—Elks shooting

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nesses recount circumstances surrounding the firing of the 32 caliber revolver.

He also heard Mrs. Brown testify to having exclaimed: "Oh, my God, Dorothy shot me."

"I looked at her and she looked at me. She never said a word. She just stood there twirling the gun.

"She never even said, 'Oh, Daughter Ruler, I'm sorry.' You would have thought she would say at least I'm sorry.

"But she never said anything."

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MAGISTRATE AARON also heard a number of highlights in the testimony which began at 8:30 a.m. and lasted until after 10 a.m.

Among those who testified was James F. Carroll, 611 Cumberland St., a member of the Elks lodge for 32 years and one of the members of the board of trustees which met on the first floor of the Elks Lodge hall the evening of the shooting.

Mr. Carroll said he went over the entire third floor meeting room about 8:30 p.m. examining radiators to see if heat was coming up and saw no gun on the floor.

Mrs. Brown's sister, Mrs. Margaret Neal, also a Great Southern Temple official, told the court she was present and saw the shot fired.

She said: "I saw Mrs. Vaughn pointing the gun at Mrs. Brown. She had it in her hand. She just stood there like nothing ever happened."

AN UNEXPECTED witness was Mrs. Ardelia Galmore, 2311 Harlem Ave., who was called from a rear seat in the crowded courtroom at the request of the magistrate.

Other witnesses testified that Mrs. Galmore was the person, on the night of the shooting, who told Mrs. Vaughn to put the gun down.

Mrs. Galmore said: **"I turned to Mrs. Vaughn and I said, 'Do you realize what you have done? You have shot the Daughter Ruler.'**

"I said, 'You put that gun down. Nobody is going to touch that gun until the police come,' and then I covered it with my scarf."

MR. COLE contended that the state had not made a case against Mrs. Vaughn and, after what Magistrate Aaron called "a battle all the way down," asked that his client be dismissed.

Mr. Cole said: "What we have here, what the state has produced is: Mrs. Vaughn had a gun she fondled—she said it was a toy pistol; she picked it up off the floor.

"There is no element of intent to do bodily harm. The state must show intent to do bodily harm.

"There was no element of malice. In order for the state to send the case to the grand jury, it must find malice.

"Mrs. Vaughn was not of-fer defense. The law does not require that she be held for the grafid jury.

"Based on Mrs. Brown's testimony, there was no premeditation, no intent to kill, or any of those elements."

In denying Mr. Cole's plea, the magistrate said:

"The pistol could not have gone off by itself, without some pressure on the trigger.

"If I dismiss it, it would cause an uproar."

MORE THAN 50 personis filled benches and stood up around the walls, in the rear and outside in the hallway.

Among them were Charles (Mouse) Dorsey, Elks district deputy grand exalted ruler of the State of Maryland and Mrs. Brown's husband, Elmer Brown.

At the point where Magistrate Aaron declared "the pistol could not have gone off by itself," a voice in the back of the courtroom and spectators said, "that's right."

When Magistrate Aaron said: "If I dismiss it, it would cause an unheaval," spectators again murmured comments, and said, "That's right."

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HERE IS testimony from the hearing which was recorded by an AFRO reporter.

(Magistrate reads the charges to Mrs. Vaughn.)

Mr. Cole: Not guilty in both cases.

Sgt. Raymond Parlette: On Jan. 6, 1960, at about 8:30 p.m. I received call to 1138 Mallow Ave. to investigate a shooting. When I arrived at the address I was found a Mrs. Pearl Brown seated in a chair in the back yard. She had been shot. She was bleeding. Ot. investigation revealed that a .32 caliber bullet penetrated Mrs. Vaughn.

She was apprehended at Central Police Station and we took a statement which was typed and signed.

Magistrate — Did you inform Mrs. Vaughn of her rights under the law that her information might be used against her?

—A. Yes.

Magistrate read the statement: part of "The trouble was over. I went over to a neighbor's house. I don't know if I saw something metal on the floor or what I picked it up and fired it."

"I looked at it and I didn't know it was a gun."

"Somebody said the daughter ruler was here and I said, 'Oh, no.' I didn't know what I did."

Mrs. Bonita Bailey, sitting in the rear, shaking her head no.

Mrs. Vaughn: No.

SGT. FURLETTE. We took four more statements from witnesses when we were taken to the station house. After they got the women together.

Sgt. Furlette read statement showing where Mrs. Brown was shot and presented and Mrs. Vaughn did during meeting.

Sgt. Furlette: Mrs. Vaughn had about 15 to 20 feet.

Mr. Cole: Did you see the pictures? You ascertain where was recovered? Over 20 feet?

Magistrate — Mrs. Brown, do you want to sit down? I'm asking I should have asked at the beginning.

Mrs. Brown did not sit down at this time.

Mr. Cole: Mrs. Brown, you said that you were in the dining room?

—A. Yes.

Q—Where you in the dining room? —A. Yes, I was.

Q—Tell in your own way what happened.

A—I was downstairs. I am a member of the trustee board. The daughters were meeting upstairs. One of the daughters said, "Mrs. Brown, I wish you and saw my daughter Pearl in her seat. I tell the radiators around the wall. When I finished I said Daughter Pearl, all the radiators are hot." I wish about 8 or 8:30 p.m.

After I checked, I went to my meeting downstairs. A meeting of the trustee board. After it was over, I was in the office.

I heard such a screaming and excitement. We went upstairs and I heard somebody say somebody was shot. We went up to be that room and Daughter Pearl walked out.

I had been there 32 years and I wanted to see that gun that did it. I walked and looked at her, and I didn't recognize her. I didn't know her.

MAGISTRATE TO Mrs. Brown—Do you want to sit down? I understand you're very popular in fraternal, social and church circles in this city. I realize how you feel. I read the papers. If you don't feel well you may sit down. Do you want to be able to help Mrs. Brown. You were the presiding officer at the time?

Mrs. Brown — Yes. I was the presiding officer at the time.

Magistrate — Did anyone suffered a pistol wound where did occur?

Mrs. Brown — It was after 11. I had just closed the meeting. I came to the left, and started down one step. I heard a noise. I said, 'Oh, my God what was that?' I looked up. I saw Dorothy looking right at me.

I know her very well. I have known her for sometime and in the church the organization and in the church. I had conversations with her.

Magistrate — Did you know her intimately?

Mrs. Brown — Yes, we were working together in the organization.

Magistrate — Did you ever have any quarrels?

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MRS. BROWN — No, we never had any quarrels.

Mrs. Brown: I was not in the room. That prisoner was not in the room. When I came in I turned the lights on. The place was so cold. I went over to the radiators and there were three girls with me. I go see that they would have enough gas see that they turn on the heat or they might get cold. And the door.

I said to the Brother Carroll—It was cold and we all had on our white dresses and I was around in all the radiators.

He was downstairs. It was about 8 o'clock when I came up to me, carrying a copy of the minutes that was given to be downstairs. Then she took her seat, about 15 feet away from me.

At the close of the meeting we sang a hymn.

It wasn't but a few minutes and I said, Oh, my God what was that. At first, I didn't know I was shot.

I looked at her and she looked at me. I felt a burning I said, Oh, my God.

THE GIRLS were all standing around. They rushed to me. I said I tried to find who the shot me. Dorothy shot me. Find out who put her up to shoot me.

I have the bullet here, the bullet that was in my body.

I was operated on Monday and they took the bullet out.

Magistrate — Were you conscious all the time after this happened?

Mrs. Brown — Yes, I was conscious. **On the way to the hospital. They said I'm supposed to operate. I said I tried to persuade them not to operate. I was afraid. I said I'm 72 years old. They have brought me here in a hospital because I had never been in a hospital before and to tell the truth I was afraid.**

Magistrate — What was she doing when you looked at her?

Mrs. Brown — She was standing there during the time she fired.

Magistrate — Did you say anything to her?

Mrs. Brown — Yes, she was twirling the gun like this.

I looked at her. She didn't say a word to me. She just stood there. I said, 'Oh, Dr. Bailey' I'm sorry.' I said, 'Dorothy, I'm sorry.' I said, 'Do you realize what you have done? I'm sorry, but she never said anything.'

Magistrate — How far away was she when she shot?

Mrs. Brown — She was about 20 feet away.

Mr. Cole — (To Mr. Carroll) About the radiator guys they stand around that gun down.

Yes, all around the wall.

Mr. Cole — (To Mrs. Brown) And the radiators were his chief concern. weren't they?

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No. Why, no. The room was not cleared when I came there then.

Q—Mr. Carroll came — the prisoner came in?

Q—Did you examine the hill, the room, the whole room?

Mrs. Brown — I was getting ready. I wouldn't be looking for a pistol.

I whole was looking for a pistol.

Mr. Cole: Did you see the bullet in there by the meeting.

Q—Did WAS meeting in there when she shot?

Q—Did you see the bullet?

Mr. Cole — What was checking all the radiators all around the wall.

Mrs. Brown: Yes, I go down, you seem to imply the pistol wasn't there when you did your search?

—We had gone to the radiators and we had gone around the wall.

Mr. Carroll, did you feel the valves Did you turn them on or look at them?

—A. YES (Carroll).

Mr. Cole — And the valves are up on top, are they not?

Mr. Carroll — No, these are the old-fashioned ones — the valves are at the floor.

Mr. Cole — Mrs. Brown, you went around and you looked at the radiators? Anything foreign article?

Mrs. Brown — Anything had been there, we would have noticed it.

Mr. Cole: Did you see any pistol? —No—You? —No.

Mrs. Brown: There were two or three women with me looking.

Mr. Cole: You know where the pistol came from?

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Q—Mrs. Brown, isn't it true that your testimony here is due to the best of your knowledge — you did not see the pistol?

—A. Mr. Cole, I will say, there wasn't any pistol there when I was.

Mr. Cole: Did you look under the chairs? Did you look under each chair? Did you look under each? Did you put weeds in my mouth. I know what you're saying.

Mrs. Brown: I know what you're saying.

Mr. Cole: Mrs. Brown, you said you looked under each chair? Did you look under each? Did you put weeds in my mouth. I know what you're saying.

MAGISTRATE — No, no. Mrs. Brown isn't that. He is cross-examining. He is just questioning you.

Mr. Cole: