

## STATE BATTLES KLINCK ALIBI

(Continued From Page 1)

The defense objection was overruled.

"No, sir," replied Carter.

"Well, how long did it take?"

"Well, the indictment was Saturday morning and he was arrested on Monday morning," Carter explained.

At the time of Stephenson's indictment on charges of murder, the prosecutor threatened an investigation to learn why the delay.

"We didn't know anything about his indictment until we saw it in the newspapers," said Carter.

Noon recess followed.

Dr. Williams, when placed on the stand, told Inman he had handled from ten to fifteen mercurial poisoning cases. He said he kept individual records on ten of them.

"What is your opinion, doctor, as to the minimum fatal dose?" Inman asked.

"Three grains, if absorbed."

"And eleven or twelve grains would more likely be fatal?"

"Yes."

"Are there other methods by which mercury may be taken than through the mouth?"

Dr. Williams said it could be taken fatally through the skin or through any of the numerous superficial body cavities.

### Its Effect

"What affect would it have on the mouth, tongue or throat?"

"Necrosis."

"Now what is that doctor?"

"Death of tissue."

At this point, Virgil H. Moon, the pathologist, who is assisting the State, sat down at Cox's table. It seemed to agitate Dr. Williams.

### Antidotes Aid

In answer to a number of Inman's queries, Dr. Williams said it was possible for bichloride of mercury, taken as a prophylactic to affect the human body in essentially the same way as if the poison had been taken through the mouth. He said immediate administering of any albuminate, such as milk or egg has a tendency to break the ravages of the poison in the stomach.

Dr. Williams said the only two cases he had observed where recovery followed the taking of mercury, were where the patient had vomited immediately after taking the poison.

"Do you know of any cases of recovery, where the patient has gone untreated as long as six hours after taking a lethal dose?" Inman asked.

"No, sir, I do not."

### Objection Overruled

Judge Sparks overruled an objection by Cox, who charged the witness had not qualified as an expert.

"Would medical aid, if administered after six hours, save the life of the patient?"

"It could not."

"Would it prolong the life?"

"It could not."

"Now, Doctor, I want to put to you a history of an assumed case: Assume a woman of twenty-eight years..." and Inman was off on another lengthy hypothetical question, three of which he delivered Thursday.

Spectators shifted about here and there in the courtroom, and some even left. The jurors settled themselves in their chairs.

The question lasted forty minutes. Inman finished as follows:

"Now, Doctor, upon that basis, in your opinion, what caused the death of Madge Oberholzer?"

"Bichloride of mercury."

### Another Question

"Now, Doctor, let me put another short question to you," said Inman smiling at the witness.

The spectators also smiled, in fact, some of them laughed.

"Assuming it to be true that when the patient—the person assumed, went to the home of this assumed party she was compelled by force of arms, by guns, revolvers, to drink intoxicants, that she was compelled to go to the Union Station and get in a Pullman drawing room."

The veteran attorney drew out the word "compelled" with sarcastic emphasis each time.

"Assume that one of the men got in the lower berth with her. Assume that he attacked her or had rela-

tions with her; that he beat her, bit her or things of that sort."

### Oh Dear!

Inman then "assumed" both pronouncements of the exclamation Madge is said to have made when she saw a revolver: "Oh dear! Put that gun away." After assuming that the party arrived at Hammond, he asked the witness:

"Now, Doctor, even if you should assume those things to be true, in addition to the question I propounded to you, would that have changed your answer?"

"It would not," replied Dr. Williams.

"You may cross-examine," said Inman. Cox who is conducting the medical side of the case.

Cox had seen the witness making some notes and began to question him about that.

"It was just some little data on the date, age, and so forth," said the witness.

"Is your memory bad?" asked Cox.

"It is better not to make mis-

takes than to make them" said Williams.

"That's not what I asked you."

"My memory I consider as good as anybody else's," replied the young doctor, somewhat nettled.

"Where do you live?"

"At 1853 Shelby St."

"Where did live before that?"

"I've lived there two years. I lived at the Methodist Hospital before that nine months."

"Did you ever treat D. C. Stephenson for delirium tremens?"

"We object to that, Your Honor, as an improper remark," shouted Ira M. Holmes and Floyd J. Christian in unison.

Cox and the attorneys engaged in a cross talk and Judge Sparks rapped sternly for order.

"Wait a moment," he said. "If you gentlemen have any remarks to make, make them to the court. Not that I like to be talked to, but make your remarks through me."

As the witness had already replied "No," Cox proceeded.

"How many of your ten cases that you treated got well?"

"Two."

### Produces Tablets

Cox produced the State's bottle of white bichloride of mercury tablets.

"State what these are?"

The witness took the bottle, looked it over, poured out some of the tablets and said:

"Unfortunately, I never have seen these tablets before."

"Well, the label says they are bichloride of mercury, doesn't it?"

"Yes."

"In a technical sense, is there a real antidote for this poison?"

No Antidote

"There is no real antidote for bichloride of mercury."

"But they have come to call certain remedial agents antidotes?"

"It's according to what you consider an antidote."

"Read this Doctor," said Cox, pointing at the label.

The doctor read it—silently.

"Out loud," instructed Cox.

"Give whites of eggs, milk, flour; give strong stimulants such as whiskey, coffee, etc."

"Why do they say 'Antidotes' there?" asked Cox.

"For the simple reason—well I don't think that's right anyhow. I'd never give coffee for an antidote for this poison."

"Then you don't think Eli Lilly and Company know what they're about?"

Cox and the witness got into an argument, Cox telling the Judge that the State was entitled to an answer. Attorney Holmes took a hand in defense of his witness, accusing Cox of "heckling" the witness.

Internal "Expert"

The doctor said that he practiced internal medicine.

"Are you appearing here as an expert?"

"No, as a practitioner of internal medicine. Only as expert as those people are."

"You said to Mr. Inman that nothing could save the life of a person who swallowed this poison and kept it secret for six hours without medical aid?" questioned Cox.

"That's right. Nothing could."

"You said that, and you'll stand by it, will you?"

"I do."

"What is the time in which people die from this poison?"

"From thirty minutes to forty-five days. The usual time is from one to twelve days."

The record case of the time between taking poison and death from bichloride of mercury has

been stated at anywhere from twenty-five to forty-one days by the different medical experts.

Cox got out his book by Witthaus, a recognized medical writer, which he has used on different witnesses. He handed it to the witness.

"Will you just read from page 745, what Witthaus says." The witness took the book and read:

"The usual duration of bichloride of mercury poison cases is from five to twelve days."

"There now. Do you agree with that?" asked Cox triumphantly.

"No, I don't agree with that," said the young physician. "I agree with my own opinion. There are

many other opinions and many other authorities on toxicology."

"Well, read this then, Doctor," said Cox. "read it out loud. Go on, read it out loud to the jury."

"We object, Your Honor, to making the witness read it out loud to the jury," said the defense attorneys.

"The objection will be sustained," said Judge Sparks promptly.

### Cox Out-Smarted

Cox then read from the book, and then asked a question.

"If Witthaus says the record case is that of a young woman of thirty, who took bichloride of mercury in aqueous solution, was

(Turn to Page 31)

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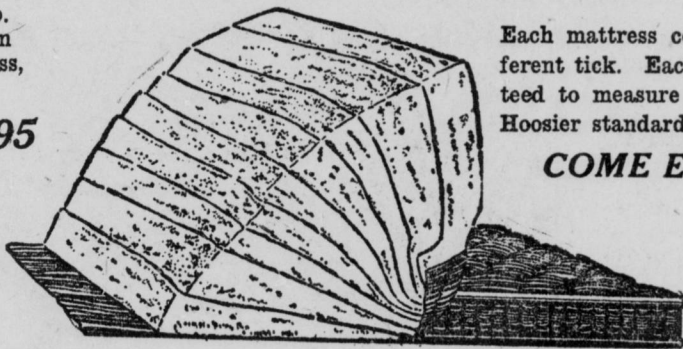
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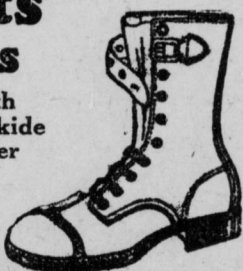
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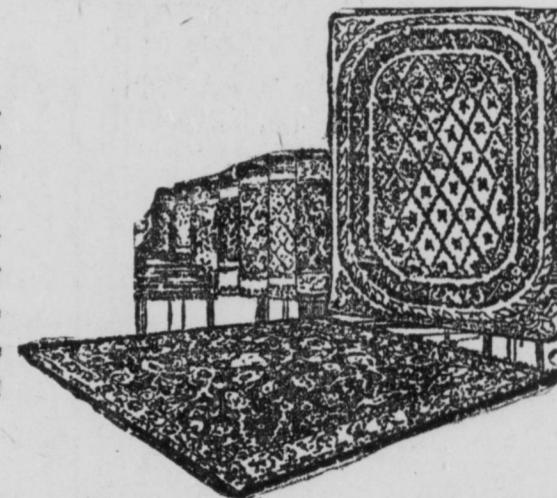
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