

STEPHENSON CASE ARGUMENT IS STARTED

Remy Reads Dying Story
Piece by Piece and Cites
Substantiation.
(Continued From Page 1)

A girl they said she was
she would have gone to a hospital
as his wife, or would have married
him.

Clean, Decent Girl

No, Madge Oberholzer was not
that kind of a girl. She was a clean,
decent, honorable girl, who had been
trapped by these fiends, and wouldn't
have anything more to do with them," said Remy in a triumphant
shout. "That's to her everlasting
honor."

At intervals during his speech
Remy would advance to the counsel
table and shake his fist in challenge
to defense attorneys.

"Where is Shorty De Fries?"
(Stephenson's chauffeur on the
trip). "Where's Shorty De Fries? He
would make the greatest witness
in the world for the defense, if this
story wasn't true. Where is Shorty
today? Answer, Mr. Inman or Mr. Holmes
or whoever is going to make the argument,"
the prosecutor said, pausing before
the defense table.

"I believe Mrs. Schultz before
ten thousand Rigdons," Remy said
at another point. "The State has the
testimony of witnesses who don't belong
to any gang, testimony of witnesses not
hired by Madge Oberholzer—who are working
for their living, a railroad conductor, Pullman
porter, railroad men, hotel
men."

Plays Holmes

"Oh yes," said Remy, remembering
something. "Mr. Holmes you
asked the hotel clerk Ayres, if he
had not been paid to testify, and if he
had not told a man named Rosen. The
question you asked Ayres was just a dirty insinuation against Lee
Ayres. Mr. Holmes, but you didn't
dare back it up, you didn't produce
Rosen, you didn't dare back it up." Remy thundered at Holmes, who
sat in his chair looking straight
ahead, as if not hearing the charge.

Remy turned to the testimony of
Levi Thomas, porter on the Pullman
car in which she was conveyed to
Hammond.

"And the girl said 'Oh dear, put
the gun up,' and Remy again walked
over to Inman and shook his head
in Inman's face as he eyed him. 'Put
I'm coming to that later,' Remy said
as he stopped himself and turned to
another subject.

"And the testimony of Beatrice
Spratley, the nurse. And the men
who were summoned to Madge Oberholzer's
bedside—the best Indiana
had. Men who made a monkey out
of Eph Inman when he tried to
cross question them.

"Madge Oberholzer had beaten
the poison and had it not been for
the suptuation that set in, she
would have lived."

"Dr. Virgil H. Moon, professor of
pathology at the Indiana University
School of Medicine, the school where
half the defense's medical witnesses

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Foley & Co., 2335 Sheffield Ave., Chicago, Ill., writing your name and
address clearly. You will receive a
ten cent bottle of FOLEY'S HONEY-
AND STAR COMPOUND for coughs,
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packages of FOLEY PILLS, a
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Pains and Twinges—NOW.

James H. Allen of 26 Forbes St.,
Rochester, N. Y., suffered for years with
rheumatism. Many times this terrible
disease left him helpless and unable to
work.

He finally decided, after years of
ceaseless study, that no one can be free
from rheumatism until the accumulated
impurities, commonly called uric acid
deposits, were dissolved in the joints
and muscles and expelled from the
body.

With this idea in mind he consulted
physicians, made experiments and finally
compounded a prescription that
quickly and completely banished every
sign and symptom of rheumatism from
his system.

He freely gave his discovery, which
he called ALLENRHU, to others who
took it, with what might be called mar-
velous success. After years of urging
he finally let him know about his
discovery through the newspapers. He has
therefore instructed Hough's Dependable
Drug Store, Hough's Drug Company and druggists
everywhere to dispense ALLENRHU
with the understanding that the first
patient to show him the money to
complete recovery he will gladly return—
Adverti-

graduated. Dr. Moon, recognized
officially by the county officer, whose
duty it was to arrange the autopsy
said that wound, that wound on her
breast, that abscess on her lung, was
brought on by the fang of D. C.
Stephenson.

"Remember how Dr. Harger mod-
estly and unassuming sat here on
this stand and answered those rapid
fire questions? They not only were
expert, but they were experts on this
point.

Shotgun Defense

"Well, there was a defense. Not a
well organized defense. Not a
straightforward defense. It was a
sort of shotgun defense.

"And the defense said 'We'll get
Eph Inman, and sometime we'll catch
a witness and we'll prove an
alibi.' I've handled more than half
a hundred murder cases and this
is the first time I ever saw a defense
that didn't know what its defense
was going to be—didn't
even give an opening statement.

"The State of Indiana made its
opening statement, told the jury
what its case was going to be; even told
who its witnesses were going to be."

Striding over to a point near the
defense table, Remy faced the
defendants and their group of attor-
neys and shouted in their ears, "If
you had a defense, why did you
change the defendants, day by day,
from chair to chair, and why did
you, Mr. Holmes, sit in front of one
of the defendants until you had to
be moved?"

"Why the evidence shows that
Earl Klinck was a deputy sheriff
and the prisoners didn't even
know him. He was a deputy sheriff
assigned to the particular
service of D. C. Stephenson, the
man who said he was the law in
Indiana, and Marion County paid
the bill."

"Doesn't that Klinck alibi show
the way the wind blows? Doesn't
that show them up? I'll say that it
shows them up." Remy declared
laughing dramatically.

They tried to alibi Klinck.

"No Defense

"If they had a defense, why did
they try to explain things the way
they did? Madge Oberholzer has
told you how she got those wounds and
it isn't denied in the evidence."

"They had to admit the trip;
they had to admit the wounds;
they had to admit it all so they
fell back on the suicide theory."

"Oh, that was shameful, Mr. In-
man, to bring out such kind of testi-
mony."

"Stephenson's own personal
physician, who had treated him
for alcoholism—that expert, he
tried to tell you that it didn't hurt
her to ride from Hammond to In-
dianapolis, in an automobile, that
it didn't hurt her to spend the
night in a garage, because nothing
could have helped her. That's what
they want you to believe."

"Dr. William gives up too quickly.
A good doctor doesn't do that. He
hangs on to the end, like a criminal
lawyer in a desperate case who hangs
on until the last ray of hope is gone."

"Then they started in to write
the blackest page in this case. It
was the last resort. The best
toxicologists in Indianapolis had
testified for the State and they had
to do something. They started in to
blacken that girl's character,
and they used some mighty good
blackening."

Remy then reviewed for the jury
the cross-examination of the defense
witnesses who appealed to Remy
of Madge's acquaintance with Stephen-
son.

No Dates

"There was Dr. Allstock—by the
way, the only time the defense fixed
a definite date was in the Klinck
alibi. They didn't dare fix dates. You
knew we'd blow you out of the water
if you did," screamed Remy.

"We'd blow you out of the water
that time, and you never tried it
again, Mr. Inman."

Remy made the rafters ring. At
other times he would lower his voice
so that only the jury could hear
what was said. He was unsparing of
the defendants and their attorneys,
hurling bitter charges at them time
after time. At other times he became
sarcastic, especially when he would
frequently quote the now famous
phrase, "I am the law in Indiana,"
or "I have been in a worse mess and
got out."

"There was Allstock, a Klan or-
ganizer under Stephenson. There
was Mrs. Schultz, who said she had
never been in Stephenson's home.
A few moments later her husband
took the stand, and it developed he
was an organizer under Stephenson,
and he said his wife had been in
Stephenson's home, and that he had
taken her there himself."

Calls Rigid Loafers

"Then there was Rigid, another
defense witness. Anything nobody
else would testify to, he would. Look-
ing around the Legislature; in Steph-
enson's office every day, interested
him, in watching politicians man-
ipulate the Legislature. There in
Stephenson's office with Klinck, a
deputy sheriff of Marion County
and Madge Oberholzer's story still
stands unturned."

"Packed Audience

Remy was appearing before the
largest audience that has been in
the courtroom thus far. The tiny room
was literally packed.

"Her dying declaration is before
you again with corroborating and
supporting evidence from witness
after witness, creditable witness-
es," Gentry continued. "It
stands not only with the declaration of a person
who faces certain death, it still stands,
most of it not even denied. They
didn't dare deny it."

Taking the copy of the dying decla-
ration from his desk, the prosecu-
tor read it sentence by sentence to
the jury, touching on the State's evi-
dence and giving his argument on
each point.

"I first met David C. Stephenson
Jan. 12. That is corroborated by
the best evidence the State could
possibly have brought her, the man
who introduced Madge Oberholzer
to Stephenson.

"Soon a M. Gentry came for me,"
Remy read, then said:

"Proved by Mother

"This part is corroborated by the
telephone company who identified
the telephone number as Stephen-
son's number. It is corroborated by
Mrs. Oberholzer and by Allstock."

To conquer chronic fatigue you
must strengthen your system by restoring

Chosen Inspector of Police



Arthur R. McGee, named police in-
spector by Mayor-Elect John L. Du-
vall.

that Madge left her home with some
friend. If Mrs. Oberholzer has
wanted to tell untruths in this case
she could just have named the man.

"I was afraid not to drink the
liquor and took three small
drinks."

"This is corroborated by Levi
Thomas, porter on the Pullman
car, who said she was ill and
vomited in the Pullman drawing
room."

Remy then read the part about
where Stephenson said he was going to
Chicago and wanted Madge to go
with him, but that she objected.

Feared Mann Act

"They didn't go to Chicago," Remy
said. "No, if they had gone to Chi-
cago they would have crossed the
State line in a railroad train and that
would have violated the Federal
law, and even D. C. Stephenson
doesn't think he is the law in the
whole United States. He limits himself
to Indiana."

The prosecutor then touched on
the part of the declaration concerning
the revolver Stephenson carried
and how cartridges were found in
the hotel, saying this part was not
denied by anyone.

"Stephenson and his quartet of
milk! Oh, how they have camped
on that quart of milk!"

Sur-rebuttal of the defense this
morning was brief. Defense attor-
neys first asked half an hour delay
for the purpose of rounding up their
witnesses.

Eph Inman and Ira Holmes, helms-
men of the defense craft, told Judge
Sparks that their witnesses had been
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"She had lost everything that a
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