to James Brazier at that time?

3 A Well, I came from the bull-pen and started back
4 out and I asked them how James had been and if they had been
5 able to rouse him and they said -- and if they had tried to
6 rouse him, and they assured me they had.

7 Q Now, who was "they"?

8 A Whoever the police were who were on duty, I don't
9 recall.

10 Q Did you see the Sheriff at that time?

11 A I don't think that I did. It is quite possible
12 but at 2:00 or 3 o'clock in the morning, you're not too con-
13 cerned about who the coincidental people are.

14 Q Did you awaken Brazier on this occasion?

15 A I did.

16 Q I believe you said you did?

17 A I went into the cell and awakened him myself.

18 Q Was he on the bed?

19 A He was on the bed and, as well as I recall, it
20 would have to be in the first cell because the bed was on the
21 right side as you go in. As you go into the cell, I think
22 in the first cells, the beds are on the right and the second
23 cell, the beds are on the left, bunks on the left.

24 Q So then, you're saying that if you came from the
25 Sheriff's office into the walkway which runs in front of the

1 cells, you would then make a right turn to get into the cell
2 in which Brazier was?

3 A Yes.

4 Q And Brazier was on a bed on the right within the
5 cell, is that correct?

6 A As best I recall, that's correct.

7 Q Did you have him to stand on that occasion?

8 A I had him sit on the side of the bed.

9 Q If one had been hit on the head in the locations
10 which you have designated with a blunt instrument, such as
11 to cause injuries of the type which you have indicated,
12 would his speech likely be somewhat impaired?

13 A It is quite possible but you're getting into a
14 point now that I argued with the U. S. Navy about for 2½ years.
15 When a man has been drinking and when he has had head injuries,
16 I will not say whether his incoherent speech is due to alcohol
17 or to head injury.

18 Q I didn't ask you that question, Doctor?

19 A And I don't think anybody else could.

20 Q I didn't ask that question; I merely asked --

21 A Do I think that it could have caused it?

22 Q Yes sir?

23 A Quite possibly.

24 Q You took no alcoholic test?

25 A No. At the time I don't think that any of the

1 laboratory tests for alcohol were valid in courts in the State
2 of Georgia anyway; so far as blood alcohol is concerned, I
3 made none.

4 Q But all I am saying is that you made none?

5 A I made none but the odor of alcohol was present.

6 Q The odor of alcohol was present, which might have
7 been from beer or from liquor or from any other --

8 A -- alcoholic beverage.

9 Q Or any other alcoholic beverage, yes. All right
10 now --

11 A Take one thing into consideration: I did examine
12 the man's ears, nose and throat and in so doing, you have to
13 be quite close; so, there was no question as to where the
14 odor of alcohol was -- from which the odor of alcohol was
15 emanating.

16 Q Is it not true that normally when one has alcohol
17 on his breath, if he sleeps, usually this is even accentuated
18 upon awakening, particularly within a reasonable period from
19 the time that it has been consumed; is that not true?

20 A It's quite possible. I wouldn't say that was a
21 scientific fact but from past experience I would say it's
22 quite possible.

23 Q Was that the last time that you saw James Brazier?

24 A No.

25 Q Now, let me ask you again about this particular

1 visit: Do you recollect how many persons went with you to
2 Mr. Hattaway's cell?

3 A No, I don't.

4 Q Would it be more than three?

5 A I could not say because, as I said just now, the
6 only -- the person that I was interested in at that partic ular
7 time was Mr. Hattaway; and, as I left Mr. Hattaway's cell,
8 the only person that I was interested in then was James
9 Brazier; and as soon as I got through seeing James Brazier,
10 the only thing I was interested in was trying to get some
11 sleep because I knew we had to operate the next morning.

12 Q Do you know a Negro who acted as jailer there by
13 the name of Gene Magwood?

14 A Quite well.

15 Q Did you see him during the course of either of
16 your visits?

17 A Well, there again, I couldn't swear to the fact
18 that I did or I didn't but I'm quite sure that Gene was there,
19 because it was customary for him to be there.

20 Q Was it not true that with frequency he let you
21 in the cells, when you were called to make a visit to some
22 prisoner; is that not so?

23 A It has been done but he let me in only on
24 instructions of either the City police or one of the persons,
25 members of the Sheriff's office.

1 Q Now, I believe you indicated that you saw Brazier
2 on another occasion?

3 A I did.

4 Q When was that?

5 A The following morning.

6 Q Where was that?

7 A At the Terrell County Hospital.

8 Q About what time was that?

9 A Well, there again, I couldn't swear to it but I
10 would say it was somewhere around, let us say in the hour
11 between 8:30 and 9:30.

12 Q That would have been on a Monday, is that correct?
13 Do you recollect that your visit had been made on a Sunday
14 night, initially?

15 A I think that's correct. I couldn't swear to that.

16 Q Did you know where he was coming from as of the
17 time that you saw him on this Monday morning?

18 A At the time that I saw him, there again, having to
19 draw from memory over a period of 4½ years, if I remember
20 correctly, I saw him that time in the x-ray room at the
21 hospital. Now, it could have been in the emergency room but
22 somehow it sticks in my mind that it was in the x-ray room
23 at the hospital.

24 Q Do you know as a matter of fact that he was in the
25 x-ray room at some time on that day?

1 A As I say, I don't know why it sticks in my mind
2 that he was in the x-ray room.

3 Q But you did see him at the Terrell County Hospital?

4 A I saw him at the Terrell County Hospital, either
5 in the x-ray room or the emergency room.

6 Q Did you direct any x-rays to be made?

7 A There again, I don't recall whether I did or not,
8 because on examination of the patient again, it was quite
9 obvious that he had some intracranial injury and I knew that
10 the Terrell County Hospital was no place for him; that he
11 needed to be in somebody's hands who had more knowledge than
12 we did in treating intracranial injuries.

13 — Q — If you took x-rays, would there be a record of
14 those x-rays in the hospital?

15 A There would be.

16 Q Would you be willing to make those available?

17 A Yes, if they're there but, as I say, I don't
18 recall whether I ordered x-rays or not. It's quite --
19 thinking back to the circumstances there, in trying to recall,
20 I think that when he was brought to the hospital that we were
21 either in the delivery room or the operating room. Dr. Walter
22 Martin, who is my associate, and I were both engaged in some
23 procedure in some other area in the hospital; and, if I
24 ordered x-rays, it was to -- and there again I say "if" because
25 I don't recall whether I did or not -- it was because I had

1 seen him the night before and I thought there was a possibility
2 of a basal fracture of the skull; and from whatever informa-
3 tion was given me wherever I was at the time, I thought that
4 x-rays would be indicated to see if he did have a fracture.

5 Q Well, if I told you that Mrs. Brazier has a
6 receipt indicating that she has paid for x-rays, would this
7 help in any way to refresh your recollection?

8 A No. As I say, I think I saw him in the x-ray
9 room and I think he was there because somebody had told me
10 that he had been brought there, brought to the hospital,
11 and I told them to get x-rays and I would look at them as
12 soon as we had finished with the operation, delivery or
13 whatever we were doing.

14 Q Did you have a radiologist for the hospital
15 or just an x-ray technician or what did you have?

16 A We have an x-ray technician.

17 Q Is it the same person now as it was then, as
18 near as you can recollect?

19 A There again, I don't recall. We've had since
20 I've been in Dawson in eight years, we've had a series of
21 three x-ray technicians.

22 Q Do you remember who the one was in April of '58?

23 A No, I do not.

24 Q Your records would establish this, would they not?

25 A They would, the hospital records, at the time of

1 the x-ray.

2 Q Would you be willing to notify Mr. Bloch as to
3 whether or not, when you get back in the next several days,
4 whether or not you found records of the x-rays which were
5 taken?

6 A Well, there's another thing that I was thinking
7 about then. If we did get x-rays, and I assume that we did
8 if Hattie paid for the x-rays, it's also quite possible that
9 the x-rays were sent with him to Columbus. Now, there would
10 be a record of the x-rays being made but the x-rays themselves
11 would probably not be there, or would possibly not be there.

12 Q Would your records reflect that they were in fact
13 transmitted to some place else with the patient?

14 A Probably not.

15 Q But you are willing to check up on it to see for
16 us?

17 A Yes.

18 Q Would you be kind enough at some time later to
19 let Mr. Bloch know and then I can check with him and maybe
20 sometime when we're down we could view them; we may have need
21 to look at them?

22 A All right.

23 Q Now, do you recollect who brought Brazier to the
24 hospital?

25 A As best I recall, his wife brought him to the

1 hospital in her car.

2 Q Do you recollect the lady who is sitting to my
3 left rear here as being the person that you recognize as his
4 wife?

5 A I do.

6 Q What, if any, differences did you observe in
7 the condition of Brazier as of that time, as distinguished
8 from when you had seen him between 2:00 and 3 o'clock?

9 A The patient could not be 'roused then. He was
10 comatose and he was not - let's say he was not even incoherent;
11 you could get no response so far as speaking to him is
12 concerned. His pupillary reflexes had changed considerably
13 from the night before. Where they had been equal and reacted
14 to light and accommodation sluggishly, as I recall, they were
15 unequal. I don't remember which was larger than the other but
16 at any rate one was larger than the other, which is one of
17 your almost sure signs of increased intracranial pressure.
18 And, as I said just now, my prime concern then was to get
19 James Brazier to a neuro-surgeon; and I referred James Brazier
20 to Columbus to Dr. Louis Hazouri, the service of Dr. Louis
21 Hazouri. It so happened that Dr. Hazouri was out of town
22 and Dr. John Durden, whom I do not know personally, was seeing
23 his patients for him; and Dr. Durden was the --

24 Q He was the attending physician upon the arrival of
25 Brazier?

1 A Upon the arrival of Brazier at Columbus, so far as
2 I know.

3 Q Did you get any written report back from the
4 Doctor?

5 A I'm quite sure that we did.

6 Q Would they more than likely be in the file?

7 A They would be in the file at my office.

8 Q At your office, as distinguished from the hospital?

9 A That's correct.

10 Q Do you recollect how he was dressed when they
11 brought him to the hospital, as distinguished from the last
12 time that you saw him?

13 A No.

14 Q Do you recollect whether or not there had been
15 any change in the exterior condition of his head and scalp
16 between the time that you had last seen him and the time that
17 he was at the hospital?

18 A As best I recall, there were no changes in the
19 external appearance, except possibly some swelling that would
20 have occurred naturally.

21 Q You mean naturally because of his condition?

22 A Over a period of time.

23 Q Because of these blows that you testified about
24 earlier?

25 A Correct.

1 Q Was there any difference that you observed in
2 the exterior condition between the first visit in the evening
3 and the visit during the early morning hours, 2:00 or 3
4 o'clock, I believe you said?

5 A The best I could discern, there was no difference
6 in the exterior condition from the time that I saw him first
7 in the early evening until the time that I saw him at 2:00
8 or 3 o'clock in the morning and the time that I saw him some-
9 where around 8:30 or 9:00 or 9:30 the next morning, except,
10 as I say, the natural swelling that you would expect from
11 a person who has had a blow on his head.

12 Q Had that swelling been rather prominent?

13 A The swelling above his left ear was prominent.
14 The swelling on the anterior part of his head and on the
15 posterior part was not too prominent. Those were the areas
16 that he had small laceration or abrasion, and the swelling
17 there was not too pronounced. It was fairly marked in the
18 left temple region, the temple parietal region.

19 Q Did it manifest itself in any way other than
20 this swelling; that is, was there any discoloration or any
21 other indications of damage other than the swelling?

22 A None other than had been there from the first
23 examination.

24 Q To the best of your knowledge, there was no one
25 who treated Brazier as such that is created the injuries of

1 Brazier as such?

2 A Other than me or Dr. Durden.

3 Q Other than the two of you?

4 A Yes.

5 Q Was there any medication given him or any wounds
6 dressed by you on any of the three occasions that you saw him?

7 A As best I recall, I might have put a band-aid on
8 the one on the forehead but there again, I say it's just the
9 best I can recall, right about his hair line in this area;
10 and, as best I recall, I might have put a band-aid on that;
11 but, as I told you to begin with, I did not think that the
12 laceration or abrasion was large enough to warrant suturing;
13 and that's not uncommon at all. Nor was the one in the
14 posterior and those were the only two places that I could
15 tell that the skin was broken.

16 Q Is it common for the ear, when there have been
17 blows of the type that you have described which may have
18 damaged the tympanic membrane, to bleed rather profusely
19 over a period of several hours?

20 A The damage, as I recall, as I said just now, the
21 tympanic membrane itself was intact. The blood that I saw
22 was either in the substance of the tympanic membrane itself
23 or behind it. And there again, I thought it quite possible
24 that he could have had a basal fracture. That's the reason
25 I instructed them to put him into a cell by himself and to be

1 sure and 'rouse him at least hourly; and if at any time they
2 could not 'rouse him, to let me know, because it's not far to
3 Columbus and that's the nearest neuro-surgeon, and we still
4 had time to get him there. Well, let's say, it's not uncommon
5 practice for a person that we know has a fractured skull to
6 put them in the hospital and observe.

7 Q Did you see Mr. Reginald Arnold on that Sunday
8 evening in the vicinity of the jail when you went to visit
9 Brazier?

10 A As best I recall, I did see Mr. Ragan Arnold.

11 Q Ragan Arnold? How do you spell that?

12 A R-a-g-a-n (spelling).

13 Q But his last name is Arnold, is that right?

14 A A-r-n-o-l-d (spelling).

15 Q Where did you see him?

16 A The best I recall, it was on the steps or right
17 in this general area here at the courthouse.

18 Q That would be the what, the west side generally?

19 A On the west side.

20 Q Of the courthouse?

21 A The west side of the courthouse.

22 Q Was this when you first came up?

23 A That was on the first visit.

24 Q Yes?

25 A That's correct.

Q Did you have occasion to talk with him?

1 A I did. He and I are good friends. I've bought
2 quite a few automobiles from him since I've been in Dawson
3 and James worked for him. And if I - there again, having to
4 recall over a period of $4\frac{1}{2}$ years, as best I recall, I told
5 him - which was after - I'm pretty sure it was after I had
6 examined James, and I told him what I had found and what I
7 planned to do, to be sure that he was observed and that there
8 was a possibility that we would have to send him to Columbus
9 to Dr. Hazouri, the neurosurgeon.

10 Q Do you know the gentleman that just walked in?

11 A Quite well.

12 Q You know him as Sheriff Z. T. Matthews, is that
13 correct?

14 A I know him as "Old Buddy".

15 Q Have you had the occasion to discuss this case
16 with him?

17 A Not recently.

18 Q When is the last time you have any recollection
19 of discussing it with him?

20 A As best I recall, the last time I discussed it
21 with him was somewhere about, oh I would say, in 1958.

22 Q You mean during the course of that night or
23 shortly thereafter?

24 A Either that night or shortly thereafter, or
25 possibly during the time that James was in Columbus and the

1 time of his death. I don't recall; I might have talked with
2 him later because I was pestered with some FBI Agents quite
3 frequently for -- I say quite frequently -- 2 or 3 times.

4 Q The FBI came and questioned you about his
5 condition?

6 A Yes.

7 Q And what your diagnosis and prognosis was as
8 related to James Brazier?

9 A That's right, and all the circumstances surrounding
10 it.

11 Q Would you remember the names of any of them?

12 A The FBI Agents?

13 Q Yes?

14 A I know one of them quite well. His name was
15 Ward.

16 Q Ward?

17 A And the other one was Burkett.

18 Q Did you have the occasion to be subpoenaed to go
19 to Columbus or to Macon?

20 A No.

21 Q In connection with this matter?

22 A No. I might say one thing; you need not record
23 this, I don't think: So far as James' external injuries were
24 concerned, they did not compare with the one that I sustained
25 about a week ago, when I lifted, ripped part of my own scalp

1 off in an automobile accident; and I reckon I was lucky.

2 Q Well, would there be any relationship, Doctor?

3 A No. I said he need not record that. But I will
4 say this though, so far as the external injuries were concerned,
5 though this had the appearance of external injury, their
6 appearance would not in any way indicate the severity of the
7 internal damage that he had. I've seen quite a few people with
8 much worse lacerations, abrasions, contusions and hematomas on
9 the head than James had that were like I, able to get up and
10 walk around right then, and had no after-effects whatsoever.

11 Q You're not suggesting, however, that the severity
12 of these injuries - strike that - Let me put it this way:
13 You're not suggesting that the consequential damage was in
14 any way foreign to the nature of the injuries which he had?

15 A No, it is quite possible; but at the same time,
16 from the rather inconsequential appearance of the external
17 wounds, the internal damage was more --

18 Q Was far greater than the external; I see what
19 you mean?

20 A Was all out of proportion to the external
21 appearance.

22 Q Let me see if I understand that: If I understand
23 what you're saying, you're saying that the external appearance
24 of Brazier -

25 A Was rather mild.

1 Q - did not belie the severity of the internal
2 damage?

3 A That's right.

4 Q -- which was later discovered to have resulted
5 from the injury?

6 A That's correct.

7 Q Are you officially hired by the City or the County
8 to make visitations to prisoners; in other words, are you
9 the official City doctor?

10 A I am the County Medical Examiner.

11 Q You're the County Medical Examiner?

12 A Appointed by the -- you know, the County Medical
13 Examiner is appointed by the State.

14 Q In other words, you actually handle autopsies
15 and all this sort of thing in case of coroner's hearings,
16 inquests and this sort of thing, is that correct?

17 A Yes.

18 Q And at the same time you are --

19 A My associate has been appointed by one of the
20 grand juries years ago as the County physician, City and
21 County physician; and, since he and I work very closely
22 together, his patients are mine and mine are his, and vice
23 versa. If there's a prisoner that they think requires or
24 needs medical attention, we are called and whichever one of
25 us is available goes.

1 Q I see. Is this on a salary basis or is this on
2 an individual basis, individual cost basis?

3 A Fee basis. The County Medical Examiner's job
4 is on a fee basis also.

5 Q Did you make any inquiry on your first visitation
6 of James Brazier, and I'm speaking of the time when you say
7 you came in the evening to the office and he was then brought
8 up to the office for the examination, on that occasion did
9 you make any inquiry as to how he came about these injuries?

10 A I never ask such questions. I had rather not
11 know.

12 Q Were you told by any of those who were present?

13 A I don't recall. If I was, it would be hearsay
14 evidence.

15 Q Well, sometimes hearsay is admissible for
16 certain purposes, Doctor?

17 A I think that I was told at one time or another.

18 Q I mean on that occasion?

19 A I don't recall as to whether it was on that
20 occasion or later. I would be more than glad to give any
21 information that I know to be a fact.

22 Q Well, normally, would it be reasonably important
23 to know somewhat of the history of the activity which produced
24 the traumatic effect?

25 A Well, since I was - as I say, I could have been

1 told before, I don't recall; in fact, I'm just surmising
2 and, there again, I can't be positive about this statement
3 that I'm sure that I was told that he had been hit; but I
4 don't recall who told me or any of the circumstances about
5 that.

6 Q Do you recollect what you were told that he was
7 hit with?

8 A No.

9 Q Do you recollect being told the circumstances
10 under which he was hit?

11 A There again, I don't know whether I was told
12 before or after, but I was told some of the circumstances.

13 Q Do you recollect who told you of those circum-
14 stances?

15 A No, I do not.

16 Q Doctor, I believe that's all unless Mr. Bloch
17 may have some questions.

18 CROSS EXAMINATION

19 BY MR. CHAS. J. BLOCH:

20 Q Just one or two questions, Doctor: At the time
21 you examined James Brazier at the jail on this Sunday afternoon
22 or evening, you are of the opinion that the slurred speech and
23 the reflexes and the unsteady gait were possibly attributable
24 to acute alcoholism, is that correct?

25 A That's correct.

1 Q And at that time the odor of alcohol, you're
2 positive, was very strong on your patient's breath?

3 A Correct.

4 Q Have you any knowledge of Brazier having had
5 brain surgery prior to this occasion?

6 A No sir, right off-hand. I might have been told
7 sometime before or after but I don't recall.

8 Q That's all.

9 REDIRECT EXAMINATION

10 BY MR. HOLLOWELL:

11 Q Are you saying, Doctor, that now -- strike that --
12 You are not testifying, are you Doctor, that the cause for
13 the unsteady gait or the cause for the slothfulness in
14 speech, the lack of coherentness, was from acute alcoholism,
15 are you?

16 A The statement was put to me that it was possibly
17 due to acute alcoholism.

18 Q Yes, I just wanted to clear up for the record
19 that you were not so testifying?

20 A I am not so testifying and I would not then or
21 ever say that it was due to head injury or to alcoholism.
22 That was the reason that I asked that he be put in a cell,
23 so he could be observed, because I wasn't sure which it was
24 and I wanted to be sure that he was watched.

25 Q Nothing further.

RE CROSS EXAMINATION

BY MR. BLOCH:

Q But you are sure that the odor of alcohol was very strong on his breath?

A I'm positive.

MR. HOLLOWELL: All of these depositions, of course, are with the usual stipulation, is that correct?

MR. BLOCH: Huh?

MR. HOLLOWELL: I say on all of these depositions, there's the usual waivers except as to the form of the question?

MR. BLOCH: With the understanding, the usual waiver, not to be necessarily used as evidence.

THE REPORTER: He said at the beginning of the depositions that they're for discovery purposes, which means, of course, they can't be used unless the Judge so directs.

MR. HOLLOWELL: Except for impeachment purposes.

witness called by Plaintiff for discovery
being first duly sworn, testified on

DIRECT EXAMINATION

BY MR. HOLLOWELL:

Q Mr. Singletary, where do you live, sir?

A Dawson, Georgia.

Q What is your address, sir?

A Cinderella Lane.

Q Sir?

A Cinderella Lane.

Q Do you have a house number?

A No.

Q I believe in April of 1958 you were the Mayor
of the City of Dawson, is that not right, sir?

A I have served as Mayor of the City of Dawson, yes.

Q Were you Mayor at that time?

A Yes, I guess so.

Q As the Mayor, was one of your duties that of
sitting as the judge of the City Court?

A Yes.

Q Is that the only City Court you have? What is
this, a Recorder's court? Was this a Recorder's court or a
court equivalent to a Recorder's court?

A Well, it's just City court; now, I wouldn't know.

Q Are you a lawyer, sir?

A No.

1 Q As a part of your job as Mayor, you sat as the
2 Judge of the City Court, is that correct?

3 A That's right.

4 Q Does Dawson have a City Code?

5 A Have what?

6 Q A City code?

7 A I would imagine so.

8 Q Did they have one as of the time that you were
9 the Mayor of the City?

10 A Well, if they had one, yes, they had it at that
11 time.

12 Q I'm not sure that I understand your answer, Mr.
13 Singletary: Is it your testimony that you don't know whether
14 they did in fact have one or not?

15 A That's right, that's right.

16 Q Did you know James Brazier?

17 A No.

18 Q Have you ever had a person in your court by the
19 name of James Brazier?

20 A Yes.

21 Q Doyou recollect having a person to appear before
22 you whose name was James Brazier on Monday, the 21st of April,
23 1958?

24 A James Brazier appeared in court.

25 Q Before you?

1 A One Monday morning, I don't know what date it was.

2 Q I see. This was in the year of '58 and in the
3 month of April, but you don't remember what the exact date
4 was, is that correct?

5 A No.

6 Q Do you know the wife of James Brazier?

7 A No.

8 Q Have you ever seen this lady who is sitting to my
9 right rear?

10 A Perhaps I have; I don't remember.

11 Q On the occasion when the - strike that and let
12 me ask this question: Was this James Brazier that appeared
13 before you at the time indicated a Negro?

14 A Yes.

15 Q Would you suggest that he was in the vicinity
16 of 30 years of age?

17 A I wouldn't know.

18 Q Do you recollect who brought him to court on that
19 morning?

20 A No.

21 Q Who customarily brought prisoners from the City
22 to court?

23 A Well, whatever policeman happened to be on duty
24 at that time.

25 Q The prisoners were not necessarily brought to court

1 by the particular policeman who had made the arrest?

2 A No.

3 Q But rather by a policeman who happened to have
4 been on duty as of the time that the court met, is this
5 correct?

6 A That's right.

7 Q In your adjudication of the cases, what did you
8 use as a basis for determining the guilt or innocence from
9 the standpoint of the City's charge?

10 A Well, we used statement from the defendant,
11 along with the testimony from the arresting officer, or
12 any other witness that happened to be called.

13 Q Did you have some basic standards for determining
14 what fines were, which standards had been set up by the City?

15 A Not that I know of, no.

16 Q On the morning that James Brazier was brought
17 before you, do you remember who brought him to the stand?

18 A No.

19 Q That is, before the bench?

20 A No, I don't.

21 Q Do you remember how he was dressed?

22 A No.

23 Q If I indicated to you that he was without shirt
24 and shoes as of that time, would that help to refresh your
25 recollection?

1 A No.

2 Q Do you remember what his charge was?

3 A There was no charge.

4 Q There was no charge against him?

5 A There was no charge made against him.

6 Q No charge made against him insofar as you
7 recollect?

8 A That's right.

9 Q Do you keep or did you keep a calendar?

10 A The City clerk had one. I did not.

11 Q When he was brought before you, was he able to
12 answer to his name?

13 A The best I remember, he was.

14 Q Do you remember what questions you directed
15 to him?

16 A None at all.

17 Q You didn't direct any to him at all?

18 A No.

19 Q He did appear before you?

20 A Yes.

21 Q What, if anything, did you say, inasmuch as you
22 say there was no charge made against him -- strike that -
23 I believe you said that there was no charge made against
24 him and he did appear before you: Did you ask him, or
25 what did you say to him?

1 A As I remember it, I didn't say anything to him.

2 Q What directions did you give?

3 A I directed that that case be passed.

4 Q Why did you direct that it be passed?

5 A Because he seemingly was not in condition to
6 stand trial.

7 Q What condition did you note that gave rise to your
8 arriving at this decision?

9 A Well, he seemed to have been in some sort of a
10 scuffle or fight. I've had a lot of people in court that
11 had been in fights andso forth.

12 Q Well, when you say "he seemd to be, seemed to
13 have been", what made you or what did you observe about him
14 which gave rise to your conclusion that he seemed to have
15 been in some scuffle?

16 A Well, as I remember it, his face was swollen
17 to some extent, around his eyes mostly.

18 Q What about around his eyes?

19 A Was swollen.

20 Q What else do you remember about his condition?

21 A That is about all I remember about him. I remember
22 that we passed the case and there was no questions asked and
23 no charges put forth in court.

24 Q Did you give any direction as to what should be
25 done with him?

1 A I may have; I don't recall at the time.

2 Q Isn't it true that you told them to take the man
3 to the doctor?

4 A I may have.

5 Q This condition which you observed, I believe you
6 said that his physical condition --

7 A Yes.

8 Q -- which you explained as causing him to look as
9 though he had been in a scuffle or a fight, was what caused
10 you to pass the case?

11 A That's right.

12 Q And you don't know directly at this time whether
13 you directed that he be taken to the doctor but you say that
14 you might have so stated; is that correct?

15 A I might have so stated; I don't remember.

16 Q Did you make any investigation as to how he did
17 arrive at the condition he was at the time that you saw him?

18 A No.

19 Q After you had - strike that - Was there any infor-
20 mation volunteered to you as to how he came about to be in
21 that condition?

22 A No.

23 Q Did you ask any of the police officers how he
24 happened to be in that condition?

25 A I may have asked but I don't remember.

1 Q Did you subsequently cause any investigation to
2 be made concerning his condition?

3 A No.

4 Q Did you subsequently gain any information as to
5 how he came about to have this condition?

6 A Not directly, no.

7 Q What do you mean, not directly?

8 A Well, you can always hear talk on the street.

9 Q Did you discuss it with the police officers?

10 A No.

11 Q You never have discussed it with the police
12 officers?

13 A No.

14 Q Did you ever discuss it with the Sheriff?

15 A No.

16 Q You mean as the Mayor of the City you didn't
17 manifest enough interest to make any interrogation at all
18 of this prisoner?

19 A I left that with the City Attorney; no, I did not.

20 Q Who was the City Attorney?

21 A Colonel Jones, R. R. Jones.

22 Q Was he present that morning?

23 A Yes.

24 Q Does he normally prosecute the cases for the City?

25 A Yes.

1 Q In your court?

2 A Yes.

3 Q Did he make any recommendations as to that
4 particular case?

5 A No.

6 Q Did he make any investigation that you know of?

7 A Not that I know of.

8 Q As to this case?

9 A Not that I know of.

10 Q Did you direct him to make any investigation?

11 A No.

12 Q Well, what was it that you left to him?

13 A Well, that was part of his job, as I understood
14 it; it wasn't mine.

15 Q What was part of his job?

16 A Any investigation that had to be made on it.

17 Q Did you understand that as the chief executive
18 officer of the City of Dawson that you had a right to demand
19 that certain investigation be made concerning the treatment of
20 prisoners in the jail?

21 A No, I didn't.

22 Q Do I understand you to say that you did not
23 understand that this was within the scope of your authority?

24 A Yes, that's right.

25 Q Have you since gained knowledge of the fact that

1 it was within your authority?

2 A No, I haven't gained any knowledge to that effect.

3 Q What years were you the Mayor?

4 A I wouldn't know.

5 Q You don't know when you were the Mayor of Dawson?

6 A No, I don't.

7 Q Do you know when you went out of office?

8 A No, it was several years ago.

9 Q Well, it was after '58?

10 A Well, if this was in '58, yes, it was after '58.

11 Q Was it after '59?

12 A I wouldn't know.

13 Q Do you run for the office of Mayor?

14 A I did then, yes.

15 Q How many times have you run?

16 A Once.

17 Q When was that?

18 A I don't remember.

19 Q Let me see if I understand: You were the Mayor
20 of Dawson but you don't remember when you ran?

21 A I don't remember what year it was, no.

22 Q And you don't remember when you went out of office?

23 A No.

24 Q Although you only ran one time?

25 A That's right.

- 1 Q Is the office of Mayor a full time job?
- 2 A No.
- 3 Q Are you paid on a fee basis?
- 4 A No.
- 5 Q You're paid on a salary basis?
- 6 A Yeah, I guess so.
- 7 Q You mean, you way you guess so; don'tyou know, sir?
- 8 A Well, I know they pay on a yearly basis.
- 9 Q Annually, what was the annual salary?
- 10 A \$500.
- 11 Q \$ 5000
- 12 A Yes.
- 13 Q So, this was sort of supplementary to your
- 14 normal work?
- 15 A That's right.
- 16 Q What kind of work do you do, sir?
- 17 A Automobile dealer.
- 18 Q What kind of automobiles?
- 19 A Chrysler.
- 20 Q What's the name of your agency?
- 21 A Just V. L. Singletary.
- 22 Q How long have you had such an agency?
- 23 A Since 1946.
- 24 Q Did it ever come to your attention that James
- 25 Brazier did in fact die shortly after he appeared before you

1 in court?

2 A I heard that he did, yes.

3 Q But even then, you made no investigation?

4 A No.

5 Q And didn't feel it was important or necessary to
6 make one?

7 A I didn't make an investigation.

8 Q I say, you didn't feel it important or necessary
9 to direct that one be made?

10 A No.

11 Q When was the next time that you saw Brazier after
12 he appeared before you in court on the particular Monday
13 morning in question?

14 A I didn't.

15 Q * Is there any other information surrounding
16 his having been injured or his having been put in jail, or
17 his having died, that you know of which you have not stated
18 to us?

19 A No.

20 Q This is everything that you know about the case
21 of James Brazier??

22 A That's right.

23 MR. HOLLOWELL: Mr. Bloch, he's with you.

24 MR. BLOCH: I have no questions.

25 MR. HOLLOWELL: Thank you, sir.

witness called by Plaintiff for purpose
of discovery, being first duly sworn,
testified on

DIRECT EXAMINATION

BY MR. HOLLOWELL:

Q Mr. Matthews, were you sworn when you were here
before?

A Yes, I was sworn a while ago in here.

Q Would you state your full name?

A Mansfield Edwin Matthews.

Q You are the Deputy Sheriff of Terrell County,
is that right, sir?

A That's right.

Q How long have you been such?

A Since February 15, 1952.

Q Were you appointed to that office?

A That's right.

Q Who appointed you?

A The Sheriff, Z. T. Matthews.

Q Is that he sitting there to your left, sir?

A That's right.

Q That's your Uncle?

A That's right.

Q You have been continuously the Deputy Sheriff
of Terrell County ever since your initial appointment, is
that right, Mr. Matthews?

A That is right.

1 Q I think they generally call you "Mr. Mansfield"
2 or "Mr. Manse", sometimes?

3 A Most of them call me "Manse", yes.

4 Q Are you the only Deputy Sheriff that they have?

5 A At this time, I'm not; I was up until about a
6 year ago.

7 Q I see, they have a Mr. Dunaway, don't they?

8 A That's right.

9 Q He's your junior?

10 A That's right.

11 Q Now, as the Deputy Sheriff, of course, you
12 perform any and all duties that are assigned to you by the
13 Sheriff?

14 A That's right.

15 Q And, of course, in his absence, act in his stead,
16 is that correct?

17 A That's right.

18 Q You were then and are now, and when I say "then",
19 back in April of '58, you were then and are now the senior
20 Deputy Sheriff of Terrell County?

21 A Yes.

22 Q As a matter of fact, you handle 'most all of the
23 routine matters for the Sheriff's office, do you not, or did
24 back as of that time?

25 A Well, yes, I did; most of it, yes.

1 Q The Sheriff is more of the administrator and you
2 perform generally all of the functions of the office?

3 A That's right.

4 Q Now, I believe back as of that time the City
5 and the County had its jail together?

6 A Well, the City was using the County's jail.

7 Q That was the only jail?

8 A It belongs to the County but the City has been
9 using it ever since I've been in the Sheriff's office.

10 Q You used the cells interchangeably?

11 A That's right.

12 Q Sometimes County and City prisoners are all
13 there together?

14 A Yes.

15 Q But they are fed by the County personnel?

16 A The Sheriff, yes.

17 Q The Sheriff's office - well, the Sheriff is the
18 custodian of the jail; it's the actual responsibility of the
19 Sheriff?

20 A Yes.

21 Q To supervise and maintain the jail, is that
22 correct?

23 A Yes.

24 Q Calling your attention to the 20th of April, 1958,
25 you had the occasion to see James Brazier, did you not, on

1 the Sunday when he was incarcerated?

2 A No, I didn't see him.

3 Q You did not see him on that day?

4 A No.

5 Q Were you on duty that day?

6 A Well, I was in a way. I wasn't -- we don't stay
7 at the office all the time on Sundays.

8 Q Where do you live, sir?

9 A I lived, at that time I lived on Ivy Street out
10 beyond the hospital.

11 Q This is quite some distance from the jail?

12 A Yes.

13 Q If a call should come in for you, they would call
14 you out there, is that correct?

15 A That's right.

16 Q Who normally would call you, one of the City
17 policemen?

18 A Well, not necessarily; no, I would get calls at
19 the house; if they called our office and there was nobody
20 there, they would call me at the house, whoever wanted me.

21 Q I see. I mean sometimes they made calls direct
22 and sometimes they maybe referred through the City police or
23 sometimes you may happen to be in the office; it could happen
24 in all three ways, is that correct?

25 A That's right.

1 Q Or sometimes something would come in to the
2 Sheriff and the Sheriff could call you at home and say
3 "take care of this" is that correct?

4 A Yes.

5 Q Now, I believe you also had a Sheriff's office
6 located in the courthouse and then there was sort of a
7 Sheriff's jail office, shall we say, which was there off
8 of the screen porch at the jail; is that correct?

9 A Yes.

10 Q When you were around where did you normally hang
11 out more often than not, around at the courthouse?

12 A I was over at the courthouse unless I had some
13 business at the jail.

14 Q Some business at the jail?

15 A Yes.

16 Q Well, of course, normally insofar as the handling
17 of prisoners and the feeding and the cleaning up of the jail,
18 this was all taken care of by Magwood under your jurisdiction
19 or under your supervision, is that correct?

20 A Well, it wasn't to say under my supervision. It
21 was under the supervision of the Sheriff.

22 Q Under the Sheriff's supervision?

23 A That's right.

24 Q And you are his alter ego; that is, you are his
25 chief deputy?

A Yes.

A Yes.

1 Q And you carried the keys to the jail?

2 A Well, I could get them. I didn't tote them but
3 I could get them at any time.

4 Q And the Sheriff had the keys?

5 A Yes.

6 Q And the police officers had keys?

7 A Yes.

8 Q And Magwood had keys; was anybody else - is
9 that correct?

10 A That's right.

11 Q Did anybody else carry keys?

12 A No, I don't -- can't recall anybody else carrying
13 keys.

14 Q Do you recall where you were between the hours
15 of 7:00 and 9:00 on that Sunday, the 20th, the Sunday when
16 Brazier was locked up in the City-County jail?

17 A No, I can't recall just where I was at that time.

18 Q You did come to the jail during the course of the
19 evening and night?

20 A Not that I remember, no.

21 Q Didn't you have the occasion to come down to the
22 jail at all?

23 A Not as I can remember; I don't think so; not that
24 I can remember.

25 Q You're not specifically that you didn't but that

1 to your best recollection you didn't, is that correct?

2 A Well, that's been some time ago and I just don't --

3 Q You don't really remember?

4 A I don't remember that I did or didn't actually .

5 Q When is the first time that you specifically
6 recollect seeing Brazier after he had been locked up?

7 A I never did see him.

8 Q So far as you can remember?

9 A Well, I know I didn't see him.

10 Q You know you didn't see him as such?

11 A Yes.

12 Q You know you didn't see him but you don't recol-
13 lect specifically whether or not you did come to the jail
14 during the night, because you just don't remember?

15 A That's right.

16 Q When did you first learn about the fact that
17 Brazier had been in jail on this occasion?

18 A Oh, I don't know; it was some few days later.
19 I don't know just exactly the date.

20 Q You didn't learn about it the next day?

21 A No.

22 Q As far as you know?

23 A No.

24 Q Had he already died when you learned about it, or
25 do you know?

1 A That's when I heard it; I mean that's when I
2 learned about it, I think.

3 Q How are you paid?

4 A Well, I'm paid by the Sheriff. I don't have
5 just a regular salary. Both of us, we operate on a fee basis.

6 Q How often do you visit the jail during the course
7 of a normal day?

8 A Well, some days I don't go to the jail. There
9 will be maybe several days that I won't go to the jail.

10 Q But you'll be on call, is that it?

11 A That's right.

12 Q Or sometimes if you're out running down a
13 prisoner or something, you might even be out of the County?

14 A That's right.

15 Q When you are there, of course, you are amenable
16 to whatever functions that the Sheriff sets up for you to do,
17 is that correct?

18 A That's right.

19 Q You don't have to handle the jail because Gene
20 acted as the jailer; so you didn't have to do that, is that
21 right?

22 A Well, Gene was the janitor there and, of course,
23 he carried the keys; and, of course, he carried all the
24 prisoners their food.

25 Q And he supervised the cleaning up of the jail and

1 this sort of thing?

2 A Well, he would to a certain extent. I think the
3 Sheriff would really be the supervisor.

4 Q Well, what I mean is, the Sheriff would tell him,
5 of course, what to do?

6 A That's right.

7 Q And then he would see that the Sheriff's orders
8 were carried out?

9 A Yes.

10 Q Did he transport prisoners back and forth
11 sometimes from the Camp out to the jail and vice versa?

12 A Who was that, Gene?

13 Q Yes?

14 A No.

15 Q Did you usually do this?

16 A You mean the County Camp?

17 Q Yes?

18 A We hardly ever had any occasion to transport a
19 prisoner from our jail out to the County Camp.

20 Q Oh really?

21 A That's right.

22 Q I see. Suppose a man was given 6 months public
23 works sentence during your regular term, wouldn't you normally
24 take him out there, or would they come in and get him?

25 A The warden would come and get him.

1 Q Oh, the warden would come and get him, is that
2 right?

3 A That's right.

4 Q Do you have any dogs?

5 A Not now, no.

6 Q Did you have some back there, four years ago?

7 A I might have had one. I had some bird dogs back
8 2 or 3 years ago.

9 Q Were they up there with the Sheriff's dogs or you
10 kept them at your home?

11 A I kept them at my house.

12 Q Do you go with the Sheriff some times when the
13 Sheriff would go fishing and hunting?

14 A I don't think he and I have ever been fishing or
15 hunting together because both of us couldn't get off at the
16 same time.

17 Q Oh, I see. Is Gene a pretty good dog man?

18 A He was right good, yes.

19 Q Did he do pretty well when you would go hunting,
20 and he'd handle the dogs for you when you would go out?

21 A Not hunting, no.

22 Q I believe you had some birds there too, right
23 back there at the jail, did you? What kind of birds did they
24 have or just bird dogs?

25 A The Sheriff had some quail over there.

1 Q I believe they also had a radio set-up in the
2 Sheriff's office there, did they not?

3 A Yes.

4 Q Do they still have that, Mr. Matthews?

5 A That's right.

6 Q Back in '58, this was handled alternately by a
7 person who was hired by the City and County, is that correct?

8 A Yes, the City had an operator that operated the
9 radio at night.

10 Q I see, and you folks operated it in the daytime?

11 A That's right.

12 Q That is the County folks; and they would take
13 messages back and forth for both the City and County, since
14 it was sort of a joint venture, is that correct?

15 A That's right.

16 Q The City doesn't keep any prisoners over there,
17 now, do they?

18 A In our jail?

19 Q In your jail, in the County jail?

20 A Yes.

21 Q They still keep some prisoners there?

22 A Yes.

23 Q Well, don't they also have a City jail now?

24 A No, they haven't got one that I know of. They used
25 to have a guard-house up there back of the Fire Department

1 but they're not using it and haven't used it in some time.

2 Q Let me see, I've only been through Dawson only
3 a few times; you don't have in the center of town one of these
4 little houses where the police usually stay, like on the corner
5 of the main intersection; you don't have any such as that in
6 Dawson, do you?

7 A No.

8 Q Actually, the City police and the Sheriff's
9 office, they transacted their business generally out of the
10 one office there at the courthouse, up until the time that
11 they put in their office down there over the fire station,
12 is that correct?

13 A Yes, that's right.

14 Q There was only one Sheriff's office in the city
15 hall, I mean, I'm sorry, in the courthouse; isn't that correct?

16 A Yes.

17 Q The City never did have any separate office in the
18 courthouse, did they?

19 A No, no; they were -- the fact that the radio was
20 in there, of course, was the reason that they more or less
21 operated around --

22 Q From the same office?

23 A Yes.

24 Q Sometimes they would go on calls with you, would
25 they not?

1 A There have been occasions when I was going out
2 by myself and I would ask one of them to go with me.

3 Q And vice versa, I suppose?

4 A Well, that has happened.

5 Q Now, Mr. Mansfield - I'm sorry, I hear some of
6 the folks say "Mr. Mansfield" all the time and I get the
7 idea that "Mansfield" is your last name, when actually it's
8 your first name --

9 A That's all right.

10 Q Mr. Matthews, were you ever interrogated by any
11 of the FBI personnel in connection with the Brazier case?

12 A No.

13 Q Were you ever present when there was any interroga-
14 tion going on?

15 A No.

16 Q Did you ever make any independent investigation
17 pertaining to the incarceration, the injury and the death of
18 James Brazier?

19 A No.

20 Q Were you ever directed to make any investigation
21 by your superior?

22 A No.

23 Q Or any other person relative to this particular
24 case?

25 A No.

1 Q Is there anything at all that you know about
2 James Brazier's arrest, his injury or his death, which you
3 have not testified to as of this time?

4 A No.

5 Q Have you had the occasion to discuss the case with
6 any of the police officers?

7 A No, I never have discussed it with them.

8 Q Have you had the occasion to discuss it with the
9 Sheriff?

10 A Well, I don't know that we have discussed it.
11 It could have been - it could have been mentioned. I don't
12 know; I can't say that we discussed it.

13 Q Didn't Mr. Cherry and the other officers and Mr.
14 Matthews here, your Uncle, discuss with you the nature of the
15 questions that had been asked them on a previous occasion
16 when their depositions were respectively taken?

17 A No, they never have; they haven't discussed it
18 with me.

19 Q You did know James Brazier, did you not?

20 A Yes, I knew him.

21 Q You had seen him around there in town over a
22 period of years?

23 A That's right.

24 Q And you knew that he worked over there with Mr.
25 Ragan Arnold?

1 A That's right.

2 Q Do you know his wife?

3 A Yes.

4 Q And probably know his father too, don't you?

5 A Yes, I know his daddy.

6 Q And most of his family?

7 A I knew his daddy and I knew James and I know his
8 daddy and I knew his wife when I saw her.

9 Q Are you a native of Terrell County?

10 A That's right.

11 Q I appreciate it, sir; Mr. Bloch may have some
12 questions?

13 MR. BLOCH: No questions.

14 Q Mr. Hollowell: You may be excused, sir; I hope
15 we didn't keep you too long?

16 A That's all right.

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25

witness called by Plaintiff for purpose
of discovery, being first duly sworn,
testified on

DIRECT EXAMINATION

BY MR. HOLLOWELL:

Q Mr. Hancock, you were sworn when you first came
up, weren't you?

A That's right.

Q Where do you live, Mr. Hancock?

A In live in Bronwood, Georgia.

Q Where?

A Bronwood, Terrell County.

Q Do you have a street address?

A No.

Q You live out in the rural?

A Well, the streets are not named up there as far
as I know.

Q Do you have a job there?

A No, I work with the Revenue Department.

Q I see, what is your function there?

A Well, primarily whiskey, illegal whiskey.

Q Pretty good business now?

A Not too good now; it's slow.

Q You were formerly with the City Police Department
at Dawson, is that right?

A Right.

Q How long were you there?

1 A Two years.

2 Q What years were you there?

3 A '57 and '58.

4 Q Doyou recollect when you started in '57, the month
5 at least?

6 A January 1, '57.

7 Q And you finished out the year of '58?

8 A Yes, I quit. I resigned in January of '59, the
9 day that the Governor was inaugurated in '59.

10 Q Oh yes, that's when Mr. Vandiver took office?

11 A That's right.

12 Q And that's when you went over --

13 A Tothe Revenue Department.

14 Q -- to the Revenue Department. You must have been
15 a pretty good politician?

16 A I don't know.

17 Q You were a night employee or a day employee
18 during '58?

19 A I was -- well, Idone some of both of them.

20 Q I see. Who was your partner?

21 A Mr. Cherry was part of the time and different
22 others; different ones. I worked split shift some and relief
23 shift some and night shift some.

24 Q Doyou have a recollection of the time back in
25 April of '58 when James Brazier was arrested?

1 A I heard about it, yes.

2 Q Were you on duty at the time that he was arrested?

3 A No, I was off that - I was off from Sunday, from
4 Saturday night at midnight until Monday afternoon at 5 o'clock.
5 I was working split shift.

6 Q From Saturday night midnight?

7 A That's right.

8 Q Until Monday afternoon?

9 A At 5 o'clock.

10 Q At 5 o'clock; now, how many policemen did you have
11 at that time?

12 A There was six.

13 Q Who was your partner as of that particular time;
14 that is, when you went off duty Saturday, who were you going
15 off duty with?

16 A Well, when I came to work, I was working split
17 shift. I came to work at 1:00 Saturday afternoon and worked
18 to midnight; and I don't remember exactly who it was. That's
19 been a long time ago.

20 Q Might it have been Mr. Jones?

21 A I just don't know. I don't remember, for I usually
22 walked the streets on Saturday afternoon and night. I'd just
23 come up there at 1 o'clock and go on.

24 Q But at any rate, you know specifically that you were
25 not on duty on Sunday, the 20th of April, '58, at all?

1 A I don't know exactly what date it was but I know it
2 was on Sunday and I was off Monday until 5 o'clock.

3 Q I see; so, you were not on duty at all on the
4 particular Sunday when James Brazier was arrested?

5 A No.

6 Q You had gone off duty at 1 o'clock?

7 A No, 12 o'clock Saturday night.

8 Q At 12 o'clock Saturday night?

9 A That's right.

10 Q Did you have the occasion to see Brazier in jail
11 at all?

12 A I did not.

13 Q When did you have the occasion to visit the jail
14 between Saturday at midnight and Monday morning?

15 A I did not. I was at home the whole time.

16 Q You had no occasion to visit the jail whatsoever?

17 A No.

18 Q Did you have the occasion to see James Brazier
19 at any time thereafter?

20 A I did not.

21 Q Did you have the occasion to be a part of an
22 investigation group that investigated this matter?

23 A I did not.

24 Q Nor did you investigate it personally?

25 A I never did; didn't have anything to do with it.

1 Q Do you know when he died?

2 A No, I don't; couldn't tell you to save my soul.

3 Q Were you interrogated by the FBI?

4 A I was not.

5 Q Did you go to the grand-jury hearing?

6 A I did not.

7 Q Do you know who on the Police Department was
8 investigated by the FBI?

9 A No, I don't, no.

10 Q Do you know who actually went to the grand-jury
11 hearing?

12 A I do not.

13 Q Let's see, during this time the City policemen
14 had their office there with the Sheriff's Department in the
15 courthouse there?

16 A Merely for the use of the radio.

17 Q Yes; I mean you operated out of there; you had
18 no other office as such?

19 A That's right.

20 Q And you got your calls back and forth, the County
21 police and City police right there in that office?

22 A We got them through the radio, with separate
23 phones and all.

24 Q Phones, radio and so forth. Now, let's see,
25 you had a key, did you not, for getting into the jail?

1 A No, I didn't; I didn't have a key.

2 Q Well, your partner did?

3 A Yes. Well, if I needed it to get in there, I
4 always borrowed a key from somebody.

5 Q And you could always borrow a key to get in,
6 couldn't you; and also, Gene could also let you in; he had
7 a key?

8 A Yes.

9 CROSS EXAMINATION

10 BY MR. BLOCH:

11 Q How long were you a police officer in Dawson
12 prior to your resignation on the 1st of January, '59?

13 A Two years. I went to work January 1, '57.

14 Q '57; did you ever have occasion during that
15 time to arrest James Brazier?

16 A Not as I remember. I don't recall of any.

17 Q That's all.

18 REDIRECT EXAMINATION

19 BY MR. HOLLOWELL:

20 Q Let me ask you one other question: Is there any-
21 thing at all that you know about the arrest of James Brazier
22 or his injury or his death that you have not told us about?

23 A I know nothing about it at all. I didn't know
24 anything about it at the time and I don't know anything now;
25 and never tried to --

1 Q You did know James Brazier?

2 A I had seen him, yes.

3 Q I mean you knew him to recognize him, if you did
4 see him?

5 A Yeah.

6 Q Your answer was "yes"?

7 A Yes, I knew him, yes.

8 Q All right, did you have it -- No, I believe
9 no further questions, thank you.

10 - - - - -

11 MR. HAROLD JONES

12 witness called by Plaintiff for
13 purpose of discovery, being first
14 duly sworn, testified on

15 DIRECT EXAMINATION

16 BY MR. HOLLOWELL:

17 Q Mr. Jones, where do you live, sir?

18 A I live 5½ miles north of Dawson.

19 Q Is there any specific community name which is
20 given to the area where you live?

21 A Yes, Yeomans Community.

22 Q Sir?

23 A Yeomans Community.

24 Q Y-e-o-m-a-n (spelling)?

25 A -s.

Q Yeomans Community?

1 A That's right.

2 Q How long have you lived there, Mr. Jones?

3 A Well, I'm 47 years old; that's how long.

4 Q Are you still on the Police Department in Dawson?

5 A No.

6 Q You were there, weren't you?

7 A Yes.

8 Q When did you go on, over there?

9 A I went on regular in '55, I believe.

10 Q You had been what, sort of an assistant or deputy?

11 A I had been working about - I worked three years
12 there on vacations and odd times when they needed me.

13 Q And when did your employment cease?

14 A Well, the 15th of this month was a year ago.

15 Q November 15, '61?

16 A Yes.

17 Q Then, you were there in April of '58?

18 A Yes.

19 Q Do you recollect whether you were on a day or a
20 night shift at that time?

21 A I was on day shift.

22 Q On the day shift?

23 A Yes.

24 Q Who was your partner in April?

25 A The Chief, Howard Lee.

1 Q What time did you go on, Mr. Jones?

2 A I would go on at 5 o'clock and get off at 5:00.

3 Q 5 o'clock in the morning?

4 A That's right.

5 Q You would come in from Yeomans?

6 A That's right.

7 Q Did you know James Brazier?

8 A Yes.

9 Q Did you know his dad?

10 A Yes.

11 Q You say you've been around for 47 years; on the
12 day that - on Monday morning, the 21st of April, '58, did
13 you and Mr. Lee come on at the same time?

14 A No.

15 Q Who came on first?

16 A Shi Chapman.

17 Q What time did he come on?

18 A He come on at 5 o'clock.

19 Q And then, who else came on? Did you come on next?

20 A Mr. Lee. I didn't come on, on Monday. I was off
21 Monday.

22 Q Oh I see; so, Shi Chapman came on by himself?

23 A Yeah, he came on at 5 o'clock and Mr. Lee would
24 get there at 6:00.

25 Q I believe Mr. Chapman is deceased now?

1 A Yes, that's right.

2 Q About what age man was he?

3 A I would say he was about 55 or '6 along then.

4 Q And how old was Mr. Lee, the Chief?

5 A About the same age, wasn't he, Sheriff?

6 SHERIFF Z. T. MATTHEWS: Be about that.

7 Q Mr. Hollowell: So, actually on that particular
8 morning you did not come in at all?

9 A That's right.

10 Q And you had gone off on Sunday morning or Sunday
11 evening at what time?

12 A 5:00.

13 Q Who relieved you?

14 A Mr. Cherry and McDonald.

15 Q As of the time that you went off on Sunday, the
16 20th of April, '58, had James Brazier been arrested?

17 A No.

18 Q Did you see him at any time while you were in jail,
19 while he was in jail?

20 A Never did.

21 Q Did you have the occasion to see him after he was
22 in jail on that occasion?

23 A No.

24 Q Did you come to court on that Monday morning?

25 A No, I didn't come. If you didn't have a case in

1 court, you didn't have to be there and I didn't have a case,
2 so I wasn't there.

3 Q As a matter of fact, I believe you said you were
4 off that Monday?

5 A Yes, I was off.

6 Q Mr. Chapman then would normally have that function?

7 A That's right.

8 Q And he would be the one who would take the
9 prisoners, along with Mr. Lee, over to the jail, is that
10 correct?

11 A No.

12 Q Not the jail, I'm sorry, but to the court?

13 A That's right.

14 Q Court met on Monday morning before Mayor Single-
15 tary, is that correct?

16 A That's right.

17 Q You carried a key to the jail, did you not?

18 A No, no.

19 Q Well, I mean if you needed one, you would what,
20 get one from your partner or from the Chief?

21 A No, if I needed the key to go in the jail, I
22 could get it - I had a key to the safe to unlock them.

23 Q I see, you had a key to the safe to unlock it?

24 A To get the key to the jail.

25 Q And then Gene carried the keys; he was always

1 there and you could get a key from him?

2 A Yes.

3 Q Or he would let you in?

4 A Yes.

5 Q To the best of your recollection, he took care
6 of the feeding of the prisoners and supervised the cleaning
7 up of the jail and the routine functions like that around
8 there, of course at the direction of the Sheriff?

9 A That's right.

10 Q And, of course, he would do whatever functions
11 that you might ask him to do around the jail; he would do
12 them too, would he not?

13 A That's right.

14 Q And this was true insofar as Deputy Sheriff
15 Matthews and the other officers of the City Police Department
16 were concerned? Did you shake your head "Yes"?

17 A Yes.

18 Q He performed whatever functions that they set out
19 for him to perform, Magwood?

20 A That's right.

21 Q Actually, he was there when you came and was
22 there when you left, wasn't he?

23 A That's right.

24 Q Now, you were a City patrolman, a City policeman,
25 or were you the Assistant Chief?

1 A At that time I was just police,, straight police.

2 Q Was there such a thing as the Assistant Chief?

3 A Yeah, but - I think McDonald was supposed to be
4 the Assistant Chief then. I believe I'm right.

5 Q Was he your senior? Had he been there when you
6 came there?

7 A Yes.

8 Q As a matter of fact, he had been there longer
9 than Mr. Cherry, hadn't he?

10 A Yes.

11 Q So, he was the senior. Now, as the Assistant
12 Chief, did he perform generally the functions of the Chief
13 when the Chief was away? He was the senior and, therefore,
14 performed in the Chief's absence for the Chief, is that
15 correct?

16 A That's right.

17 Q Were you under bond, to your knowledge?

18 A No.

19 Q Is there anything going to the injury or death,
20 or jailing of James Brazier that you have any knowledge about,
21 either directly or indirectly, that you have not indicated to
22 us here at this time?

23 A No, uh-uh.

24 Q That uh-uh meant "No" is that right?

25 A That's right.

1 Q You weren't interrogated, were you, by the FBI?

2 A No, not about that.

3 Q Not about that particular matter?

4 A No.

5 Q And you didn't go to Macon to the grand-jury
6 hearing, did you?

7 A No.

8 Q Have you had the occasion to discuss this case
9 with Mr. Cherry in the last few weeks?

10 A No.

11 Q How about with the Sheriff?

12 A No.

13 Q With Mr. McDonald?

14 A No. The only thing I discussed with Cherry was,
15 he called me, I don't know, about 11:30 today, and said we
16 was supposed to be down here this evening at 1 o'clock; and
17 that's all that was said.

CROSS EXAMINATION - BY MR. BLOCH:

18 Q Did you say that you knew James Brazier?

19 A Yes sir.

20 Q Did you ever have occasion to arrest him?

21 A No sir.

22 Q That's all.

23 REDIRECT EXAMINATION - BY MR. HOLLOWELL:

24 Q Mr. Witness, did you ever have the occasion to
25 make any individual investigation of the Brazier matter?

1 A No.

2 Q Did you ever have to make one at or under the
3 direction rather of any person, say the Chief of Police,
4 the Sheriff, the FBI, or anybody else?

5 A No.

6 Q In other words, you have never had any occasion
7 whatsoever to investigate the matter relating to his injury,
8 jailing or death, is that correct?

9 A That's right.

10 Q I want to thank you very much for coming.

11 (Signatures of Witnesses WAIVED)

12
13 Depositions concluded: 3:10 PM 11-24-62
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
AMERICUS DIVISION

HATTIE BRAZIER, widow of
James Brazier, deceased,

Plaintiff

Civil Action

v.

No. 475

W. B. CHERRY, RANDOLPH McDONALD,
ZACHARY T. MATTHEWS, THE FIDELITY
CASUALTY COMPANY OF NEW YORK,
Defendants

GEORGIA BIBB COUNTY:

I, Claude Joiner, Jr., the Notary Public and Court
Reporter named herein, CERTIFY that in such capacities I
reported in shorthand the depositions of DR. CHARLES M. WARD,
V. L. SINGLETARY, MANSFIELD E. MATTHEWS, ROBERT T. HANCOCK
and HAROLD JONES, witnesses called by Plaintiff in above case
for purpose of discovery under Rule 26, Federal Rules of
Civil Procedure, and on the foregoing pages numbered 2 to 75,
both inclusive, have transcribed a true and correct record
thereof.

I FURTHER CERTIFY that I am not counsel for or related to
any party to the above civil action and have no interest in
the event thereof.

WITNESS my official hand and seal as Notary Public, at
Macon, Georgia, this the 3rd day of December, 1962.



(L. S.)

CLAUDE JOINER, JR.

P. O. Box 94 -- Macon, Ga.

Notary Public, Bibb County, Georgia

My Commission Expires Aug. 27, 1965

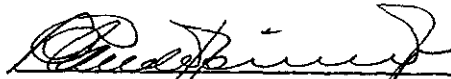
CLAUDE JOINER REPORTING SERVICE

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
AMERICUS DIVISION

Hattie Brazier,
Plaintiff.
v.
W. B. Cherry, et. al.
Defendants

Civil Action
No. 475

Depositions of DR. CHARLES M. WARD, V. L. SINGLETARY,
MANSFIELD E. MATTHEWS, ROBERT T. HANCOCK and HAROLD
JONES, called by Plaintiff in above case for purpose
of discovery, before the undersigned, at Room 314
Post Office Building, Albany, Georgia, beginning at
1:05 P. M., November, 24, 1962:



OFFICIAL REPORTER, U. S. COURT
MIDDLE DISTRICT OF GEORGIA

CLAUDE JOINER, JR.
OFFICIAL REPORTER, U. S. COURT
M-D GA., BOX 94, MACON, GA.

OFFICIAL BUSINESS

POSTAGE & FEES PAID
U. S. COURTS

TO: HONORABLE JOHN P. COWART, Clerk,
U. S. District Court,
Middle District of Georgia,
Macon, Georgia.

Original depositions herein received in sealed envelope
and FILED, this the 4th day of December, 1962.


Deputy Clerk, USDC - M-D Georgia.

Blue

OFFICIAL

Notary Public,
My Commission

U.S. COURT
OF GEORGIA