

DEATH PENALTY FOR TRIO DEMANDED BY COX

State Attorney Brands Accused as Beastly Chieftain of Middle Ages.

(Continued From Page 1)

tion, she had procured the poison, she was careful to take advantage of the absence of the men from the room, to swallow the poison. And then after she had swallowed even much more than a fatal dose, to be sure that her own suicide should be carried out and completed, she willfully kept the fact a secret for six long hours.

Gave Her Milk

"No. He poured a bottle of milk into her stomach, the very antidote which all the doctors would have given her. Then he wanted to take her to a hospital, and, as his wife, to have her stomach pumped out, she refused. Then he wanted her to go to Crown Point and marry him, and she refused.

"She by her own concealment of taking the poison, for six hours, made medical aid of no avail. She, by her own willful act of conduct, made it impossible for these men to save her life," thundered Inman.

"The prosecution here is asking that the law which has safeguarded and sheltered the rights of men in all the history of the past shall now be broken down and blotted out. And that hereafter suicide—admitted, and outly beyond dispute of everyone, by every doctor and every layman—shall hereafter be considered murder, merely to satisfy the fleeting whims and vengeance in this case.

"This violent reversal of common sense, would contradict the law of man in every country and every age. It might satisfy the transient spirit of the mob for the moment being, but the mob itself after the savage thrill of its triumph had passed, would learn that fatal error had been made, and that the very members of its own ranks would need protection against this wild anarchistic subversion of the law.

"No one has stopped to consider that the statement of this woman for its effect upon her family and friends, would naturally throw all the coloring in her power in favor of herself—and it was all within her power—to free herself from any fault and place the blame solely upon others.

"She would naturally do this, and she did it. And with the learned, skillful, technical language of a designing young lawyer, who previously started to shake Mr. Stephenson down, she was enabled by this young lawyer's fine engineering, to make her statement look bad upon its face against those upon whom it was undertaken to fasten responsibility for her suicide."

"Has everybody lost his head? Pray! Are we all insane?" cried

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RHEUMATISM?

O H, what a wonderful feeling to be free from the miserable rheumatism. To know again the joy of limber joints and active muscles—freedom from that agonizing pain!

How often have you longed for some relief as you suffered torture from swollen, inflamed muscles and joints—how often have you said you would give anything in the world for a few hours comfort!

But you didn't know that all you had to do to get real relief from this nerve wracking misery was just to build rich, red blood, did you? You didn't know that rheumatism had to be stopped from the inside by destroying the impurities that cause it—by building millions of red cells in your poor, weak blood, did you?

Until you fill your system full of healthy, rich, red blood you will never end your rheumatism. S. S. S. will surely help you. That's be-

cause S. S. S. helps Nature build the red-blood-cells that fight off the impurities that cause rheumatism. Conquer rheumatism! S. S. S. has shown the way. For generations S. S. S. has brought blessed relief and comfort to thousands of rheumatic sufferers.

When the rich, red blood that S. S. S. helps Nature build goes coursing through your system, it purifies the blood in your body. Rheumatism vanishes—skin blemishes disappear—you begin to get hungry again and enjoy your food—strength and power fill your body—you are vigorous and red-blooded and ready for action. Know this joy of living again! Take S. S. S. and banish rheumatism!

Get S. S. S. from any druggist. The larger bottle is more economical.

Man. "Must prejudice and passion submerge the world for the purpose of some particular case, leaving us, when it is over, in a wild, disorderly state, in mental bewilderment, anarchy in the heart's regret, and the soul's sickness of remorse."

"Such a conclusion is impossible to my own vision in this land where the law is supreme, running on and on forever, arching as the sky above the contingencies of an isolated case. Such a termination, gentlemen, is inconceivable to me.

Hatred and Prejudice

"The muddy waters of prejudice and hatred, the fierce elements of hostility, and the devoted elements of friendly support may clash—may lash wildly around your feet. But thank God, this jury, standing fearlessly and solely for justice and supremacy of law, sacredly sworn and conscience bound, breathing the clear pure atmosphere and judgment and reason, far removed from the foul murky air that lurks and poisons the regions below, will never suffer sanity and sense to be torn from their minds, to outrage and disgrace the civilization of this great State, merely to glut the vengeance of certain forces of hatred and persecution.

"Thank God, we can have justice in this great country who will stand at all hazards as a pillar of safety against the swirling elements of the mere madness of men—and women!"

Pictures Imprisonment

Inman then drew a touching picture for the jury of the jail imprisonment of Stephenson and his aids.

"These men have been made helpless for seven long months by fate unwarranted and cruel. They have been forced to languish in their dungeons, for all this time, upon a charge which every man has known from the beginning could never be sustained, unless violence and outrage be committed upon the law. Unfriendly interest on the outside of jail, unhampered and free, have operated and devised in savage glees, to compass the destruction of these three men.

Terrible Months

"And during all these terrible months, they have sat in their cells, through the sweltering summer days, from the dawn of morning to the shadows of evening, unable to meet and cope with forces of hate that clamored round them from without.

"There has been a tinge of sadness in my soul as I have seen the injustice of it all, while these men, of as fine sensibilities as were ever possessed by any man, have had to sit for all these months, staring at stone walls, and bars by day, lying upon prison cots, within bars of steel by night.

"And yet, gentlemen, in this sore distress, under the weight of this great calamity to them, they have friends, many friends. Through the bars of the prison, the best people of this country have come to grasp their hand. They have come with hearts beating with sympathy in so sad surroundings. And this is consolation after all.

"If one of you ever finds himself in trouble, under circumstances beyond your control, you'll understand the gratitude you feel to those who come and give you their hands, and give the sympathy of their hearts.

Decries Hate

"My being is not so that I wish to hate. My heart is not the home of ill-will. I want to give men the benefit of doubt. If one wrongs me for the moment, I may resent, the next moment I want to forgive.

"I feel that these who wage this persecution will see the error of their way, no matter what the motive that lies behind it. It may be the instigations of malice and of hire, or the sorings of ambition it may be."

Sympathy for Parents

"I have the deepest and the greatest sympathy for her and her parents, but gentlemen, are we going to try this case on sympathy and sentiment, or are we going to try it on evidence and fact?

"The first question is 'Was she murdered?' This is not the story of Madge Oberholzer, but of that little fellow with his finger pushed up to his nose." Christian cried out as he pointed to Asa Smith. "The dying declaration, Smith and the vulture, Dean, shook up," Christian declared as he shook the document in his hand.

"This old man, who looks like a vulture, and his gosling, Asa Smith, they didn't take the girl's good father and mother into the room when the statement was signed. Why? They wanted money, the root of all evil. They wanted to shake Stephenson down. It was you, Asa Smith, who had her throw that bottle out of the bathroom window and there was no window. You imagined it, Asa, you and your co-egg, Dean.

"Why didn't her father and mother go after her? She says she was forced to drink. I doubt it. The evidence shows she had been drinking from time to time. She went up to the busiest street in Indianapolis. Did she cry out? You mean she was

being kidnaped and never said a word? Rot!"

Crowd Spellbound

Christian's argument was replete with epigrammatic statements and he was holding the audience spellbound in spite of the sporadic hissing that came from one corner of the room.

"Right down Illinois Street. Right down Washington Street. Right down the two busiest streets in Indianapolis—and never opened her mouth."

"She went into a car filled with people, and never said a word. Silent Madge, who said she was being kidnaped according to the gospel of Asa Smith."

"Waited at the elevator, fifteen feet from the desk. Where is your kidnapping theory? Did that originate in Madge Oberholzer's mind?"

"Why didn't she tell her mother this? My God! The intimacy of this story. Would she be telling strangers, lawyers, this amazing story and yet not a word to her mother?"

Again the spectators hissed. Reaching over to the desk Christian picked up the dying statement and the telegram Madge sent her mother and showed the signatures on each to the jury.

"Does the signature on the telegram look like it was written by a nervous hand?"

"When she got the poison did she say to the druggist, 'call the police?' Why didn't she take the \$15 and go home?"

"The first time I ever saw an attack case where the woman didn't resist. It looks like somewhere along the line she'd have let out a squeak."

"How did this girl happen to know about bichloride of mercury? What's that stuff generally used for?"

"This story went through too many hands to be a credible one. Suicide, Not Homicide."

"If the banker refuses to lend you money and you go home and shoot yourself, is he guilty of murder? No. No. I say. Suicide can't be homicide. Homicide can't be suicide."

Christian turned his assault on Dr. Virgil H. Moon, one of the State's witnesses, and Dr. John K. Kingsbury, who attended the dying girl.

"Moon, this fellow who isn't a doctor, but who cuts up Kingsbury patients after they're dead."

"Talk about horse doctors. I'd hate to trust a horse to the gang that wrestled this girl around in her bed, punctured her spine, played with her kidneys and never gave a drop of iodine to that wound which they later said caused her death."

"The proof of the death of Madge Oberholzer in this case is purely circumstantial evidence, and you can't convict on 'might haves'."

Cox eloquent

Although visibly fatigued after two hours of vigorous argument, Charles E. Cox, veteran State's attorney, who preceded Christian, said never to have been displayed before in this courtroom. Cox assailed each and everyone of Stephenson's witnesses as liars.

"The slime of the serpent of per-

jury is over them all," Cox declared.

"There is a man, and a woman in this courtroom now—a broken father and mother, who brought Madge Oberholzer into this world, who rejoiced in her coming, who brought her from her infancy into childhood, and young womanhood, and who—"

but Cox was so filled with the emotion that he did not finish the sentence.

Last Argument

"If I had had my choice I would have had nothing to do with this case, because I'm too old a man to carry the heavy burden of a five weeks' trial, such as this. I am now closing the last argument before a jury in my life. I think I shall never again participate in a case of the magnitude of this."

"But when I was asked I said, 'Yes, I don't want to. I shouldn't but I will, because the law must be reinstated on its throne. Madge Oberholzer's brutal murder must be avenged by the law.'"

"In the name of the law, in the name of virtuous girls, and in the name of justice I ask you to write your verdict in a way to stop what has been going on."

Woman, 81 Faints

Christian's argument was interrupted a few minutes before noon while four men carried Mrs. D. J. McMath, 81, of Sheridan, from the courtroom, after she had fainted in her seat on the front row. Mrs. McMath had been standing up, until someone gave her a seat. She was the second woman who fainted during the morning, due to the crush of the crowd and the excitement attendant on the closing moments of the trial.

Christian wound up by insisting that it is a clean case of suicide. He ridiculed the medical experts who appeared for the State as perjurers. The Noblesville attorney also made a

plea for mercy.

"Then there was Dr. Herger, who also has evidently changed his mind since the ball hearing in June. In this trial he said the amount of mercury taken from her kidney was much smaller than in ordinary cases of this kind, but last June he testified it was about the usual amount found."

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