

JOEL BAKER AND CANCELLA AWAY FACE TRIAL NEXT WEEK, SAYS PROSECUTOR SPENCER

Assailant of Wayne Coy Refuses to Testify at
Legislative Quiz; Ousted Official
Battles With Questioners.

(Continued from Page One)

pany official had told the Committee that Joel Baker had been paid that amount for his services and displayed the canceled checks.

Baker repeated several times that he had not seen Cancellia between the time he left him in the State House on March 1, before the Coy attack, and the hearing yesterday afternoon.

"And I can say I was surprised to see him then," Baker added.

I Didn't Want to Come

When Baker started one of his long statements, Senator Charles Bedwell made an impatient gesture and Baker stopped.

"If you want me to stop—" he said.

"Mr. Baker, you realize we can't be here forever," Senator Bedwell said.

"No, I didn't even want to come," Baker answered.

Asked if he was angry at Wayne Coy, Baker said:

"No, because Coy doesn't even know what goes on in his own department."

At this point, Baker went into a sweeping criticism of the State Welfare Department. He called it the "weakest" State department. In the middle of his denunciations, however, he halted, became apologetic, swept his arm around the room and said in a conciliatory voice:

May Plead Self-Defense

"I hope nothing I say is derogatory to anyone in the room, but the fact remains that the State Welfare Department is the 'weakest' in the state."

Cancellia indicated in statements yesterday that he might plead self-defense.

"Coy hit me first," Cancellia said. "When I face Coy, he will admit it. He is arrogant and overbearing."

Witnesses of the assault have testified that Mr. Coy turned away as if to leave Cancellia when the attorney struck him.

When Cancellia was convicted of assaulting an Indianapolis Times reporter several months ago he also pleaded self-defense.

After boasting that "I'm going to talk—I'll tell plenty about Wayne Coy," Cancellia refused to testify before the Committee. He said he was standing on his constitutional rights and that he refused to incriminate himself.

'Be at That Hearing'

"Boys, if you want to have some fun, just be at that hearing this afternoon. I'll tell plenty about Coy," Cancellia told newspapermen earlier at the jail. "I'm not going to let them question me. I'm going to argue with them."

Cancellia also told reporters that "Joel Baker lost his job unjustly and if he doesn't get it back somebody's going to get it back." He also said he would "raise hell" about Prosecutor Spencer raiding his apartment and office.

Prosecutor Spencer and Oscar Hagemeier, chief deputy who has conducted the County's investigation, are to be in charge of the State's case during the trials. Mr. Spencer said today that Joel Baker and Cancellia will be tried together unless they request separate trials.

Mr. Jacobs is to represent Cancellia and William Jack Bachelder is to represent Joel Baker, it was announced today.

Cox Declines Comment

Thomas Neal, new Marion County Welfare Director, was sworn in yesterday afternoon. He said the next board meeting probably would be the regular session on April 1.

Expiration dates of Marion County Welfare Board members' terms are: Judge L. E. Slack, president, March 30, 1937; the Rev. Lind Tripp, April 1, 1938; Mrs. Marie Woolfing, April 1, 1939.

IN INDIANAPOLIS

MEETINGS TODAY

A. N. Francis, luncheon, Hotel Washington, 12:15 p. m.
Mid-West Council of International Trade Unionists, luncheon, Claypool Hotel, 12:15 p. m.
Kappa Sigma, dance, Claypool Hotel, 9 p. m.
Indiana Shoe Club, luncheon, Hotel Washington, 12:15 p. m.
Kappa Track, drivers, dinner, Hotel Washington, 6:30 p. m.

MARRIAGE LICENSES

Indiana addresses frequently are given to the Marion County License Bureau. The Times in printing the official list assumes no responsibility for such addresses.

Deroy Hall, 21, of 1814 W. 10th St.; Nola Leach, 15, of 1033 N. 10th St.; Raymond Alford, 18, of 1254 W. Washington St.; Kathleen Ellis, 19, of 845 S. Missouri St.; Burton F. Bodenheimer, 31, of 720 Highland Ave.; Ruth A. Starns, 30, of 1115 Belmont St.; Charles A. Crowley, 21, of 242 E. Lord St.; Rose Elizabeth Hudson, 19, of 25 E. La Grande Ave.; John D. Sanford, 37, of Bridgeport; Hazel Peeler Rutledge, 46, of 3615 W. Washington St.; Wilbur Jay Matthews, 31, of 701 N. New Jersey St.; Mary Frances Sanford, Indianapolis; Roger Douglas Drury, 27, Puritan Hotel; Helen Smith, 29, of 708 N. New Jersey St.; Lawrence D. Egan, 19, of 12th and North Ave.; Carol L. Campbell, 22, of 2235 Spain Ave.; Fred Layton, 27, of 1143 Kirk Ave.; Alice M. Sanford, 18, of 181 Sugar Grove Ave.; William B. Bowers, 24, Newark, O.; Edith McCroskey Reier, 35, Indianapolis; John McConnell, 24, of 21 E. 11th St.; Lettie Thelma Irwin, 21, R. R. 1, Indianapolis; Wilson Brooks, 36, of 1210 N. West St.; Flossie Clark, 26, of 1210 N. West St.

BIRTHS

Claude, Michel Crawford, at 331 Leaky, Oct. 1, 1936; Edith Yarnall, at 900 Prospect, Robert, Grace Earnest, at 1418 Reiser, Earl, Lilla Reiser, at 1470 Barth.

DEATHS

Thomas Stewart Torian, 66, at 1126 N. Teoma.
Clark W. Romine, 72, at 125 N. Sherman, chronic myocarditis.
Mary E. Flynn, 76, at Methodist, John, 76, at 47, at City, cerebral hemorrhage.
Williamine Heckler, 74, at 1212 N. Gale, cardiac asthma.
McHenry, 32, at 322 1/2 Massachusetts, sepsis, lung pneumonia.
James W. Garrison, 62, at City, carcinoma.
Beatrice Brewer, 64, at St. Vincent's, ulcerative colitis.
David J. Sutherland, 78, at 1722 Lambert, chronic myocarditis.
Robert H. Offert, 92, at 401 N. Illinois, chronic myocarditis.

OFFICIAL WEATHER

United States Weather Bureau

INDIANAPOLIS FORECAST—Cloudy and unsettled with snow or rain probable tonight and tomorrow; not much change in temperature; lowest tonight 25 to 30.

Sunrise 6:50 a. m. Sunset 5:30 p. m.

TEMPERATURE March 13, 1936

7 a. m. 29.0 1 p. m. 30.5

BAROMETER

7 a. m. 30.25 1 p. m. 30.25

Precipitation 24 hrs. ending at 7 a. m. 0.06

Total precipitation since Jan. 1 1.02

Excess since Jan. 1 1.02

MIDWEST FORECAST

Indiana—Mostly cloudy and unsettled.

Illinois—Mostly cloudy and unsettled.

Ohio—Mostly cloudy and unsettled.

Lower Michigan—Partly cloudy tonight and Sunday.

Ohio—Cloudy with snow tonight and probably in south portion Sunday morning; slightly colder tonight and Sunday.

Kentucky—Snow mixed with sleet or rain tonight and probably Sunday morning; slightly colder tonight and Sunday.

WEATHER IN OTHER CITIES AT 7 A. M.

Amari, Tex. Cloudy 29.02 30

Boston Cloudy 30.58 30

Chicago Cloudy 30.32 28

Cincinnati Cloudy 30.32 28

Cleveland Cloudy 30.32 28

Detroit Cloudy 30.32 28

Dodge City, Kas. Snow 30.10 26

Indianapolis Cloudy 30.25 28

Jacksville, Va. Clear 30.10 26

Kansas City, Mo. Cloudy 30.20 28

Little Rock, Ark. Cloudy 30.16 26

Los Angeles Rain 29.88 32

Memphis Clear 30.44 32

Minneapolis Clear 30.44 32

New Orleans Cloudy 30.02 28

Omaha, Neb. Cloudy 30.16 32

Ola, Okla. Cloudy 30.16 32

Omaha, Neb. Snow 30.32 30

Pittsburgh Snow 30.16 28

Portland, Ore. Rain 29.56 64

San Antonio, Tex. Rain 29.56 64

San Francisco Rain 29.56 64

St. Louis Clear 30.08 28

Tampa, Fla. Clear 30.08 28

Washington, D. C. Cloudy 30.18 28

Swears to Tell Truth, but Won't Talk



Peter A. Cancellia, slugging of Wayne Coy, swears to tell "the truth, the whole truth..." before the Baker Investigating Committee. A few minutes later he refused to testify.

Complete Verbatim Testimony Of Joel A. Baker, Cancellia

The complete verbatim testimony of Joel A. Baker, Peter A. Cancellia and Sergeant Kinder at yesterday's legislative committee hearing follows:

PETER A. CANCELLIA

CHAIRMAN BEDWELL—You may state your name to the Committee. A—Peter A. Cancellia.

Q—Where do you live, Mr. Cancellia? A—1530 N. Illinois St., Apt. 10.

Q—What is your business? A—I am a lawyer.

Q—You understand that this is an investigation before a Joint Committee appointed by the 80th Indiana General Assembly? A—I do not understand it to be that. I do not know what it is. I am subpoenaed here.

Q—Are you under criminal charge at the present time? A—Yes, sir.

Q—Are you willing to waive any question about your constitutional rights and appear here and testify? A—No, sir.

Q—You are not? A—I demand my constitutional rights.

Q—And you are unwilling to testify here and waive your constitutional rights? A—I don't like to.

Q—You refuse to incriminate yourself? A—that is right.

Q—You are unwilling to testify and do that? A—that is right.

Q—Mr. Cancellia, this Committee is investigating the matter of the disappearance of Senate Bill 173 during the last session of the Indiana General Assembly. Are you willing to waive your privilege under the Constitution and to testify?

He said, "There were several on my mantel at home. Maybe they were swept off or burned."

When he returned to Indianapolis yesterday, Baker said he read committee testimony printed in the newspapers.

Baker branded testimony that he and Cancellia had been together at the Harrison Hotel immediately after the assault as "a cheap lie."

"Anyone who said that is a cheap liar," Joel Baker shouted.

Cancellia Arrested in Cab

In answer to questions by Rep. Allen C. Lomont (D. Ft. Wayne), Baker said much of the testimony given by other witnesses was false.

Serg. Claude Kinder of the Indianapolis Police Department testified that he and his squad arrested Cancellia as he was riding in a Royal Cab on Massachusetts Ave. yesterday morning.

The officer said Cancellia told him he had not been out of Indianapolis since the assault, but that he had been picked up Cancellia in Anderson.

The Anderson cab driver, Lloyd Erskine, said Cancellia told him his name was "Mike Neal" and that he had arrived in Anderson last night.

The vagrancy charge on which Cancellia was arrested by city police yesterday was scratched from the police blotter today. An affidavit on that charge never was filed.

Denies Approaching Joel

Sheriff Ray today denied he had approached Joel Baker on the Indianapolis Police and Firemen's Merit Bill.

In his testimony before the committee, Baker said that he "saw Sheriff Otto Ray and he had a bill which he said shouldn't pass."

"Here's what happened," Sheriff said today. "On Wednesday, not Saturday, as Baker testified, he approached me in the hall and asked, 'What are you working on?' I told him I was in the Legislature to promote the six American Legion bills which were up for consideration."

"Aren't you interested in anything else?" he inquired. I told him I didn't think the Merit Bill should pass which gave Chief Morrissey a life-time job. I gave him a copy of that bill. That's all there was to it."

ty concerning that bill? A—I know nothing about the bill. I want my constitutional rights.

Q—As chairman of the committee, the testimony would tend to incriminate you that would come before this Committee? A—Of course, I will have to testify if you demand it but I demand my constitutional rights as they stand today. Any testimony that I may give here may be testimony used against me in the Court against the charge. I am now charged with. I am a defendant in the case and I refuse, of course, to testify to anything that would incriminate me.

JOEL A. BAKER

Chairman Bedwell—You may state your name to the committee. A—As chairman of the committee, I have been out of town for 10 days. I am willing to testify to anything pertaining to this Legislature or any other legislative body of which I know unless it seems to blacken the name or the family of any person for whom I have respect.

Q—What I want to ask you Mr. Baker, I understand, or I have been informed that you are now under a criminal charge, or accused of a criminal offense. Is that true? A—Upon coming back to Indianapolis yesterday, I found all that there had been an indictment against me in the Marion Criminal Court.

Q—Have you been accused on that charge and are you under bond? A—I wasn't arrested. I went to the Sheriff's office and gave myself up and furnished bond.

Q—You understand that you have a privilege and a right, under the Constitution of the State of Indiana to refuse to make any statement or give any testimony that might tend to incriminate you? A—I shall only attempt to exercise that privilege.

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