

## Ten Witnesses Called in Vain Attempt to Substantiate Charges Against Mrs. Brown.

(Continued From Page One.)

y had been watching the house the opposite side of the street 10 o'clock, when they decided o raid it at 12:30 o'clock after seea number of taxicabs stop on the

Not Told To Raid House. Detective Chief Dunn declared on Brown flats and wanted the place he stand that Chief Eberstein had investigated. Mr. Weirich testified ordered him to assign two men to that he attached so little importance vatch the place at 2106 Cass street. to that complaint that he told the I did not tell Herdzing and Arn. visitor he would take the matter up unn. "I told them to watch the returned from attendance at a con-

ors-examination of having rcved a report from Captain Vanuse, who had assigned two men to atch the Cass street house for at nothing wrong had beer: und. This he said was only a w days before he assigned Herd- "These questions are for the pur-pose of educating Mr. Murray." "There is a fertile field at home.

and Herdzina engaged in an argu-ment. and Herdzina engaged in an argu-ment. "The son was threatening to throw Herdzina out, and he ac-cused us of being drunk and he used obscene language," Armstrong tes-tined. "When Mrs. Brown had dressed, she accused us of being drunk and cused us of being drunk and not. "I never saw a cat there after 0.30 o'clock at night," Dr. Ross re-lied. officers. They refused to go to the

Attorneys Mossman and Murtay made another unsuccessful attempt o continue the case, and were re-buked by Judge Holmes. At the lose of Friday's session Attorney Murray announced the prosecution In the patrol wagon and asked us to send for a taxicab, which we cab and said he would charge it to the city. Mrs. Brown closed the door in my face."

aly had two more witnesses to in-toduce. After introducing five wit-eases yesterday, he declared he had have more witnesses, one of whom in the hospital, another out of 2106 Cass street is a disorderly was in the hospital, another out of he city and still another could not Testimony Proves Boomerang.

ound, it was said. Rebuked by Judge Holmes.

walked out of the flat. He alleged trial, she declared that Herdzina that Kelly jumped over a rail, with would not allow her the privacy of Herdsina in pursuit and himself her own room while she dressed for her own room while she dressed for the street. "When you went into Mrs. Brown's house did you hear Mrs. Brown and her son protesting against going without a warrant?" Attorney Magney asked. "Yes, they refused to go in the patrol wagon, and said they wanted a taxicab." after Herdzina. "Did you find Kelly" "No, sir." "Did you find Herdzina?"

Instructions From Dunn

could not say, it was night

Asks for Postponement.

of repeated leading questions put to

witnesses, and this renewal of a re-quest for postponement aroused the

"The state has the machinery for

announced the

"Under Chief Eberstein,

acting?"

"Yes, sir." The witness also testified that one of the girls of the flat was sitting with her knees under her chin when they entered. On crossexamination by Attor-

ney Magney, Armstrong stated that he did not know how many people lived at 2106 Cass street, but he be-lieved that about 11 persons were seeen going in and coming out of the flat during the two and one-

was a disorderly house. "Did you tell the officers to go in there?" asked Attorney Magney. "Don't think that I did, unless it half hours he watched before the Weirich Called to Stand. was necessary. "Did you receive any previous re-port of this place?" "Yes, I received a report from

T. H. Weirich, superIntendent of the board of public welfare, was the next witness called by the prosecu-tion, but he limited his testimony to the visit of a man to his office on "Yes, I received a report from Captain Vanous, on May 29, I think it was. He repotred that he had stationed two men here for three May 31. He said the man reported or four nights." that his wife was living in

"Did those men find anybody there?" "They did not." "They may have watched six nights. Does the Vanous report read six nights" "They may have watched six 

numer in the state of the state time, anyway." "Under whose orders were you "No, sir."

Prosecutor Murray recalled Deand was tective Armstrong, and was launched into a series of questions x consecutive nights, to the effect when Attorney Magney spoke up:

Assistant Prosecutor Mossman asked the court to grant a postpone-"There is'a fertile field at home, Ina and Armstrong to watch the blace. Chief Dunn declared Cap-nin Vanouse's report showed that the officers watching the house ou is orders had remained at their outs from 8 a fertile neid at nome. Mr. Magney; I would advise you to spend a little time yourself along that line," retorted Murray. Questioned Concerning Visit. Armstrong was guestioned conment until Monday, because the prosecution had three more materia witnesses. He explained that one

witness had gone away on a week-end visit, another was in Michigan There is nothing wrong with the blace," Captain Vanouse wrote in is report, "as far as I have been ble to determine." Detective Armstrong declared or re stand that he and Officer Herd-ina saw 11 persons in a single "We haven't the witnesses,' pleaded Mossman. Judge Holmes showed that his patience was becoming exhausted. Previously in the hearing he had admonished the prosecution because

top in front of the house in a single ight between 10 and 12:30 o'clock. Doctor Saw Nothing Wrong. Dr. C. H. Ross, 2023 Cass street, was the only neighbor called to the and Asked if he aver shw not

obtaining the presence of witnesses and should have had them ready this afternoon," court. "But we have three more material witnesses," replied Mossman, who charged that the court had been infulging the defense. Judge Holmes sharply rebuked the assistant prosecutor for easting aspersions upon

the city. Mrs. Brown closed the door in my face." Dr. C. H. Ross, 2023 Cass street,

the attorneys then held a confer-ence and decided that in the inter-ests of good feeling all around. con-sidering the hour, it would not dis-turb the ends of justice to take a recess until 12 p. m., Monday.

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e of the court.

## THE OMAHA SUNDAY BEE: JUNE 15, 1919.

seven commissioners to govern Detective Chief Dunn testified that he detailed the day morals the community under the law, The squad to watch 2106 Cass street be-cause he received reports that it people's conception of this power and responsibility was that it was ro lie in the hands of the commissioners jointly. I do not believe it was their anticipation that the policy of running the various departments of the city was to be left to the creation of any one in-dividual upon the commission who happened to be the head of that department, but the people did believe that the commission, as a whole, was to outline the policy under which each department was to be conducted. I take it that the commission, even now, as a whole, outlines the policy as to our parks and boulevards, leav-ing it to Mr. Falconer to carry out and execute the policy adopted, and the same is true o. other departments of the city. But when it comes to the police department it appears that the commission has side-stepped the responsibility of outlining's policy and has left it to Mr. Ringer to outline his own policy and to execute it. There are many people who agree with me that the re-sponsibility for the proper con-duct of the police department At this juncture of the hearing ought to be on the entire board of commissioners, jointly and severally, and should not be upon Mr. Ringer alone. In other words the board of commissioner is should fointly outline the policy by which the police department is to be governed, leaving it to Mr. Ringer to carry out the policy thus adopted. But if, as it seems to be the plan

ot the commissioners at present, the policy of the police depart ment is left to Mr. Ringer alone to outline and execute, then it scems to me the other commis-sioners should loyally stand back of him with their most cordia! support. It strikes most people as being unseemly, to put it mildly, for any member of the commission to appear in publiprint as criticizing Mr. Ringers conduct of his department, since all are, or should be, jointly responsible; thus demoralizing the police force and handicapping Mr.

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the integrity of the court. "Call your witnesses," announced Judge Holmes. Judges Holmes and Patrick and





Ringer in his endeavor to maintain law and order. My view is that the commission made a mistake in sidestep-

sion made a mistake in sidestep-ping this responsibility and leav-ing it to Mr. Ringer to outline his own policy, because, while Mr. Ringer is all right in many re-spects and is a splendid man, and I was for him at the election and

that he has not the proper con-ception of the fact that this is a cosmopolitan city made up of various classes of people with varied interests and various social conditions. It should be recog-nized that all of the people of the city do not think alike upon all civic problems. The man who

am still his supporter, I do feel does not go to Sunday school nor attend church may be just as good a citizen as the man who does. In other words, a city as large as Omaha cannot be run upon the Sunday school plan. A police commissioner should be practical and not theoretical and should possess a proper conception of human nature as a whole.

It seems to me that the solution of the present problem lies in the commission as a whole adopting a definite policy and then in seeing to it that it is rigidly adhered to. Then, if things do not go fight, the responsibility will be upon the commission, as a whole and not upon an individua E. G. McGILTON.

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he plan was to stretch the trial out is long as possible. Attorneys for Mrs. Brown and the

Attorneys for Mrs. Brown and the girls who were arrested in the raid believe it is planned to get Mrs. Brown on the witness stand and ex-haust her so that she will be un-able to testify against Detectives Herdzina and Armstrong when their ase is called before the city com-bination Monday. ission Monday.

Mrs. Brown Still Suffering. Mrs. Brown still is suffering from

he effects of the mistreatment to which she was subjected by the of-

ective Herdzina were stationed in and then she dressed up. Her son garage across from 2106 Cass came from upstairs and asked why roing. People were observed alighting from and entering these automobiles. Some of these per-ons entered 2106, which at that lime had various tenants. The de-tective testified that the lower floor of the flat was dark and the upper floor was lighted when he and Arm-strong entered about 12:30 a. m. "Tell the court whom you found the patrol to the Brown house to stairs," Prosecutor Murray asked.

women was sitting on the edge a bed and was wearing pajamas." Attempts to Descirbe Garment.

"Do you mean pajamas with rousers legs?" "Yes, sir; it was a garment with uttons down the front, and it had

sleeves." "Did you observe whether she ore underclothing?"

"I did not notice that." "What were the color and mate-al of the pajamas?"

"They were pink and of silk." "What did the woman wear who me to the door?" "She wore a blanket bath robe."

The witness was examined in con-The witness was examined in con-nection with an empty bottle offer-ed Friday as evidence, and he re-bied that when the bottle was taken but of the flat it contained only a easpoonful of liquor. "Who were in the next room, of-ficer?" asked the prosecutor. "There was a woman in loose pink

"There was a woman in loose pink pajamas and a man was in the bed. This woman did not wear shoes or stockings, and she said her name was Reed. The man said his name was Williams."

Says He Took the Lead. The detective testified as to the ar tival of the patrol wagon and of lining up of the men and women, with himself in the lead as they

Testimony Proves Boomerang. "You have had ample opportunity to prepare your case," replied Judge Holmes. "You have the machinery, and I am surprised you are not ready to try this case as it should be tried promptly. I do not respect your request." At this juncture Detective Chief Dunn was called to the stand. Wilma Reed, one of the girls who was taken from the Cass street house, and who still is being held at the Detention home, was at the hearing with Miss Alta Berger, su-

not the Detention home, was at the hearing with Miss Alta Berger, su-perintendent of the institution. Miss Reed declared the over-heard a conversation between the attorneys in which it was said that been invited to move if conditions did not suit him. "Do you know what the reputa-tion of the Brown flats was?" the prosecutor asked. prosecutor asked. "I don't know except what dif-ferent ones fold me," witness re-

"Did you ever see anything wrong there?" Attorney Magney asked. "No, I never did."

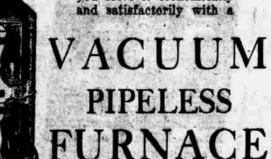
No, I never did. Detective Herdzina was recalled for testimony relating to the arrest of Mrs. Brown. "What happened at the house when Mrs. Brown was arrested?"

the prosecutor asked.

Attempts to Whitewash Self. "Armstrong told her we were officers and she opened the door. We asked her if she was the keeper of ncers the night of her arrest. Detective Armstrong was the irst winess called yesterday after-hoon. He related that he and De-out of there. She didn't object.

arage across from 2100 Cass treet, having been detailed to watch the place. The first object of suspicion was a Ford automobile, which was in a quiescent state in ront of 2106. During the next few cabs were observed coming and roing. People were observed alighting from and entering these

"In the northeast room we found man and two women. The man aid his name was Kelly. One of he women was sitting on the edge f a bed and was wearing pajamas."



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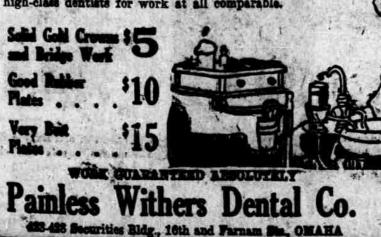
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