

JUDGE UPHOLDS ATTACK STORY

(Continued From Page 1)

defense attorney, contented himself with asking the parents if they had personal knowledge of any facts charged in the indictment and upon obtaining negative answers dismissed them from the stand.

The State asked no questions on cross-examination. Both Mr. and Mrs. Oberholzer plainly were under a severe strain, and the father's voice was almost inaudible as he answered Inman's questions. During the few minutes he was on the stand, his eyes never left Stephenson for a second.

Nurse on Stand

Miss Beatrice Spratley, Miss Oberholzer's nurse, was called to the stand shortly after court convened.

She testified as she had done at Coroner Paul F. Robinson's inquest at Indianapolis in April, that she is a citizen of Great Britain, but has taken out first naturalization papers. That she has been in the United States for one-half year and in Indianapolis about a year.

She said she went to the Oberholzer home in response to a call by Dr. John Kingsbury at 11:30 a. m., March 17, and found Miss Oberholzer in bed. She said she remained on the case until Miss Oberholzer's death at 10:05 a. m., April 14. She said she had previous experience with mercury poison cases during the time she was in charge of a 400 bed hospital in Preston, England.

Inman asked her as to the course of treatment and then brought out that the witness had no personal knowledge of any facts stated in the indictments. With that he closed his examination.

Remy Begins

Remy then took the witness on cross-examination.

"Did you find any wounds on the body?" asked Remy. Defense attorneys objected in a chorus, but the nurse had already answered "Yes."

"Describe them," urged Remy. Miss Spratley began.

"Now, your honor," said Attorney Holmes, rising, "we wish to object. This is not proper cross-examination, because the defense was careful not to ask the witness anything about superficial wounds."

Attorney Charles Cox, assisting Remy, replied, "She has testified Miss Oberholzer was sick and suffering. On cross-examination we have a right to develop in full what she showed in part, namely, her physical condition. If it hurts the defense, that's their bad luck."

Defense Overruled

After a few moments thought, Judge Hines overruled the defense, and Miss Spratley proceeded in detail.

"The right and left leg were deeply bruised, so much so it had not cleared up by the time she had died. Both ankles were slightly bruised. Do you want me to tell it all?"

"Yes, go on," said Remy.

Miss Spratley then described lacerations on the body, glancing at the defense attorneys expectantly. The latter arose again and objected in a body.

Judge Hines ruled out some of her testimony.

Paul F. Robinson, Marion County coroner, was the last witness. He identified the coroner's verdict which he returned following the inquest. It was that Madge Oberholzer died of mercurial poisoning self-administered. Over objections of the State he was permitted to answer a question asked by Inman, if in his opinion a person taking six grains or more of mercury could recover if six hours or more intervened before medical assistance was given. He said, "no."

If the first day's hearing Tuesday was a day of unbroken victories for the defense, the tables were com-

DO SIGNATURES COMPARE?

Thos. M. La Follette
eat and better satisfied
W. B. Stephenson
as been so much talk about

Did D. C. Stephenson register himself and Miss Madge Oberholzer as "Mr. and Mrs. W. B. Morgan, Franklin," at the Indiana Hotel in Hammond, Ind., the fatal night before Miss Oberholzer took poison, as the State alleges in the Stephenson murder indictment.

pletely turned Wednesday. When court adjourned for the day the State had scored heavily and repeatedly and there was an air of jubilation among the prosecution lawyers as pronounced as their depression the day before.

State Confident

Following a conference of the State's forces composed of Remy, Cox, Riph, K. Kane and Thomas Remy announced that the State was convinced that the defense had entirely failed in its efforts to prove that the defendants were entitled to bail.

Ruling by Judge Hines denying motions of the defense to strike out testimony of various witnesses, including Dr. John K. Kingsbury and Marshall Oberholzer, brother of Madge Oberholzer, as to stories told them by Miss Oberholzer, undoubtedly were great victories for the prosecution.

Previously upon the same identical motion he had excluded the dying statement from evidence at that particular time.

The persistence with which Inman examined witnesses, all of whom are believed to be important witnesses, potentially, for the State, should the murder case go to trial before a jury, gave color to the opinion expressed by many lawyers that the object of the ball proceedings from the standpoint of the defense was as much to force the State to uncover its evidence as to obtain freedom for Stephenson, Kinck and Gentry.

Regardless of the general trend of events Wednesday in favor of the State, this object, if the defense had it, had been accomplished to a great degree.

Brother Testifies

Marshall Oberholzer told the story of the events leading up to his sister's final illness, as related to him by her.

Substantially, it bore out the dying declaration and Dr. Kingsbury's story, probably following the former more closely. It was the same story of Miss Oberholzer being called to Stephenson's home the night of March 15, and of being kidnapped, taken to a sleeping car and attacked by Stephenson, then being taken from the train at Hammond to a hotel, where she obtained poison and took it; then being rushed back to Indianapolis by automobile and held prisoner in the garage in the rear of Stephenson's home, 5434 University Ave., until 11 a. m. March 17 when she was taken to her home.

The brother testified that Madge told him after she had informed Stephenson she had taken poison, he pressed a revolver against her heart and demanded that she marry him.

Hear Mrs. Shultz

Mrs. Eunice Shultz, mild mannered, keen of mind, clear thinking, definite, a striking little figure, was the last witness of the day, and from the State's standpoint one of the best of the entire hearing. Mrs. Shultz lives at the Oberholzer home, 5502 University Ave., and was the only person at the house when Miss Oberholzer was brought home March 17.

She testified that she heard Miss Oberholzer groaning as she was being carried to the house from an automobile by some man. The man, she said, carried Miss Oberholzer upstairs and came down, before she had any conversation with him.

"Do you know the man?" Inman asked.

"I do. He told me his name was Johnson and that he was from Kokomo."

Inman made no attempt to have Mrs. Shultz identify the man further. "Where was he when he made this statement to you?"

Auto Accident

"He had come downstairs and was near the front door. I asked him how badly hurt Madge was. He said she had been hurt in an automobile accident, that he did not believe any bones were broken, but that I had better call a doctor. He went to the automobile in the driveway. It was a large car."

Mrs. Shultz said she then went up to Madge's room and that Madge told her to come in.

"She told me to call Dr. Kingsbury by telephone, and I did," Mrs. Shultz said.

"Did you have any conversation with her?" Inman asked. "I told her I hoped she would be all right, and she said, 'I am dying, Mrs. Shultz.'"

This statement was regarded as of vital importance by the State as it is claimed by prosecution attorneys that it will help qualify the dying declaration and Dr. Kingsbury's testimony.

Hands Numb

"She was very cold," Mrs. Shultz continued. "Her hands were almost numb."

"How long was it before Dr. Kingsbury came?" Inman questioned.

"A very short time. He said 'Madge you must tell me what happened so I can help you.' I went out and closed the door. A little later the nurse came and I helped her make Madge warm. Then I left the room and never saw her again."

The testimony of Mrs. Shultz verified statements of Dr. Kingsbury in a number of particulars.

LA FOLLETTE LOSES TO DEATH

(Continued From Page 1)

to Madison, where he attended the university.

The farm not bringing in enough revenue to support his mother and sister, La Follette worked while at the University Press.

Defied Machine

After graduating from a law course, he announced his candidacy for prosecuting attorney. The Dane County "boss" came to him and told him the Republican organization would not stand for his running, and La Follette, naturally enough being a fighter, defied him. Thus began his forty-five-year battle against machine politicians. He won and was re-elected, aspired successfully for Congress later, made friends with President McKinley, and held his congressional post six years. A Democratic landslide returned him to private life at the end of his third term.

La Follette then settled down to practice law at Madison, but was not destined to remain out of politics long.

But La Follette's brother-in-law, Robert G. Siebeck, was a judge. La Follette made public a charge that Senator Sawyer, now dead, attempted to have him (La Follette) use his influence with his brother-in-law to give a certain decision in a pending lawsuit. Sawyer and his friends branded the accusation as false. La Follette started out in politics again, with the announced

intention of breaking the Republican "machine" in Wisconsin.

In three successive campaigns, La Follette and his progressive followers were defeated—the first time their candidate for Governor, Nils P. Haugen, being defeated, and the next two campaigns with La Follette himself running for Governor.

Elected Governor

The third time, in 1900, La Follette was elected Governor—a position he



Senator Robert M. La Follette

filled till 1906, when he was elected to the United States Senate, where he has served since.

Progressive found a champion in

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La Follette in 1923 and launched his candidacy for the presidency of the United States. He campaigned vigorously but was defeated.

Secured Eight-Hour Law
The veteran Senator is credited with leading the fight for the following important measures during his long senatorial career:

1. For the direct primary and the direct election of United States Senators.
2. For workmen's compensation, general employers' liability, safety appliance acts.
3. For regulation and higher taxation of railroads in Wisconsin, Government valuation of railroads and railroad rate classification.
4. For regulation of telephone and telegraph rates.
5. For publicity of campaign expenditures.
6. Eight-hour law for Government and State employees and fixed railroad hours of service.
7. For federal inheritance act.
8. For Federal post office act.
9. For protection of women workers.

ers; of mothers and children; laws against child labor; for Federal children's bureau.

10. Redefinition of trusts; exemption of cooperative farmer and labor organizations from anti-trust law.

La Follette was married to a university classmate at Baraboo, Wis., Dec. 31, 1881. They have four children, all of which survive him. His youngest son now holds the office of prosecutor, where his father started climbing forty-five years ago.

GOES BACK TO THE FARM

Walter Baines, 23, of 1813 Dawson St., was taken to the Indiana State Farm today. He was arrested here by detectives Peats and Higgs, and held as a fugitive. The officers say he escaped from the institution.

NOTE ISSUE ASKED

The Gary Street Railway Company has petitioned the public service commission for authority to issue and sell \$3,000 in notes to finance purchase of five new cars.

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YOU CAN DEPEND ON TIMES WANT ADS

LONE HOLD-UP REPORTED

Hospital Orderly Loses \$2.50 to Bandit Pair.

A lone hold-up report appeared on the police slates today. Ray Spearman, 24, an orderly at Indiana Christian Hospital, said he was walking west on Ohio St. and when he passed the alley between Capitol and Senate Ave., a white man pointed a gun at him. While he was searching him, Spearman said a colored man joined him. They obtained \$2.50 and some papers.

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