



The Indianapolis Times

Partly cloudy to cloudy tonight and tomorrow; warmer tonight, with lowest temperature slightly above freezing; colder tomorrow afternoon.

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MASON OPENS COURT BATTLE FOR HIS LIFE

State Urges Death in Chair
for Alleged Slayer of
Sergeant Jones.

FEAR DELIVERY EFFORT

Guards Patrol Trial Scene
and County Jail at
Noblesville.

BY JAMES A. CARVIN
Times Staff Writer

NOBLESVILLE, Nov. 27.—With the "last mile" and the electric chair awaiting him if his guilt is proved, William H. Mason went on trial today for the alleged murder of Indianapolis police Sergeant Lester Jones.

Opening statement of the state, by Floyd Mattice, chief deputy prosecutor of Marion county, pictured events in the case from the time Sergeant Jones and a squad of two patrolmen answered the fatal radio call until the time the alleged slayers were captured in the Cavington, Ky.

Sergeant Jones and his squad, expecting to investigate a fight at the Peoples Motor Coach Company garage at Indianapolis, walked into a withering blast of machine gun and pistol fire from the surprised bandits holding up the garage employees.

Later, alleged members of the gang were captured by Kentucky police and returned to Indianapolis. Two of the gang, Fred Adams and George Schwartz, last week pleaded guilty to the murder charge and were sentenced to life imprisonment.

Names Five as Slayers

Speaking in low and well modulated tones, Mr. Mattice related the entire story of the slaying and the events which led to the capture of the alleged gang. There was not a sound in the courtroom as the spectators hung on every word of the story, which resembled a well planned detective novel.

The audience was taken in Mr. Mattice's word picture to the Peoples Motor Coach Company garage at Twenty-second and Yandes streets, in Indianapolis, where the slaying occurred Feb. 7.

The opening statement outlined the invasion of this garage by the five men under indictment. They were named as William Mason, the defendant here; Edward (Foggy) Dean, awaiting trial in Marion county; Harold Thompson (Red Gibberson) in jail here awaiting trial; and Fred Adams and George Schwartz, both of whom are now in Michigan City state prison serving life sentences after pleading guilty.

Rival Attorneys Clash

Mr. Mattice and Floyd Christian, defense lawyer, clashed during the opening statement when the latter objected to wording of the deputy prosecutor's remarks.

"The jury will be satisfied regarding the truth of this evidence," Mr. Mattice asserted, when Mr. Christian objected to use of the word "satisfied."

Mr. Christian, member of the firm of Christian & Waltz, appointed by Circuit Judge Fred Hines to defend Mason, will make the defense's opening statement.

He has indicated that the defense will show Mason a victim of gang reprisal, and who, during torture and abuse, suffered injuries which later caused amputation of his left leg below the knee.

While the attorneys are outlining their cases to the jury, heavily armed guards will patrol the court-room and corridors to prevent possible release of the prisoner.

Delivery Attempt Rumored

Finding of an unexploded dynamite cap on the courthouse lawn reawakened rumors that an attempt would be made to deliver Mason and Harold Thompson, another alleged gang member. Sheriff Frank Hattery also reported he had learned from an unrevealed source that a delivery would be attempted.

Armed guards also patrol the corridors in the jail near the cells where Mason and Thompson are confined at night, and will remain on duty for the duration of the trial, Sheriff Hattery said.

First witnesses of the state today are expected to be Michael McAllen, a member of Sergeant Jones' squad; Wayne Fritts, night foreman at the coach company garage, and Dr. John Salb, Marion county coroner.

Murder in perpetration of a robbery, the crime with which Mason is charged, carries a mandatory death penalty on conviction. Each juror was required by the state to avow willingness to favor the death penalty if guilt is proved "beyond reasonable doubt."

Times Index

	Page
BLACK HAWK	17
Bridge	5
Brown	12
Classified	15-16
Comics	17
Crossword Puzzle	18
Curious World	18
Editorial	12
Financial	13
Fishing	5
Hobby	8
Industrial	10
Loafes	6
Lippmann	13
Radio	7
Sports	14
State News	7
Theaters	15
Woman's Page	8

Dapper Earle Wynekoop Is Charged With Being Accessory in Murder of His Wife; Plotted Slaying With Mother, Police Officers Assert



Formal Warrant Placed Against Husband of Slain Beauty Despite Bitter Objection of Defense Attorney.

By United Press

CHICAGO, Nov. 27.—Earle Wynekoop, handsome young "Lothario," this afternoon was charged in an ex parte hearing before Judge Jay Schiller with being an accessory in the murder of his wife, Rheta.

The charge was placed despite the bitter objection of Defense Attorney Fran Tyrrell.

The formal warrant charged that Wynekoop was an accessory before the fact of his wife's murder.

A habeas corpus hearing before Judge Joseph B. David followed immediately after the warrant was placed upon Wynekoop.

Police Captain Thomas Duffy testified in presenting the warrant that Wynekoop purchased a revolver and bullets and instructed his mother, Dr. Alice Lindsay Wynekoop, in their use.

Attorney in Rage

"In my opinion," testified Duffy, "Rheta Wynekoop died as a result of a shot fired into her back by Dr. Wynekoop with the gun which Wynekoop purchased."

"There is no murder case here against my client," Tyrrell raged. "This is just a conspiracy by police to hold him and try to 'sweat' some information out of him. If this action is legal, I had better go to law school."

Judge Schiller overruled Tyrrell's protests and said the arguments of defense counsel might be presented when Wynekoop is arraigned Dec. 4.

Transcript of the examination of Dr. Wynekoop which preceded her formal "confession" of the death was made public today by Charles Dougherty, assistant state's attorney.

STATE LIQUOR CONTROL COMMITTEE TO MEET

First Session of Governor's Board Slated Tomorrow.

First meeting of the Indiana committee on liquor control, appointed last week, will be held at the statehouse tomorrow at 2:30 p. m. It was announced today by Governor Paul V. McNutt.

The committee will select its own chairman and other officers, the Governor said, upon announcing the personnel.

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Fishing	5
Hobby	8
Industrial	10
Loafes	6
Lippmann	13
Radio	7
Sports	14
State News	7
Theaters	15
Woman's Page	8

Four Horsemen of Notre Dame Ride Again—On Paper Only

BY DICK MILLER
Times Staff Writer

NOTRE DAME's second set of prospective "Four Horsemen" couldn't hold the saddle. And that's one of the reasons why the team at the school, famous for its consistently great football teams, went into a tailspin this fall and changed suddenly from a potential national championship eleven to just an ordinary team with a record to date of two games won, five lost and one in eight starts.

Have you ever heard the story of an ambitious young horseman taking plenty of spills learning to ride?

That is just what happened to the quartet of young stars, who attempted to take the football hurdles of Carnegie Tech, Pittsburgh, Navy, Princeton, Kansas and Southern California on the reputation of the immortal "Four Horsemen."

Harper was the tutor of Rockne and the mentor of a great team, a team which set the football world agog back in 1913 with a defeat of

and Don Elser were before they ever had gained a yard for a Notre Dame football team.

Publicity, finance, player material, equipment, schedule and coaching ability are a few of the things that loom up as one sees reasons for Notre Dame's slump.

To me the present situation dates back to the Southern California game played at South Bend two years ago.

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Harper was the tutor of Rockne and the mentor of a great team, a team which set the football world agog back in 1913 with a defeat of

the Army by using the forward pass.

Harper was to return despite the fact he had been out of touch with the game for fifteen years.

Those were fifteen years when the game practically has been revolutionized.

But Harper did not take up the active coaching duties. Instead, he appointed Heartley (Hunk) Anderson, who had been an assistant coach to Rockne, as senior coach and Jack Chevigney, another assistant, as junior coach.

Anderson had graduated from

Notre Dame, taken up work with a

South Bend manufacturer and

coached at Notre Dame in the

afternoons. He later took up the

head coaching job at St. Louis

Harper as athletic director.

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