

FRAMEUP CHARGE FEATURES TRIAL OF MURDER CASE

Open charges by Assistant Prosecuting Attorney J. H. McKinney of a "frameup" on the part of certain defense witnesses to shift responsibility for the death of George W. Hill to Johnnie May Starks, detained as a witness for the state, featured yesterday's session of district court, where Janie Davis, colored, is on trial on a charge of first degree murder. Hill was stabbed to death on the night of June 14, 1918, during an altercation in the colored section on the south side in which the Starks girl and Janie Davis both are alleged to have been implicated, together with Charles Pace, Hill's roommate.

The state and defense rested their cases at the close of yesterday afternoon's session, and the jury was required to appear again this morning. Settling of instructions was under way when court adjourned for the day. The case will be given into the jury's hands this forenoon.

The case was reopened Monday morning when the state resumed examination of witnesses. Charles Pace was called to the stand and related his version of events of the evening of June 14. Pace denied being inside the room occupied by Miss Starks and asserted he took no part in the scuffle in the yard outside. He was unable to say who struck the fatal blow, Pace said. Pace remained with Hill until he expired on the sidewalk across the street from the spot where the fight took place, and some time later reported to the police station.

Following conclusion of the state's testimony, a motion by Attorney O. King Grimstad for a directed verdict in favor of the defendant, Janie Davis, was denied by Judge Taylor.

On motion of County Attorney E. E. Collins, Johnnie May Starks was freed from any charge of complicity in the death of Hill. The action was taken because the records did not make clear whether Miss Starks was a co-defendant with Janie Davis, or merely being held as a witness.

In his opening statement, Attorney Grimstad said the defense would seek to prove from alleged utterances of Miss Starks, that she, and not Janie Davis, knifed Hill, raising his death. Deputy Sheriff W. A. Combs was the first witness called.

Mr. Combs denied overhearing a statement alleged by the Starks girl to have been made by Janie Davis to the effect that Pace was responsible for Hill's death.

Al Adams, colored, cook at the county jail in July and August, testified that Miss Starks told him she cut Hill during a fight.

Olive Fields said William Harris, colored, also testified to having heard Miss Starks make statements of a similar nature.

On cross examination, neither

Adams, Mrs. Fields or Harris offered any explanation as to why they had not reported the alleged statements of Miss Starks to the county attorney or police other than that they did not wish to "mix up" in the case. Assistant Attorney McKinney asked Adams pointedly if he were not implicated in a frameup to implicate Miss Starks to the end that Janie Davis might be freed. Adams denied any such activity.

Comedy Enters in.

Mrs. Fields testified to having noticed blood stains on the blouse worn, according to her story, by Miss Starks on the night of Hill's death, and also said that Miss Starks was wearing only one shoe. These statements disagree with Miss Starks' testimony.

Janie Davis was called and denied engaging in any altercation, or of having used a knife or other weapon upon Hill. She merely responded to Miss Starks' call for help and was knocked down when Miss Starks and the two men rushed out of Miss Starks' room, the witness declared.

On cross examination, Miss Davis admitted having been arrested in Great Falls in March, 1918, and of giving her name at that time as Mattie Adams.

County Attorney Collins had an embarrassing five minutes when, at the conclusion of the hearing, Miss Starks, who might be described by fiction writers as a typical backtown belle, sought him out to thank him for freeing her from complicity in the murder charge. The African brunette, apparently controlled with difficulty an evident desire to embrace the prosecuting attorney, who emerged from the tent-a-lie somewhat frustrated. Miss Starks spent more than eight months behind barred doors pending her appearance as a witness.

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Murder Case Continues

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Wed, Sep 2, 2020