

RIOT CASE REVERSED BY APPELLATE COURT

State Gets Setback in First Case Carried to Higher Court

The first case growing out of the Chicago race riots last July to reach the appellate court, styled *The People of the State of Illinois vs. John Dixon*, was reversed by that court last week.

Shot at White Rioters

On the night of July 29 last, while the race riot was in progress, an automobile containing white rioters with a machine gun drove down State street, shooting promiscuously into buildings. John Dixon, who lived with his family on West 35d street, very near State street, shot at the rioters. Later in the evening a police officer was shot in front of Dixon's home. Witnessed testified that the shot which hit the officer came from a window in Dixon's home. Dixon denied this latter shooting. His home was searched and two rifles and much ammunition taken. Dixon and his wife were placed under arrest and charged with rioting. Judge Hugh B. Stewart at the Harrison street police station found Dixon guilty of rioting and sentenced him to serve a term of six months in the house of correction. The judge also refused Dixon's appeal and bond, and he immediately began to serve his sentence.

Released on Bond

Mr. Dixon's father, John Dixon, Sr., a reputable business man of Clarksville, Tenn., engaged Attorney Wm. J. Latham to represent his son. The white attorney who had conducted the case withdrew. Mr. Latham appeared before the appellate court and obtained a writ of error and supersedeas and had Dixon released on bond furnished by Dr. I. H. Holloway.

Judge McSurely in rendering the opinion for the appellate court declared that the evidence presented by the state did not support the charge and that information alone does not state a crime.