

Charges Voted Against Davis

Misconduct in Office Accusations Designed to Oust Councilman

Councilman Howard W. Davis, on leave of absence since his indictment on bribe charges, yesterday was accused of "willful and corrupt conduct and misdemeanor in public office" in an accusation voted by the grand jury in a move designed to force his removal from the City Council.

In all, 38 charges of misconduct in office—all based on the assertion he voted on matters before the Council in which he had a financial interest—were voted by the jury.

RARE ACCUSATION

The accusation, rarely exercised by grand juries, was handed to Dist. Atty. Fitts by Foreman Samuel W. Horton in Superior Judge Clarence L. Kincaid's court.

Fitts then referred to the law which requires that a copy of the accusation be delivered to Davis and Judge Kincaid set March 1 as the date for the accused Councilman to answer the charges.

The accusation is based on evidence presented the jury by Dep. Dist. Attys. Orville Emerson and Vernon Ferguson purporting to show Davis accepted sums ranging from \$250 to \$500 for passing favorably on zone variances in the Wilmington oil fields.

TRIAL MARCH 1

Similar charges are contained in the indictment on which Davis and Dwight Baker, real estate broker, are scheduled to go to trial March 1.

Davis, in a personal appearance before the grand jury, consistently denied any wrongdoing.

The effect of the accusation is to bring Davis to trial on the misconduct charges, providing removal from office as the only penalty.