

# HOLMAN HELD FOR DEATH OF PORTER IN RAID BY POLICE

Special Officer Found Guilty  
by Coroner's Jury Wed-  
nesday Afternoon.

MANSLAUGHTER CHARGE  
WILL NEXT BE FILED

Now Out on Bond of \$1,500  
Which Will Be In-  
creased.

Eugene Scott was killed by a bullet fired from Special Officer Holman's gun September 1, according to the verdict of the coroner's jury after fifteen minutes' deliberation Wednesday afternoon. The jury recommended Holman to be held for trial. County Attorney Shotwell stated that a charge of manslaughter would be filed against Holman. The special officer is now out on bonds of \$1,500. The amount of bond will be increased, the county attorney said.

Coroner's Physician McCleneghan testified that the bullet taken from Scott's body weighed 143 grams. County Attorney's Investigator Dempsey said that he had weighed bullets from Holman's revolver and that the lightest weighed 143 grams, the heaviest 147. Bullets from Brigham's gun weighed uniformly 158 grams, he said.

Holman, on advice of his attorney, Eugene O'Sullivan, did not take the stand.

Brigham's accusation was made after he had finished his direct testimony and was asked by County Attorney Shotwell, who conducted the inquest, if he had anything more to say. Turning to the jury and rising, Brigham said:

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of it and cried, 'Don't shoot,' and h  
covered up. He saw the colored man, F  
and pulled down his gun just as cool d  
as that, took aim and fired." n  
Brigham illustrated how Holman a  
took aim. v  
**Officers Quote Holman.** t  
Court room No. 1 was crowded s  
with 250 negro men and women and  
150 white men. The jury was made  
up of three negroes, R. T. Rhodes, L.  
L. Morrow and H. W. Brown and  
three whites, David Bryant, A. L.  
Trimblin and Alfred French. After  
eight witnesses had been examined,  
an adjournment was taken at noon  
until 1:30 in the afternoon.  
The next witnesses called were the  
policemen taking part in the raid.  
Only one, Policeman Crandall, said  
that there was a bottle upon Scott.  
He swore positively that he saw the  
neck of a bottle, under Scott's arm.  
(Continued on Page 4—Column 1.)

**tees Arrange to Send Men to New York.**

**Proposed Commander of the American Overseas Forces Address Joint Session.**

Washington, D. C., Sept. 3.—General John J. Pershing, who is returning home aboard the transport Leviathan, after more than two years service in France as the commander of the American expeditionary forces, will be formally welcomed at New York by a congressional committee.

This was decided upon today by the joint committee of the house and senate arranging to welcome the general back home.

The committee will consult with him regarding plans for his reception at the capitol. Composing it will be Senators Wadsworth, New York, chairman of the senate military committee; Warren, Wyoming, General Pershing's father-in-law, and Representative Kahn, California, chairman of the house military committee; Republican Leader Mondell, Wyoming, and Democratic Leader Clark, Missouri.

Various plans for recognition by congress of General Pershing's service were discussed today, but final action was deferred until the general, war department officials and others are consulted. Among the proposals suggested was a joint session of congress to be attended by leading government officials. The date of this ceremony will be left to General Pershing.

Presentation of an ornate sword and some special congressional decoration to the general and the passage of resolutions expressing the thanks of congress for his services also were discussed.

**SISTERS OF PERSHING TO WELCOME HIM HOME**

Lincoln, Neb., Sept. 3.—Miss May Pershing and Mrs. D. M. Butler of Lincoln, sisters of General John J. Pershing, will leave here late today for New York to meet the general when he arrives there from Europe on the transport Leviathan.

After greeting the general they expect to return to Lincoln with Warren Pershing, the general's son who has been visiting his father in France.

**HOLMAN HELD FOR DEATH OF PORTER IN RAID BY POLICE**

(Continued from First Page.)

Questioned by one of the negro jurors he repeated his oath.

"I seen the bottle. I seen the neck of it as he run by me; that was after

down on him," Crawford told the jury. "He told that to Paul Sutton and I was within a foot and a half of Sutton. Holman's words were, 'I heard someone shout. The colored man ran out of the alley and I pulled down on him.'"

**Police Testimony.**

Officer Armstrong declared that he heard a shot, from his left, as he followed Brigham on the run down the alley after Scott.

"At the same instant Scott threw his arms up, yelled, stopped running, turned to the left, staggered across the alley and fell with his head to the left wall. I would judge Scott went eight or ten feet after the shot was fired.

"I heard no call to Scott to halt at any time."

"When you heard the shot from the left, why didn't you turn that way?" asked Shotwell.

"I left that to Brigham; he turned to the left after the shot was fired."

Armstrong swore that he saw Brigham raise his arm in the air for the first shot, fired when Brigham was on Fourteenth street, and that he was positive, from the flash of the second shot, that it also came from a gun pointed in the air. Detective Herdzina testified to this effect also, although both said it was too dark in the alley for them to see Brigham's arm when the second shot was fired.

**Someone Called "Shoot."**

Someone from behind Herdzina, on Fourteenth street, as Scott ran into the mouth of the alley, shouted "Shoot and get him," or something like that, Herdzina said. Armstrong denied hearing any remark of this nature. Herdzina testified that when he reached Scott's body, a Western Union key was on the ground by his right hand.

Wallace A. Gerrie, 5616 Florence boulevard, a medical student, was the first physician to reach the scene. He examined Scott and found him dead.

"Someone requested me to remove the bullet and determine the size of it. I do not know who made the request. I refused," he said. No policeman standing beside the body when Gerrie examined it could recall hearing such a request.

**Could Not Run Far.**

"How far could a man walk or run after receiving such a wound?" he was asked.

"He might go several steps and then again he might drop instantly. He might run as far as forty feet. It is not probable."

Repeated calls were made for Detective Paul Sutton, before he came to the stand. He appeared shortly before noon. Later he explained his absence by saying he had not been subpoenaed to appear, but that he had come to the court house when

someone told him, at Twenty-fourth and Farnam, that they were calling for him. Sutton was then on his way to work. He reports at noon.

**Working Under Thestrup.**

"We were working under the direction of Sergeant Thestrup," Sutton began, "I had no complaint or warrant for the arrest of anyone. We were looking for prostitution and gambling."

"I went to the third floor of the hotel. I met Eugene Scott on the landing between the second and third floor. He was talking to a lady. I said 'What are you doing, boy?' He said, 'I'm just answering a bell.' I asked if he was in a hurry and he said 'Yes' and started going away. He ran down the stairs."

"I didn't intend to place him under arrest. When he started down the stairs I turned to the woman. Scott had to pass three officers going down. I went to the fourth floor, glanced over the hallway, then took the automatic elevator down to the lobby."

"I heard no shooting. I saw people running toward Thirteenth, and walked down with Crawford. There Holman said either, 'I pulled down on him' or 'I cracked down on him.'"

Besides the accusation of Holman by Brigham, Detectives Paul Sutton and Robert Crawford testified that Holman said, while he stood by the body of Scott, "I pulled down on him," implying an admission of careful aim in the shooting.

Dr. S. McCleneghan, who performed the autopsy on Scott's body and extracted the bullet, produced it for examination by the jury, and said that he had weighed it and found the weight "a shade under 143 grains." Brigham carried a .38 calibre Smith & Wesson special revolver, and heavier cartridges than Holman's ordinary .38-caliber gun.

**Tells of Raid.**

"Sutton, Herdzina, Thestrup, Armstrong, Crandall and I went to the Plaza hotel about 1 a. m. September 1," Brigham said. "I started up the stairs and when I was between the second and third floor saw Sutton and Crandall had a woman in the corner and Scott was coming down. Sutton stopped him and asked him what he was doing. He said he was answering bells. Sutton said, 'Wait a moment, I want to talk to you.' Scott rushed by me down the stairs. Thestrup grabbed him. I said to wait a moment, we wanted to talk to him. He ran by and I ran after him."

The policeman told of Scott running eastward into the alley between Thirteenth and Fourteenth, between Hamby and Howard. Brigham in

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The policeman told of Scott running eastward into the alley between Thirteenth and Fourteenth between Harney and Howard, Brigham in pursuit. Brigham said he did not call upon the negro to stop.  
"Scott was sixty feet ahead and I fired a shot as he was going into the alley," Brigham said. "I cried 'Halt,' that's all. Scott did not stop or turn around; he did not slacken his pace. I held the gun in my right hand and fired in the air. When he was about 100 feet into the alley, I fired the second shot. Scott had not then gotten to Thirteenth street. There was not more than a minute between shots.  
"I heard the two shots I fired and

one by Holman. His shot was a matter of a few moments after mine."

**Says Shot in Air.**

"Are you sure it was Holman and did you see him shoot?" asked Mr. Shotwell.

"Yes, sir," Brigham replied. "He was standing twelve to fifteen feet north of the alley on Thirteenth street, about in the center of the walk. After Holman shot, Scott ran into the alley, turned around to the left, came out within five feet of the alley and fell over. He turned to the left after Holman shot.

"Did you hear Scott say, 'Don't shoot me?'"

"No, sir. I heard him say, 'Oh my God' when he was about to fall."

"Why did you shoot at him?" Shotwell asked.

"Because he was running away," Brigham said. Then he added, "I did not shoot at him, I shot into the air."

"What are your instructions as to arrest in a matter like this? Do you have any?"

"No, sir," replied the policeman.

Holman then was called, but did not take the stand. Dr. S. McCleughan was then called.

Police Captain Heitfeld testified as follows:

"Before I knew anything about the Scott shooting, this man Holman had been sent into the station. Sergeant Rose told me he had been connected with the morals squad and was mixed in some shooting. That was about 1:20.

"The gun was taken off Holman by Officer Woods at the station. Woods turned it over to me. I didn't see Woods take the gun from Holman. I looked the gun over and gave it to Woods who examined it in my presence.

"One chamber had been discharged. It was a 38 calibre, U. S. I turned it over to Sergeant Rose. He and Woods put a private mark on it and put it in the package.

"It was shown Captain Dempsey of the county attorney's office.

"Officer Brigham's gun was turned over to me by Brigham at the station, about 3 or 4 o'clock.

"I took the cartridges out and turned it over to Sergeant Rose. Two cartridges were discharged.

"When I first was informed of the shooting, I took Holman into my office. He told me he was a watchman at the Union Pacific freight house. He was going home, and passing the St. James hotel, heard two shots. He saw a colored man running out of the alley, heard some one call, 'Hold that man.' He knew

She said she had been at the hotel three weeks. She saw the officers.

"Sutton was the first one I saw and he did all the talking. I didn't know who he was until today.

"Scott was coming down the stairs from the third floor, after me.

"Sutton said, 'Hit him over the head or shoot him.' He did all the talking. Those were his exact words."

"Did the officers attempt to stop him?" asked Shotwell.

"He passed all of them. He wasn't running, until they stopped him. There were two officers on each side of him."

"Did they attempt to hit him?"

"No."

"Shoot him?"

"No."

"What did Sutton say to Scott?"

"He asked him what he was doing."

"Did the officers make any move to stop Scott, before he started to run?"

"No," declared Mrs. Roberts.

Captain Heitfeld then described the differences between Holman's and Brigham's bullets. Brigham's was longer and had a collar around the base. There's a hollow space in the bullet from Brigham's gun, while Holman's bullet has a solid heel. He turned over one bullet from each gun to Dempsey. He did not see Dempsey compare and weigh them.

The captain examined and identified bullets from each gun and exhibited and explained them to the jury.

James Shanahan, Patrick Boyle and Thomas McMahon, newspaper reporters, who watched the police officers chase Scott down the alley and saw Brigham fire his shots, al



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WH 4 September 1919 – Police Shooting

rest by Brigham, "I pulled down on him."

William Bullard, who was with the reporters and saw the shooting, testified that Brigham fired his second shot in the direction of the fleeing negro. He said that Scott turned and fell just at the time the third shot was fired.

Tom Bevington, 412 Southteenth street, heard cries of him off," and saw the two fired by Brigham. He heard third shot, from the north of ey on Thirteenth street, as the negro fall. He declared Scott yelled something before third shot was fired.