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SCHROEDER CAPTOR TELLS HOW HE NABBED FUGITIVE IN MOBILE HIDING PLACE

Special Deputy Describes Scene When He Crept Up to Murder Suspect and 'Snapped on the Cuffs.'

TRAILED WIFE TO HUSBAND'S REFUGE

Knife Alleged to Have Been Taken From Defendant in Alabama Jail Is Displayed Before Jury.

BY EDWARD C. FULKE

Graphic story of how a simple snare thwarted Harold Herbert Schroeder's flight three weeks after the geyser High School road torch car tragedy, May 31, was told today to a criminal court jury at Schroeder's trial for alleged murder of an unknown man.

The scene in a deserted weed patch at Mobile, Ala., where a cowering fugitive submitted to arrest, was described by Earl C. Dykes, special deputy sheriff of Mobile county, from the witness stand.

State's attorneys laid vital points of their case before the jury as a crowd of record proportions watched developments with bated breath.

Dykes, a tall, gaunt figure, speaking with a typical southern drawl, narrated the sly bit of detective work that resulted in Schroeder's capture.

I knew Schroeder for more than four years," Dykes testified.

"On June 20, last year, I went out to the western part of the city (Mobile) to the weed patch. I had seen Mrs. Leah Schroeder get out of a car there three nights before.

Found Schroeder in Weeds

"When I found him (Schroeder), he was lying on his side, with his head on his hand, about five feet of weeds. I had crawled up to where he was.

"When Schroeder saw me, he looked up and said: 'Where did you come from?'" Dykes narrated.

"I'm surprised to see you," Dykes quoted Schroeder as saying.

"Well, get up, and go with me," Dykes said told Schroeder.

"I thought you were a friend of mine, Dykes. I don't see why you should take me down. Say, get me a drink of water," Dykes quoted Schroeder.

Begged for Freedom

"Schroeder then began to beg me to turn him loose," Dykes testified. "He said he wasn't guilty."

Prosecutors Herbert Wilson and Floyd Matrice interrupted Dykes, asking him to tell how he got the clew as to Schroeder's hiding place.

Dykes disclosed that his sister lived in a house adjoining the weed patch. Dykes denied, however, that he had told him about the fugitive being there.

"I had followed Mrs. Schroeder to that spot before, and I suspected he was in those weeds," Dykes testified.

Knife Placed in Evidence

"When I put the cuffs on him, Schroeder begged me to let him go. He said he wanted to go to Mexico," Dykes testified.

Jurors and spectators leaned forward at this point, when Matrice rose, carrying a large pocket knife. This was introduced and identified by Dykes as the one removed from Schroeder's pocket at the Mobile jail.

Jurors were handed the weapon for inspection. A furor of excitement ran around the courtroom, with several women spectators whispering "That's it."

About this time, Holmes asked to interpose a preliminary question to Dykes.

Had No Warrant

"Did you have a warrant for Schroeder's arrest?" he demanded. Dykes answered "No."

"Then you know the search and arrest was unlawful, do you not?" Dykes did not answer the question.

Proceeding Dykes on the stand, Robert Miles, garage employee, who hauled the burned car to a city garage after it and the charred torso were discovered, identified three photographs of the auto, and these were passed to jurors for inspection.

Holmes objected to their introduction and a long round of argument ensued, Baker overruled Holmes.

Alabama Man on Stand

Shortly before noon adjournment, John E. Mandeville, secretary to Bart B. Chamberlin, prosecutor at Mobile, took the stand and was questioned on how Schroeder's statement was obtained in a Mobile hotel.

That statement is the only one authorities ever obtained from Schroeder. It told of Schroeder's leaving Mobile twenty days before the High School road tragedy, and in which, Schroeder says, his hitch-hiker passenger died of a broken neck when the car plunged into a ditch as Schroeder fell asleep.

Holmes made no objection to introduction of excerpts of statement by prosecutors at this point.

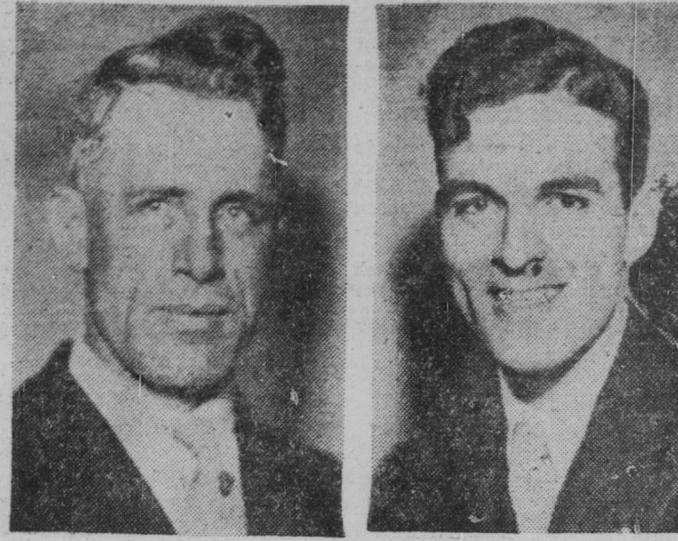
Schroeder repeatedly asserted he was not guilty," Mandeville testified.

Auto Salesman Here

Mandeville, Dykes and H. Deacon Wood, Mobile automobile salesman, arrived in the city this morning for the trial. Wood is said to have sold Schroeder the automobile which was burned on High School road.

W. J. Clark of Norfolk, Va., an auto insurance salesman who in-

Called in Torch Case



JOBLESS FIGHT N. Y. TROOPS

300 Clash With Soldiers in Legislative Hall in Albany.

By United Press

ALBANY, N. Y., March 3.—Three hundred unemployed, who marched into the state capitol to demand relief, rioted and clashed for forty-five minutes today with state troopers before they finally were forced from the assembly.

There were a number of casualties, though none appeared severe. Captain John Kiely, commander of the state troop force guarding the assembly, was clawed and beaten and was saved from falling from the gallery into the assembly hall by a trooper who came to his aid.

While Dykes was testifying, Schroeder kept his left hand to the side of his face nearest the jury. He chewed gum vigorously as Dykes told of the capture. Several times Schroeder nudged Holmes and made whispered remarks.

Most of the morning, Schroeder held his younger son, Ernest, 9, on his lap.

Wife Turns Pale

When Dykes testified he had seen Mrs. Schroeder leave an auto near the weed patch, Mrs. Schroeder paled and talked hurriedly to her husband.

During a recess, one of Schroeder's sisters staged an argument at the courtroom door with a Negro woman. A policeman stopped the argument, but not until the defendant's sister had shoved the woman from the entrance.

Although prosecutors indicated Miss Gertrude Kittrell, sweetheart of Schroeder, would be present for the trial today, she did not appear.

It was said the woman fears being charged with complicity in the crime if she appears in Marion county.

Schroeder was to collect insurance on the burning car and flee the country with her, police alleged.

A grim word picture of the charred remains of the unknown victim was heard by jurors Monday, when Dr. Lawrence A. Lewis, former deputy coroner, told of an autopsy of the torso.

A death-dealing instrument was plunged into the man's chest before the body was found in Schroeder's flaming sedan, Dr. Lewis testified.

Had Promised Quiet

The clerk of the assembly started reading the journal for opening of the session when Jack Johnston of New York City, one of the group which had marched into the capitol to present to the legislature a program which included:

Unemployment insurance.

State wages for jobs.

General unemployment relief.

They marched to the capitol and filled the east and west galleries and one small group—seventeen men and three women—went to the main floor, and were separated from the legislators only by a railing.

Had Promised Quiet

The clerk finally started to resume his reading, raising his voice to drown out Johnstone.

Then the others in his immediate group rose and added their voices to Johnstone's demands.

Troopers, failing to calm them, started ejecting the twenty in Johnston's immediate party, one by one.

The twenty were screaming, shouting and trying to cling to the railing, but all were ejected.

Meanwhile, the crowd in the gallery started shouting.

Troopers went into the galleries, where Emma Rollins, a red-haired woman seemed to be the leader. The troopers attempted persuasion, but to no avail.

Soldiers Use Clubs

The unemployed became more riotous and started throwing rolled-up papers on the heads of the legislators and shouted epithets at the state leaders.

The troopers resorted to their clubs.

The unemployed fought back, clawing and hitting at the guards.

Finally reserve troopers arrived, took command of the situation and in a few minutes started pushing and shoving the unemployed down the various stairways—including the so-called "million dollar stairway"—to the outside.

Once outside, the crowd formed again—augmented by many who could not get inside the assembly—and there listened to speakers haranguing the state government.

Dr. Lewis testified that three leashes of blood were discovered in a lung cavity when the organ was removed from the torso.

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Partly cloudy tonight, followed by fair Wednesday, not much change in temperature; lowest tonight about 28.

OPEN BATTLE OF DEFENSE TO SAVE KIRKLAND

Judge Denies Motion to Direct Verdict of Not Guilty.

DOCTOR IS ON STAND

Toxicologist Testifies He Found Alcohol in Contents of Girl's Stomach.

By United Press

VALPARAISO, Ind., March 3.—Plea of Oscar Thiel, defense attorney, to free Virgil Kirkland on the charge of murdering Arlene Draves failed today when Judge Grant Crumpler overruled a motion to direct a verdict of not guilty, made by Thiel on grounds that the state had not proved a crime.

"There has been no direct evidence of a crime. All evidence has been circumstantial, proving only one violation, that of the prohibition law," Thiel declared.

"It has been shown that the defendant voluntarily took Arlene to a physician, notified her family and then submitted to arrest.

"There has been no evidence that he struck a fatal blow. The only evidence in Kirkland's own confession is that he slapped Arlene on the cheek to revive her from a drunken stupor.

Deputy Prosecutor John Underwood said the state charged and had proved "forcible rape." Kirkland slapped the girl and then attacked her," he charged.

Found Alcohol in Stomach

First witness for the defense was Dr. R. N. Harger, toxicologist at the University of Indiana school of medicine, who examined contents of Miss Draves' stomach.

"What did you find?" Thiel queried.

"Grain alcohol, a trace of wood alcohol and a trace of formaldehyde," Dr. Harger replied.

"Enough wood alcohol or formaldehyde to cause death?"

"No. I tested the contents of the stomach on a rabbit and it suffered no ill effects," Harger said.

However, the Democratic insurgents swung over to the Republican minority on many items and the slash dwindled sharply.

Reductions Are Voted

Representative Earl Crawford, Milton banker and Democratic caucus chairman, was spokesman for the majority and offered in addition to amendments prepared at a joint session of the ways and means, public expenditures and budget committees, some ideas of his own.

Chief reductions of the session, slashes of \$200,000 from the Governor's emergency contingent fund of \$400,000 for the two years, brought forth some bitter debate.

Crawford charged there has been a loose construction placed on the word "emergency" during the Leslie administration and quoted from The Times in connection with purchases of expensive bric-a-brac for the Governor's mansion.

Representative Fred S. Galloway (Dem., Marion) won a fight to reduce the Governor's \$10,000 household fund to \$5,000 a year. A personal clash within the Democratic ranks developed when Representative Fred Egan (Dem., Lake) moved to eliminate the Governor's \$10,000 civil and military fund.

Debate Governor's Fund

"I can't see where he needs this fund when he has a huge emergency fund," declared Egan. My wife collapsed and I carried her in the bedroom.

"We all were drinking—we all were drinking," Egan moaned. I asked if it was poison liquor, and he said "Yes." Then he got the doctor's number and I called him. A policeman answered the phone. He said he would come right over, and when I told Egan he cried "Oh, I'm sunk!"

Clemens' testimony recited graphically the incident at his home after Arlene's death when Kirkland appeared to notify him and his wife.

"My wife and I had just retired. I heard the doorbell ring, and my wife went down to answer it. I went down, too. I heard some one shout 'Open quick, it's Virgil,'" Clemens said.

"He was carrying Babe's coat. We asked what was wrong.

"Babe's dead," he said. My wife collapsed and I carried her in the bedroom.

"We all were drinking—we all were drinking," Egan moaned. I asked if it was poison liquor, and he said "Yes." Then he got the doctor's number and I called him. A policeman answered the phone. He said he would come right over, and when I told Egan he cried "Oh, I'm sunk!"

Clemens testified.

10 WEDDINGS KILL LOVE

Childhood Sweetheart Develops Bad Disposition, Man Tells Court.

By United Press

SPRINGFIELD, Mo., March 3.—Ten marriages developed a jealous and disagreeable temperament" in his childhood sweetheart, Charles F. Stutzman recited in his petition for a divorce. He married her, he said, when he met her after years of separation before learning of her intermediate experiences. The divorce was granted.

Urge Senate Continue Survey

Governor Harry G. Leslie today requested the Indiana senate continue the survey committee for the Negro orphans' home, another two years.

Senate Action Is Virtual Death of Capper Measure.

WASHINGTON, March 3.—The senate today laid over without a vote the Capper bill to limit the importation of foreign crude oil and its products. This action, taken during consideration of bills to pass

on the committee, was virtually unanimous.

Stutzman has made plans to receive him in style.

KILL OIL IMPORT BILL

Senate Action Is Virtual Death of Capper Measure.

By United Press

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