

Boy given life at 15 granted new trial

WASHINGTON — The U. S. Supreme Court this week reversed the Georgia life sentence against Preston Cobb, a case that stirred international concern when Cobb was sentenced to death in 1961 at the age of 15.

NAACP Legal Defense and Educational Fund, Inc. (LDF) attorneys won the case on grounds that racial discrimination was used in composing Cobb's Jasper County, Ga., jury.

The young man must still face the charge of murder; however the new jury will be drawn from an integrated panel.

LDF attorneys argued in their brief to the Supreme Court that Cobb was tried and indicted by juries from which colored persons were systematically excluded.

They added that when non-whites were included on jury lists in Jasper and Bibb Counties, Ga., it was merely token. The jury lists, the attorneys maintained, contained racial identifications.

YOUNG COBB was originally indicted on the charge of murder by the Jasper County grand jury in 1961.

He was tried in the Superior Court of Jasper County that year, found guilty, and sentenced to death.

That ruling was affirmed by the Supreme Court of Georgia.

The Fifth Circuit Court of Appeals overruled in 1964 on the ground that non-whites had been systematically excluded from the grand jury that indicted Cobb and from the petit jury that tried him.

He was reindicted by the Jasper County grand jury in February, 1965. A motion for change of venue was granted and petitioner was tried before a petit jury in Bibb County.

He was found guilty, but the jury returned a recommendation of mercy; petitioner was then sentenced to life imprisonment.

On appeal the Georgia Supreme Court affirmed Cobb's conviction.