Henry Denies Every Charge Made by Paul In His Confession to the Court

COOLLY PARRYING THRUSTS, MAKES OWN BEST WITNESS

(Continued From First Page.)

to hammer the defense from every side. It is no exaggeration to say now that the rebuttal, often a perfunctory affair, will be the vital part of this great trial, and both sides are arming for the death grapple. The Commonwealth's task will be to sustain Paul and destroy Henry. Cousin against cousin, they will stand and fight it out to the bitter end. Can the State measure up to its work? Wendenburg smiled at the question last night—but in his cell Henry Beattie was smiling, too.

Crowd Fascinated by Sight.

To the throng jammed within the courthouse and spreading across the green it was a thing that fascinated the eye—the picture of Henry Beattie battling for his life. It was a morbid crowd that believed little the boy said, and that yet stood unwearied through many hours to see and hear it done. With unruffled front he faced them all, and when men fought and tore one another's clothes and scaled trees and risked arrest merely to peer stupidly into his face, he looked calmly back, with lips just parting in a faint, half-scornful smile. At first he was nervous, as one might have supposed, considering the issue at stake. For a few moments in the early morning he seemed ill at ease under the wondering scrutiny of the hundreds packed around him. But when his voice finally came it was flat and at a dead level, like a piece of lead. And as the time went on he grew calmer yet and steadier yet, and before an hour had passed was the same old Henry Beattie again, unshaken and unshakable.

Flicking a bit of dust from his sleeve now and then, sipping from a glass of water at his side, occasionally touching his lips with a handkerchief he held in his hand through the livelong day, he told his story, and told it well. That he spoke without effort, as if by rote, can hardly be counted against him. For weeks he has had nothing else to think about, and it is scarcely imaginable that he should have waited until the eleventh hour to shape his testimony. It was clearly evident that he had studied it out to the minutest detail and that he was prepared for any question that might come. Many a night he has spent poring over the record of the coroner's inquest; he had failed to note none of the essential statements of the witnesses who had preceded him. It all told for him now. Whenever there seemed unreason in what he said, he had an explanation ready. Straight to the point he went every time and spread his whole story quickly before the jury, and the jury listened carefully. If he felt strongly at any time he showed nothing of it. Not even the horrible story of the crime shook him as it came from his lips. This he told like all the rest, with no emotion. He got into his bloodstained coat and stood up, straightening it carefully in front, more mindful apparently of the good fit than of the night of the murder it recalled. Throughout the entire day he looked full into the faces of the twelve men who are to determine his fate. If he saw anything there that did not please him he kept it to himself. The steady working of a jawbone muscle signified nothing. It is an old trick.

Parried Thrusts Skilfully.

The manoeuvres of the cross-examiner amounted to little. For the most part Beattie parried the thrusts with ease. Wary, careful of every word, he spoke only when necessary, and then to the point. It is said that discrepancies between his testimony now and that before the coroner appeared at a number of places. Two or three times he tripped on some minor issue, but considering the seven-hour struggle, this was little enough to say. When he denied he did it boldly and openly, knowing precisely what it meant. When he admitted there was no evasion. Such as his story is, it stands a perfectly clear thing. Reasonable or unreasonable, he gives it, and hangs to it to the end.

Counsel exhausted themselves, but not Beattie. At nightfall he was as fresh as when he began. The air grew cool and the crowd began to dwindle. But the witness went on and on and seemed quite content to sit there all night. Marveling at his nerve, the spectators finally went their ways and the court dispersed. Smiling back at his father, the prisoner passed within the clanking jail doors again, and soon he was alone with the crickets and the solemn, pitch-black night. To-day he goes upon the stand again, but it will soon be over. An hour or two more, and the State will have finished with him.

Great Outpouring.

In anticipation of the coming of the prisoner to the stand, a thousand people went jamming into a space built for a hundred. It was an impossible thing. The court manfully met the problem and did its best. A squad of officers were kept busy during the day holding the eager spectators back. Considering the situation, excellent order was maintained.

The countryside was astir with the birds. Wagons and carts of every shape and size were on the roads with the break of day, and ancient nags were pounded into some sort of animation for the first time in a dozen years. Rickety traps rattled by with many overloads, and how they hung together so long no mortal man can say. Around the courthouse fence the whole weatherbeaten collection was finally gathered, looking like the back yard of a second-rate stable.

Later on came the city crowds in caravans of automobiles. The holiday in town had turned the office forces loose, and hundreds made the journey only to spend the day disconsolately on the lawn. The building itself was stuffed by 10 o'clock, and the cars and carts were still coming until long after noon. The ham-and-wich man sold out in sixty seconds, and devoted the rest of the twelve hours to a miserable reflection upon what he might have coined had his foresight been greater. Thrifty mammies carved up great hams until their elbows ached. The court green at the dinner hour resembled a big picnic ground.

Watched by Big Crowd.

Through a double line of standing staring people, spread across the whole length of the rear lawn, Beattie went with an even stride holding a straw hat over the lower two-thirds of his face. On one side of him walked his aged father and on the other the jailer who now always dogs his heels. It was not an agreeable beginning for a trying day, and the prisoner seemed glad to get within the courthouse. But here were even more of those questioning, boring eyes that fastened themselves in fascinated gaze upon the boy charged with the murder of his wife. Beattie turned his back on them at once and sat down. But the eyes were still there—though the faces were different. There was no way to escape them, and the prisoner finally gave up the task. As a last resort he stood up before him on the bar his counsel's handsatchel, which has furnished a convenient shield for his face on many previous occasions.

It seemed a forced calmness that had come upon Beattie at the last moment. There was no smile upon his face now, and his movements were not as free and easy as of yore. Wearing the new blue suit brought out for the occasion and a white tie with a green jade scarfpin, he looked his old immaculate self. He nervously picked up a handful of letters, and finding they were not addressed to him, laid them down again. Then he put one arm around his counsel's shoulder and whispered earnestly into his ear for a full minute. Douglas Beattie leaned over and joined in the conference. For fifteen minutes minor matters occupied the attention of court and lawyers, and during this time the prisoner nervously twisted a piece of paper, looking up now and then, but dropping his head quickly again. It seemed as if counsel were anxious to give him time to collect himself. Finally at 10:45 o'clock Mr. Smith spoke:

"Call Henry Clay Beattie, Jr."

The prisoner arose and with a half-smile flickering across his lips walked to the stand. Now he seemed eager enough. Standing he took the oath and an instant later was in his seat. He reached for a glass of water at once, pulled his trousers straight and crossed his long legs. Then he began, reciting his name, age, residence and other formal matters. No time was lost in getting to the point.

As to Beulah Binford.

"I met Beulah Binford in August 1907," he began. "I was coming down Broad Street with four or five fellows in my automobile, and somewhere between Second and Sixth we were attracted by the voice of some woman calling us. Beulah Binford and another girl came up and said they wanted to take a ride. I turned the machine around and they got in with all five of us. That is the first time I ever saw Beulah Binford.

"Were you introduced to her then?"

The witness smiled.

"Oh! no," he said, "we were not introduced."

"After a while," he went on, "three of the boys got out, leaving me and Harry Harris with the girls. Before they went, however, the boys warned us about Beulah and told us to have nothing to do with her. We found out her reputation then, and I have known it ever since. My relations with her continued until the fall of 1908, when they were broken off."

Thereupon Beattie went on with more detail as to his association with the girl, concluding with a reference to the birth of a child and the employment of a lawyer by Beulah and her mother. "Though I was and am still satisfied that I was not the father of the child, I saw nothing to do but cough up the money. I then became the laughing stock of the town. All the boys guyed me for being so soft. Even Beulah herself admits that the child wasn't mine."

It was pointed out that Beattie's relationship with the girl terminated two years before the prisoner was married.

"How long had you known the girl who became your wife?"

"Almost all my life."

"How long had you loved her?"

"About fourteen months."

"Now tell the jury what were the relations between you and your wife since your marriage and up to the time of her death."

Beattie wiped his lips with a fine cambric handkerchief.

"I never spoke a cross word to my wife in my life, nor she to me. I challenge anybody to contradict this. Our relations were always of the most affectionate character. I don't see how we could have been happier. She knew all about Beulah, as all the town did. But I told her myself. I made a clean breast of it all."

The Norfolk jaunt with Billy Sampson came to the fore. This brought Henry and Beulah together again some months after the marriage. The witness admitted that his wife knew nothing of this. He declared, however, that the meeting was an incident that had not been sought or desired by himself, and that when he left Norfolk he positively told the woman not to come to Richmond, and warned her that if she did come he would have nothing to do with her. Later on she arrived in town, nevertheless, but was only stopping over a few days on her way to Danville, where she intended to open an establishment of her own. But up to the last Beulah hesitated to make the final fling. She went to Henry and begged him to help her. After a while he agreed, out of pity for an outcast who was striving to start life anew. He consented to furnish a small flat on condition that she would get into the straight path again, and Beulah promised, saying she would try to secure a respectable job in some Richmond store. As for himself, his purpose was only to lift the unfortunate girl to a decent life again. He had no idea then or at any other time of resuming his association with her. The witness declared that he had once before helped a similar creature in a similar case, and gave the name of the woman.

"What were your real feelings for Beulah Binford? Did you love her?"

"Certainly not. She was just a woman of the town. I couldn't love a woman I couldn't respect or trust. She was nothing more than this to me. Other men were going with her in the same way. She told me so herself, and I knew it on my own account anyhow."

Just a Little Gush.

The "Dear Kid" letter was here dragged forth again. It referred to the flat in question. But it was also weighted with loving terms.

"That was just a little taffy or gush of the kind that you give a woman of that sort," Beattie explained, with a smile.

In his chair in the corner of the bar the elder Beattie sat with lowered eyes. Douglas chewed a piece of gum slowly. The boy's answers were coming clearly and to the point. By this time he was entirely at his ease. Now and then he even argued a point.

The examination veered. The name of Paul, the accusing cousin, had been previously mentioned, and Henry had declared that he had never placed any confidence in this member of his family; that he saw little of him and that when Paul ever came to the store somebody was posted to watch him.

"Did he come to the store often?"

"He came chiefly to get money from me or to beg something out of my father."

Paul a Liar, He Says.

Now the prisoner declared that Paul had simply again proven himself a liar. He admitted part of the cousin's story, but denied all that portion of it essential to the Commonwealth. He said he had no communication whatever with his cousin on the night Paul says Henry asked him to buy the gun. As to the Saturday night trip, when it is supposed that the gun was delivered, the witness went into great particular. He admitted that Paul came to the store in Manchester early in the evening. When Henry closed his side of the store he came out, and seeing Paul, offered to carry him home. With great alacrity Paul agreed. This was a short time after 10 o'clock. The two set forth in the automobile, heading toward Richmond. There was trouble with the lamps. About five or ten minutes was lost in this way. In addition, it took about ten minutes to make the trip to Richmond, which place the prisoner though he reached about 10:30 P. M. This would have fixed the time of his departure from Manchester at about 10:10 P. M. Wendenburg scored a small point here. Some defense witnesses have asserted that Henry did not go from the store until 10:20 P. M., and counsel were endeavoring to show that the gun was delivered to Paul Beattie a few minutes before 10 o'clock—before Henry had ever left Manchester. During his testimony the prisoner himself stated that he did not quit the store "until 10:20 or 10:25." A few moments later he said he reached Paul Beattie's house "at 10:30 or 10:45." In the same breath he admitted that it had taken him about ten minutes to make the trip and that about ten more minutes were lost tinkering with the lamps.

Went to See Beulah.

Concerning the route followed on this Saturday night journey, Beattie declared that after reaching Richmond he went up either Ninth or Seventh Street to Grace and thence westward to Paul Beattie's house. He denied flatly that he had ever stopped at or near Sixth and Broad Streets, or that Paul had left the machine to go to a pawnshop. On Grace Street the lights went out again and while he was readjusting them a policeman—Green—came up and spoke to him. After this he went on to Paul Beattie's and left him at his front door.

"Where did you go then?"

"To Beulah Binford's."

For an hour or two Beattie and the girl were together, and an automobile ride was one of the incidents of the evening.

"Did she get in the automobile?"

"She did."

"If there had been a gun in the automobile would she have seen it?"

"She certainly would."

"Did she ever see one?"

"Of course not. There was no gun in the automobile to see."

Leaving Beulah later on Beattie proceeded homeward, picking up Billy Sampson near the Byrd Street Station. Sampson also failed to see a gun in the car. On Sunday Beattie did not see Beulah, but on Monday night, the day before the murder, he was out with her again.

"How often did you take your wife out three days?" he was asked.

"Three or four times a week."

Denies Whole Gun Story.

This much Beattie admitted. He spoke with the utmost coolness. Not an eyelid flickered unless a ray of sunlight struck it or a fly hovered near. There was not a tear; not a single sign of emotion. Now and then the witness leaned over and sipped from a glass of water. Frequently he touched a handkerchief to his lips.

The whole gun story he denied emphatically, declaring that Paul Beattie was lying outright. He had never asked his cousin to buy him a gun and no gun had ever been delivered to him. If he had wanted anybody to purchase a murderous weapon for him he would surely, he said, not have commissioned his utterly unreliable and untruthful cousin to do this work for him. As to his subsequent identification of the gun, he said he meant only that it was the gun which had been found. The night of the homicide was very dark. There was no moon.

"I had no way to see the gun clearly. I simply took it and pitched it into the car. All I know about it is that it is a single-barreled shotgun.

Describes the Murdere.

It was now time to describe the homicide itself. Beattie went steadily on. The crowd was straining to catch every word. The little room was packed to the point of suffocation. On the outside were hundreds of people. Nearby trees, commanding a view of the witness chair, were filled, small, temporary platforms had been erected at some points and every now and then one would come down with a crowd, spilling its contents onto the green to the huge delight of all the rest. Every car and wagon brought a fresh load. There seemed no end to the people. Chesterfield was seeing large sights this day.

"I left my house a few minutes after 8 o'clock," the witness said. "I opened the garage to get the machine. I had to pump up a tire in which there was a slow puncture. I started out Cowardin Avenue, and went by Mr. Carson's house, 'Dundee,' on my way to the Owen house on the Midlothian Pike. A short distance beyond Dundee there is a little dip, and here I found that the tire was flat again. There was nothing to do but get out and put on a new tire. The wheel is a particularly hard one to manage, and it took me a long time. I was nearly an hour late when I got to the house of Mr. Tom Owen, where I was going to see my wife. Finally I got there. I chatted with Mr. Owen a few minutes, and then went upstairs where Louise was with the baby. I leaned over and kissed her and sat by her side a few minutes. I tried to stick my finger in the baby's mouth, and my wife called my attention to the fact that my hands were very dirty from working in the road with the puncture. I went off to the bathroom to wash my hands. Mrs. Owen, her mother, showed me the way, and then she left the room. My wife got up to dress, and the baby started to cry. She said, 'Isn't that aggravating?' and stopped to nurse it again. I played with the baby some, and presently Mrs. Owen came back and said Dr. Mercer wanted me to get a prescription for her.

Wife Proposed Spin.

"After the baby had been quieted Louise asked her mother to stay with the child, and we started out. Somebody told my wife she had better put a coat over her thin dress. She couldn't find her wrap, and finally put on Tom Owen's raincoat. We got the prescription, and started out to the drug store. This was about three-quarters of an hour after I had arrived at the Owen house. We went on down the road to Washington & Early's drug store. It was closed, but the clerk was sitting behind, and we got him to open the place. We stayed there about ten minutes. While the clerk was filling the prescription I went out to the machine with my wife and stood on the running-board. When I saw that the man had finished, I went inside and met him and asked him for a box of candy for my wife. I wanted a pound box of almonds, but the clerk had none except 15-cent quarter-pound boxes. I got one of these, and we started back to the pike. When we got to the Owen house, Louise said, 'Let's take a little spin up the Midlothian Road.' It was her suggestion, and not mine. I had no intention before that of going up there. But she wanted the trip, and I was only too glad to give her this pleasure. She was in a very good humor, and so was I.

Held Up by Highwayman.

"We went on out the pike traveling slowly—about fifteen miles an hour. Three big automobiles passed us going at a high speed. My wife finally asked me to drive faster so as not to let any others get by and cover us with dirt. I did so, and we went on laughing and talking.

"The last thing I remember before I turned around was a row of cedar trees. My wife remarked what fine Christmas trees they would make. Finally I backed into a man's yard, turned around and started back. About three-quarters of a mile from the place where I turned around I saw a man come from the left-hand side of the road. He was so close that I knew if I didn't stop I would hit him. I put on the brake and stopped the car. He said, 'What are you trying to do, run over me?' I said, 'Nott but I ought to.' As I said that I reached over to take off the brake and let the car go.

"Then he raised the gun and pointed at me and said, 'Stop, or I will shoot you.' I didn't say anything, not wanting to aggravate him. I just thought he was kind of crazy. I had no idea he really meant it. I put on the clutch and the car lurched forward. The man pulled up the muzzle and fired. My wife fell over behind me. I at once stopped the car and jumped out. The car had gone a few feet, and when I got out the man was at the rear end of it. I went after him, and he lifted the gun and hit at me. I caught the blow partly with my hands and partly on my face. I was somewhat dazed at first. I got the gun somehow, and the man ran off up the road. I picked the gun up and threw it into the rear part of the car. My first thought was to get the gun away from the man. I didn't run after him because my next thought was for my wife. I hurried back and felt her pulse and heart, but could not tell whether she was dead yet or not. I hollered 'Murder' and 'Help' and honked the horn, but nobody came. I saw there was no use in trying to get help here and it was easier to get back home in the machine. The engine was still running. It had never stopped. I got in the car, with my left arm around my wife. I handled the wheel with my right hand. The throttle was wide open. I went about fifty-five miles an hour. Just before we got to the Belt Line I put my wife's body in the left seat so that it would not fall down, and then I got out and fixed the lights. Then I went on. We jumped about two feet in the air when we crossed the Belt Line. When we went by the S curve just before you get to Owen's house I don't know whether I held my wife or not. It is a very difficult turn with both hands, even in the daytime. Finally we got to the house and we carried Louise inside."

Gave Every Assistance.

The scene at the Owen house was described by the witness. He declared that he had rendered every assistance possible to the officers who were soon swarming around. He told them about the gun in the machine, and was surprised that it could not be found. It was Beattie himself who suggested some of the people present begin a search for the weapon. He also told the detectives where he had turned in the road, and offered to point it out to them at once. But they refused to let him go, saying he was in no fit condition to run an automobile. As to the so-called red gauntlet, he said he did not handle the car at all after the murder, and knew nothing of what was done to it or to anything found in it. Referring to the testimony of those who said the husband showed little or no concern over the death of his wife, Beattie declared that he was a sa matter of fact with great eort deliberately controlling his emotions in order the better to assist the detectives. As to the placing of the machine over the blood spot, he had personally had no part in it. Others had done this, and had assumed that they were doing it correctly until he did so on the court green a few days ago. The witness had not even examined the car to see if blood could get through; at this time, however, he believes firmly that this could and did happen.

"I told everything to Tom Owen when I got back home with the body of my wife," said Beattie, somewhat bitterly, "and I told exactly the same thing at the coroner's inquest, and I am telling it here now. Mr. Owen has testified here and made a very fair statement of what I said. Why should I in the meantime go about and make other contradictory statements, as some people have said here? I have not done any such thing. I never said the man was on the right side of the road. If there was blood on the gun I don't know how it got there unless it came off my nose when the man hit me. Mr. Owen has stated himself that my nose was covered with blood when I got back. Now, it is the most natural thing in the world for a man to put his hand at once to a spot where he has been hit. I don't say that I did this or that I didn't. I just don't know. But if I did I probably got blood on my hands, and this may explain what some people have claimed to be bloody finger prints on the gun."

"Don't argue your case, sir," said Mr. Wendenburg, sharply.

Mr. Smith intimated that he had cautioned Beattie not to try to argue while on the stand, and he now repeated the caution.

"I will try to bring all the facts out as we go along, Mr. Beattie," he said soothingly.

That Message to Beulah.

The examination had now been brought up to the Wednesday following the murder, which occurred on Tuesday night. The witness proceeded further to denounce Paul Beattie as a falsifier. He flatly denied sending Beulah Binford the message quoted by Paul, but admitted that his cousin came to see him that evening Paul brought word from Beulah telling Henry she was sorry he was in trouble, and asking him to call her up.

"I told Paul Beattie to tell Beulah Binford to let me alone and not bother me, and that is the only message I sent her. Paul came back the next evening, but not to bring an answer, because I didn't expect any. I asked Beulah. I did this because in the afternoon Scherer had been questioning me about going with her. I was anxious to keep all this from coming out. I didn't see that it had any bearing on the case and I wanted to spare my family. I told Scherer this, and he will have to admit it. At that time I didn't have any idea I was going to be arrested. I did not learn this until later, and that night I went to Mr. Smith's with Mr. Wells and Mr. Sandifer. I had told Paul to find out of the police had been after Beulah, and he said he would go by her house and find out. I told him I would call him up that night to see what he had found out, and2 after leaving Mr. Smith's I went to Seventh and Main Streets and called him up. He said the police had not been after Beulah. This is the whole true story of the telephone message.

Denies Story of Confession.

Very calmly, with no show of indignation or any other emotion, the prisoner denied that he had confessed to Paul Beattie on that Thursday night. When he had the talk with his cousin they were standing on the brightest part of the porch and a number of people were walking about. If he had desired to confess he would not have selected such a spot for it.

"Did you tell Paul Beattie you wished to God you hadn't done it and would give a million dollars to undo it?"

"No, sir."

"Did you say you couldn't imagine how those damned detectives found out it was No. 6 shot?"

"No, sir, I don't see any sense in that anyhow. The doctors could have got the shot out of my wife's head and found out what size it was easily enough."

The direct examination was nearing its close. A few odds and ends were disposed of. Beattie denied that he was on the Midlothian Road near the scene of the murder at the time stated by the Commonwealth's witness, Roland Sydnor. He also declared that on the tragic ride he did not stop once until he was held up by the highwayman. If the Bon Air boys saw any machine standing in the road it was not his. Not at any time did his wife stand on the running board.

"My wife never left her seat at any time until she fell out of it dead after the man shot her," he declared.

By this time the dinner recess was near. There was some question as to whether or not the prisoner should take the automobile and give the jury a demonstration of how the crime occurred. It was subsequently decided that this be not done. As he left the stand temporarily Beattie stooped, picked up a yellow sheet of paper, and smilingly handed it to a young woman who had dropped it.

With the court's announcement of adjournment came a mob piling in through windows and doors. Those inside had no chance to get out. The sheriff and his officers fought desperately, but could not force the swarm of people back. Evidently those who had stood on the lawn throughout the morning were determined to get a better vantage ground for the afternoon. Stuffing themselves with sandwiches and small pies in advance, they dived into the courtroom while hunger drove the others out, and when these latter came back they found no inch of room. They now had to climb the trees and mount the rickety boxes. It was a complete reversal.

The Cross-Examination.

The cross-examination began. Wendenburg advanced cautiously, but was soon in the thick of it, snatching up every word and pinning the witness down to precision in every detail. Beattie slipped once and said he sent Beulah Binford away to school to "get rid of her." The lawyer was after him relentlessly, demanding the meaning of the words. The witness floundered about for a while, Wendenburg prodding him at every step. Finally he declared that he used the expression to indicate that he cared nothing for the girl, and did not send her away to educate her for himself, as some people thought. In this connection it came out later that recently, though married, Beattie has been in the habit of "going out" every Monday, Thursday, and Saturday, and that these evenings were usually spent with Beulah Binford. At least this latter was true of the week before the murder, and would have been true of the next, as Beattie had begun it with a visit to the girl on Monday, the day before Mrs. Beattie was killed.

State Will Strike Back.

Sharp questioning failed to shake the witness in his assertion that during the week preceding the homicide he saw Paul Beattie but once, and then on Saturday night, as he had previously described. In every particular he denied Paul's story of the Thursday night meeting when, according to the other's story, the gun purchase was arranged. Then Wendenburg made another move. He drew repeatedly from the witness flat and unqualified denials of any statement that he met Paul Beattie anywhere on Thursday night or any other night except Saturday during this week. The Commonwealth will come back fiercely on this point with a swarm of witnesses. Its object is clearly indicated by a question put by the cross-examiner:

"If John Joseph should testify that you came to Short and Main Streets in your automobile and that Paul Beattie got in it with you; and Frank Mason, a customer in Joseph's store, should testify to the same thing; and young McEvoy should testify that you came into his saloon with Paul Beattie and got a drink, and Jim Britton, then in the store with McEvoy, should testify to the same thing; and Mrs. Paul Beattie should state that you came to her house in an automobile with her husband, and Mrs. Noland, a neighbor, should say the same thing—if all these witnesses should testify, as they will do later, what will you then say about meeting Paul Beattie that night?"

"I will still deny it."

The matter of automobile lights also brought a momentary embarrassment to the witness. Referring to the fact that the highwayman was to the rear of the machine when they grappled, Beattie stated that the back lights on an automobile were not for the purpose of illuminating the road, but to give warning to other cars approaching from the rear. Very often these lamps were colored and were useless so far as furnishing light is concerned. Hence for practical purposes the highwayman was in the dark. It was now brought out, however, that on the Saturday night trip with Paul the lights were changed and one of the powerful side lamps was put on the rear. It was still there when the murder occurred.

"So you had a bright light behind that night?"

"Yes, sir."

"Then the grisly-bearded assassin was not in the pitch dark, after all. Why didn't you tell the jury you had a different light on the back that night?"

"Well, there was no reason to tell it, and no reason not to tell it."

Finally Beattie stated that the big lens was turned on the automobile number, and that the side of the lamp directed backward really gave no good light. It would hardly extend two feet, he thought.

Diary Kept Out.

Beulah's fervid diary, a series of loving messages to the prisoner, extending up to the day before the murder, was produced, but rigidly excluded by the court. Mr. Wendenburg fought hard, attempting a number of different expedients to get the pencilled pages before the jury. All failed. Regretfully the lawyer pushed the little book back into an envelope. At all events, a few points came out.

"Did you love Beulah Binford during these recent weeks while your wife was still alive?"

"I didn't love her then or any other time, and I don't love her now."

"Didn't she love you?"

"I don't know; I can't speak for her."

"Didn't she tell you so?"

"Maybe she did; such women usually do."

"Didn't you kiss her every time you left her?"

"Every man does this with those women?"

"So you treated her just as you did your wife?"

The court demurred at the comparison, and the question was promptly withdrawn.

The famous envelope of the no less famous "Dear Kid" letter was at last put into the record. Beattie admitted frankly that it was in his handwriting. This envelope fixes the date of the missive at July 14, four days before the murder. Mr. Wendenburg read it through, and then dissected it phrase by phrase. Finally he got to the burning end.

"Oceans of love," he read. "What did you mean by that?"

"Nothing."

The crowd tittered.

"Brimming with kisses," he read again. "What did you mean by that?"

"Nothing. Just some gush."

Other Points Brought Out.

Here and there other significant points were brought forcibly out. The witness denied that he had said during the morning that until his wife asked him to go "for a spin" he had not intended taking the turnpike trip that night. The record shows that he did make this statement. He declared flatly that on his wild journey home with the body he met no other car whatever; the new Kastelberg story may have a bearing here. He said that after starting out on the pike he did not once leave the main road; this disposes of the belief that the defense would try to show that Beattie branched off into a side road for a few moments; it also gives the Commonwealth firm basis again for its argument that by a process of elimination the car standing beside the road and seen by the Bon Air boys must have been Beattie's.

When the car reached the scene of the homicide the front lights were burning brightly, but Beattie saw no man in the road until he suddenly bobbed up. The stranger came from the left side of the road, but he was not noticed by the man in the automobile until he was near the middle of the thoroughfare. Not only this, but Beattie did not see the gun until the man lifted it to his shoulder, although he had stopped the car and engaged in a conversation with him. In spite of the fact that an uncouth vagabond was pointing a shotgun at her husband, Mrs. Beattie did not scream or make any outcry whatsoever. She went to her death in silence. In order to avoid the danger of striking a man fifteen feet away, on a wide road, Beattie did not simply swerve or turn aside, but actually stopped his machine—an extremely unusual thing for an automobilist. There was absolutely no motive; the man had no provocation. The assassin had plenty of opportunity to run as soon as he fired the shot, but instead of this he waited to grapple with Beattie and then fan—up the road. Some witnesses have claimed that he told them the highwayman ran "into the woods." The witness now denies that he ever made such a statement. The highwayman was a six-foot, 200-pound man; Beattie stands about five feet eight inches and weighs about 135 pounds. These things the Commonwealth emphasized as showing the unreasonableness of the whole story.

The bloodstained clothes were brought out, and the witness slipped on the coat in order to display the spots on it. Beattie has no definite recollection of when he had the coat on or off or what part of the car it was in at certain times. He was too wrought up to notice such things at the moment. The gruesome details of the placing of the body in the car and the method in which Beattie held it to keep it from falling out on his ride back to the Owen home were spread before the jury. It is evidently the aim of the Commonwealth to show that Beattie placed the body across both seats and sat on it. This he has previously denied violently. He told the jury exactly how he held the body, illustrating by means of gestures and once by putting his arm around a little boy standing near him.

Sunset had come and gone by this time, and the supper hour was drawing near. The crowds were thinning out and the air was growing cool again. Beattie had been on the stand more than seven hours, but was still collected and calm. He took sips of water more frequently now, however. The court was anxious to conclude with the witness.

"It is impossible to conclude with him to-night," said Mr. Wendenburg.

"I don't think we are progressing with this witness as we should have done," the judge declared.

Both sides explained that they had done their best. The court was not disposed to yield.

"I cannot possibly conclude with the witness to-night," Mr. Wendenburg repeated.

"Well, go ahead, and we'll see whether we can get through or not," snapped the judge.

In a few moments the cross-questioning continued. But darkness was hastening over the Chesterfield farms. Finally the stenographer gave up and called for a light. Thereupon the court adjourned, setting the opening of the new day an hour ahead of the usual time. The judge is determined to push on, and counsel protest in vain.

FULL STENOGRAPHIC REPORT OF BEATTIE'S DIRECT EXAMINATION

(Continued From First Page.)

two years. You were married in what month?

A. August 24th, 1910.

Q. The relations were broken off in the fall of 1908?

A. Yes, sir—not quite two years.

Knew Wife All His Life.

Q. Now, Mr. Beattie, how long have you known your wife?

A. Well, I have known her practically all my life.

Q. How long had you been in love with her before you married her?

A. I really don't know when was the first time I—

Q. Well, approximately?

A. I reckon it was twelve or fourteen months.

Q. For twelve or fourteen months you had been in love with her before you married her. Before I leave that point I want to ask you how you regarded Beulah Binford during the time you ran with her and up to the time you broke off relations with her?

A. I regarded her as any one else did.

Q. Did you have any love or affection for her?

A. No.

Q. Did she understand that?

A. She could not have understood it otherwise.

Q. Were other men associating with her at the same time you were?

A. Yes, sir.

Q. Did you know that?

A. Yes, sir.

Q. Did she make any bones of it?

A. No, sir; she told me.

Q. And you knew it, independently of her?

A. Yes, sir.

Q. Now, Mr. Beattie, what were your relations—you were married in August, 1910; your wife was murdered on the 18th day of July, 1911. What were the

(Continued on Eleventh Page.)

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