

EXCITING SCENES MARK ARGUMENT IN DAVIS TRIAL

Judge Stops Attorney From Arraigning Mayor—Case Given to Jury Last Night.

And they all get up and swear to the kind of hat and coat and necktie and collar he had on that night. Yet George Davis testifies that he took off his hat when he came into the house at 8:15 the night of the riot and did not have it with him when he was introduced to these four persons.

off. I said 'good morning' and he just said 'huh' and walked off."
Relates Overbay Visit.
Davis also related the visit of John Overbay to him in the county jail. Overbay was one of the state witnesses and swore that he saw Davis strike the blow that knocked Mayor Smith down.

Did you strike Mayor Smith the night of the riot? asked Mr. O'Sullivan.
No, sir, said Davis.
Were you at the court house during the time when the mayor was attacked?
No, sir, said Davis.
Were you ever convicted of a felony?
Yes, said Davis.
Of what?
Accessory after the fact in grand larceny.

PROBE INTO KIRK RELEASE BEGUN BY STATE BAR

Governor McKelvie and State Senator Bushee First Witnesses Examined By Commission.

state penitentiary was unearthed today.
On June 19, 1919, Robert L. Brown arrived at the state prison under sentence of one year from Cuming county. On the same day, through the efforts of Attorneys Peterson and Devoe, who figured so prominently in securing the release of Beryl C. Kirk, notorious Omaha bandit, two weeks ago, Brown was released on a furlough issued by Lieutenant Governor Barrows in the absence of Governor McKelvie.

Reason for Delay.
Questioned as to the reason for the delay in presenting the "furlough," Senator Bushee stated that Senator Peterson had told him there was no special hurry about presenting the furlough, that they wanted to be certain first that Kirk would be placed in proper hands after his release.
He is stated, said Senator Bushee, "that he desired to take the matter up further with the governor, to be certain that it was all right. In fact, I made that suggestion to him."

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ways asked the governor's private secretary if the executive had been previously approached concerning the affair.
If he said such was the case I invariably let the matter stand. I always reported my actions verbally to the private secretary and recording secretary in the governor's office and to the governor in person upon his return.

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Edward Fitzgerald, 2010 Webster street, and Andrew Daly, 223 North Seventeenth street, who were playing cards and drinking with Davis in the near-beer saloon early in the evening of the riot, testified that they didn't know there was any serious riot at the court house. They said they parted from Davis about 7:30 o'clock that evening.
Says Wasn't at Home.
William Davis, brother of George Davis, testified that he wasn't at his home, 1512 North Twenty-eighth street, the night of the riot until after 12 o'clock and didn't know what time George came home.

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