'Perfectly ridiculous this case was not settled in police court'

"As a practical matter, why this case is not in the police court, I don't know.

"I think it is perfectly ridiculous that this matter was not settled in the police station."

Judge James K. Cullen on Thursday was referring to charges of larceny, assault, and assault on an officer against Vernon L. Johnson, 29, 842 Whitmore Ave., who alleged that he was brutally beaten by police the night of Sept. 6.

Mr. Johnson was ordered held for criminal court action after a hearing in the Northwestern Police Court, Sept. 7.

Judge Cullen found Mr. Johnson guilty of the three charges and imposed a suspended one-year sentence on each count, sentences are to run concurrently.

* * *

MR. JOHNSON was accused of assaulting Officer John J. Weiman of the Northwestern District, and Grocer Stanley Sagel and taking a 79 cents con of shaving cream from the Sagel Supermarket in the 800 block W. North Ave., Sept. 6.

"I can't remember much of what happened," said Mr. Johnson on the witness stand. "All I know is that when I regained myself (consciousness) I was in the cell badly beaten."

Under cross examination by Preston Pairo Jr., prosecutor, Mr. Johnson admitted that he had personally apologized to Officer Wieman before the trial got under way.

The thing that caused the whole matter was the drinking.

"I have found him to be decent and honest," the witness said.

When Judge Cullen wanted to know whether the witness was aware of the defendant's drinking habits, Mr. Tellis said, "He never drank on the job and I've never seen him under the influence."

Under questioning by his attorney, Mr. Johnson said he has a wife and two children and is in the process of buying a home.

* * *

MR. JOHNSON related that he and a friend consumed a fifth of liquor on the day of the incident.

When queried as to why he went into the supermarket Mr. Johnson said, "I intended to buy a bottle, and go home, but I decided that I had had enough."

"You picked a can of shaving cream?" Mr. Stevenson asked his client, and the defendant answered "Yes."

This exchange took place between the prosecutor and Mr. Johnson, at one point during cross examination:

Q—Do you know Officer Wieman?

A—Not before that night.

Q — Officer Wieman doesn't have anything against you, does he?

A—No, sir.

Q — Johnson, do you know what happened at the station house?

A—No, sir.

Q—Do you know why Officer Wieman hit you?

A—No, sir.

At a hearing in Northwestern Police station the following day, Johnson was represented by NAACP attorney Milton Allen; and Richard H. Stevenson, a lawyer friend of the family.

* * *

LATER Mr. Johnson dismissed Mr. Allen and retained Mr. Stevenson as his attorney.

During the Thursday trial, Leon Tellis, owner of a grocery where Johnson was employed, testified that Mr. Johnson has worked for him for five years.

When Frank J. Pelz, court clerk, asked Albert Braxton whether he had retained counsel, the youth said:

"I asked them (relatives) not to worry about me, but to think about my brother."

A special detail of ten policemen was on duty in the crowded courtroom when the five defendants were ushered in.

All of the youths are charged with crimes which, under Maryland laws, carry stiff penalties.

* * *

FIRST-DEGREE murder in this State is a capital offense. Convictions for murdeer in the second degree carry penalties of from five to 18 years. Robbery and attempted robbery convinctions carry maximum penalties of 20 years imprisonment. And persons convicted of assault to murder could receive prison terms of from two to 15 years.

Alvin Braxton, shot five times the night the officer was killed, appeared alternately defiant and fearful during Wednesday's preceedings. He wore a brown sport coat, a brown sports shirt sports coat, a brown sports shirt opened at the collar and dark brown pants.

Albert Braxton, who expressed concern for his brother, is older and shorter than Alvin.

Pickett, whose nickname is "Slim," was attired in a gray sports shirt and dark trousers.

Ray, the older of the group, wore a light blue suit.

Williams was dressed in khaki pants, a blue work shirt and a dark brown pullover sweater. He is currently serving a 90-day term in the House of Correction imposed in police court September 5 for disturbing the peace.

VERNON L. JOHNSON

as he looked after his arrest last month. On Thursday in Criminal Court, he got three years suspended sentence. There was no trace of the injury to his eye in court.

MOURN BROTHER, FATHER—Mrs. Annie Henderson, 449 Watty Ct., leaves St. Francis Xavier Church Wednesday morning following services for her brother, Thomas Cook. His son, Edward, is at right. Charles Law, funeral director, is at left.

—Self defense

(Continued from Page 1)

ton, charged with the more serious of the series of crimes. Fred Kolodner will represent Pickett and Michael Freedman appeared for Williams.

* * *

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—'Operation' case

(Continued from Page 1)

After she was admitted, he said she collapsed and died.

Mr. Cook's sister, Mrs. Annie Henderson, with whom he made his home on Watty Ct. told the AFRO Tuesday:

"He has been sick quite a while. When I heard from him, he was in hospital. I used to visit him nights and Sundays because I work in the daytime.

"Sometimes he knew me, and sometimes, he didn't. Friday night, he didn't know anybody."

* * *

MRS. HENDERSON said that on one occasion when she visited her brother he told her: "I've been through hell since I've been here.

"He said he was sore the whole time he was in the hospital . . ." Mrs. Henderson added.

A hospital physician explained that Mr. Cook was "bound to have some discomfort. He had not been able to take anything by mouth, and he had to have all his fluids through his veins . ."

Death was attributed to a renal failure (failure of the kidneys), and heart trouble.

* * *

FUNERAL SERVICES for Mr. Cook were held at 9 a.m. Wednesday at St. Francis Xavier Catholic Church, Caroline and Eager Sts., where he had been a member.

Requim high mass was sung by Father E. J. Hennessey S.S.J., assistant pastor there.

Father Hennessey said: "We on earth are united with the souls in purgatory. It is the doctrine of our faith, that from this earth and through purgatory, it is united with the almighty God, for eternity.

"The soul in purgatory is crying to us constantly: 'Have pity on me.' Some day, we, too, will cry: 'Have pity on me! Have pity on me! for the hand of the Lord has touched me.'"

The Charles R. Law Funeral Home was in charge. Burial was in Mt. Calvary Cemetery. Monumental Lodge of Elks held service for him on Monday evening.

In addition to his sister, Mrs. Henderson, Mr. Cook is survived by one son, Edward Cook, a daughter, Mrs. Mary Kirkpatrick, several grandchildren, nephews and nieces.

—Boycott judge

(Continued from Page 1)

signs of belligerence and was instructed by Judge Rudd to say "yes" and "no," and not to nod her head.

"Laura," he said, "this is a microphone (referring to the microphone to the tape recorder) not a television. You have to speak and not nod your head."

Later, when the witness repeatedly referred to the defendants as "Mrs." or "Mr.," Judge Rudd stopped the court proceedings, stating:

* * *

"LAURA, I'm going to tell you about court manners so if you ever go into another court it won't go hard with you.

"The court stands for Justice. When you address the court, you say 'yes sir' and 'no sir.' Now let me hear you answer the question."

For a full three minutes Mrs. Fluces sat with a bowed head and refused to answer a question directed at her by Mr. Hawes until the prosecutor and judge demanded an answer.

Finally, after much insistence, she uttered a faint "yes sir."

Upon dismissal from the stand, Judge Rudd ordered that Mrs. Flucas wait outside the courtroom until the session was over.

* * *

THE SECOND witness for the city, John Payne, is service station operator of Bainbridge Rd.

He was asked "if he had not received orders from car pool transportation chief Dan Speed that checks from the Inter-Civic Commission paid for his gas, and if he placed gas in the ICC cars.

Mr. Payne denied any such claims.

Hawes then said he would "refresh" Payne's memory by referring to a statement allegedly made by the witness at a previous hearing.

The witness said he didn't know what the questions were at the time.

* * *

THE JUDGE also accused Mr. Payne of "dragging his feet" when everyone was attempting to get through with the trial, making it clear that the witness should answer "yes sir" or "no sir."

Mr. Hawes repeatedly asked the witness: "Do you know what perjury is, John?"

After the judge and prosecutor failed to receive the desired response, a recess was declared. Upon returning to court, the red faced judge nearly cited the witness for contempt.

* * *

AS THE TRIAL came to a close near the end of the day, Judge Rudd told Mrs. Flucas and Mr. Payne:

"Your are looking at an estimate of government—not me as a man. I don't care if you never say 'sir' to me. It's the duty of all citizens to show respect to the court."

He then asked them to apologize to the court.

There were whispers of respect and sympathy throughout the courtroom for the two embarrassed, harrassed witnesses.

One spectator was overheard saying: "Bless them. They are trying to be loyal."

* * *

LATER, MRS. FLUCAS told the AFRO that when she was called as a witness for the city, she felt put in an embarrassing position — having to testify against her people.

In addition, she said she did not quite understand the case at all.

Talking to Mr. Payne at his service station, he explained that he most regretted to have had to testify to information which may hurt his people.

"I was hurt to my heart to have had to be on the other side and not helping my friends. I did not know how the court works, but I did know I should be loyal to my friends, no matter what."

Catonsville News

By SAMUEL B. TORSELL

Mr. and Mrs. Cornelius Addison, 11 Adams St., Mt. Vernon, N.Y., announce the arrival of a son, Marc Gordon Addison. Mr. Addison formerly lived in Catonsville.

The entertainment committee of Crescent Lodge Elks sponsored a bus trip to Fairmount Heights. The delegation was headed by Elijah Greene. Speakers for Crescent Lodge were William C. Jenson and Samuel Torsell. Mrs. Cornelia Randell, daughter ruler of Emma Williams Temple spoke for her group.

MR. AND MRS. REMUS BACON, 407 Commonwealth Ave., celebrated their 43rd wedding anniversary quietly at home Sunday.

The Phillip Ray Marching Club of Crescent Lodge will sponsor a turkey dinner Saturday night at the Elks Home. Jameh Randall is chairman.

Mrs. Marjorie Washington and Harry Joyce are patients at Johns Hopkins Hospital.

Promotion Day will be observed Sunday at Grace AME Sunday School. Eugene King is superintendent.

* * *

CATONSVILLE HISTORY — 1920: the Rev. J. A. Young was pastor of Grace AME Church. The Rev. T. S. Tilden was pastor of Mt. Olivet Methodist Church. James Wormley was manager of the Catonsville All Star Baseball Team. Mr. and Mrs. A. E. Hall, Taylor Ave., were mourning the death of their daughter, Mrs. Laura Agnes Hall Avery.

THE BALTIMORE AFRO-AMERICAN
(Registered U. S. Patent Office)
Published every Tuesday and Saturday by the AFRO-AMERICAN Co., N. Eutaw Street, Baltimore 1, Md., MUlberry 5-0015.
Second class mail privilege authorized at Baltimore, Md.
Carl Murphy, President; D. Arnett Murphy, Vice President and Treasurer; Elizabeth M. Phillips, Mae E. Dyson, Secretaries; Cliff Mackay, Editor; Art Carter, Managing Editor.
A CHAMPION OF CIVIC WELFARE AND THE SQUARE DEAL.
National Representatives
Associate Publishers, Inc., 31 West 46th Street, New York, N.Y.; 108 W. Washington Street, Chicago, Ill.; West Coast—Whaley-Mickelson Co., 220 Montgomery Street, San Francisco 4, Calif.; 6513 Hollywood Boulevard, Los Angeles, Calif.
Affiliated Newspapers
Baltimore AFRO-AMERICAN 628 N. Eutaw St.—MUlberry 5-0015
Richmond AFRO-AMERICAN 201 E. Clay St.—3-7111
New Jersey AFRO-AMERICAN 173 W. Kinney St.—MArket 3-2272
Philadelphia AFRO-AMERICAN 427 S. Broad St.—Kingsley 5-1227
Subscription Rates
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