

STATE BOLSTERS CASE WITH REBUTTAL

Witnesses Give Testimony

Doling to Klinck

Alibi.

(Continued From Page 1)

versation, just give the substance," said Judge Will M. Sparks.

"I can't say positively. I can't give it word for word. I know the acknowledgement was such that I—"

As Hill could not be persuaded to give the conversation, or the substance of the conversation, and let the jury be the judge of its import, the spectators never got to hear what was said, much to their evident disappointment.

Eph Inman, chief defense attorney, took this witness.

"Mr. Hill, were you on every day and night constantly in the presence of Madge Oberholzer?"

"I was in communication with her or saw her sometimes every day with few exceptions," said the witness, facing around in his chair to glare at the defendants.

"Yes, but when you didn't call her by phone, you didn't then know where she was?"

"I had a pretty good idea."

"But you didn't know, did you?" insisted Inman.

"Of course not," the witness snapped.

In Business With Steve

"You say you are in the real estate business. Where do you operate?" asked Inman.

At St. Petersburg, Fla."

"Weren't you connected with Mr. Stephenson in an affair down there?"

"Yes, but it was not an affair, Mr. Inman."

"What was it?"

"It was in business."

"Now, I'll ask you if it isn't a fact that you severed your connections with that business in February?"

"I most assuredly did."

Denied Shortage

"And is it not a fact that you are short \$200 in your account?"

"I am not. I was not," yelled the witness.

"Do you remember the campaign of 1924?"

"I do."

"Were you in Mr. Stephenson's office then?"

"Yes, it was not over two times. It was October, 1924."

"Is it not a fact, Mr. Witness, that you were in Mr. Stephenson's office with Madge Oberholzer in 1924?"

"I was not! Never!"

"I'll ask you, weren't you in that office with Madge Oberholzer discussing arrangements for the Governor's inauguration?"

Steve Whispers

Stephenson whispered to Inman who asked:

"I'll ask you if you weren't in room 1001 in the Sevier Hotel with Madge Oberholzer, 1924, during the campaign?"

Yes!

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POLICE HOLD THREE SUSPECTS

(Continued From Page 1)

Soul its awful. Please just step out to some side room. That applies to women as well as men," he said gazing at his feminine audience.

Thomas Tugge, 18, colored, also a participant in the disputed ride to the Indiana State Farm on St. Patrick's day, next took the stand. He verified Majors' story.

"Do you know who took you?" asked Remy.

"I don't know who he was, but they called him Red. He had red hair and a red moustache."

It was a more or less exact description of Deputy Koffel. Klinck is a burly brunet, with slightly graying hair and is smooth-shaven.

"How fast did you go?"

"High Speed
 "Around fifty or fifty-five miles an hour."

"When were you taken?"

"Along in the afternoon." Tugge was also sentenced on Friday the 13th.

Harry Mescal, 19, and Louis Brunner, 19, two white youths, who were sentenced for robbery and who were the other prisoners taken, also told the same stories.

Brunner said they left the jail about 2 p.m. He said they traveled around thirty-five to forty miles an hour. Under a severe cross-examination by Holmes, Brunner said they probably drove as fast as sixty miles an hour at times.

Mrs. May Stauber, 25, of 253 N. Randolph St., bit the robber's fingers and got loose when he tried to force her into an automobile after taking her purse near 29 N. Randolph St. Tuesday.

Miss Anna Avin, 20, of 823 N. Eastern Ave., screamed and the bandit fled in the 800 block on Eastern Ave. Monday.

Police say Davidson accosted Mrs. F. I. McMick, 50, of 56 N. Campbell Ave., Tuesday.

Receipt Stub Shown

"Yes, I did." "Defendant's exhibit number five is the receipt for the four prisoners which deputy sheriffs testified for the defense was turned in at the Marion County jail by Klinck after taking the prisoners to the farm. The stub from which the receipt was torn showed the prisoners were delivered at 3 p.m. Defense witnesses said Klinck got back at 11:30 a.m. or about three hours earlier.

The witness said he had, "no independent recollection" of receiving the four prisoners in question on St. Patrick's day, but said "It is my writing, though."

Clerk Follows

Orville Collins, receiving clerk at the Indiana State Farm, preceded Hill on the stand. He explained the details of the receipt of prisoners.

"Now I hand you, Mr. Collins, State's exhibit No. 12," said the youthful prosecutor, who strutted up and down before the jury with a triumphant expression on his face during the quizzing of the State witnesses.

"I'll ask you if this is a page of the record you keep at the State Farm?" said Christian, scanning the exhibit carelessly, while he kept the prosecutor waiting with outstretched hand for quite a bit.

"That's my record, and I made it out," said the witness when he finally got the page.

"I hand you defendants' exhibit number five and ask you if you made that out?"

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Clerk Follows

Orville Collins, receiving clerk at the Indiana State Farm, followed. He recalled having received Tugge, Brunner, Mescal and Major on March 17.

"The regular deputy from Marion County—we call him Red—brought them," Williams said. Remy, walking over to the defense table, pointed out Klinck and said, "I'll ask you, Mr. Williams, if this is the man who brought the prisoners—the man with the black hair?"

"I don't recall him," Williams replied.

On cross-examination, Holmes asked Williams how many prisoners were received at the State Farm on March 17, and Williams answered "eight or nine." Holmes handed Williams the State Farm's receipt book and Williams could receipt stubs for only six prisoners on that date.

On re-direct examination, Remy said to Williams, "Now, Mr. Holmes has asked you how many other prisoners were brought in that day—were any of those others from Marion County?"

Williams again examined the book. "No, sir."

Klinck, who generally pays little attention to the proceedings was watching the prisoners closely, as was Stephenson, the principal defendant. Stephenson appeared in court this morning wearing a haggard, weary look.

"Did a man named Klinck go with you?"

"No, sir."

"When did you go there?"

"On March 17."

"Where did you go from?"

"The Marion County jail, in the sheriff's Hudson."

"Who went with you?"

"Three prisoners, excusing myself, and a deputy sheriff."

"Who was that deputy?" asked Remy slowly.

"Koffel—Red Koffel."

"Any one else?"

"Yes, a trusty—you know, Mr. Remy, one of them prisoners what they trusty around the jail."

"When did you start?"

"About 1 o'clock."

"When did you get there?"

"About 3 o'clock."

"Do you know a deputy named Earl Klinck?"

"No, sir."

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"Did a man named Klinck go with you?"

"No, sir."

"You may cross-examine," said Remy.

"When were you sentenced to the farm?" asked Defense Attorney Ira M. Holmes.

Hoodoo Friday

"On March 13, on Friday," said the witness, showing a mouthful of white teeth in a broad smile. Spectators laughed.

"Who drove the car?" asked Holmes.

"Red drove it."

"Who guarded you?"

" Didn't need no guardin'. Was handcuffed on the back seat by both hands."

"What are you doing time for on the farm?"

"Whisky. Violatin' liquor law."

"Had you been arrested and convicted before?"

"Yes sir, twice."

"What for?"

"Whisky Again."

"Whisky."

"Who first asked you about this trip?"

"One of the officers out at the penal farm yesterday. He asked me did I remember what deputy brought me out and I says yes."

"How tall was this deputy?" asked Holmes.

"Well—he gazed in vain about the courtroom for someone standing up. "Well, he's lower than I am."

The witness said he was six foot, one and one-half inches tall.

"Who brought you over here?"

"Mr. Howard, the superintendent."

"Who came over to the farm to see you?"

"Two men, I don't know who they were, last night."

Remy then took the witness.

Remy proceeded to identify the two men who had gone to the farm.

"This is Mr. Starks, chief deputy prosecutor of Marion County, and Mr. Shearer, grand jury deputy," he said pointing to Judson Starks and William Shearer who were sitting with him.

"Are these the two men who came over to see you?"

"Yes, sir, that's them," said the witness, smiling in recognition.

No Smoking

Just as court convened, Judge Sparks issued a warning against smoking in the courtroom during recess, a practice that had been indulged in by newspaper men, defendants and attorneys.

"I might say, gentlemen, let's have no smoking in here during recess. The atmosphere gets so

WANTS GAS STATION

Property Owner Says She'll Go to Court in Permit Fight.

Fight for filing station permits for the southeast and southwest corners of Fall Creek and Delaware Sts. will be carried to court, Mrs. C. D. Spann one of those seeking a permit said today following denial of petitions by city plan commission.

The city appropriated part of the corner properties for approaches to the new bridge. The property holders agreed to donate twelve feet for widening Delaware St., if permits were issued.

GERMAN REPLY IS MADE

Note Delivered in Paris After Urgent Demand.

By United Press

BERLIN, Nov. 11.—Germany's reply to the latest allied disarmament inquiries was delivered at Paris at midnight following an urgent tele-

phone message from Ambassador Hoesch saying that unless there was immediate delivery evacuation of Cologne, desired by Germany, would not materialize.

(The allied note was in the nature of a final cleanup of the disarmament problem, calling attention of Germany to disarmament desires of the allies).

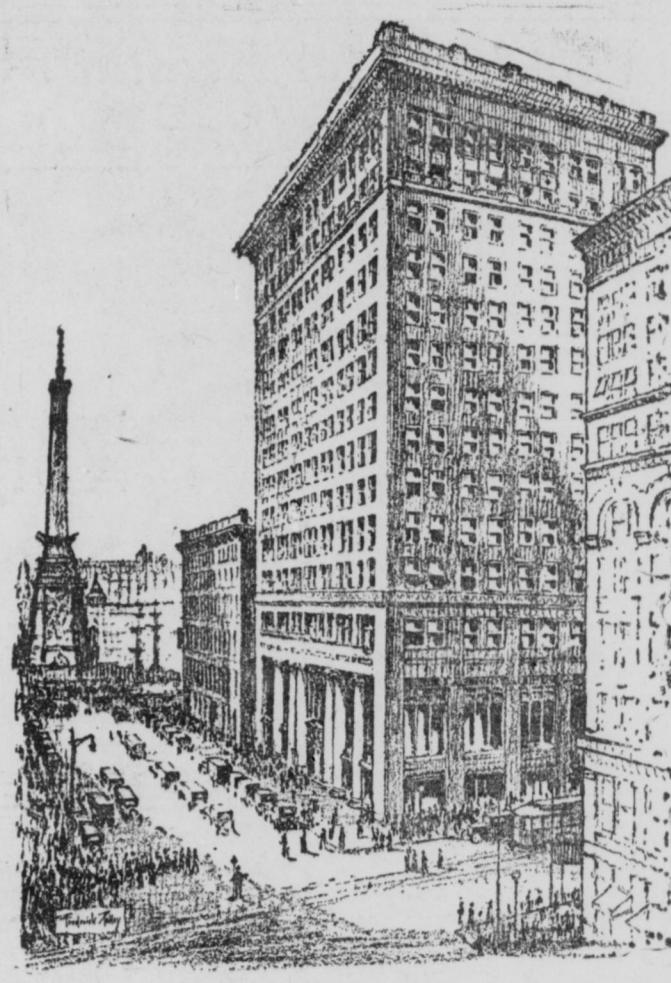
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