

# ATTEMPT TRAP WITH PHOTO IN TRIAL OF DAVIS

Mayor Smith Identifies Picture as That of Claude Bossie, Who Immediately Denies It.

(Continued From Page One.)

wanted to see him, that he was sore at that bunch because of something that happened last night" and asked him to get a continuance of the case for two days.

Mrs. Catherine Campbell, sister of George Davis, testified that Overbay called at her home following Davis' arrest and said he wanted to go on Davis' bond.

**Alibi Witnesses.**

There will be a little more testimony this morning and it is expected the case will go to the jury late today.

The first of the "alibi" witnesses of the defense were on the witness stand yesterday morning.

The crowded court room held its breath as the witnesses swore that George Davis was at his home from 8:10 o'clock that night, at dinner there, played cards with the other members of a dinner party until a late hour.

The mayor swore on the witness stand Tuesday, "Positively before God, I am sure George Davis, the defendant in this case, is the man who struck me after they got me out of the court house the night of the riot."

**Sister on Stand.**

Mary Ellen Davis, pretty and handsomely tailored sister of George Davis, swore on the witness stand yesterday morning: "Before God and every one in this court room I can swear that George never left the house from about 8:15 o'clock that Sunday night until about 6 o'clock next morning, when he went to work."

Is it an astounding case of mistaken identity by Mayor Smith? Throughout his evidence the mayor frequently reiterated his absolute certainty that Davis is the man. He declared that he never could forget that face as it burned into his memory during the moments while he stood surrounded by an infuriated mob.

Is it a case of mistaken identity on the part of John Overbay, who also swore with positiveness that he saw Davis strike the blow that felled the mayor?

**Were They Mistaken?**

Was Russell Norgard mistaken when he swore on the witness stand Tuesday that he saw George Davis with the crowd following the mayor after the mayor was dragged out of the court house?

These are questions raised by the array of witnesses presented by the defense to prove that George Davis was at home while Mayor Smith was being assaulted at the court house.

Miss Mary Ellen Davis, first of these witnesses, said she keeps house for George Davis and another brother at 1512 North Twenty-eighth street. She had a dinner party the

night of September 28, with a number of invited guests.

**Played Cards All Evening.**  
"George came home about 10 minutes after 8," she testified. "Mr. Morrell let him in the back door and George ate his dinner in the kitchen. Later he played the player piano and played cards with us all evening."

Edward Morrell, a son of Adam Morrell, barber in the Woodmen of the World building, one of the guests at the party, testified to the same movements of George Davis. "Wasn't the riot downtown mentioned at the party that evening?" County Attorney Shotwell asked.

"No, sir," said Morrell. "George Davis didn't say anything about it when he came home?" "No, sir."

"You noticed the crowd around the court house when you were on your way out to the Davis home?" "Yes."

"And you didn't mention it?" "No, sir."

**Nurse is Witness.**  
Miss Margaret Hevelin, a trained nurse, also a guest at the party, testified that George Davis was there the entire evening.

She now resides at the Davis home but lived at 2102 Chicago street at the time the riot occurred. "Wasn't anything said at the party about the riot?" asked the county attorney.

"No, sir."

"George didn't mention it after he came home?" "Not a word."

"Didn't you see anything of it on your way out to the house?" "Well, I heard people on the car say there was a mob gathering around the court house?"

"But you didn't say anything about that at the party?" "No, sir."

**Men Look Alike.**  
William N. Jamieson, one of the attorneys for Davis, brought Edward Hanlon from South Omaha and had him stand beside George Davis before the jury. The two men look much alike. This was done with the idea of showing that the state's witnesses who identified Davis as the man who struck the mayor might be mistaken.

Thomas J. Cronin, 3214 California street, a bookkeeper for Sunderland Brothers, was the first witness for the defense.

Cronin, on direct examination displayed an evident desire to clear Davis. Some of his answers such as "Davis wasn't in the crowd surrounding the mayor" and "Overbay wasn't there," were ordered stricken out by Judge Redick.

On cross examination by County Attorney Shotwell, Cronin admitted that he is a first cousin of Davis.

"No, I don't care."

"And you are interested in seeing your blood relative acquitted of these charges of assault with intent to murder and assault with intent to do great bodily injury to Mayor Smith, aren't you?" asked the county attorney.

"No, I don't care," replied Cronin.

Cronin said he saw Russell Norgard in the mob, but did not see Davis. Norgard testified for the state yesterday and said he saw Davis.

Cronin also said he was certain that the mob, when it emerged from the east door of the court house with the mayor, came directly across the street to the corner of Seventeenth and Harney streets.

This differed from the testimony of all the witnesses for the state who said the mob hustled the mayor first to the vicinity of Mickey Gibson's place in the Keeline building and that there was where Davis struck the mayor and knocked him unconscious.

**Crowd Surged East.**  
Cronin, however, said he did not see the mayor and the crowd around him until after they had emerged from the court house.

"I saw a foreign-looking fellow in an army shirt trying to hit the mayor over the head with the butt of a revolver," testified Cronin.

"Then the crowd surged east and stopped under a pole. I saw three or four men hit the mayor with their fists."

"Someone said, 'let's hang him' and a fellow had a rope about five feet long and they put that around his neck and two men kept sawing it back and forth, one having hold of each end."

**Ran to Get Help.**  
"They didn't have no place to hang him there so they moved east and put a rope over a pole and around the mayor's neck. Then I began to yell, 'Don't hang a white man.' And I left to try to get help. When I came back two men were getting the mayor out of the mob. About half a dozen of us helped to get him out to a car in Harney street but he fought against being put in the car and finally the crowd turned the car over in the street. So we hurried him down to Sixteenth and Harney streets and there we got him in a car and then came back up Harney street."

**Wilson's Mind Open On Railroad Question**  
(Continued From Page One.)  
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"Director General Hines and members of the Interstate Commerce commission have shown clearly that the return of the railroads will involve an increase in freight rates of close to a \$1,000,000,000. This increase in rates, according to the same authorities, will be reflected in an increase cost of living of at least \$4,000,000,000 a year, possibly \$5,000,000,000. The American people cannot and should not stand such an increase."

"We respectfully request, Mr. President, on behalf of the farmers, the American Federation of Labor and the railway brotherhoods as well as the general public, that you stop the rumors that you plan to return the railroads to private control and that in view of the changed conditions and the prevalent industrial unrest you re-establish public confidence by advocating that the period of government operation be continued for at least two years."

**Want Public Control.**  
During the day J. R. Howard, representing the American Farm Bureau federation, made public a letter which he had sent to Senator Cummins transmitting resolutions adopted by the federation at Chicago last month, demanding "the early return of the railroads to public control under such conditions and regulations as will render adequate service at just and equitable rates."

Mr. Howard said the resolutions had been adopted unanimously. "This unanimous approval," he wrote, "was from a body of more than 400 active and actual farmers holding delegate power from 2,000,000 farmers from 34 states of the union."

**House Committee Calls on Publishers To Use Less Paper**  
Washington, Dec. 17.—Every newspaper in the country was called on today by the house postoffice committee to reduce its consumption of news print paper by 10 per cent for a period of six months in an effort to relieve the present serious shortage which the committee has been told threatened the destruction of a number of small papers.

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"Substantial increases in all the present rates should be granted. Immediate, liberal and effective action should be taken on all claims.

"Persons suffering from tuberculosis should be considered as 'totally disabled' during the continuance of the disease and to be compensated accordingly.

"Hospital facilities at present provided are inadequate and congress should make a far more liberal provision for same."

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**Ex-Service Men Demand Speedy Aid of Congress**  
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**Sum Up Their Views.**  
At the conclusion of the discussion, delegates summed up their views of needs of the former service men, as demonstrated by their study of the situation, as follows:

"The Watson and Sweet bills should be passed by congress forthwith.

"The bureau of war risk insurance, federal board for vocational education and the public health service—especially the sections of the two latter agencies dealing with ex-service men—should be combined under a single head, and one representative of the unified agency should be placed in each state.

"The following modifications regarding insurance should be adopted:

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through the local postoffices. Restrictions based on relationship of beneficiaries should be removed. The amount of the insurance under both term and converted policies should be payable at the option of the applicant in a lump sum or otherwise and if the applicant has exercised no option then at the option of the beneficiary. A partial disability benefit should be paid under all policies.

**Should Remit Pay.**  
"That all disabled persons having war risk insurance while in the hospitals or while receiving benefits under the war risk insurance act or while receiving training, should have the payment of all insurance premiums remitted during the continuance of their disability and training. That all forms used shall be simplified so as to be made as short and simple as possible.

"All men receiving vocational training should have their maintenance pay in full and a vocational training official should be permanently stationed at every hospital where disabled ex-service persons are being cared for to give personal and individual information. Immediate and adequate steps should be taken to reach all persons at present entitled to vocational training and not receiving it and to acquaint them

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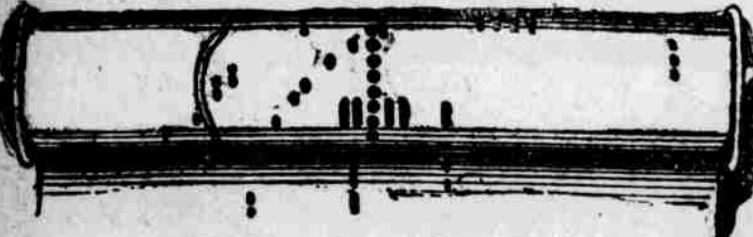
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