

Lawsuit Undecided As Judge Dismisses Bob Mitchell Case

By ISAAC JONES

Chronicle Police Reporter

An Auspicious First



HARRY C. HACKETT

—Photo by Fowler

Law Clerk Named To \$15,000 Position as Bankruptcy Referee

By PAT STEPHENSON

(Chronicle Special Writer)

Harry C. Hackett, present law clerk for Federal

Charges of resisting two policemen in the performance of their duty against a popular westside bar owner was thrown out in Recorder's Court last week following the conclusion of an investigation by the prosecutor's office.

The case of Robert F. Mitchell, Jr., 32, of 2081 Virginia Park, was dismissed by Recorder's Judge Frank G. Schmanske before a packed courtroom on the motion of Assistant Prosecutor Nicholas Wagner.

In an exclusive interview outside the courtroom door Mitchell told this reporter, "I am happy it's all over. That's all I have to say. You may talk to my attorneys."

Julian F. Rodgers and Henry Heading, attorneys for Mitchell said:

"The end of justice have been met. We felt that justice would prevail in this because of the manner in which the investigation was conducted by the Prosecutor's office and the manner in which the assault upon Mitchell by the officers was died by both the daily and weekly press."

Asked whether he planned to file a suit against the Detroit Police Department and the two officers involved Attorney Rodgers replied, "I cannot answer that question at this time."

In the meantime, in an exclusive interview with Prosecutor Gerald K. O'Brien Fri-

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MOB FORCES NEGRO FAMILY FROM HOME

Testimony Enlivens King Trial

(Special to the Chronicle)

WHITE CLOUD.—The murder trial of former Detroit Common Pleas Court bailiff James King was scheduled to resume here Wednesday after a one-day postponement for Lincoln's birthday.

King is being tried on first degree murder charges in the shooting of George L. Krise, a Newago County farmer, last Nov. 16, on the Krise farm near Bitely.

After three days of testimony before a jury of 11 men and two women (one extra for emergency), the trial took on a new aspect Monday when testimony by three witnesses revealed that Krise's shotgun was in cocked position with a live shell in the chamber when found.

This rocked the prosecution's attempt to prove that King shot Krise in cold blood. King contends he shot the farmer in self defense.

The victim's brother, Henry C. Krise, and two Benton Har-

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U.S. Slaps Tax Lien of \$5,314 Against Diggs, Sr.

The Bureau of Internal income tax lien of \$5,314.05 Revenue last week slapped on against Charles C. Diggs, Sr., and his wife, Mayme, of 505 E. Boston Blvd.

A spokesman said the amount of the lien represented the balance owed by the Diggs on their income taxes for the years 1950-54.

In the meantime, Diggs could not be reached for a statement as the couple left several weeks ago for an annual vacation in Mexico City and Acapulco.

Diggs is president of Diggs Enterprises and the House of Diggs, 675 Mack.



AFTER CHRONICLE Photographer Clarence Tobias shot this picture, he noted: "There were about 300 people shouting and screaming in the direction of the Negro home. A boy about 16 told me to take a picture of the

'Monkey in the Cage' as he pointed to the home. A uniformed policeman approached me with his nightstick drawn. Fortunately, he didn't hit me."

A PRIVILEGE, A DUTY!

Your Vote's Needed in Monday's Primary

Next Monday, the voters of our community will go to the polls to nominate candidates for Circuit Judge, Probate Judge, Judge of Common Pleas and Auditor.

If the signs are in any way indicative, the turnout will be light, primarily because most Detroit voters like to let others nominate their candidates for them.

Although no great fanfare has accompanied the 1957 Spring Primary, the offices which nominees will be elected to fill are vitally important to the life of our community.

The time of the election, the weather, or the nearness to any other election should not be allowed to detract from the fact that five judges and an audit for Wayne County will be picked from among those nominated next Monday.

The responsibility of every eligible voter to go to the polls and vote in each and every election is traditional and inescapable. It is at the ballot box that American citizens participate in their government and choose for themselves those who will govern them.

There are many fine candidates in the field and the right of the voters to choose between them goes without saying. We believe, however, that the recent appointees of Gov. G. Mennen Williams to

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Gathering Dispersed by Police

Racial Antagonism Flares in Northwest Section of City

By WILLIAM C. MATNEY

A mob estimated at 250 to 300 persons gathered Monday night in front of the home of Mrs. Ethel Watkins, of 12356 Cherry-lawn, demonstrating their opposition to the presence of a Negro family in the hitherto all-white neighborhood.

It was the third indication of intimidation in less than a week after neighbors observed Mrs. Watkins move into the property on Feb. 1.

An estimated 20 police cars isolated the block some 20 minutes after the crowd formed and veered off the area to passing autos and pedestrians.

Earlier, a stone was thrown through one of the windows of the two story brick home. Friday, a snowball was hurled through the front door glass pane. Police theorized both incidents were caused by teenagers or children in the immediate vicinity.

Monday night, however, the crowd was composed of adults and children, who stood outside the residence, but making no move toward violence.

Mrs. Watkins returned to the house from a shopping trip about ten minutes after the crowd assembled, and entered her home under protection of two scout cars.

In a telephone interview with the Chronicle immediately after she entered the house, Mrs. Watkins admitted to near hysteria and indicated she could not stand much more of the intimidation.

Less than two hours later, she vacated the premises under police protection and spent the night at the home of a relative.

William Price, Community Services Director of the Urban League, said late Tuesday that Mrs. Watkins indicated she would give up the property rather than risk further demonstrations or violence.

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"SMOTS" JOHNSON

Last Rites Held For Sportsman

Funeral services for Richard ("Smots") Johnson were held last Saturday evening at the Diggs Memorial Chapel, with the Rev. Otis Saunders officiating.

Following the well-attended services, the body was shipped to Nashville for burial.

Johnson died last Wednesday morning at Receiving Hospital after an illness of seven months. He was 56 years old.

Born in Oakland, Tenn., Johnson graduated from the elementary and high schools of that city.

He later attended and graduated from Tennessee A. & I. College in Nashville, and there was initiated into the Kappa Alpha Psi fraternity.

He came to Detroit in 1925 and became active in the business and civic life of the community, and was one of the co-founders of the Restaurant and Club Service Bureau No. 602.

Johnson was also an avid sportsman, with hunting and fishing as his major interests. Because of his interest in both sports, he was one of the most active members of the Motor City Rod and Gun Club.

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Possession Trips Musician

Receive Twin Charters



EXALTED RULER William Chambers and newly-elected Daughter Ruler Nelis J. Saunders, of Robert Settle Lodge, No. 1112 and Lady Camille Temple, No. 755, receive Charters at Joint Installation Ceremonies held at their home, 69 Erskine, Sunday.

Lawsuit Undecided in Mitchell Case

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day in his private office, O'Brien said:

"It is unfortunate that this warrant was issued against the bar owner in this case. I was ill at the time. However, after a thorough investigation by my office, we decided that the charges should be dismissed."

Asked about the alleged clash between Commissioner Piggins and the Prosecutor's Office over the dismissal of the warrant, O'Brien replied:

"I haven't seen Commissioner Piggins yet, however, he called me on the phone and advised me that he wanted to see me, so I am expecting him in my office shortly."

In analyzing the finding of the investigations by Assistant Prosecutor Kermit Bailor and Sam Brenner, Chief Assistant Prosecutor Ralph Garber asserted, "four witnesses not produced by the police were found."

"From statements given by two 11-year old girls, a factory worker and a housewife returning from shopping, we determined that Mr. Mitchell was not resisting the officers as police charged."

"All four witnesses told the prosecutor's staff that one policeman held Mitchell handcuffed while the other beat him with his fists and nightstick."

Garber concluded: "The story the witnesses tell is certainly not in accordance with the police department in their write-up."

In another interview Senior Inspector Charles E. O'Brien, a member of the Police Department Civilian Complaint Board told this reporter:

"We will re-open our investigation of the case to study the charges and counter charges. We stopped the investigation at the request of Mitchell's attorneys. That's all I

have to say at this time."

Apparently dissatisfied with the manner in which the prosecutors' office handled their dismissal of the charges, Commissioner Piggins said the department will hold a trial board hearing this week for Patrolmen Robert Lessnau and James Davis.

"The purpose of the trial board," explained Piggins, "will be so that a fair and honest conclusion can be reached."

Piggins told reporters: "However, much to the surprise of the police officers who were handling the case the prosecutor, without any notification, took the unusual action of moving for dismissal."

"I cannot believe the prosecutor intended to create the impression that the officers were the real offenders and Mitchell entirely free of any wrong doing."

"This is an unfortunate experience which could have a demoralizing effect on the department."

"I can't let it pass without defense."

"I do not propose at any time to sit idly by while any

member of this department is unjustifiably maligned or given unfair treatment."

"I feel I am fully capable and qualified as commissioner to assume this responsibility."

On the other hand, the Detroit Police Officers Association has announced that it stands back of the two accused officers.

Mitchell was stopped by the two officers Jan. 19 at W. Warren and Williams for driving with one light.

The assault followed, police said, after Mitchell refused to get out of the car to allow the policemen to search it.

Bishop W. J. Walls To Be Honored Here on Feb. 18

Bishop and Mrs. William J. Walls, of the First Episcopal District of the African Methodist Episcopal Church, will be honored at a reception at St. Paul AME Zion church, 521 Palmer Avenue, Monday, Feb. 18, at 8 p.m.

Your Vote Needed in Primary

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the Circuit, Probate and Common Pleas Court are especially worthy of consideration.

They are all cast in the mold of forward-looking, liberal leadership which has characterized the choices of Gov. Williams for the last several years.

Whether you agree with us or not, be sure to go to the polls on Monday and VOTE!

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Mob Threatens Negro Family

(Continued from Page 1)

The mass demonstration Monday night came as a surprise to police and allied agencies assigned to the case since last week.

A member of the Mayor's Commission on Community Relations told the Chronicle Monday that members of the clergy in the immediate area had been contacted and that one minister had been to the Watkins' home to welcome the family into the community.

It was ascertained, also, that police reportedly were cruising the block every nine minutes.

Mrs. Watkins also complained to the Chronicle that police protection and attempts to hold down attempts of intimidation fell far short.

"As I drove up to the house tonight (Monday) and saw the crowd, I didn't know what to do. I asked a police officer in front what to do, and he yelled to me 'get the hell in the house.'"

At the time of the Chronicle interview with Mrs. Watkins, police reinforcements had not arrived at the scene. This interview was some 20 minutes after the Chronicle first received word of a crowd being formed in front of the home.

Underlining the demonstration Monday night were charges by one real estate firm that letters mailed to residents merely to correct a area by another firm contributed toward the demonstrations.

James Del Rio, president of Associate Brokers, which handled the property transaction, charged Gross Realty with circulating letters which "implied sympathy with the residents of the area."

(William W. Gross, president of the realty firm, admitted sending the letters, but denied the implication.)

"I sent the letters to the residents merely to correct a mistaken impression that our firm had sold the property, nothing more," Gross explained.

In a letter mailed to Gross, Del Rio said:

"We are deeply concerned about your letter. Its general spirit appears to be one of apology, and of a desire to explain that you were not responsible in any way for the sale of the property."

"Some of the callers have told us that the reason for your letter is that you wanted the white residents of the area to know that you would not show or sell property to a Negro whose there were none in the block."

"We would like to know if this is true. If it is not true, we would appreciate your telling us the real reason for your letter as we are sure you would not like to have an erroneous impression circulating about you in the community."

In the meantime, Mrs. Eu-

genia Nowak, who sold the property on Cherrylawn, has indicated a desire to repurchase the controversial property "to end all this trouble which has affected me as it has Mrs. Watkins."

Testimony Rocks

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bor hunters, Stanley Piggot, Sr., and Stanley Piggot, Jr., testified Monday that they examined the body before police arrived, and immediately after it was discovered by the victim's wife, Echo.

Piggot Sr. said he picked up the shotgun, noticed the cocked hammer and the live shell in the chamber for firing. Piggot said he uncocked the gun before returning it to its original position by the body.

The shooting incident occurred as King, Allen (Stokey) Dye, John W. Henry, and Julius Stafford were returning from hunting in the National Forest Reserve adjacent to the Krise's family.

King testified that Krise halted the group, then made disparaging remarks about King's race. King, according to witnesses, made his way toward Krise, finally grabbed the barrel of Krise's shotgun, forced it downward. King then pulled his own .38 calibre revolver and shot Krise three or more times.

Much of the questioning of the witnesses has centered about the fact that a bullet was found buried about three or four inches in the ground beneath Krise's body.

One bullet penetrated the left chest of the victim and exited from his back. Thus far, no conclusive proof has been brought forward that this was the bullet that went through Krise's body.

King is being defended by Atty's S. Allen Early, Jr., and Ralph Osborne, of Detroit and Melvin E. Orr, while Newago County Prosecutor Russell L. Shapard and ass't prosecutor John Shepherd represent the state.

Under sharp cross-examination by defense counsel Early, Sheriff Robert Dougan revealed that one of the principal eye witnesses, Marcus Cassien, a Bifely bar owner, has disappeared.

It was believed the prosecution would not be able to produce him although his connection with the case, the defense contended, was well known to the prosecution since Nov. 23, 1956.

Cassien did not testify at either of the examinations, the first of which was held Nov. 23.

Lt. Howard Whaley, of the State Police, testified to statements made to him by King, admitting the shooting of Krise.

Johnson Rites

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His survivors include an adopted daughter, Miss Sharon Johnson; two brothers, W. T. Johnson (co-owner of the 606 Horseshoe Lounge) of Detroit, and Leslie Johnson of Memphis; a sister, Mrs. Linetta Robert, of Blytheville, Ark.; a niece, Mrs. Thelma Pye; a nephew, William Scott Johnson; and a stepmother, Mrs. Rose Johnson of Nashville.

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