



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 Covington, 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 the 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 Giberson), 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 courtroom and corridors to prevent possible release of the prisoner.

Delivery Attempt Rumored

Finding of an unexploded dynamite cap on the courthouse lawn awakened 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 unexplained 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."

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



"Rheta was undressed and I remarked that this made it convenient for an examination and we might as well have it over with."

"She poured chloroform on a sponge and breathed it very deeply. I asked her if it was hurting her and she made no answer to me."

"Turning the patient quickly over on her side, and examining her posterior, as well as anterior, there was no sign of life."

"One cartridge was exploded at a distance of some half dozen inches from the patient. The gun dropped from the hand."

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

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 presented to Judge Schiller.

Police Captain Thomas Duffy testified in presenting the warrant that Wynekoop purchased a revolver with Secretary of the Interior Harold I. Ickes and General Hugh S. Johnson.

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 back 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.

Questioning Is Revealed

The transcript revealed that the mother was questioned concerning the death of her daughter Mary Louise last April and that she was aware of the fact her son had lost

interest in his marriage and was going out with other women.

It also disclosed new details of Dr. Wynekoop's version of the last few minutes preceding the death of her daughter-in-law.

The transcript, in part: Q—On the day of the afternoon that Rheta died, when she was on the table, wasn't it customary for a physician to have somebody present with you when you are administering an anesthetic to keep track of the pulse?

A—Yes, if you are giving a regular anesthetic, but if you are just giving a bit, it is not necessary.

"Let Her Hold It"

Q—How many fluid grams did you use?

A—Oh, not fluid grams at all, just a few drops. It evaporates very readily.

Q—How many times did you put it on the gauge?

A—I had done it only once.

Q—Were you holding it close to her nose?

A—No, I let her hold it. It was not close at all to her nose.

Q—What pain was she complaining of?

A—The pain in the side, low down.

Knew He Was "Going About"

Questioning turned to the death of her foster daughter. Dr. Wynekoop said the girl herself had expressed a desire to be cremated if she died.

Regarding her son's philandering, Dr. Wynekoop said:

"I knew that he was going about some. I knew that he was more than slightly interested in one young woman, but I did not know of any other being of any particular interest to him."

Asked whether he ever discussed his marital relations with her, Dr. Wynekoop said:

"Not particularly. He made rather an evasive reference, so that I inferred the interest was waning somewhat on the part of both of them, although it was not manifested in their social conduct in the living room."

Taken before Judge David on a habeas corpus writ, the hearing for Earle was postponed to Dec. 1, the same time Dr. Wynekoop is due to appear.

Judge David ordered the young man taken to the county jail and forbade police from moving him without a court order.

LINDBERGHS FLY TO CAPE VERDE ISLANDS

Flying Pair Makes Leisurely Trip From Africa.

PORTO PRAIA, Cape Verde Islands, Nov. 27.—Colonel and Mrs. Charles A. Lindbergh landed their seaplane in a small Cape Verde island harbor at 8:30 a. m. (Indianapolis time) today, after a leisurely flight from Villa Cisneros, Rio de Oro, on the African mainland.

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 Chevigny, 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 aftermaths. He later took up the head coaching job at St. Louis university only to lose out because his blunt way of speaking his mind couldn't fit into the picture. He returned to help Rockne as a line coach and did a great job of it in 1930.

State Auto Official Talks

"The Accomplishments of the New Deal in Indiana" was the topic of a speech by Charles Walker of the state auto license department, before the Putnam County Democratic Club in Greencastle Saturday. A crowd of 500 persons attended.

Arrest May Solve \$400 Theft at Perryville.

State police today reported that Walter Grimes, 33, of Tangier, Ind., had made an alleged statement at Newport, Ind., admitting the hold-up of the Perryville State bank, on Nov. 16 and the theft of \$400. The Pennsylvania bank has been robbed three times.

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