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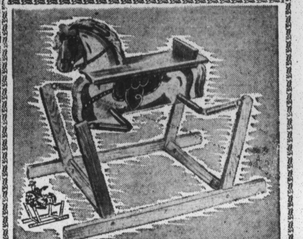

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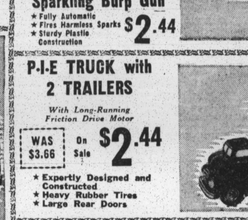

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SPECIAL!
Built for Strength! Heavy Gauge Steel with Steel underframe Supports.
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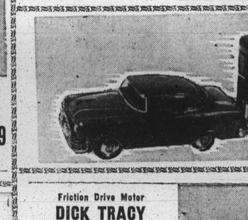

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★ The Action Is Almost Human—Whatever It Hits, It automatically goes off in another direction.
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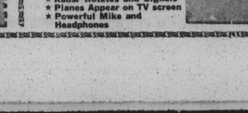

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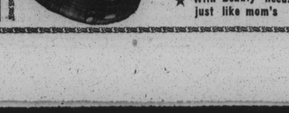

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★ For The Little Glamour Girl
★ With Beauty needs just like mom's

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Coming Events

DECEMBER 5-9
Baltimore Annual Conference of the AME Church at St. John Church, Carrollton and Lanvale. Bishop Frank Madison Reid, presiding.

Osborne W. Carroll, American Tobacco Company representative, conducts a store sale at Pressman Brothers Food Market, 601 Cherryhill Rd. Buddy Young will be there 9 a.m. to 5:30 p.m.

DECEMBER 7
Iota Chapter, Lambda Kappa Mu Sorority presents check for TV set to Greenmount Center, 6 p.m.

DECEMBER 8
Mrs. Eleanor Roosevelt will be the guest speaker at Gilman School, 5704 Roland Ave. This is the United Nations Youth of Maryland state - wide meeting. The time is 1 p.m.

This will be the 13th year the Children's Theatre Association has presented Dickens' "Christmas Carol." Two performance at the Eastern High School at 11 a.m. and 2:30 p.m.

The Association of Classified Municipal Employees, Inc., will sponsor a variety supper at the Monumental Elks Lodge, 1528 Madison Ave.

Morgan State College takes on Virginia Union in a basketball clash in Hurt Cymnasium at Morgan. The preliminary is at 7 p.m. and the main game at 8.

DECEMBER 9
Annual carol service of Dunbar High School at the school, Caroline and McElderry Sts., 3 p.m.

DECEMBER 11, 12
Human Rights Sunday at the Baha'i Center, 5301 Gwynn Oak Ave., 3 p.m.

DECEMBER 11, 12
Music in the air at Sollers Point High School in Turner Station. "Marrying Marion" is the name of the tuneful operetta being presented at 8:30 p.m.

DECEMBER 11
Polio shots available at 620 N. Caroline St. at 12:30 p.m.

DECEMBER 12
Third annual Book Fair at Houston Junior High, Baker and Calhoun Sts. There will be music and other entertainment. The program starts at 7:30 p.m.

Open House at Citizens Planning and Housing Association, 319 N. Charles St., 5 p.m. until 7.

Polio shots given at 914 W. 36th St., 9 a.m.

Noted Harvard professor Zechariah Chafee-Jr. gives the Bill of Rights address at Morgan State College in the gymnasium at 10 a.m. Open to the public.

DECEMBER 13
Good news comes to Christmas shoppers in the form of the annual apron and bake sale of the Provident Hospital Ladies Guild. Place is Trinity Baptist Church, McMechan and Druid Hill Ave. 2 p.m.

Polio shots at 3411 Bank St., 12:30 p.m.

Polio workers' buffet luncheon at the Alcazar.

DECEMBER 14
1211 Wall St. is the place for polio shots at 12:30 p.m. The same thing at 2817 Oakley St., at 8:30 a.m.

Tonight marks the windup of the concert season as the Baltimore City Orchestra and Chorus presents a free concert in Douglass High School., Pulaski St. and Gwynns Falls Parkway. Prodigy Rasanna L. Caldwell will be guest artist. Time is 8:30 p.m.

Deppe, 14th Baltimore City Orchestra and Chorus in concert at Douglass High School, Gwynns Falls Pkwy., and Pulaski St., 8:30 p.m.

DECEMBER 15
Annual sale of Christmas trees to benefit the blind. At the Stadium. Starts 7:30 a.m.

DECEMBER 16
Last meeting of the year for the NAACP in New Shiloh Baptist Church, Fremont Ave. and Lanvale St., 3 p.m. The Rev. Vernon Johns will be speaker.

Officially making their debut will be the Eastside Community Singers at the Unity Christian Church, Edmondson Ave. and Stricker St., 6 p.m.

DECEMBER 18
Red Shield Boys Clubs pocket billiard tournament at Glenn L. Martin branch of the Red Shield Club.

PERFECT FOR the holiday season is this pretty figure-molding cream trumpet dress worn here by Marion Selby, and available at Hendin's. It has a soft swirling wool jersey bodice and flared silk taffeta skirt accented by its own taffeta bow. This and many other stylish holiday gowns are waiting for YOU at Hendin's.

—Police lineup case

(Continued from page 1)

charge of assaulting Mrs. Nichols.

J. Harold Grady, deputy State's attorney, and James O. Gentry, assistant State's attorney, contended that Officer Savard was not in a lineup of 21 officers conducted by the park police on Sept. 27 although he was known to be the chief suspect.

The alleged misconduct in office raises charges against Capt. Gaeng and Sgt. O'Connor resulted from this "phony lineup" and the subsequent handling of the case by park police.

The phony lineup case entered its fourth day today (Friday) with the jury beginning its deliberation shortly after noon. The defense rested Thursday afternoon following testimony from Capt. Gaeng and Sgt. O'Connor.

* * *

MRS. NICHOLS told the jury of 11 men and one woman that on the night of the alleged assault she was being driven to a club meeting by Daniel H. Jones, 3011 Hanlon Ave., a longtime friend of the family.

She related that Mr. Jones turned on Hilton St. and then onto a side road in Gwynns Falls Park she check his car.

"When he was getting back in the car this policeman drove up," Mrs. Nichols said.

She said the officer questioned them and said "the was going to take both of us up." Mrs. Nichols said when Mr. Jones asked about the charges the officer became abusive.

According to Mrs. Nichols, the officer ordered Mr. Jones to leave and stated he was placing her under arrest.

When Mr. Grady asked whether she protested, Mrs. Nichols replied:

"I know when an officer says he is going to lock you up you're not supposed to resist arrest."

She testified that the officer ordered her into his car and drove to a lonely road.

"He told me you're going to act right or I'm going to lock you up," Mrs. Nichols told jurors.

The witness stated that when the officer spotted the headlights of an approaching car he drove out of the park and took her to a bus line. She said she took a taxi home and told her husband about the incident.

* * *

MRS. NICHOLS denied under cross examination that she ever threatened to fire her attorney, W. Emerson Brown, because the investigation by park police was proceeding in such a haphazard fashion.

She related that she was queried about this matter at a Park Board meeting.

"I told them I received a telephone call from someone who said my attorney had been paid off and to get rid of him," Mrs. Nichols related.

Mr. Brown, who took the witness stand Wednesday, was also questioned about this matter by Benjamin Lipsitz, attorney for Capt. Gaeng.

"Did your client, Mrs. Nichols, ever make a statement to you that she didn't think you were handling the case properly?" asked Mr. Lipsitz.

"No, she didn't!" Mr. Brown said, "but she flatly stated that she did not believe it and she had full confidence in me."

* * *

MR. BROWN testified that on the night of the alleged assault he received a call from the victim's husband, Albert Nichols, and he advised him to contact police.

The attorney then related that he told Capt. Gaeng that Mrs. Nichols wanted to make a complaint against one of his officers. He said on Sept. 15, 1955, he wrote a letter to the captain urging him to conduct a lineup.

"He advised me in the beginning that he was skeptical of Mrs. Nichols' story but after a conference he said he was convinced that Mrs. Nichols had had an experience with an officer," said Mr. Brown in relating a meeting he had with Capt. Gaeng.

Mr. Brown told jurors that at the time of the lineup last year he was informed by Capt. Gaeng that all the men in his command were not present but that he would hold another lineup which would include all the personnel not in the first one.

The attorney said he wrote two letters to the captain making inquiries as to when the second lineup would be held. Mr. Brown said he was assured that the investigation was continuing, in replies to his communications signed by Capt. Gaeng.

However, in a statement before the grand jury introduced into evidence, Sgt. O'Conner admitted drafting one of the letters received by Mr. Brown.

When asked by Mr. Lipsitz why he didn't appeal to higher authorities when it appeared that park police were getting nowhere with their investigation, Mr. Brown said:

"I dealt with the commanding officer of the park police in the hope that he would make a bona fide investigation."

MR. NICHOLS testified Tuesday that on the date of the alleged assault he asked Mr. Jones, his barber, if he would drive Mrs. Nichols to a club meeting.

He stated that when she returned home that night she was "hysterical." Mr. Nichols said his wife told him about the alleged attack and he immediately contacted his attorney and then the police.

Mr. Nichols also stated that since that time he and his wife received a number of anonymous telephone calls.

He told of a visit to his home by Albert Muscalli and William F. Brown, former park policeman who stated, "I wasn't getting justice."

According to Mr. Nichols, the officers returned to his home on another occasion and took a statement from his wife.

"For what purpose was this statement given?" asked Paul Reed, attorney for Sgt. O'Conner.

"In order that I would get justice," replied Mr. Nichols.

Mrs. Nichols said when Officer Muscalli first contacted her he wanted to know whether she was dropping the case and she told him, "no."

Mrs. Jones testified that when the officer placed Mrs. Nichols in the police car he attempted to follow it but the machine sped away.

* * *

SGT. JOSEPH H. McANALLY, of the park police, testified that in the early stages of the case he was ordered by Capt. Gaeng to make a thorough investigation of the complaining witnesses to determine whether they had criminal records.

According to Sgt. McAnally, he investigated Mr. and Mrs. Nichols, Mr. Jones and his wife, Theresa, and Mr. Brown.

In addition to checking criminal records the sergeant said he was instructed to "find out if they (the Nicholses) were legally married."

The investigation disclosed that Mr. Jones, a barber, was convicted of carrying a deadly weapon (a razor) in 1949 and was given a suspended fine of $10 and costs.

The others had no records.

"After you determined the identity of Savard did you make an investigation of him similar to the one you made of the complainants?" asked Mr. Gentry.

"I did not," was the sergeant's emphatic answer.

* * *

SGT. McANALLY said he conducted the Sept. 27 lineup on orders of Capt. Gaeng. He said he did not select the men to be viewed, however.

At this point Mr. Gentry asked:

"Sergeant, if you had selected the men for the lineup would you have put anyone else in there?"

"Yes, sir," the officer said.

"Who would you have put in there?" the prosecutor wanted to know.

"Officer Savard," Sgt. McAnally replied.

Sgt. McAnally said his signature was on a "closed-out" report of the investigation made by Sgt. O'Conner on May 13, two weeks before the three officers were indicted by a grand jury.

"Sgt. O'Connor made the report and asked me to sign it," the officer said.

The "close-out" report to Capt. Gaeng stated that the charges brought by Mrs. Nichols appeared to be a "frame-up."

* * *

IT WAS disclosed at the trial that while Officer Savard was not placed in the first lineup, referred to as a "dummy lineup" by Capt. Gaeng, he was transferred to another area the following week.

Capt. Gaeng contended from the witness stand Wednesday that when he first learned of Mrs. Nicholds' complaint he assigned Lt. Joseph Dalton and Sgt. James Burlase to investigate it.

He related that after a preliminary investigation he asked the officers, "What is the status of the complaint of those colored people in Gwynns Falls Park?"

Capt. Gaeng said Sgt. Burlase told him that he thought there was "something fishy" about the complaint of Mrs. Nichols and Mr. Jones.

"He cited the fact that both of them were married and not to each other," the captain said. "Information was received by me that there was something wrong with her story."

Deferring to his first encounter with Mr. Brown concerning the matter, Capt. Gaeng said:

"I urged him to get the right and real story from the complaining witnesses for me. He merely smiled and said he might not have appened that might not have happened that maybe something happened".

* * *

CAPT. GAENG and Sgt. O'Connor testified Thursday that they knew that Officer Savard was the prime suspect shortly after Mrs. Nichols' complaint was made.

The captain said some of this subordinate officers investigating the matter reported to him that they thought there was something "fishy" about the reason Mrs. Nichols gave for being in Gwynns Falls Park.

If they (the complaintants) had told you, 'We were out there making love,' and still told you the same story would it still have been fishy and mysterious?" Mr. Grady wanted to know.

"I grant that it would have lent more credibility to the investigation," Capt. Gaeng replied.

"Did not the fact that the complainant was with a married man, who was not your husband, make it more difficult?" Mr. Grady asked.

"Yes, sir," said Capt. Gaeng.

"Once she passed this first test why is it that you couldn't give her a fair opportunity to view another lineup in 15 minutes or the next day or two days later?" the State's Attorney designate asked.

"We did intend to do that in two or three days," came the reply from the captain.

Pressing this point further, Mr. Grady inquired, inquired, "What other tests did you have in mind that this poor woman had to pass before she got another chance to identify the officer."

"No other tests, was Capt. Gaeng's answer.

* * *

EARLIER, UNDER direct examination Capt. Gaeng said that after the first lineup was held he "decided that it would be best to use a watch and wait policy."

Officer Savard, according to the captain, was transferred to another area a couple of days after the assault complaint was made to his department.

Testimony highlights in phony lineup case

Here are highlights of testimony in the so-called phoney lineup case involving park policemen and Mrs. Anna Mae Nichols, a Pulaski St. mother of two, who alleges a park patrolman placed his hands on her and made indecent remarks to her on Aug. 29, 1955 in Gwynns Falls Park. Following her complaint, a lineup was held which did not include the suspected officer.

Park Police Capt. C. Gordon Gaeng, and Sgt. Kenneth V. O'Connor have been on trial since Monday in Criminal Court in connection with the lineup. The suspected patrolman, Officer George A. Savard, is to be tried at a later date.

Sgt. O'Connor has been identified as the father-in-law of the suspected officer.

* * *

OPENING statement of J. Harold Grady, state's attorney:

"These two defendants were members of the Park Police Force. In their capacity as Park Police, they had before them a charge brought by Anna Mae Nichols.

"Having had this charge brought before them, these defendants did neglect to perform their duty. Misconduct in office is the best description of this offense.

"On August 29, 1955, Mrs. Nichols and Daniel Jones were en route to a club meeting in Gwynns Falls Park; they had car trouble.

"At this point, a man in uniform drove up beside them and asked what was wrong. He then talked to this young lady and said, 'You get out of this car and get in mine. I'm going to make sure you get home safely.'

* * *

"He SAID, "You're going to do the same thing for me that you were going to do with him." The officer later identified as Savard drove Mrs. Nichols to the streetcar line.

"Her testimony is that she immediately went home and told her husband. A report made to Northwestern police who turned the investigation over to the park police.

"Sergeant Burlage made an investigation and reported to Capt. Gaeng.

"One officer was asked to investigate Mr. and Mrs. Nicholas, Daniel Jones and W. Emerson Brown, attorney for the prosecuting witness, whose principal interest was in having some sort of lineup for his client.

"On Sept. 27, a lineup was held at Park Police headquarters when 21 park policemen were placed in the lineup. The principal suspect, Savard, was not placed in the lineup. Mrs. Nichols failed to pick out any individual. No other lineup was conducted.

"On Oct. 18 1955, Mr. Brown, attorney for Mrs. Nichols, again wrote a letter to Capt. Gaeng about a subsequent lineup. On Nov. 15, he wrote another letter. On Nov. 22, 1955, Capt. Gaeng wrote Mr. Brown and said the case was still under investigation.

"On May 13, 1956, a final element report in the case was written by Sgt. O'Connor. On May 31, 1956, the state's attorney's office investigated, and an indictment was handed down.

* * *

BENJAMIN LIPSITZ, attorney for Capt. Gaeng:

"He (Capt. Gaeng) performed his duty as he saw it. He had been on the park police force for 17 years, seven of them as captain. He built the Park Police. "The Park Police was his baby."

"Instead of following the most direct route, Mrs. Nichols and Mr. Jones went through Gwynns Falls Park Lovers' Lane."

"He (Gaeng) was intent on getting to the bottom of this case. Cases like this and complaints like this are not uncommon.

"Mr. Brown, (attorney for Mrs. Nichols) was told by Capt. Gaeng that all the park policemen were not in the original lineup.

* * *

"THERE WAS at this time it seems a campaign to identify Savard as the alleged suspect. Officers Muscalli and Brown had some disciplinary problems and Capt. Gaeng took them off motorcycle duty.

"These disgruntled officers talked to Mrs. Nichols.

"Sensational newspaper publicity followed. After all the evidence is in, Capt. Gaeng should be vindicated."

* * *

PAUL REED, attorney for Sgt. O'Conner:

"I think when the testimony is in you will find these officers acted in their best judgment.

"All the evidence is that this was a conversation, a proposition.

"No, O'Connor was never in this investigation at all. Testimony will show that O'Connor was not assigned, and did not want to be a part of this investigation. (EDS NOTE: Testimony developed that Sgt. O'Connor is the father-in-law of the suspected officer, Savard.

MRS. ANNA MAE NICHOLS, 2003 N. Pulaski St., married to Albert Nichols, has two children, one six years and another 22 months, on stand.

Q—How long have you known Daniel Jones.

A—He is a friend of the family. I've know him for seven years.

Q—Where was this club meeting and how were you getting to this meeting?

A—At 918 Payson St. I was going in Mr. Jones' car. My husband had asked him to take me. He went straight out North Ave. to Hilton.

Q—Where did the officer approach you?

A—At Hilton near North. We had car trouble. Just as Mr. Jones was getting back in the car, this policeman drove up. This officer asked Mr. Jones for his driver's license. He said he was going to lock both of us up.

"Mr. Jones said, 'on what charges?' I know when an officer says he is going to lock you up, you're not supposed to resist arrest. He told me, 'you are going to act right, or I am going to lock you up.'

Q—Were you able to tell definitely whether the man was fa uniform?

A—It was in August. He had on a white shirt, blue pants, his badge and a cap. At the time of the incident, I noticed his teeth were chipped.

Q—Were you able to give any information concerning his weight and height?

A—I said he was medium.

Q—Any other identification?

A—The car had Park Police written on the side. It had a green bottom and a white top and a light on top.

Q—Do you recall exactly where the police car went in the park?

A—It was back up in the woods, that's all I know.

Q—What did the officer do. Did he touch any part of your body.

A—Yes, he touched my breasts. He opened his pants.

Q—At exactly what stage of the game did this happen?

A—When he was back up in the woods.

Q.— What happened after that?

A—I told the officer to arrest me I refused his advance. At that time, I was very upset. When he put me out of the car, I could see a light from a store about two blocks away. I caught a cab and went home.

Q—Did you go directly home?

A—Yes.

Q—Who was there?

A—My husband.

Q—A policeman came to your house, did he not?

A—Yes, he talked to my husband. He (the officer) saw I was upset and he told my husband to call the doctor. I've told this story to at least three park policemen.

Q—What about the lineup?

A—They had a room full of men for me to pick out.

"I didn't see the one who did it so I didn't pick anyone out. This Capt. Gaeng asked me if I were color-blind.

"He took a book down, a red book, and asked me what color it was. I told him it was red. He took down a yellow book and I told him it was yellow. He told me some of his men were off sick and some were off duty.

Q—At the subsequent lineup this year were you able to identify any of them?

A—Yes.

Q—Do you know who it was you identified?

A—Yes.

Q—Who was he?

A—Savard.

Q—How were you able to pick this particular man out?

A—I remembered his voice.

* * *

CROSS - EXAMINATION of Mrs. Nicols by Attorney Reed:

Q—How long have you known Jones and how did you know him?

A—Seven years. He was the barber for my husband and my brothers and my little boy.

Q—What time did Jones get to your house?

A—Around 8.

Q—When did the trouble in the car begin?

A—Before he turned off North Ave.

Q—Is there any reason why Mr. Jones didn't park at the intersection of Hilton and North Ave.

A—To get out of the traffic, I guess.

Q—Now when Sgt. Burlage contacted you, did you tell him that this officer put his hands on you?

A—Yes.

Q—When did the trouble in the car begin?

A—Before he turned off North Ave.

Q—Is there any reason why Mr. Jones didn't park at the intersection of Hilton and North Ave.

A—To get out of the traffic, I guess.

Q—Now when Sgt. Burlage contacted you, did you tell him that this officer put his hands on you?

A—Yes.

Q—Did you tell him at this time that the park policeman put you in a park police car?

A—Yes, and drove me some distance.

Q—Now when did you first notice the teeth of this officer?

A—When he was talking to us on the road.

Q—How did you notice this officer's teeth.

A—He had a flashlight. They seemed to be chipped or uneven.

Q—Did you tell the investigating officers on August 31 that this patrolman put his hand down your dress?

A—Yes.

Q—Did you ever receive any anonymous phone calls?

A—Yes, all the calls I received were threatening phone calls.

Q—Sometime in May after the second lineup in Clifton Park did you receive any phone calls?

A—Yes.

Q—Where did you meet Officers Muscalli and Brown identified as the ousted park policemen who pushed the case.?

A—At my house. Officer Muscalli came with Officer Brown. They asked me whether I was going to drop the case. I said no. They took a written report and had me sign it.

Q—Do you recall the number of the officer you picked out of the lineup?

Q—How could you identify him?

A—I had him to turn around and I had him to say the different things that he said to me that night.

Q—Isn't it true that you told some people later that because his chin quivered?

A—No.

* * *

CROSS - EXAMINATION of Mrs. Nichols by Attorney Lipsitz.

Q—Question, do you have any idea what time you could get to this club meeting?

A—Look. I trust Mr. Jones and my husband trusts Mr. Jones, and I had no reason to believe that he was going to kill me, or anything.

Q—Did you lose any articles of clothing while you were in the car?

A—One of my earrings.

Q—Now you didn't have to be forced into this car with this officer did you?

A—I knew he was a policeman. I couldn't resist Arrest.

Q—Aside from retaining a lawyer, did you try to get help from anyone else?

A—Yes, Police Commissioner Hephron.

* * *

QUESTION BY State's Attorney Grady to Mrs. Nichols:

Q—Is there any way you can estimate the number of times the police visited your house?

A—They have really paraded in and out of my house.

By Judge Carter: Why didn't you report that the suspected officer had a scar?

A—I wanted to keep something to myself.

* * *

DANIEL JONES, 3011 Hanlon Ave. on stand:

Q—Is your wife friendly with the Nichols family?

A—Yes.

Q—How did you happen to take Mrs. Nichols to the club meeting?

A—Mr. Nichols, Mrs. Nichols, husband came to my barber shop to get his hair trimmed.

"He asked me if I could take his wife to the club meeting because he had had an accident with his car.

"We agreed to meet at North and Pulaski. I had to make a stop in the 2000 block of Arunah Ave. so I made a turn at Hilton.

Q—When the car trouble started what happened?

A—The officer drove up and asked what I was doing. I said I was inspecting my tire. He told me to get the hell out. He said, 'I thought I told you to get the hell out of here.'

Q—When you saw the officer drive away with Mrs. Nichols, what did you do?

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CROSS - EXAMINATION of Mr. Jones by Attorney Reed:

Q—Could you have taken Mrs. Nichols where she wanted to go and then kept your appointment on Arunah Ave. within 20 minutes?

A—Well, I guess I could have.

Q—When did you notice this rumbling noise in your car?

A—Just after I turned off North Ave. into Hilton St.

Q—Why didn't you stop at Arunah and Hilton?

A—The traffic was too heavy. I had to turn around and I turned off Hilton St.

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ALBERT NICHOLS, husband of Mrs. Nichols taken stand:

Q—Why didn't you stop at North Ave. into Hilton St.

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ALBERT NICHOLS, husband of Mrs. Nichols taken stand:

Q—Question, do you have any idea what time you could get to this club meeting?

A—Look. I trust Mr. Jones and my husband trusts Mr. Jones, and I had no reason to believe that he was going to kill me, or anything.

Q—Did you lose any articles of clothing while you were in the car?

A—One of my earrings.

Q—Now you didn't have to be forced into this car with this officer did you?

A—I knew he was a policeman. I couldn't resist Arrest.

Q—Aside from retaining a lawyer, did you try to get help from anyone else?

A—Yes, Police Commissioner Hephron.

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QUESTION BY State's Attorney Grady to Mrs. Nichols:

Q—Is there any way you can estimate the number of times the police visited your house?

A—They have really paraded in and out of my house.

By Judge Carter: Why didn't you report that the suspected officer had a scar?

A—I wanted to keep something to myself.

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DANIEL JONES, 3011 Hanlon Ave. on stand:

Q—Is your wife friendly with the Nichols family?

A—Yes.

Q—How did you happen to take Mrs. Nichols to the club meeting?

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