STATE OPENS CASE AGAINST LEO KIDD

Introduces Five Witnesses, Including Girls Alleged to Be the Victims.

JUDGE CLEARS COURTROOM

Orders Everybody Out Except Those Connected With Case, Including Reporters.

With counsel for the defense contesting every inch of ground and noting frequent exceptions, the Commonwealth yesterday opened its case against Leo Kidd, charged with capital offenses against Lenora Austen and Grace Williams. When court adjourned at 6:45 o'clock the prosecution had introduced five witnesses, including the two girls against whom the crimes are said to have been committed.

Examination of witnesses began at 1 o'clock in the afternoon, following a morning devoted to argument and counter-argument on the prayer of the defense for a continuance until the next term of court. Judge Scott listened patiently to an hour of fine-spun technicalities, examined a number of affidavits, and at 11:15 o'clock overruled the motion to postpone, ordering the trial to proceed.

Pleads Not Guilty.

Following a short recess the court resumed business at 12 o'clock noon. Clerk Waddill read the charge and Leo Kidd pleaded not guilty. He faced the accusation calmly, and replied in a firm voice.

The selection of the jury followed in short order, not, however, before Attorney L. O. Wendenburg found time to object on technical grounds to the manner in which it was drawn. Judge Scott overruled the objections, and the lawyer noted an exception. It was evident that the trial was going to be fought inch by inch.

The jury as finally selected consisted of J. D. Waldrop, G. A. Britton, C. P. Smith, E. D. Sampson, J. M. Alby, Powhatan Nash, A. H. Harvie, J. C. Woodfin, J. O. Bradley, Robert Taylor, J. T. Angle and Eddie Atkins. At 12:50 o'clock Judge Scott cleared the courtroom of everybody except officers and those directly connected with the case. The order included reporters.

Girls Testify.

Lenora Austen was the first to take the stand. She recited the story of her relations with the defendant, and told of the circumstances surrounding the incident about a year ago, which resulted in his arrest in Pittsburgh. She was on the stand for more than an hour, and told a straightforward tale. Attorney Wendenburg interrupted repeatedly, and later subjected her to a searching cross-examination without apparently shaking her story in its essential points.

At 2 o'clock the court took a recess, resuming again at 3:30 o'clock. Grace Williams, the second of the two girls alleged to be the victims, took the stand, and testified for an hour. She corroborated the Austen girl's tale, telling practically the same story. Both girls followed closely the version given by them last August, at the hearing of the case against Arthur Herman Anthony before Migistrate Smith. Cross-examination by Wendenburg caused little weakening of her recital.

Doctor Testifies to Age.

Dr. Robert Lee, who was the next witness for the Commonwealth, testified that he was present at the birth of Lenora Austen, and that according to his best knowledge, she was born in December, 1897. This would make her now fourteen years and ten months old, and tend to establish the fact that she was less than fourteen when the offense against her is alleged to have been committed.

Dr. Lee's testimony was corroborated by Mrs. Sol Bernstein, mother of Lenora Austen. She was the fourth witness of the day, and was followed by C. F. Austen, grandfather of the girl, who likewise offered testimony tending to support the claim of the prosecution that the girl was under the statutory age limit at the time of the alleged crime. Mr. Austen is an inmate of the Soldiers' Home.

Can't Finish To-Day.

There is no probability that the case will be finished to-day. The Commonwealth has several witnesses yet to introduce, and will probably complete the introduction of evidence this morning. More than a score of witnesses have been summoned by the defense, and their examination will consume all of to-day and probably part of to-morrow.

Six of the witnesses for the defense, J. J. Anthony, Gay Barnes, H. C. Sutton, Walter Bayliss, E. M. Barnes and W. H. Bowes have not yet been located by the deputies. Mason Pace, another witness, sent a message that he was too ill to come. The absence of these witnesses, who, the defense alleged, were material, moved Attorney Wendenburg yesterday morning to ask for a continuance until next term of court.

Commonwealth's Attorney Frank T. Sutton, Jr., and Haskins Hobson, who is assisting him, argued that the large number of witnesses who have been summoned by the defense made it extremely improbable that the whole number could be assembled at any one trial, and opposed postponement. Unless it was shown that the missing witnesses possessed information which could not be brought out by other witnesses, said Mr. Haskins, the prayer of the defense ought not to be granted. Judge Scott sustained this view.

The jurors were taken last night to the Lexington Hotel in charge of Deputy Sheriffs W. W. Sydnor and R. C. Garnett. The trial will be resumed at 10 o'clock this morning.

Dr. Hartman's Plain Talk to Young Men

My plain talk to young men in my last article certainly brought out many responses from young men. I take this means of answering them briefly, for the benefit of other young men who did not write me. One writer says:

"I was greatly interested in your talk to young men. I wish I was strong and well as you describe yourself to be. I am going to begin at once and follow your advice and take care of myself as I ought to. I will quit the use of all stimulants, tea and coffee, go to bed early. I will take the cold water towel bath every morning. I want to live to be old and useful, like you. And I shall also keep Peruna at hand, in case of slight ailments as they may arise. I thank you in the name of thousands of other young men, like myself."

To this letter I replied:

My dear Boy: I cannot tell you how much good your letter has done me. To know that I am arousing the young men in matters of right living fills me with gratitude and enthusiasm. I want to help you. Write me any time you wish and I will consider your letter strictly confidential and give you prompt reply. Follow the advice I gave in my article. Whenever you have occasion to consult me further do not hesitate. Let us be friends. If you will be obedient to me as a son ought to be I will be faithful and true to you as a father ought to be. Yours sincerely, S. B. Hartman, M. D., Columbus, Ohio.

Pe-ru-na, Man-a-lin and La-cu-pia manufactured by the Pe-ru-na Company, Columbus, Ohio. Sold at all drug stores.

SPECIAL NOTICE.—Many persons inquire for The Old-Time Peruna. They want the Peruna that their Fathers and Mothers used to take. The old Peruna is now called Katarno. If your dealer does not keep it for sale write the Katarno Company, Columbus, Ohio, and they will tell you all about it.—Advertisement.

BECKER THINKS DEATH OF 'CROOK' WORTH PENSION

(Continued From First Page.)

debt is off. I'll go down and tell that man to call it off, as Herman and I are square, and he doesn't owe me that $1,500.'

"I said, 'What man?' He said: 'Never mind what man; Herman knows.'"

Mrs. Rosenthal told of having seen her husband pass money to Jack Rose, Becker's alleged collector, and said that Rosenthal left scarcely enough money to bury him.

Witness Cross-Examined.

The witness was then turned over to the defense for cross-examination.

"Was Rose a partner with your husband in the gambling business?" asked Mr. McIntyre.

"Yes, early in March or the last of February."

Questions as to Rosenthal's relations with Rose, Webber and others were stopped by Justice Goff, who ruled that they were leading and incompetent.

Mr. McIntyre showed Mrs. Rosenthal an anonymous letter sent to Commissioner Waldo complaining of Rosenthal's gambling place. She said her husband had never told her of such a letter. Another letter was shown her, but objection by District Attorney Whitman was sustained.

"It is improper," said the court, "to ask this witness about what her husband is alleged to have told her."

Mr. Whitman objected to other questions and was sustained by the court.

Otto A. Aversi, chauffeur for Lieutenant-Colonel Sternberger, of the Twenty-second Regiment, National Guard, New York, was next called, and testified to having driven Becker in his car on the night of July 15, the night before the murder, to Madison Square Garden. There they saw Jack Sullivan, and Becker got out. Later Becker reentered the car with Sullivan and another man whom witness did not know. This man was carried to a subway station, after which Becker and Sullivan were driven to a newspaper office. That was about 1:30 in the morning of July 16. "We dropped Jack Sullivan at Forty-second Street and Sixth Avenue, and I drove Becker home."

On cross-examination Aversi said Becker had often driven in Colonel Sternberger's car. He added that John W. Hart, Becker's lawyer, had driven up to Ninth Street on the night of July 15 with Becker.

Harbored Jack Rose.

Harry Pollok, at whose home Jack Rose hid after Rosenthal was murdered, was the next witness. Rose came to his house July 16 and remained there until the morning of the 18th. The witness said he saw Becker at police headquarters the 17th and told him Rose was at his (Pollok's) house.

"All right, tell him to stay there," said Becker, who asked for and was given Pollok's telephone number. Becker said he would communicate with Rose.

"Did you communicate with Becker after that?"

"I tried to; yes."

"How?"

"I went to Mr. Hart's office, but I did not see Becker."

On cross examination the witness was asked:

"Did Becker say your house was a good place for Rose to stay?"

"Yes."

The single question ended the cross examination, and Anna Glettner, a sister of Jack Rose's wife, was called.

Miss Glettner recognized Becker in the court-room and said she saw him at Rose's home last Junt when he stayed several hours. Mr. Rose and Mrs. Becker were there, she added. The Beckers stayed for supper.

Margaret Rose, nurse in Jack Rose's house, but no relative of Rose, testified she had seen Becker at Rose's house about the 10th of May.

Miss Rose was succeeded on the stand by Mary Staer, a Swedish maid in Rose's household. The witness said, in broken English, that Becker was accustomed to call "almost every day," and that she frequently "served him breakfast."

"He came quite often, generally at 9 o'clock in the morning," she testified. The girl declared that she was present on both the occasions on which Miss Glettner and Miss Rose had testified that they had seen Becker at the house.

Edward E. Coe, the next witness, said he had breakfasted with Rose on one occasion when Becker was there. He was excused without cross-examination.

Sees Money Transferred.

Barnard Rudigar, a waiter at the Union Square Hotel, said he had frequently seen Rose and Becker together in the dining room at the hotel, both night and morning. On one occasion, while Rose and Becker were talking together, he heard Becker calling somebody names, but did not know who.

"How near to July 15 did he use these words?" was asked.

"About three weeks."

"Did you see any money passed between them?"

"I saw money passed twice. Rose passed it to Becker."

On cross-examination Rudigar said that he had had "some trouble" with Becker at the Union Square Hotel, but denied that he had ever "disliked him." He did not know how much money was passed by Rose to Becker. Mr. McIntyre's motion that Rudigar's testimony be stricken out on the ground that it was incompetent was denied.

Frank Scrall, another waiter at the Union Square Hotel, testified that he had seen Becker and Rose dining frequently at the hotel.

Widow Tells Story on Stand

MRS. HERMAN ROSENTHAL.

Marriage Licenses.

The following marriage licenses were issued yesterday in the clerk's office of the Hustings Court: William Stewart White and Nannie Berkeley Briggs; Raymond L. King and Rosa Nell Smoot; Joseph H. Christian and Alice C. Walker.

Held for Grand Jury.

George Jones, colored, was held for the grand jury yesterday morning in Police Court on a charge of stealing lead pipe from a storehouse where work is in progress on Murphy's Hotel, Eighth and Broad Streets.

LOCATION OF BULLET SHOWN

(Continued From First Page.)

cation of the bullet with reference to the ribs and sternum.

The surgeons in charge of the case from the first have refused to state in any manner whether the flesh was lacerated in the passage of the bullet. No information on this point can be obtained from the skiagraph. Gunshot wounds inflicted by soft lead bullets such as that fired by Schrank into the body of Colonel Roosevelt commonly are lacerated and much contused.

Asked to-night after the radiograph was finished if the wound was lacerated, Dr. Terrell, who had been left in charge by Dr. Murphy and Dr. Bevan, said:

"This is a point on which we have given no statement and will not give any at present. I cannot say anything as to the character of the wound.

"The bullet ranged inward and up after it struck the Colonel right beside the nipple on his right breast," Dr. Terrell said. "It's course probably was affected by the objects through which it passed. The radiograph does not clearly show its exact shape at present.

"According to examinations, the bullet is from four to five inches below the surface, and in reaching its present position made a slanting wound from six to seven inches long."

It will not be necessary to set Colonel Roosevelt's fractured rib or put him in a plaster-of-paris bandage, according to Dr. Terrell.

"Fractures of the ribs seldom are set unless the bone is out of place," said Dr. Terrell. "This one is not extensive enough to call for treatment of that sort."

It is stated that several more days will be required before it can be seen if the wound is to be healed without suppuration.

Present-day sportsmen hunt grizzly bears with weapons of less calibre than the .38 revolver with which the heavy lead bullet was fired into the Colonel. The usual calibre for big game is .35, and the Colonel has killed lions in Africa with smaller bullets than that in his chest. Such a bullet would drop an elk in its tracks or knock a black bear off his feet. That he could stand up and make a speech with a 38-calibre bullet flattened against one of his ribs is admitted by the surgeons to be remarkable.

Dr. Terrell said probably the physicians would not meet again to-night and that no bulletins as to the Colonel's condition would be issued before morning.

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Pabst Blue Ribbon

The Beer of Quality

AN order for Pabst "BLUE RIBBON" Beer carries with it the distinction of quality and good taste. Served with your lunch or dinner, BLUE RIBBON lends zest and refreshment most satisfying. Every bottle is pure and wholesome—worthy of your table—the best beer brewed.

Bottled only at the brewery in crystal clear bottles, showing at a glance that it is clean and pure.

A trial order will convince you. Phone or write.

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Phone Madison 386
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OBITUARY

John J. Minor.

[Special to The Times-Dispatch.]

Fredericksburg, Va., October 16.—John J. Minor, a well known citizen, died last evening at his home here, after a brief illness, aged sixty-eight years. He is survived by his wife, several children and a number of grandchildren.

Robert J. Mitchell.

Robert J. Mitchell died yesterday at the home of his brother, R. S. Mitchell, at Irvington, on the lower Rappahannock River, in Lancaster County, after a brief illness, aged fifty-five years. He is survived by one brother and one sister, the latter being Mrs. W. J. Harrison, of this city.

Margaret Eubank.

[Special to The Times-Dispatch.]

Heathsville, Va., October 16.—Margaret Eubank, the small daughter of Mr. and Mrs. Jack Eubank, of Brown's Store, Northumberland County, died yesterday.

Captain Richard Haydon.

[Special to The Times-Dispatch.]

Heathsville, Va., October 16.—Captain Richard Haydon, one of the oldest citizens of Rehoboth Church, this county, died at his home, near there, this morning. Interment will be in the family burying ground.

William H. Brown.

[Special to The Times-Dispatch.]

Culpeper, Va., October 16.—William H. Brown, aged sixty-eight years, a Confederate veteran and a member of the famous Seventh Virginia Infantry, Company C., died suddenly of heart failure near Clarkson, Culpeper County, this afternoon. He is survived by three daughters and three sons—Miss Pendleton Brown, Mrs. Walter C. Wheatley, Mrs. Florence Johnson, Harris Brown, all of Washington, and Russell and Garland Brown.

Charles T. Hamlet.

[Special to The Times-Dispatch.]

Lynchburg, Va., October 16.—Charles T. Hamlet, aged fifty-three years, died this morning at 3:30 o'clock at his home, 916 Ann Street, death being due to a stroke of paralysis, which he sustained early last night.

Mr. Hamlet was a son of the late Dr. Martin H. Hamlet, and he is survived only by his wife. He was a member of Franklin Street Baptist Church.

DEATHS

BRYAN.—Died, at Gresham Court at 4 o'clock this morning, MRS. VICTORIA D. BRYAN. Mrs. Bryan formerly lived at Goldsboro, N. C., but for the past six years has made her home with her daughter, Mrs. W. L. Allen, here. She is also survived by a daughter, Mrs. E. B. Jones, of Norfolk, and a son, John W. Bryan, of New Orleans.

Funeral services Hollywood Cemetery THURSDAY at 2 P. M.

NUNNALLY.—Died, October 14, 1912, at 8 P. M., at her home, 422 Stockton Street, MAGGIE NUNNALLY, wife of E. C. Nunnally, age 24 years one month and ten days.

Funeral THURSDAY, 3 P. M., at Decatur Street Methodist Church. Interment at Maury Cemetery. Relatives and friends invited to attend.

RESOLUTIONS OF RESPECT

Rev. John Moncure, D. D.

Richmond, October 14, 1912.

THE VESTRY OF ALL SAINTS, AT A meeting held to-day, desires to put on record this testimonial to the Christian character and the value to the church and community of Rev. Dr. Jno. Moncure. Dr. Moncure's family belonged to All Saints congregation, and he spoke of himself as assistant to all the churches in this parish. We have never known a man more thoroughly imbued with the gospel, one who preached it more earnestly, or one more certain of its final triumph in every particular. This ideal faith made him an optimist of the first order. To him no case, however desperate, was hopeless. The criminals, the fallen, the outcasts were all to him children of the Father, and, like the prodigal, were temporarily in the "far country," certain finally to come back home. So with this conviction he preached and exhorted with marked success. In his work as city missionary he ministered to the penitentiary, to the jails and reformatories, to the almshouse and hospitals—he touched all phases of life, leaving, wherever he went, hope and help and comfort; his very presence was a benediction. Of him may be said, as the Apostle said of himself, he has fought a good fight, he has finished his course, he has kept the faith.

This vestry hereby expresses its sorrow at his loss, thanks God for his beautiful life and example, and offers its sincere sympathy to his grief-stricken family.

Resolved, That the above resolutions be spread on the minutes of the vestry, and a copy sent to the family of Dr. Moncure, and be published in the Southern Churchman and Times-Dispatch.

FREDERICK S. VALENTINE, Register.

IN MEMORIAM

NORRELL.—A tribute of love and respect to the sacred memory of my devoted mother, SARAH P. NORRELL, a pure and devout Christian woman, who died October 17, 1906.

ALBERT V. NORRELL.

Notice

Arrangements have been perfected by the Chesapeake and Ohio Railway Company that information as to the time of arrival of trains into Richmond can be obtained by phoning C. & O. Telephone Exchange, Madison 1940.—Advertisement.

This Man Cured of RHEUMATISM

"I suffered with rheumatism in my arm and shoulder, complicated with a partial paralysis of the nerves. Suffered intense pain all the time, loss of appetite, insomnia, and was reduced to a mere skeleton. After using a little more than one large bottle of Noah's Liniment I feel that I am completely cured and my old self again."—John F. Daly, Charleston, S. C.

Of all troubles Rheumatism is the most discouraging and distressing.

Not one case in ten requires internal treatment.

Where there is no swelling or fever a few applications of

Noah's Liniment

will usually relieve you.

Noah's Liniment penetrates and requires no rubbing.

Noah's Liniment is the best remedy for Rheumatism, Sciatica, Lame Back, Stiff Joints and Muscles, Sore Throat, Colds, Sprains, Sprains, Cuts, Bruises, Colic, Cramps, Neuralgia, Toothache, and all Nerve, Bone and Muscle Aches and Pains. The genuine has Noah's Ark on every package and looks like this cut, but has RED band on front of package and "Noah's Liniment" always in RED ink. Beware of imitations. Sold by all dealers in medicine, 25c, 50c and $1.00. Guaranteed or money refunded by Noah Remedy Co., Richmond, Va.

OBSTINATE CATARRH

cannot be corrected by local treatment; to arrest the flow of secretion you must remove the cause; this symptom is only one of nature's warnings of a run-down system.

Build your strength and vital forces with *SCOTT'S EMULSION;* it supplies the needed lime and concentrated fats; the glycerine soothes and heals the delicate organs; the emulsion nourishes the tissues and nerve centers *and makes red, active blood.*

Scott's Emulsion overcomes catarrh by compelling health and vigor.

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WOOD'S Special Grass and Clover Mixtures

Make the Largest Yields of Hay and Pasturage.

They are combined in proper proportion to give the best results for the different soils for which they are recommended.

We use in these mixtures our Trade Mark Brand Seeds, which are best qualities obtainable, and tested both as to germination and purity.

Our customers report the most satisfactory results, both as to securing excellent stands and largest yields of both hay and pasturage.

Wood's Descriptive Fall Catalog gives full information; also tell about all other Grass and Clover Seeds, Alfalfa, Vetches and all Farm and Garden Seeds for fall planting.

Catalog mailed free. Write for it.

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OYSTERS

Delicious Lynnhaven Oysters, fresh every day. Served in many styles.

It is a delight just to visit our cool and pleasant dining room. The food looks better and tastes better because of the pleasant surroundings, and really IS better.

Business Men's Lunch, daily, 35c.
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Good Service. Excellent Cooking.

Moderate Prices

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Coffee Poisoning

is a frequent cause of many human aches and ailments.

But people seldom lay the blame where it belongs until troubles multiply and the

doctor says "quit coffee"

The coffee drinker who is annoyed by headache, nervousness, indigestion, heart palpitation, biliousness or lack of sleep can prove to a certainty whether coffee is the cause by stopping it ten days and using

POSTUM

This healthful beverage, made entirely of choice Northern wheat and the juice of Southern sugar cane, tastes much like coffee but contains no caffeine, the habit-forming, health-destroying drug in both tea and coffee.

Every one can drink Postum with fullest benefit.

Thousands of former tea and coffee drinkers have found it a means of regaining health and increasing their comfort.

"There's a Reason"

Postum Cereal Co., Ltd., Battle Creek, Mich.

SLEEP DESTOYERS
Tea and Coffee.

She suffered from nervousness by day and sleeplessness by night.

"Up to three years ago," writes a young woman, "I was in the habit of drinking coffee freely and did not realize that it was injuring my health" (tea contains caffeine—the same drug found in coffee), "till I was suddenly made the victim of nervous headaches so violent that I was compelled to give up household activities and stay in bed much of the time. Then insomnia came upon me and the wretchedness of sleepless nights was added to the agony of painful days.

"This lasted till a year ago, when I was persuaded by a friend to give up coffee entirely and use Postum. The result was, in less than a week I began to feel the change for the better, my nerves grew stronger and I began to sleep nights. Day by day the improvement continued, and in a short time I was restored to health. My headaches left me, the nervousness passed away entirely, and I enjoy good, sound sleep at night.

"This is what I owe to Postum, and I feel it but right to tell you of it." Name given by Postum Co., Battle Creek, Mich. Read the little book, "The Road to Wellville," in pkgs.

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The record of the Kellam Hospital in cancerous patients is history. Having cured to stay cured permanently, without the use of the knife or X-ray, over 90 per cent of the many hundreds of cancers from cancer which it has treated during the past fifteen years. We have been endorsed by the Scientific and Medical Profession of Virginia. We guarantee our cures.

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