

STATE OF MISSISSIPPI)
)
COUNTY OF FORREST)

AFFIDAVIT OF JOHNNY LEE ROBERTS

I, Johnny Lee Roberts, being duly sworn under oath, deposes and states as follows:

1. I was born on April 28, 1941 in Hattiesburg, Mississippi.

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three or
4. In September 1960, I was working at the Forrest County Co-Op in Hattiesburg where I loaded trucks and hauled feed. I had been working there for about four years.

3. On September 25, 1960, in the morning, I was arrested and charged with burglarizing the Co-op. At approximately 4:45a.m., I drove my car to the back entrance of the Co-op and entered through the back doors. I had left the back door unlocked at closing time the day before. My plan was to load some of the damaged feed into my car and to sell the feed to Clyde Kennard for about 2\$ a sack. Upon entering the Co-Op, I began to load sacks of the damaged chicken feed, which were stored near the back doors, into the trunk of my car. Each sack weighed one hundred pounds and I could only fit five of them in my trunk.

At the time, it was common practice for the Co-Op to give away or throw away damaged feed to its employees.

4. As I was loading the feed, I saw a night watchman coming towards me. I went back inside the Co-op and hid. As soon as I saw him leave, I jumped in the car and then drove away with the chicken feed. I took the feed to the home of Clyde Kennard who paid me \$10.00 for the feed. The night watchman must have written down the tag number of my car because the police soon followed me and arrested me.

5. At Clyde Kennard's trial, testimony suggested that I planned the burglary in advance with Kennard and that he instructed me on how to leave the back door of the Co-op. There was also testimony that Kennard asked me to get him some feed "on the side." None of these statements are true. Kennard did not ask me to get him feed 'on the side.' Kennard did not ask me to steal. Kennard did not ask me to break into the co-op. Kennard did not ask me to do anything illegal. Kennard is not guilty of burglary or any other crime.

6.. The true story is that from time to time when I worked at the Co-op, I entered into agreements with farmers for the sale of damaged feed. When I worked at the Co-op, the Co-op usually gave away the damaged feed to me. On rare occasions, the Co-op would sell the feed to me at a reduced rate. I would then offer to sell the damaged feed to the farmers for approximately \$2 a sack.

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7. ~~Shortly before~~ my arrest, the owners of the Co-op found out that I was selling damaged feed to Clyde Kennard. ~~They instructed me to stop selling to him.~~ I believe JR fixed because I supplied feed to Mr. and JR that they ~~told me to cut Kennard off~~ because he was a black man trying to enroll at University of Southern Mississippi.

8. I wanted to help Mr. Kennard because he was always good to me and my family. At one time, my father and I lived on a house at the Kennard place. I did not think that it was fair that the Co-op was cutting off Clyde just because he wanted to go to Southern, and I did not want to see Clyde go out of business or lose his farm. I decided was one of the occasions that JR to help Clyde obtain some feed and JR September 25, 1960, I carried out my plan to get some feed for Mr. Kennard. JR

by selling him damaged feed from time to time.
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JR In addition, Clyde Kennard told me that all of the feed companies in Hattiesburg had refused to sell him feed. I knew that Mr. Kennard needed the feed, or growing mash in order to raise his growing chickens to the next stage of production.
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9. I have always felt bad about what happened to Clyde. He was a good man, and I thought the world of him. I would like to see his name cleared and for the full truth of what happened on September 25, 1960 to finally become known. Clyde had nothing to do with stealing the chicken feed. I believe that he was arrested and sent to prison not because of the feed but because he was trying to go to Southern.

10.. Because I have some difficulties with reading, this statement was read to me slowly, line by line. After each sentence, I was asked if the information contained in each line was true and was given the opportunity to make any corrections to the statement.

11. I am making this statement of my own free will. No one has threatened me or promised me anything in return for this statement.

MY COMMISSION EXPIRES OCT. 8, 2007

Subscribed and sworn to
me this 27th day of January, 2006

ANISSA J. JONES

Notary Public

Johnny Lee Roberts
Johnny Lee Roberts