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DEFENSE OF STEPHENSON IS HINTED

Questions Asked Talesmen Lead Observers to Believe Inman Will Make Technical Fight on Theory of Reasonable Doubt.

JUDGE SEEKS TO SPEED UP SLOW JURY PROCESS

Girl Witness, Former Secretary of Accused and Sorority Sister of Miss Oberholtzer, Missing—State Passes Twelve Men.

By John L. Niblack and William L. Toms
Times Staff Correspondents

CIRCUIT COURTROOM, NOBLESVILLE, Ind., Oct. 19.—Defense of D. C. Stephenson, Earl Klinck and Earl Gentry, on trial here on charges of murdering Miss Madge Oberholtzer, Indianapolis, will be a technical one, including the theory of reasonable doubt that the trio committed the crime as alleged, it was indicated here today by questions put to talesmen by Eph Inman, chief defense attorney.

Judge Will M. Sparks endeavored to speed up the slow process of obtaining the jury as the second week of the trial opened. He urged attorneys to limit their questioning of prospective jurors to facts unquestionably pertinent.

Judge Sparks said that unless prospects improved by Wednesday he would call a third special venire of 100 men.

Witness Missing

It was learned that one of the State's chief witnesses, Miss Marian Darr of Greenfield, Ind., Stephenson's former private secretary, is not in the State, within reach of the subpoena. It is said she has gone to California. Miss Darr is a member of the Pi Beta Phi Sorority of Indiana University. Miss Oberholtzer was also a Pi Phi of the Butler chapter.

The defendants paid comparatively little attention to the routine questioning of the talesmen, although Stephenson, at times made notes on their replies. The air of tension evident as court adjourned Friday was not present to such an extent.

Among the spectators in court were George Oberholtzer, father of Madge, and his brother, Marshall, of Linton, Ind.

Inman's Questions

Questions which Inman asked Muriel Lambert, 40, Sheridan, Ind., insurance agent, the 104th man to be examined, were typical of those asked other ventriloquists. Lambert said he was married, had four children, aged 12 to 18, including two daughters. He said he knew none of the Oberholtzer family, State's attorneys or Indianapolis detectives present. He said he read the case in the papers.

"These men, under the law, are presumed to be innocent of anything and everything they are charged with," said Inman. "Would you be willing to give them the benefit of that law?"

"Absolutely."

"If you should sit as a juror and hear the whole case to the end and then have a reasonable doubt as to their guilt, would you acquit them? That's the law, and you'd do it, wouldn't you?"

"Yes."

"The burden is on the State, you know," said Inman. "These men are not required to prove their innocence, or prove anything. That's the law. Would you yourself require them to prove their innocence before you would vote for a guilty?"

"Just state that again please," asked Lambert.

Stresses Doubt

Inman rephrased the question, adding that the State must prove the defendant guilty beyond all reasonable doubt before the law allows a verdict of guilty.

"I'd expect the State to prove them guilty," Lambert said finally.

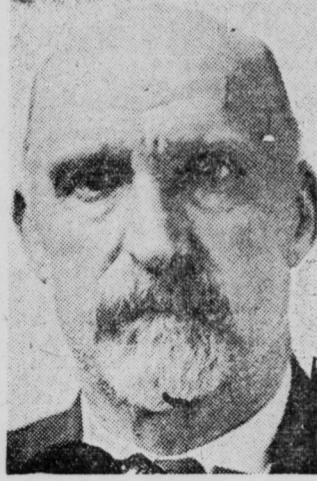
Lambert said the sex question, the fact that the person alleged to be murdered was a woman, would not make it a different murder trial than if the deceased had been a man.

"Would you allow any outside influence, any political influence or the wishes or determination of either friends or enemies of these men to influence your verdict?"

"No sir, it would be fair to both the State and defense," said the talesman. "I would make up my mind after I had heard the whole

'ENGLISH EARL' IN PRISON HERE

Police Investigate Activities of Alleged Lord—Woman Also Held.



Arthur Stafford, Alleged Earl of Stafford.

"Really, I can't understand why the press is taking such a 'strange' interest in my case," said the alleged Earl of Stafford of England in his cell at city prison today.

The "Earl" was in jail because he has not been able to explain so far just why he had a large number of big checks and telegrams—which detectives say he sent to himself, all hinting big business deals.

With him in "durance vile" was Mrs. Bertha M. Sheesley, 40, and erstwhile Lady Stafford to be, according to detectives.

Lady Stafford

Proof that she was to be "Lady Stafford" was contained in the will of the "Earl," detectives said. The Earl proposed to leave Mrs. Sheesley all his English holdings, the incomes from his Earldom, Stafford manor, 32,000 acres and all its residences, as well as a residence at 2310 Lakewood Blvd., Cleveland, Ohio, and his stocks and bonds and incomes from his baronies.

The will stated that Mrs. Sheesley was to receive the title of Lady of Stafford upon his death. It was made on stationery of a Kansas City Hotel. Mrs. Sheesley's address was given as Neita, Okla.

"I refuse to confirm or deny that I am an Earl," the alleged nobleman,

who gave the name of Arthur Jackson Howard Stafford, and his address as Stafford, England, said.

At Boarding House

The couple were arrested at a boarding house at 331 N. Illinois St. Saturday night. Detectives refused to say where they got their information to make the arrest or how it came about.

The "Earl" is 64, gray haired, well dressed and talks with a decided English accent.

Mrs. Sheesley said she met his "Earldom" at Rosebud, Mont., last August.

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