

PERSONS

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STAUNTON, VA., FRIDAY, JULY 15, 1910.

NO 28

OUR Readers will find correct schedules of the Chesapeake & Ohio, Southern, and Chesapeake Western Railways, published regularly in the SPECTATOR.

TO THE MEN AND YOUNG MEN Who Love Good and Stylish Clothes Newness and Exclusiveness



are the keynotes of this large assemblage of Summer Attire, High Class Merchandise, at prices less than you would pay for clothes of much inferior quality.

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are of the Latest and the materials are of the best Fabrics. They come in Worsteds, Grays, Blacks, Pin Strips and Blue Sun-proof Serges. Regulars, Stouts and Leans.

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ARCH BROWN TRIAL BEGAN YESTERDAY

Many Witnesses Examined First Day.

THURSDAY.

The trial of Arch Brown for the murder of Perry Hoy, a young man of 23 years, and Cletis Higgs, a little boy of 8 years, which occurred on Sunday May 8th, about three miles from Staunton at the home of James Ross, after several continuances, was begun in the Circuit Court, Judge Letcher presiding, on yesterday. The Commonwealth was represented by Capt. K. S. Kerr, Commonwealth's attorney for the county, and Mr. S. D. Timberlake, Jr. The court appointed Mr. H. H. Bleese and Captain Carter Braxton to represent the prisoner. The jury was impaneled without serious difficulty and is a jury of high order. It consists of the following gentlemen: Messrs. J. H. Clark, E. G. Crist, Harry Hamilton, John P. Harris, H. G. McGary, G. W. Moran, H. H. Patterson, W. R. Yonell, M. W. Hamilton, Oscar Cochran, G. D. Wine and W. F. Patterson. The indictment was read and the prisoner entered the plea of not guilty. The opening statement on behalf of the Commonwealth was then made by Captain Kerr, who set forth in brief, the circumstances of the killing and what the Commonwealth expected to prove, after which Mr. Bleese made a statement for the prisoner, which tended to show that the defense would rely on intoxication and self defense, the prisoner seeming to claim that Perry Hoy, the person whom he first killed, had threatened him with a drawn knife. The case in brief may be recalled here.

On Saturday, the 7th of May, Arch Brown and Abe Hoy, a younger brother of Perry, were in Staunton together in a buckboard. That afternoon, they took several drinks together from a bottle of whiskey belonging to Brown and rode out of town together, going by Mr. John Irvine's home where Brown worked, Hoy going on further to his own home. The next morning, Sunday 8th, Perry and Abe Hoy went to the house of James Ross, in the neighborhood and the place where the killing was afterwards done, and there met Ed. Brown. Brown still had some whiskey and undertook to get Mrs. Ross to take some, which she refused to do. Perry Hoy sat down in the house and pretty soon Samuel Higgs came accompanied by his little boy, Cletis, who was afterwards killed. In a short time Ed Brown and Abe Hoy left the house and walked down into the meadow below to shoot crabs. Before leaving the house Brown had given Mrs. Ross a quarter of a dollar, telling her he would give her this if she would take fifteen drops of the whiskey, which she declined to do. When Abe Hoy and Brown got to the point where they were going to play crabs, Brown accused Hoy of stealing his quarter. This led to trouble. Some blows passed. But later they made up and returned to the house. Brown remained outside and a colored man came by and they talked together. When the colored man left, Brown came into the house and told James Ross that the dogs were after Mr. Irvine's sleep, and asked him for a gun. The gun was gotten, which was a double-barreled shot gun, and Brown asked Ross if it was loaded. He was told it was, when Brown broke the gun and withdrew the two shells, stating that he could get shells elsewhere.

Brown then went away with the gun, leaving Perry Hoy, Abe Hoy and Edward Higgs and the little boy, Cletis at Ross' house. He was gone some 10 or 15 minutes and returned with Mr. Irvine's gun, which was a repeating shot gun. The Ross house is a small house with the door in front and a window on each side, and with a kitchen in the rear. When Brown returned, he came to a picket fence which surrounds the house in front, enclosing a small yard, the entrance through which to the house is by the side. He did not go to the entrance of the yard but stopped close to the picket fence in front. Perry Hoy was sitting near the front door where Brown could see him. Brown, without calling any names, used a vile epithet saying, "Come out or I'll kill you in there." Abe Hoy, who it seems, was the person he desired to kill, was sitting on a chair inside of the room where he could not be seen by Brown. But Perry Hoy was in full view and he got up and went to the fence outside of which Brown was standing. Brown was still using vile epithets to which Perry Hoy in some degree replied. Just then, Perry Hoy jumped over the picket fence and Brown shot at him, the load passing through his hat and slightly injuring his head. Perry Hoy then started to run and, as he ran, Brown again fired on him, putting the whole load in his left breast. Hoy then ran probably 25 or 30 yards, where he fell and died in a few moments. At the first fire of the gun, Abe Hoy who was inside the house, started to run out through the back way. About this time Brown fired the third shot through the house, young Ed Higgs and killing outright the little boy, Cletis Higgs. By this time, Abe Hoy had gotten some little distance from the house and ran to the old road leading from the Ross house towards the home of Mr. John Irvine, about a half mile distant. Brown then turned the gun directly on Abe Hoy, firing four or five times at him and hitting him, according to Hoy's statement, with one of the shot at each discharge of the gun. Hoy went on to Mr. John Irvine's where he hid in the house

and later Brown came to Mr. Irvine's, but did not again see Hoy. Mr. Irvine then took Brown in buggy and brought him to Staunton, where he was turned over to the authorities and where he has since been confined in jail.

Brown is man of about 32 years of age. Of his antecedents very little is known, except that he has worked about for different persons in this community, and was considered, by those for whom he worked, as a good hand. He was a man somewhat given to drink and, when drinking, is said to be what is known as ugly. He was accompanied in court yesterday by his brother James Brown. He is not a man of repellent countenance nor is he what might be termed a "good looking" man. He is about six feet tall, rather slender, dark hair and eyes, wears short thin dark mustache and is somewhat bleached by his confinement. His victim, Perry Hoy, and his would-be victim, Abe Hoy, were his companions, associates and friends, occupying the same relative position in society and often worked together at saw mills, and probably other places. Edward Higgs, whose little boy was killed, is also an acquaintance, and lived in the same neighborhood. The Ross family, at whose house the killing occurred, were tenants of Mr. John Irvine and friends of both Brown and the Hoy's.

The first witness called was Mrs. James Ross, a prepossessing, young, dark haired woman, who told of the Hoy's and Brown coming to her house that morning and having with them liquor, of Brown's attempt to get her to drink of the Hoy and Brown going into the meadow to shoot crabs, of their return, of the circumstances leading up to the shooting, and of the shooting itself, also giving the language passing between the men and the circumstances as stated above corresponding with the reports of the killing, and the statements made by her to representatives of the Dispatch on the day of the killing and the day following. She was cross-examined at some length by Mr. Bleese for the defense, but he elicited no variation from her former statement. He however, asked her some questions which were seemingly intended to lay a foundation for contra dicting her as to certain material matters. She was asked if she had not made certain statements to a brother or the prisoner in the presence of another party, which she denied.

The next witness was Abe Hoy, who told of being with Brown on Saturday evening before the killing, of drinking with him in Staunton, of taking him out in his buck board, of leaving him at Mr. Irvine's of going home and returning to Ross' the next day, of Brown having liquor, or offering some to Mrs. Ross, of the crab game, of the dispute and fight, of the subsequent making up, of Brown getting the Ross' gun, and going away of his return with the Irvine gun, of the killing of Perry Hoy, of his own fleeing to avoid death, of being shot at and wounded of his reaching the Erwin house, hiding there and subsequently getting home that evening.

Jim Ross was next on the stand, but did not witness shooting, said Arch Brown had only had two drinks that day. Other testimony of no material value. Edward Higgs testified along same lines as previous witnesses, saw trouble come of the door with his little boy, was so badly frightened could hardly get to door but noticed what was going on outside. Just as Perry jumped over fence he heard shot outside which went through Perry's hat, in moment heard second shot, after about the same interval, third shot was fired killing his son. Few minutes after Abe had gotten out of buck board, Brown came around and crossed over the dead body of his child. Begged Brown not to shoot him. Brown replied that he had nothing at all against him and would not touch a hair of his head. Brown then saw Abe Hoy who was running up hill, and he saw Brown fire two shots at Abe.

Mrs. John M. Irvine next took the stand. She testified that Brown came to their house for the gun, seemed to be much excited and staggered a little going up stairs. Brown told her the Hoy's had either cursed him, or threatened him, she did not know which, but thought he said "out."

Mary Deeper stated that after the shooting he, Brown, came to her house, that he wanted to get some shells, also told her he had killed three people, that he was "pretty tolerable drunk," and that he drew gun on her.

Pete Deeper, a son of Mary Deeper, was next called. He corroborated the mother's accounts. Said Brown was "awful" drunk and that he drew gun on his mother.

Dr. H. H. White testified as to examination of dead body of Perry Hoy, found body cold, presumed it had been dead about an hour. Endeavored to tell of conversations with different members of the family but was interrupted twice by Attorney Bleese. Said that he took gun from house. Brown hollered at him from hill, could not hear what he said, but replied to Brown that if he came any nearer he would shoot him.

Mrs. Hoy, mother of Abe and Perry, was next witness. ran suit case full of Perry's clothes showing position of wounds. Said Perry was 23 years of age. He was 19 when he was shot. Was in good health that morning.

a conversation with Mrs. Mary Ross the day after the killing and just after she had been talking to some newspaper men, that she told him Perry had knife in his hand but no gun, that Arch told Perry to go back into the house that he wanted Abe, Mr. Higgs had also stated to him that he believed gun went off accidentally.

George Etter, undertaker, Stuart's Draft, said that he knew Jim Brown, that he had employed him, and that he would take his word on oath.

E. M. Young, Stuart's Draft, would also take Jim Brown's word on oath. Jim Brown had worked for him at one time.

Pilson Cochran of Stuart's Draft, a clerk in the mill of his father, Mr. C. H. Cochran, stated to the jury that he had known Jim Brown about 15 years and that his reputation in Stuart's Draft was considered good.

Ross Harris of White Hill, in whose presence Mrs. Mary Ross is said to have made the statements above referred to, stated that Mrs. Ross told them that Perry had knife, but that he had not paid much attention to the rest of the conversation.

John F. Irvine was again called and asked if he had conversation with Mrs. Ross. Attorneys for prosecution objected as no foundation had him laid.

Mary Ross recalled by counsel for the defense to lay foundation. Stated that she had conversation with Mr. Irvine but had not told him that Arch had said that it was Abe he wanted.

John F. Irvine testified that Mary Ross told him Arch called for Abe, that gun belonged to him and was liable to accidental discharge when shells became jammed in magazine. Arch worked for him, was steady worker and when he came to his house that evening was sober and sane but very mad and excited. Knew all about the gun, was a good marksman and was thoroughly familiar with its liability to accidental discharge.

Dr. A. L. Tyner stated that he had conversation with Mr. Edward Higgs, and that from it he had gathered the impression that Mr. Higgs thought the shooting accidental so far as the killing of his son and the wounding of himself was concerned.

At 2:55 p. m. counsel for the defense asked for a recess of thirty minutes in order to try and find another witness whom they believed would be of service in the case. Request was granted.

Without the bringing out of any new fact the court adjourned until this morning at 10 o'clock.

FRIDAY. Arch Brown, the accused, who went on the stand for short time in his own behalf on yesterday, was the first witness at the opening of the court. His statement was, in brief, in accordance with other witnesses as to his having liquor which he had Continued on 4th page.

Napoleon's Grit

was of the unconquerable, never-say-die kind, the kind that you need most when you have a bad cold, cough or lung disease. Suffer troches, cough syrups, cod liver oil or doctors have all failed, don't lose heart or hope. Take Dr. King's New Discovery. Satisfaction is guaranteed when used for any throat or lung trouble. It has saved thousands of hopeless sufferers. It masters stubborn colds, obstinate coughs, hemorrhages, la grippe, croup, asthma, hay fever and whooping cough and is the most safe and certain remedy for all bronchial affections. 50c and \$1. Trial bottle free at B. F. Hughes.

CASH GONE

Clintwood Bank Cashier Takes to Tall Timber

Clintwood, Va., July 7.—Cash to the amount of \$15,000 and \$7,000 worth of unissued treasury certificates have disappeared from the vaults of the Citizens' National Bank of this place, and a reward of \$1,000 has been offered by the officers of the institution for the arrest of Walter C. D. Sutherland, cashier of the bank, who has not been seen here since Saturday night, when he hired a horse and told his friends, it is alleged, that he was going to Stratton to spend the Fourth with relatives.

When he did not appear at the bank Tuesday morning, inquiry by the officials developed the fact, it is said, that the young man had not visited Stratton. It was not until late yesterday that the bank vault, whose time lock had been set for 96 hours, could be opened. Then the officials discovered the loss. In the vault they found a note, saying, "Gone to the tall timbers." The name of the missing cashier, it is said, was signed to it. Sutherland, who is 34 years old, at one time was connected with the army engineers corps in the Philippines.

Buggy Wrecked in Escaping Runaway

Harrisonburg, July 8.—A horse, belonging to Dr. T. C. Firebaugh, became frightened yesterday morning, while standing in front of the Kent residence on West Market street, broke loose and dashed up the street, demolishing the buggy, and upsetting another buggy in front of R. R. Browns residence, belonging to Mr. Whitmore.

Work 24 Hours a Day.

The busiest little things ever made are Dr. King's New Life Pills. Every pill is a sugar coated globe of health, that changes weakness into strength, languor into energy, brain-fog into mental power; curing constipation, headache, chills, dyspepsia, malaria, etc. at B. F. Hughes.

WASHINGTON—AMAZED

At Mr. Roosevelt—Cannot Understand Attitude

Washington, D. C., July 7.—Public men in Washington were amazed when they read the Roosevelt interview yesterday morning, and all day were trying to draw deductions to its significance. And although it is midsummer, there happen to be a number of prominent officials in the city, including several cabinet officers, Vice President Sherman, and Speaker Cannon. They indulged in all sort of speculation, as to what the colonel was planning to do, and one of the theories advanced was that he might be paving the way for the organization of a new party, to consist of the radical elements of the old parties.

A radical suggestion offered by prominent men was that Mr. Roosevelt was preparing to make an attack upon the Taft administration, despite the cordial and intimate reunion which the colonel and the president had at Beverly a week ago.

CHARLTON MAY GO FREE

Extradition of Wife Murderer Not Probable

New York, July 7.—Porter Charlton, who has confessed to the murder of his wife, Mary Scott Castle, at Lake Como, Italy, will be arraigned tomorrow morning in Jersey City. The hearing on the warrant on which he is held will immediately be adjourned for three weeks or more. Charlton will be locked up again.

Italy has decided to make formal demand for Charlton's extradition and is preparing a writ, which, however, has not arrived. The formal request for Charlton's extradition will be as formally refused by the State Department unless Italy shall agree in the future always to extradite to us Italians, guilty of crimes here, who have escaped to Italy. To this Italy will not agree.

Charlton, therefore, will go free sooner or later, probably about August 24, when 60 days will have elapsed since his capture here. TO BE PLACED IN SANITARIUM. His family intends to place him in a private sanitarium, with the hope that in time he may be pronounced of sound mind.

Big Contract Let By B. & O. R. R.

Baltimore, July 7.—The B. and O. R. R. announced today that it had placed an additional order for new equipment, consisting of 2,000 box cars of 80,000 pounds capacity; 2,000 steel coke cars of 100,000 pounds capacity and within the next few days will let contracts for 1,000 low side gondola cars of 100,000 pounds capacity.

Enjoys the Spectator

Colfax, Ill., July 4, 1910. Dear Sir: You will find enclosed amount for another year's subscription for the Spectator which I always look for on Saturday morning of each week. Success to you and your valuable publication. I am yours, Respectfully, X. X. X.

BURDENS LIFTED

From Staunton Backs—Relief Proved By Lapse of Time

Backaches is a heavy burden; Nervousness wears you out; Rheumatic pains; urinary ills; All are kidney burdens—Dilys effects of kidney weakness. No use to cure the symptoms. Relief is but temporary if the cause remains. Cure the kidneys and you cure the cause. Relief comes quickly—comes to stay. Doan's Kidney Pills cure kidney ills.

Prove it by your neighbor's case. Here's Staunton testimony. The story of a permanent cure. Mrs. J. M. Long, 403 W. Main St., Staunton, Va., says: "There is no other remedy in which I have more faith than Doan's Kidney Pills and it gives me pleasure to recommend this preparation. The cure it effected in my case six years ago has been permanent. I gave a public statement at that time telling of my experience with, and recommending Doan's kidney Pills and I now gladly confirm that testimonial."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's and take no other.

A Frightful Wreck

of train, automobile or buggy may cause cuts, bruises, abrasions, sprains or wounds that demand Bucklen's Arnica Salve—earth's greatest healer. Quick relief and prompt cure results. For burns, boils, sores of all kinds, eczema, chapped hands and lips, sore eyes or corns, it's supreme. Surest pile cure. 25c at B. F. Hughes.

ALCOHOL

is almost the worst thing for consumptives. Many of the "just-as-good" preparations contain as much as 20% of alcohol; Scott's Emulsion not a drop. Insist on having Scott's Emulsion FOR SALE BY ALL DRUGGISTS

Putnam's One Price Music Store

PIANOS THE OLD RELIABLE STANDARD R. S. HOWARD PIANO, \$275.00 \$280.00 \$290.00 \$300.00 For Different Styles.

We have other makes at lower prices, and some at higher prices; but we have no better piano for the money than the HOWARD.

Please Call and See Them.

Lumber and old instruments taken in exchange at full value.

W. W. PUTNAM & CO., No. 111 W. Main St., Staunton, Va.

WESTON BARGAIN HOUSE!

Ladies' and Children's Ready-to-wear Garments, latest styles and good values,

Just added—A Shoe Department in charge of experienced fanner and currier, with full line of Summer Shoes and Slippers. Chinaware, Glassware and Lamps—a great variety—at low prices

LADIES' REST ROOM FREE. (Lady attendant in charge.)

Stores on South Augusta Street, near depots.

WESTON BARGAIN HOUSE.

The Farmers & Merchants Bank

Was Organized as a

Savings Bank in 1891

And accepted deposits of \$1.00 and up.

It has paid interest on Saving Accounts when the balance amounted to \$1.00 or more ever since that time, and the interest compounded and added to the principal or original deposit, if not withdrawn.

3 per cent. 3 per cent.

Paid on Savings Deposits and Certificates of Deposit. Will appreciate your opening an account with us.

THE FARMERS & MERCHANTS BANK

WILLIS' CASH LIQUOR HOUSE

Pays Express on One Gallon or more

Whiskey from \$2 to \$6 per gallon.

Phone 9. HARRISONBURG, VA. Respectfully,

W. H. WILLIS.

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If 9,896 Farmers and planters told you that their yields per acre of cotton, corn, tobacco, wheat, fruits, peanuts, rice, sugar cane and truck crops were greatly increased and even doubled By Using Virginia-Carolina Fertilizers and which they thought the best and biggest crop producers on earth—wouldn't you feel that you should, in justice to yourself, try these fertilizers and get the same increased yields on your own farm? We have many thousands of un-asked-for letters from farmers blessing the day they bought Virginia-Carolina Fertilizers. Many of these letters are in our 1910 Farmers' Year Book, which can be had free of your dealer, or by mailing us the coupon.

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