

STATE BOLSTERS CASE WITH REBUTTAL

Witnesses Give Testimony
Damaging to Klinck
Alibi.

(Continued From Page 1)

As Hill could not be persuaded to give the substance, 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 sometime 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.

"Veren'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."

Denies 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 Severin Hotel with Madge Oberholzer, 1924, during the campaign?"

Yes!

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This the witness denied.

"I'll ask you, Mr. Witness, if you weren't seen in the party which was given at Mr. Stephenson's expense, with Mr. Stephenson and in Madge Oberholzer's company after a drinking party at the Severin hotel, in October, 1924?"

"I was not. It is not true," the witness replied, glaring at Inman.

The witness was excused from the stand.

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 a puffed 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?" The witness, however, did not get to take the exhibit for two or three minutes as Defense Attorney Christian insisted he should see it first.

"I may want to make an objection, I don't know though, Mr. Remy," said Christian, scanning the exhibit carefully, 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?"

Receipt Stub Shown

"Yes, I did."

"Defendants' 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 State 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."

It is not thought that Remy will finish his rebuttal today, as this morning he obtained twenty-five additional subpoenas from the county clerk.

Pete Majors, colored, one of the prisoners which the defense alleges Klinck took to the Indiana State Farm on the day the State alleges he carried Miss Oberholzer home, was the first witness this morning.

Prisoners Now

"Are you at present a prisoner on the Indiana State Farm?" asked Remy.

"Yes."

"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."

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."

"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 penitentiary 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 Acts

Remy then took the witness.

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

"This is Mr. Sparks, chief deputy prosecutor of Marion County, and Mr. Sheaffer, grand jury deputy," he said pointing to Judson Sparks and William Sheaffer 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 has 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

loul 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 Tuggle, 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."

Tuggle was also sentenced on Friday the 13th.

"I'll ask you, Mr. 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.

"This was a Hudson car?"

"Yes, sir."

"Was it driven from the right or left hand side?"

Breathless Pause

Brunner paused before answering the question, adding to the suspense in the courtroom. Finally he answered:

"It was the left hand side."

Prosecutor Remy settled back in his chair with a smile of satisfaction.

"Do you know Earl Klinck?"

"No, sir."

"When did you learn you were going to be a witness?" Brunner answered "Monday," but later said the proposition was put up to him Tuesday night, after he had gone to bed.

"Who told you?"

"One of the screws," Brunner explained a screw was an assistant superintendent.

Clerk Follows

Orin D. Williams, mail clerk at the State Farm, followed. He recalled having received Tuggle, Brunner, Mesall and Majors 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 find receipt stubs for only six prisoners on that date.

On 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."

HUNDREDS HEAR PEACE TRIBUTE

(Continued From Page 1)

naires, and members of various county and State patriotic associations marched through the downtown district before the mass meeting. The parade was led by the Eleventh Infantry and band.

In honor of the war's dead Indianapolis citizens paused for two minutes at 11 a. m. Mayor Shank asked this in a proclamation.

The United Press, which furnishes The Times with telegraph news, was stopped for two minutes.

The Junior Chamber of Commerce held an Armistice day luncheon at noon. Solon J. Carter, former judge of the Marion County Superior Court, spoke.

Dr. Francis W. Shephardson, Chicago, was to speak this afternoon before the Caroline Scott Harrison Chapter of the Daughters of the American Revolution. The invocation to be given by Rev. Jean S. Milner, and Brig. Gen. Dwight E. Aultman will speak.

Tribute in Schools

Throughout the city public school children joined in paying tribute to the dead.

Several dances will be given this evening. Brig. Gen. Aultman and Mrs. Aultman will lead the grand march opening the dance which will be given by Hoosier post No. 624, Veterans of Foreign Wars, at Tomlinson Hall.

The Indianapolis posts, American Legion, will give a dinner-dance at the Columbia Club.

Ex-service men will attend an Armistice Day dance at the Naval Reserve Armory, 17 E. North St.

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POLICE HOLD THREE SUSPECTS

(Continued From Page 1)

Ave. had given police the license number of the auto in which a man who beat her and seized her purse near her home escaped. He was in the auto, which police say was stolen from Herbert Pennell, 1920 N. New Jersey St.

Others Arrested

Clarence Miller, 19, colored, 1033 N. Senate Ave., and Alphonse Walker, 19, colored, 134 W. Tenth St., were arrested with Davidson on vehicle taking charges.

Each night, police say, Davidson said he used a stolen auto. Charges of auto banditry are to be pressed against him.

Police lay these other deeds to Davidson:

Mrs. Dora Bartlett, 22, of 1409 W. Thirty-Fifth St., was brutally beaten and robbed as she walked home from work Tuesday night.

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. McMich, 50, of 56 N. Campbell Ave., Tuesday.

Purses Found

Eight purses were found in Davidson's possession, police charge.

He was identified by Mrs. Pfueger, Mrs. Bartlett, Mrs. Strauber, Miss Arvin and Mrs. Bessie Kellermeyer, 123 S. Arlington, accosted Sunday.

Payne is believed to be the bandit who terrorized residents of the north, northwest and east sections for more than a year. Habitual criminal charges, carrying life imprisonment, will be pushed. Payne was arrested early Sunday on a criminal attack charge and held on \$10,000 bond.

Officers say Payne served time in Ohio prison for robbery and at Michigan City for burglary. About twenty-five cases where a bandit terrorized persons were reported.

Detectives Brickley and Finerman, Barnaby and Marren, Gaughan and Glenn, and Rugenstein and Landers grilled Payne for hours without obtaining a confession.

Those who identified Payne were: Mrs. Geneva Herron, 1445 N. Holmes Ave.; Miss Lillian Green, 331 N. Alabama St.; John Marley, Linden Hotel; Mr. and Mrs. George Gandolf, 1802 Exeter Ave.; Miss Edith Baker, and Mrs. Mable Webb, 1024 W. Eighteenth St.

Bennie Peterson, 30, colored, 623 W. Tenth St., in a bid to escape under \$5,000 recognizance bond while police investigate an attempted attack on Miss Josephine Hamilton, 2829 N. Pennsylvania St., nurse at St. Vincent's Hospital, at Twenty-Eighth and Meridian Sts., early Tuesday night.

Lieut. Edward Helm and squad arrested Peterson at Fifteenth St., and Senate Ave. Miss Hamilton is said to have identified him.

INJURED BY STREET CAR

Woman Plunges Into Side While Standing in Safety Zone.

Mrs. Lizzie McNairy, 72, of 628 W. Court St., is in the city hospital today suffering from injuries received when she was struck by a street car late Tuesday night.

Witnesses said she was standing in the safety zone at California and Washington Sts. and the front end of the car passed when she suddenly plunged forward into the side. Marion Coren, 657 Division St., motorman, was technically charged with assault and battery.

Makes Fat People Slim

New York Physician Perfects Harmless Method of Reducing Weight

The loss of as much as a pound of excess fat a day with no harmful results is the record made by many patients of Dr. R. Newman, a licensed practicing physician of 286 Fifth Ave., New York, who announces that he has perfected a treatment which has quickly rid fat people of excess weight. What is more remarkable is the Doctor's statement that he has successfully treated thousands of patients for fat reduction without change of diet or unnecessary exercise. It is also said that fat people who suffer from chronic rheumatism, gout, asthma and high blood pressure obtain great relief from the reduction of their superfluous flesh. Realizing that this sounds almost too good to be true, the Doctor has offered to send without charge to anyone who will write him, a free trial treatment to prove his claims, as well as his "Pay-when-reduced" plan. If you want to rid yourself of superfluous fat, write him today, addressing Dr. R. Newman, 286 Fifth Ave., New York City, Dept. R-1—Advertisement.

WANTS GAS STATION

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

Fight for filling 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-

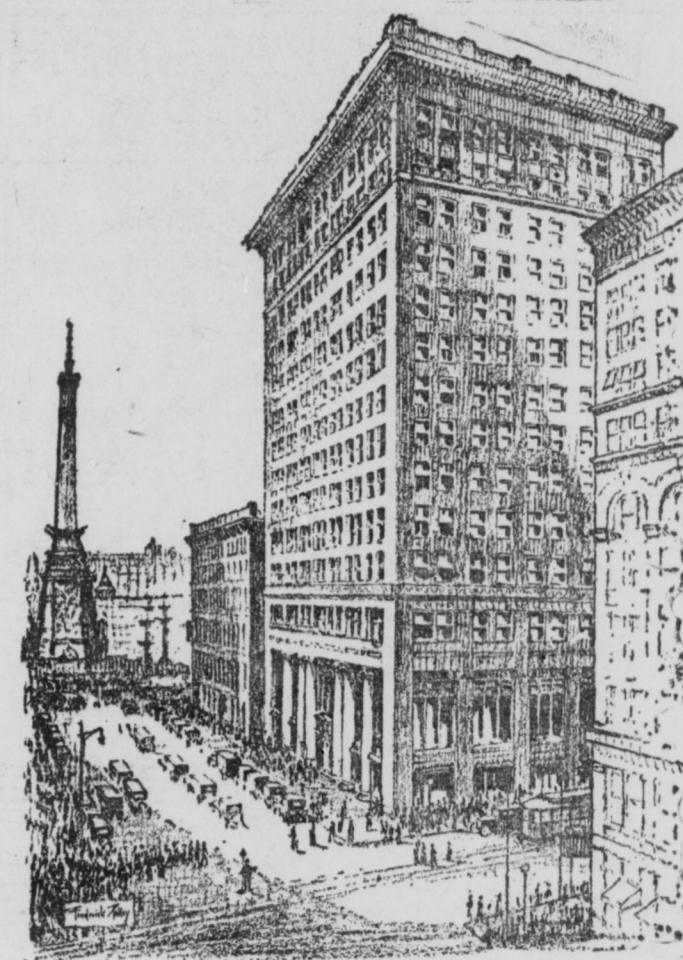
phone message from Ambassador Hoesch saying that unless there was immediate delivery evacuation of Cologne, desired by Germany, would not materialize.

(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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Rosemary Bosson
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Homer Bowers
Robert Branham
Emma Brinkman
Douglas Brown
Theron Brown
Earl Brunton
L. Albert Buennagel
Alma Busald
Norma Button

Frank Cain
Ted Campbell
Charles Carroll
Vinson Carter
Mary P. Chapman
H. Foster Clippinger
Albert S. Coffin
Stella B. Colman
Helen Colvin
Walter Cook
Aven L. Cooper
Lillian Courtney
Thomas G. Courtney
John H. Cox
Carrie Craig
Leland Crawford
Mary J. Crist

Carl R. Dalton
Helen I. Dawson
George M. Dickson, Jr.
James L. Dilley
Roy Dilley
Robert Ditttrich
Morris E. Dodd
Irvin Dodson
Hugh Dougherty
Maggie Duffy
James Dugdale
Bessie Dungan
Mary Durbin

Earla Eggert
Amelia Feldbake
Edward Fisher
Lena Fivell
George Frank
Edward G. Freihage
Gertrude Freihage

Ethel M. Gage
Emily M. Gammans
Ralph Garey
Mildred E. Gars
Robert Garrison
Ellison Gatewood
Russell Geddes
Stanley Gorgieff
Olin Glasson
Walter S. Greenough
Francis D. Gregg
Martin Guedelhoefer
Lizzie Gwinn

Florence Haines
Bessie Harrelson
Iva Harrison
Gottlieb Hasert
Anna Haygood
Mary Hegarty
Edna Helms
Rose Hendricks
Charles E. Herlin
Noble Hatt
Benjamin Holmes
Emo Hopkins
George Hulsman
Albert Humke
Arthur Hupp
Helen Hupp

William Ittenbach

Duane D. Jacobs
Clara Johannings
Albert S. Johnson
Kenneth S. Johnson
Ruth T. Johnson
William T. Johnson
Franklin Jones
Paul Jordan
Harold Justus

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Homer Phillips
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Orin Richardson
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Arlie L. Riggsbed
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Bert Romeril
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William E. Schutte
Stanley Scroggs
George C. Sears
Earl Sharp

Albert J. Shearer
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Harry Shepard
Harold Shepherd
Roy Shepherd
Claudia Shields
Margaret M. Shipp
Floyd Shockley
Elmer Sleeth
George D. Smith
Lillian Spacke
Florence Staub
Earl Staudacher
Herbert Stewart
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