

Heard Woman's Wild Shriek Just Before She Was Killed

a right sharp jolt to a moving car?" "Well, if parties were to differ as to the condition of the crossing, I would prefer to go out and look at it again."

Mr. Jacob on the Stand.
W. A. Jacob, a justice of the peace of Chesterfield county and whose home is on North Street near that of Thomas E. Owen, told of having been called to the Owen house on the night of the murder soon after 11 o'clock.

The witness saw Henry Beattie and was told by him how the story of the night, how he had come to the Owen place to take his wife out for a ride, how a young man had made him late in coming; how Beattie and his wife had gone to a drug store in Swansboro to have a prescription filled and then gone on out the Middlethian Road on a pleasure ride, containing his wife, what Beattie told him of the crime. Mr. Jacob told of the highwayman who stepped from the woods, cursed Beattie and told him to stop or he would fire. According to this account, the assailant was on the right side of the car, not the left as has been heretofore said, by several to whom Beattie related his story. The man fired, according to the account given Mr. Jacob, over young Beattie's head as he leaned forward to put in the clutch and start his car. It was the young man's intention to shoot Beattie, but to start the car with a spurt and so destroy the man's aim should he be so reckless as to shoot. The man fired from the right across him, or rather over his head, hitting his wife. Beattie grappled with the man, caught the gun, getting a blow in the eye, and wrenching the gun from his assailant, and then threw it into the car. After hollering and blowing his horn, Beattie said he ran as fast as he could to the Owen home.

The description of the highwayman given to Magistrate Jacob was a big man with a two weeks' beard on his face—a heavy-set man. Beattie did not think he would recognize him if he saw him again. The next day, contacted Mr. Jacob, he got Beattie to repeat the statement again, and in his new version the young man told of stopping on the way home to light his lamps and added that he did not know whether the assailant was white or colored.

"Did you look at the body?" "Yes." "Did you handle the head and hair?" "Her Hair Very Dirty." "The hair looked very dirty on one side of the head. I was not looking for dirt, but my attention was called to it by a woman in the room. I wouldn't say it was dirt—it was dirty. Mr. Jacob then detailed with care the steps he had taken as a justice of the peace to secure police assistance, and in beginning a systematic search for the murderer. Soon after the dogs came, some of whom the gun had been found. Mr. Jacob examined it closely and saw blood marks on it, and the print of a finger in blood in two places. There was also a smear on one side of the stock, but the magistrate would not swear that the smear was of blood.

"Don't you know that Douglas Beattie and others had handled that gun before you had it, and that Douglas Beattie had been driving the blood-stained car?" "No, sir." "There was blood all over the car so that some one driving it might get blood on his hands?" "Yes. There was blood about the car so much in the driver's seat that I spread one of the side curtains over the seat. Douglas Beattie got blood on his clothes the first time going up. After that I put a curtain over the seat."

"You don't know how many had handled the gun before you saw it?" "No, sir." "Why wasn't there blood on the steering gear of the car?" "I don't know, but I saw a glove down on the floor of the machine. There was blood on that. It was one of the long leather gauntlets coming up over the wrist."

The Over Glove.
A sharp tilt between Attorneys Smith and Wendenburg over the glove. Mr. Wendenburg asserted that Mr. Smith was trying to impress the jury with the idea that the prosecution had the glove and would not produce it. Mr. Smith insisted that the defense had a strongly given out Beattie's shirt and clothes and everything asked for.

"You haven't asked for the gauntlet," he concluded. "Well, I ask for it now," snapped Mr. Wendenburg. "How should I know?" replied Mr. Smith. "Magistrate Jacob has said he has been the last man who saw it." Judge Watson cut short the tilt between attorneys by curtly directing them to proceed with the case.

"Did you see Harry Owen with Henry Beattie on the night of the crime?" "I couldn't tell who it was. I didn't know the gentleman. I saw Henry Beattie out with another man on the Owen lawn. They asked me to have a drink with them and I declined."

"I had never seen Mr. Beattie before and do not know him," said Mr. Snyder, who was evidently trying to be very careful in his statement in so delicate and important a matter. "The man I saw was about his size. He wore tan shoes and, I think, tan socks. His feet looked neat. I noticed them specially."

"Did he have a mustache?" "I don't think he did." "What was your opinion on the day of the inquest as to his identity?" "Protests came fast from Messrs. Smith and Carter."

"The only proper question, the court rules, is 'What is your opinion now?'" "Have you looked at an automobile here at the trial?" "Is he an expert on automobiles?" asked Mr. Smith, sarcastically.

Snyder said he would rather make his own statement and not be continually cut off by the attorneys. "The counsel have asked you," restated Judge Watson, "whether you have seen this machine, which is admitted to have been the car in which the prisoner and his wife were riding on the night of the killing?" "Yes, I have seen it," said Mr. Snyder. "I saw it at the inquest held at Dr. Lovings' house, when it was brought out beside the porch."

"Now counsel asks you," continued the judge, "whether the machine you saw on the afternoon you have described—the afternoon preceding the homicide—was the car that you saw at the inquest?" "As I said," said Mr. Snyder, "the car was a four-passenger one. When I saw it out on the turnpike the lights were not burning. It had a yellow top; the top was down. Both the car

forward intending to make the car start with a plunge, and that the assailant missed him and shot his wife?" "Yes. The assailant was standing on the right side and fired over Henry Beattie's head."

Other Was Mistaken.
The court ruled out of order certain demonstrations of Mr. Smith's leading questions by which he attempted to persuade the witness that he was manifestly mistaken, and that the assailant approached the left side and fired direct at Mrs. Beattie.

"Except I demonstrated to you," he asked at last, "that you were mistaken, and that he told you it was on the left that the man approached?" "No, sir," replied the magistrate emphatically. "I see he was mistaken as to what he told me."

"You are still of the opinion it was the right side he told you?" persisted Mr. Smith.

"I don't go by opinion," answered Mr. Jacob. "I go by what I know. He told me on the right side. I know I'm not making a mistake in this."

"Did Beattie give a full statement at the inquest?" "No, sir, there were a great many questions he refused to answer."

"Didn't he answer every question relating to the homicide?" "We object," said Mr. Wendenburg, "unless they will allow us to introduce a stenographic transcript of the evidence taken at the coroner's inquest. I submit that the question is clearly improper."

The court ruled that the witness could not testify as to what was said before the coroner. Mr. Carter argued the point, the court stuck to its opinion and the defense noted an exception.

"We expected," explained Mr. Smith, "not to offer anything that the accused said at the inquest, but merely to prove to the jury that a full statement as to every question relating to the homicide."

Mr. Jacob was excused and Chief of Police Louis Werner called. The court thought his statement as to what occurred under him had done to be heard. The witness will allow us to stand aside for the present. He will be recalled later.

Roland Snyder Called.
Roland L. Snyder took the stand at 2:25 P. M. He had been to the scene of the crime. He was marked by a spike in the road and knew where it was.

"Did you pass that spot on the night of the homicide?" he was asked. "Yes, I passed there twice on the previous evening just before sunset. I went on my way to Mr. Penning's, going to the left of the about twenty minutes after sunset, and just before sunset and just before dark. Mr. Penning's place is about three-quarters of a mile west of the blood spot. After leaving Penning's place I came south on the road eastbound to the road and knew where it was."

"Did you meet any one?" "Right by Johnson's fence I met an automobile going west."

"What time was that?" asked Judge Watson.

"About halfway between sunset and just before dark," answered the witness.

"Who was in the car?" "In the car were five or six young men. They must have been going only or twenty-five miles an hour, anyway they were going pretty lively."

"How far is Johnson's fence west of the blood spot?" "Not very far—200 yards or so."

"Well, what happened then?" "Right behind that came a big, four-passenger automobile. It was running about four miles an hour—just about as slow as an automobile can run, going west."

"Did it pass you?" "Yes, it was going east."

"What course was it?" "It was going in it."

Stopped Near Murder Scene.
"One man. He ran around me, went on and turned around and passed me again coming back and stopped ahead of me."

"How near did he stop to what is now known as the scene of the crime, the place where a spike now marks the spot of blood?" "Not over twenty or thirty feet. It might have been right at it."

"What was the man doing?" "When I left him he was standing on the edge of the ditch or in the ditch working on his hind tire."

"Was he dressed?" "He was a young man—he had on a brown suit."

Here Beattie's blood-stained clothes were exhibited to the witness. He could not swear that it was the suit the man had on, but said "It looked like it—it resembled it in color."

"How was he seen by you, Henry Clay Beattie, Jr.?" "Yes, I saw him at the inquest."

"Was he the young man in the machine?" "I could not swear he was. I am not certain enough to testify."

"Did the occupant of the machine resemble the man?" "We protest," said Mr. Carter. The court held that the witness might describe the personal characteristics and appearance of the man he had seen. The jury was to judge for itself whether or not it was the accused.

"I had never seen Mr. Beattie before and do not know him," said Mr. Snyder, who was evidently trying to be very careful in his statement in so delicate and important a matter. "The man I saw was about his size. He wore tan shoes and, I think, tan socks. His feet looked neat. I noticed them specially."

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minutes more I heard an automobile start."

"Did you hear anything else, the cries of a man for help or the tooting of an automobile horn?" "The defense, in support of Beattie's story that he had tried to summon aid after the bearded highwayman had fired into the car."

"I did not," said the witness. In further examination he admitted that he might have said on the morning of the murder that he heard an automobile horn sounded. He recalled having talked with Henry Beattie and a party of officers when they visited the scene.

"What did you say then?" he was asked. "I said that if a man had shot into a car of mine I would have crawled out over my wife's body, grabbed his gun and beaten him with it until only a frazzle was left."

Among the other witnesses at the trial was Edward W. P. Pettigrew, to whom a negro delivered the gun. W. A. Jacob, a justice of the peace of Chesterfield county; Eddie Sheppard and James Thomas, both negroes who live near the scene of the crime.

Jacob Found Dirt.
Jacob, who was called to the Owen home soon after the tragedy, testified that the alleged gave him a statement of the alleged encounter substantially as told to others. The boy had said, however, that he did not believe he could identify the man who fired the shot. He had examined the victim's body and had found dirt—he was not sure it was dirt—in the bloody hair. He said he had seen blood on the gun, but under cross-examination admitted that several persons who had been around the bloody car had handled the weapon.

The negro Thomas, whose house stands about 150 yards from where the blood spot was found in the road, testified to the finding of the automobile, one after the other, then the shot. He heard no cries or tooting of horn. The Sheppardson boy, who said he lived "two squares" from the scene, told of having heard the shot and the noise of a car starting toward town.

ed off down the road, I heard the horn, not before."

"Didn't you tell that party of men that you heard the shot and then the scream and horn sounded?" "No, sir, I did not tell them that."

"You have been up in this court before?" asked Mr. Smith suddenly.

"I don't see that that concerns this case," replied the witness. I have been arrested frequently for fighting—never for anything else."

"You remember talking to the party I have described?" "Yes."

"Was the prisoner, Henry Beattie, among them?" "Yes. Some one asked me why, when I heard a scream and a gunshot, I didn't go down. I said that any one who would kill his wife, what would he have done to me if I had gone down there?"

"Well, suppose those young men whose names I have called come here and testify that you told them that you heard first the shot and then the call and horn, what would you say?" "They can't tell the truth any more than I can," answered the witness in a hurry, one evidently aggrieved at the determined effort of the defense to discredit him.

"Did you talk with Henry Beattie on that occasion?" "Yes. He held up a gun and said, 'This is the gun that killed my wife.' I said, 'Did you see the man?' He said, 'Yes.' I said, 'I'd have taken that gun and frilled him with it until I wore the gun out.' Beattie said the man had knocked him senseless. Mr. Talley defended his statements, appearing to resent the attitude of the attorney for the defense."

Bon Air Party Passed.
A. K. Briggs, aged fifteen, son of J. A. Briggs, a contractor, of 1510 West Grace Street, was called. He told that on the night of July 18 he went to Bon Air in an automobile with a party of young men. There were eight in the car with him, and another carload with them. He went with him were Ernest Moseley, Joseph Montgomery, James Paschall, Atkins Gregory, Frank Cutchins, Sam Meek, Jr., and John A. Clark. With the other carload they had attended a dance at Bon Air on Grove Avenue between 8 and 8:15 o'clock. They left Bon Air for home "around about ten or ten thirty."

On the homeward bound trip the witness was in the second of the two cars as the party came down the Middlethian Turnpike toward Richmond. On the entire trip they passed two cars, the first about a mile from Bon Air—the witness did not notice how many people were in it.

"Where did you meet the other car?" asked Mr. Wendenburg.

"We met the other car standing on the side of the road about five miles out of town."

"How far from the whitewashed store?" "I could not say exactly."

"You have been back out there since the murder?" "Yes, once."

"What did you see?" "I saw a car standing on the side of the road. There were two passengers a man and a lady, the man out in front fiddling with his engine and the other standing on the running board on the left hand side."

"The car was to the right of the road facing toward Richmond?" "Yes."

Woman on Running Board.
"And the lady was standing on the left hand running board; that is, toward the middle of the road?" "Yes."

"On which side did you pass?" "Did you pass any other car before you reached Richmond?" "No."

Under a stiff cross-examination by Mr. Smith, the witness held to his story, remembering his years and natural embarrassment. He could not fix the exact time the party had left Bon Air, but they did not stay long at the dance; they left about 10:10. At any rate, they got home in five minutes after 11. Once they caught up with the car in front of them, but it kept ahead. The witness did not know how fast they were going.

"Would you deny that you were running as fast as fifty miles an hour

all the evidence surrounding his part in the case, Beulah Binford and her relations with the accused, and the new evidence whatever it may prove to be, are all asserted to be of more importance than all that has gone before. The State asserts that it has merely constructed a foundation for the testimony of those witnesses. Whether the defense will prevent the superstructure from reaching the promised proportions before the jury remains to be seen.

STATE EXPECTS TO CRUSH HIM WITH EVIDENCE TO-DAY

(Continued From First Page.)

moment Snyder is not an obscure man. One brother is in the State Legislature, and another holds a high position with a big railroad. Himself, he is an acetic looking dayrman, sharp featured, sharp-tongued, a resident of the county for two years, hailing from Amelia.

Roland Snyder's Story.
Let him tell his own story: "On July 18, the evening of the murder, I passed through the Middlethian Pike just before sunset, going west. I went up to Mr. Penning's, who lives about three-quarters of a mile beyond the blood spot in the road. I left there about twenty minutes after sunset and came back along the road. In a few hundred yards from the blood spot, I passed a big automobile going west—away from town. There were five or six young men in it, and they were going at a lively gait. It was about half-way between sunset and daylight—down. Soon after this I passed another automobile—a big, four-passenger machine. It was running about as slow as an automobile can go, possibly four miles an hour. The front lights were out, but the back lights were on. The machine had a yellow top and the top was down. I always disliked yellow as a color, and that's why I noticed it. I was wondering why a man would have such a top when he could have a black one."

"The automobile had one man in it. It passed me, came back, passed me again, and then stopped within twenty or thirty feet of the place where the murder was committed. When I in the evening, I went on. When I left, the man was standing in the ditch, working on a tire. He was a young man, and did not have a mustache. He was dressed in a light or brown suit, and had on tan shoes and, I think, tan socks."

Witness Strikes Shock.
Divested of non-essentials and put connectedly, this is what the dayrman told the jury. He went, as he came, unshaken. Riddled though it stirred his native wit and sometimes his anger, faltered otherwise to shake his head and counsel got little comfort and some lively slaps trying to trip Snyder.

"You do not know much about automobiles, do you?" asked Mr. Smith, trying to show that the witness was not expert enough to identify the machine.

"All I go by is yellow tops and black tops and size."

"But, then, what is the difference between a yellow top and a black top passenger car and a four-passenger car, for instance?" "One is bigger than the other."

"What else do you know about automobiles?" "I know how to fit in and get out."

"Then you do not travel in them often?" "I generally travel in a milk wagon."

"Then you know all about milk wagons, anyhow?" "Not much, after all."

"But you don't know much about automobiles, do you?" "If I knew all you have been asking me I would go to Richmond and get a job in one of them places."

"How many yellow topped machines have you seen out there—how many in every fifty or hundred, for instance?" "I have never seen but two or three."

"Why did you notice them particularly?" "Yellow is a color I have never liked."

"Then you were struck with them?" "The dayrman thought counsel meant 'admirable.'"

"No, sir," he protested vigorously, "I would rather have a black top."

Testimony Important.
Quick as a flash with his replies Snyder had the crowd in a continual giggle. Once he lost his temper, but hastily arose and apologized to the court. From the point of view of the prosecution, the witness's performance following his main story, was unfortunate in the extent that it temporarily withdrew attention from the exceedingly important testimony of the witness. But even at that Snyder's story, to which he held firm as flint, was not the only one. He did not positively identify Beattie as the man who had been in the road, but saw sufficient resemblance to have a powerful effect upon the jury—perhaps.

Certain in His Own Mind.
In his own mind he is practically certain the man in the road, the lone rider, was the same. He asserted this most privately afterward, and stated that since seeing the suit of clothes produced in court he was more than ever convinced. But, of course, he could not say this to the jury. His testimony was forced rigidly within the strict rule of evidence. All he could do was to describe the man he had seen, and let the jury apply this data.

(Continued on Ninth Page.)

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Minor Can't Specify.
Louisville, Ky., August 25.—J. S. Minor, a contractor, of this city, who wrote to the lawyers defending Henry Clay Beattie, Jr., says he is unwilling to give the name of a man who told him that he knew two men who said they saw a man on the Middlethian Turnpike the night Mrs. Beattie was killed, and this man answered the definition of the highwayman who, Beattie claims, committed the murder. The man who told him the story, he says, is not in the city.

Gay Old Point TAKE
Twenty-Five Warships at Anchor.

Sunday Outings
Visit the ships and spend the day at Old Point, Buckroe, Ocean View. Two trains, 8:30 and 9 A. M. \$1.50 round trip.