

TRIGGER TRIAL ON WITH UNION MEN OUT OF BOX

Judge Removes Two Jurors
and Tension Is Revived in
Murder Case.

TESTIMONY IS BEGUN

MINGO COUNTY COURTHOUSE,
WILLIAMSON, W. Va., Feb. 10.—
"Order in the courtroom!"

Three sharp raps with the lead end of a .45-caliber revolver cartridge, and Deputy Sheriff Medley Crum had the complete silence necessary for the "Oyez, oyez" litany.

The "trigger trial" was on in earnest. Crum, who is the official order keeper, always uses the bullet for rapping, but today's rap particularly was sharp, and there was a peculiar ring to his voice.

It was illustrative of the whole atmosphere in this packed courtroom and throughout Mingo County.

Overnight the tension that reigned two weeks ago has returned.

The commonwealth of West Virginia is to put on its first witness during the day in the case against Sid Hatfield, and twenty others jointly accused of murdering Detective Albert Felt.

On the jury are five farmers, two school teachers, a telephone manager, an electrician, a brickman, a laborer and a sawmill worker.

The confident prediction, "They'll never get a jury in this state," had been put forward chiefly by Judge Bailey and the other judges in the courtroom.

He removed the union issue by excluding the two talemans who were union men and whom the State desired to challenge on that ground.

Witnesses for the State who dodge the court will be kept in jail till they have testified, Judge Bailey announced.

He said one witness already had been ordered arrested on that ground.

BAFFLE STATE AS MYERS CASE GOES TO JURY

(Continued From Page One.)

for the two step-children and maintain the photographic business.

Mrs. Myers testified that she and Myers were married in June, 1919. She told how, in the fall of the first year of their married life, they had their first serious quarrel.

"I think it occurred when I attempted to hold him to his promise to buy a home," she testified. "The next time he quarreled with me was when my parents sold the old farm in Marion County. I attended the sale and on the way home I cried. Mr. Myers ordered me out of the house and told me to go back to my parents. The boys began crying and he allowed me to come back."

TO REMARKS.

At this point, Attorney Arthur R. Robinson, chief counsel for Mrs. Myers, put a question which was objected to by Prosecutor Evans. After the court had ruled, Robinson said: "All we want to do is to get her story before the jury."

Prosecutor Evans jumped to his feet and said:

"I think that that remark of counsel is in the plainest breach of the rules of the court. I will take issue with his breath during this trial. It is unethical and unprofessional and such remarks should be stopped."

Robinson said that the "words just slipped out" and that he was not aware of his allusion to the jury. He said he wanted to go to get competent testimony before the jury."

Judge Collins said:

"These remarks made under the breath of counsel must stop. I will take prompt and strict action if the court's attention is called to the matter again. Proceed with the proper interrogation of the witness."

Prosecutor Evans repeatedly objected to the manner in which Robinson put the questions to Mrs. Myers and in most instances Judge Collins sustained the prosecutor.

"Mr. Myers had a revolver when I married him," stated Mrs. Myers. "He used to carry it in the car, but kept it hidden at home. That revolver can be produced as evidence if necessary."

HUSBAND SOUGHT
SUICIDE PACT.

Mrs. Myers continued:

"About seven years ago I became afraid of him. About seven years ago, one night, he came to my bed and threatened to kill himself. He left and returned and he told me that if I would come upstairs with him he would kill me both. At one time he insisted that I sign an agreement to commit suicide."

"He said that if I didn't sign the agreement to commit suicide he would kill me," testified Mrs. Myers.

Mr. Robinson said:

"I hesitate to ask you this question, but did the defendant threaten to kill you if you did not allow him to use your body unconditionally?"

DESCRIPTIVE ATTACK
BY HUSBAND.

She answered:

"Yes. Six or seven years ago, the first time. He came to my bed and threatened to kill himself. He left and returned and he told me that if I would come upstairs with him he would kill me both. At one time he insisted that I sign an agreement to commit suicide."

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Dress Suit Worn by \$6-a-Day Solon Subject of Scandal

Sharp parliamentary tactics were employed and numerous "aspirations" were cast in the Senate today in a spirited debate over a resolution demanding to know how Senator Alonzo H. Lindsey of Kingman could wear a dress suit on \$6 a day, the salary of a Senator. It seems the Senator appeared conspicuously in "open face clothes" at a recent affair.

The resolution was introduced several days ago and was referred to a committee of "farmers," Senator Oliver Kline of Huntington, Senator Miles J. Furnas of Lynn and Senator Joseph M. Cravens of Madison.

Sensor Harold Van Orman of Evansville introduced a motion demanding that the resolution be recalled and acted on. Immediately there were protests from the special committee that it had not had time to go over such an important matter.

"Things were lively for a time, but the argument was finally settled when Senator James J. Nejd, noted educator, introduced a resolution that could not be withdrawn from a special committee, and when Senator Furnas assured the Senate the dress suit, which he said was "in lock," would not be molested.

looking at some papers, called me twice. He was sitting at his desk. He said that if I didn't take out the adultery charge I would never live to get a divorce. He had been quarreling at the dinner table and I had asked him if we couldn't have one. He said he would never get a divorce and told me that if I didn't have certain sections taken out he would kill me and the two detectives I had engaged.

He became excited and called me "gutter trash" and a "G—".

Other things I told him that getting a divorce was the last thing I wanted to do. He told him that I wanted a congenial settlement. He had often told me that my funeral expenses would be a cheerful expense.

RECEIVED DETAILS
OF TRAGEDY.

"Mr. Myers had his pocket knife in his hand. He became more and more excited. He told me that he would kill me and the two detectives. I knew that he meant it. He advanced toward me with his hands up. He had the knife in his right hand."

"I said to him, 'Fred, don't come any closer.' I backed up against a cabinet. He came closer with his hands up. I was frightened. He said, 'G—'."

"If I had fired more than twice I do not remember," testified Mrs. Myers as she fingered a string of pearls around her neck.

The State had previously shown that four bullets were taken from Mrs. Myers' body.

After the shooting Mrs. Myers stated she went downstairs and told the housekeeper to call the police. She said she returned upstairs and then came down again.

CORROBORATED.

Arthur Myers, 12, one of Mrs. Myers' step-sons, took the witness stand and testified of his father's cruelty. He spoke of Mrs. Myers as his "mother," although his own mother, Mrs. McGrath of Chicago, was in the courtroom. He told of aiding other boys in an attempt to take his father off his step-mother Oct. 10, 1919. He was able only to give two blows, instead of his father attacking his mother. He claimed he saw his father peeling an apple shortly before the fatal shooting.

Another step-son, took the stand and testified:

"I believe he (Myers) was peeling an apple and looking at some papers. I saw the knife in the handle of the knife he had. Mother told us to go downstairs."

Arthur Myers was called back to the stand and the defense failed in an effort to show that Mr. Myers had been informed by an attorney that all Myers could do in the case was to "kill" Mrs. Myers if she persisted in getting a divorce.

After claimed he feigned he was asleep on an automobile tour and heard his father say to an attorney. The court sustained the testimony of the State by the testimony from the record.

Many character witnesses were put on the stand for Mrs. Myers. Among them was Lew Shank, former mayor of Indianapolis, who testified that her reputation was "first class."

Prosecutor Evans objected and said, "Answer that question either by good or bad."

"Good," declared Shank.

"You know Todd Young, administrator of the estate?" asked Mr. Evans.

"Yes."

"You know him in a political way?"

"I know him."

"You are frequently called into cases to testify as a character witness?"

"I am not."

"That's all, Mr. Shank," said the prosecutor.

The State had proved by detectives and the police that no apple peelings were found by the detectives and that no pocketknife was discovered at any time by the police. Evidence showed that no one entered the room of the tragedy from the time of the shooting, with the exception of Mrs. Myers, until the detectives arrived.

Attorney Robinson made an effort to prove there were apple peelings in the room by introducing several girls who testified that they had seen Mrs. Myers after the shooting.

SEEMS TO HANG
ON POCKETKNIFE.

Those who are closely watching the case seem to feel that the fate of Mrs. Myers will depend a great deal upon whether the jury will believe Mr. Myers actually had a pocketknife in his hands when Mrs. Myers killed him. The knife has never been found.

Those who testified as to the existence of the apple peelings were Mrs. Olga Just and her sister, Miss Rose Just, 1635 Bellfontaine street; Miss Katherine E. Lewis, 1810 North Alabama street, and Miss Edwin Henry, who lives near the Myers studio.

Many other neighbors were introduced by the defense as character witnesses. The defense was able to show by several witnesses that they had warned Mrs. Myers against her husband.

TELS OF TAKING
BOY'S REVOLVER.

Mrs. Myers testified to taking a revolver from her step-son, Arthur, after he had traded a drum for the weapon. She said she placed the revolver in a drawer of her desk and finally took the revolver up to have it "fixed."

She admitted buying cartridges. She claimed that for a month or two she carried the revolver in her pocket on entering the "darkroom" when developing pictures, as Mrs. Myers often attacked her on coming out of this room.

Probably the most effective testimony given by Mrs. Myers was her calm refusal of the frame-up story of her husband to compel her to remove from her divorce complaint against him the charge of adultery.

"On the night of the shooting," said Mrs. Myers, "I went into the darkroom to do some work. Mr. Myers, who was sitting at his desk peeling an apple and

FOURTH BOMB IN FOUR DAYS JARS CHICAGO

Explosion in Labor War In-
jures Two Persons
Seriously.

CHICAGO, Feb. 10.—The fourth early morning bomb explosion here in four days seriously injured a man and a woman today.

Victor Kalosah probably will lose his sight and his wife is suffering from "shell shock" as a result of the explosion of dynamite bomb in the plant of the Douglas Dairy Company while the two were walking by.

Labor trouble with the Milk Drivers' Union is blamed for the outrage.

Another bomb was exploded at an apartment house where there is a non-union janitor. No one was injured.

This is the second time the building has been bombed since last December.

AUTO SPEEDERS
GET STIFF FINES

Judge Pritchard Assesses
Penalties on 3 Violators.

Three men were fined in city court today by Judge Walter Pritchard on charges of violating the motor speed laws.

Oscar C. Hoss, 113 Garfield avenue, was fined \$30 and costs. Motorcycleman Shouse and Clara testified that Hoss was driving at the rate of twenty-five miles an hour on East Tenth street, near Arsenal avenue.

Because of Charles Bennett's age, 19, Judge Pritchard fined him \$15 and costs for speeding. Motorcycleman Brooks and Taylor testified that they were driving at the rate of thirty-five miles an hour on Capitol avenue between Twenty-Fourth and Twenty-Sixth streets. Bennett lives at 1301 Woodlawn avenue.

Communication of a record which amounts to practically a primary comparison of views would be premature and tend to defeat rather than aid the eventful ending of an agreement, the Secretary said.

DEFICIENCY BILL
PASSES HOUSE

WASHINGTON, Feb. 10.—The deficiency appropriation bill, carrying \$203,233,475, was passed by the House today.

PENSION BILL
SOON THROUGH

WASHINGTON, Feb. 10.—The pensions appropriation bill was passed by the Senate today in less than a minute. The bill carries \$205,000,000. The Indian appropriations bill, carrying approximately \$13,000,000, also passed.

Permit Issued for
La Salle St. Building

A permit for the construction of an eight-story apartment house at 510-512 North La Salle street was issued by the city building department today to the Circle City Construction Company.

The building, which will be two stories high and of brick veneer construction, will be 32 feet wide.

Harry G. Barker was issued a permit for the erection of a one-story garage, 6x13 feet at 4209-4210 College avenue, to cost \$18,000.

Democratic Women
to Meet Friday Night

Democratic women of Indianapolis will meet at the Indiana Democratic Club tomorrow night. A dinner and informal reception will be given at 8 o'clock there will be an open meeting at which Frank P. Baker, president of the Democratic Club, will speak. On Saturday night Democratic men will hold a meeting at the clubhouse for discussion and outlining of plans for the city campaign.

Between seventy-five and 100 couples attended the dance and card party given at the club last night for delegates and visitors to the State Democratic Editorial Association.

Governor Alone Can
Give Back Franchise

A prisoner disfranchised and released under the Indianapolis city law can escape the disfranchisement only by appealing to the Governor. Attorney General U. S. Lesh declared in an opinion given to E. J. Fogarty, warden of the State prison today, that the warden the question arose with the release of a prisoner.

The attorney general held that the State board of pardons may recommend the release of a prisoner, but will have no provision for removing the disfranchisement.

Haystack Moved by
Cops to Find Still

A haystack camouflaged a still on the farm of David Fabner, a few miles south of the city, but Lieutenant Cox and his squad removed the hay and found the still. Fifty-seven quarts of whisky were found in the barn. The whisky was of the "white mule" brand. The police also found fourteen quarts of the same kind of liquor under the stairway of Fabner's home. Fabner is charged with operating a blind tiger. He told the police he had been in the United States only a few years and only recently had taken out his first naturalization papers. Federal authorities will investigate.

Harm Policy Is Paid

HARMORE, Okla., Feb. 10.—A \$200,000 life insurance policy issued to Jake L. Hamon, multi-millionaire Oklahoma oil king, two hours before he was fatally shot, was paid to his estate today by the issuing company.

At least 40 per cent of the World War veterans have mental troubles and no facilities for treatment.

Living costs are now 101 per cent above 1914.

HAIT COUNTRYHOUSE SALE BILL.

The Indiana Real Estate Board, at a meeting Wednesday, tabled a resolution favoring the bill before the Legislature which would provide for the sale of the south half of the Marion County courthouse square, raising the present building and erecting a new courthouse on the north half of the square.

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