SOUTH RICHMOND

SUES TEN-CENT STORE ON SLANDER CHARGE

Miss Wade Says She Was Falsely Accused of Shoplifting and Was Searched.

ASKS FOR $10,000 IN DAMAGES

Party of Fourteen Southside People Camp at Bensley, on Falling Creek. Sale of Factory Site Is Recorded. Seeks Custody of Children.

After being continued several times, the suit of Miss Lelia Gertrude Wade against the J. G. McCrorey Company, Inc., will be heard this morning in Hustings Court, Part II. Damages are asked in the sum of $10,000 by the plaintiff, who claims that she was publicly slandered and falsely accused of stealing goods.

Accompanied by a friend, Miss Wade went into the store as a customer. After making several purchases and preparing to leave, she claims that she was charged with shoplifting. Although vigorously protesting, she was then further humiliated, she alleges, by being searched. Shortly afterwards, she claims, that the McCrorey Company wrote to her counsel, James T. Lewis and Conway R. Sands, reiterating the charges, and saying the girl would have been prosecuted to the fullest extent of the law, except for her family.

The plaintiff will be represented by Mr. Sands, while State Senator L. O. Wendenburg will appear for the defendant.

Southsiders at Bensley.

A party of fourteen young Southsiders, under the chaperonage of Mrs. J. M. Grayson, is spending the week at Bensley, on Falling Creek. They are said to be having a delightful time, enjoying various sports and swimming. The party left on Saturday and will return to-morrow. Those on the trip are Misses Louise Smart, Willie Smart, Hattie Jones, Catherine Graves, Stella Owens, Ella Bradshaw and Dorothy Gilbert, Messrs. Charles Walke, Herbert Smith, Arthur Reynolds, Melvin Taylor, Joseph Graves, Garnett Campbell and Darious Snellings.

Dismissed on Assault Charge.

Henry C. Smith, a street car employee, was dismissed by Justice Maurice yesterday morning in Police Court, Part II, on the charge of striking Mrs. W. J. Worth, his landlady, and with defrauding her out of the sum of $14.75.

Charged with stopping his automobile on the wrong side of the street, Dr. M. P. Barker was fined $2.50.

Sells Factory Site.

According to a deed of bargain and sale recorded yesterday in Hustings Court, Part II, Charles F. Buchmund sold to Edward L. Frost a lot fronting sixty-nine feet at the corner of Sixth and Stockton Streets. The consideration was $5,000.

Seeks Custody of Children.

Religious beliefs are involved in a case which will be heard on Tuesday before Judge Ernest H. Wells in Hustings Court, Part II, in which by means of habeas corpus proceedings, Joseph Bergarelli, a clerk in Bergarelli Bros' store, at Eighth and Broad Streets, is seeking to recover his two daughters—Lottie, nine years old, and Adele, seven years old—from their grandmother, Mrs. Sarah Hooper, of 1501 Windsor Street. Bergarelli claims that Mrs. Hooper will not allow the children to embrace the Roman Catholic faith, which is his religion. Well-known Catholic churchmen and prominent members of the Italian colony will be called as witnesses. It is also claimed that the grandmother is too old to care for the children. Bergarelli, whose wife died last March, recently remarried.

Funeral of L. L. Jones.

The funeral services of L. L. Jones, twenty-five years old, who died on Tuesday night in the home of his parents, 1314 Albany Avenue, Oak Grove, will be held this afternoon at 4 o'clock from Asbury Methodist Church. The body will be taken to the home, 13 East Eighteenth Street, yesterday. Besides his wife, he is survived by his parents, Mr. and Mrs. Forest Jones, and two brothers and three sisters.

MRS. HALL BEGINS BATTLE FOR LIFE

(Continued From First Page.)

calibre was found afterwards in Mrs. Hall's room, and it had an empty chamber under the plunger.

GAVE NO IMMEDIATE ALARM AFTER SHOOTING

"It will appear," he continued, "that Mrs. Hall gave no immediate alarm after the shooting, that, instead, she went in a roundabout way to call her negro servant, that she then called W. R. Dunkum, and failing an answer from him, called Miss Mamie Rosson, who was in the house, and added that it could be proven that nothing in the store was disturbed. "And we expect to prove," he said, "that the accused never exhibited any degree of grief over the slaying of her husband. It will appear from the evidence that the fire made by Mrs. Hall, that the fire broke out ten minutes after she left the store, and that she was seen to go to the pantry in which the fire was discovered."

R. Lindsay Gordon arose to make his reply. He was confident, for he was among his own people, people who love and revere him, and who have honored him with position in public life. He spoke to the jurors as if he were among his own family, a note of appealing pathos in his sonorous voice, and those twelve men leaned forward to listen to the man of their own kind who will shortly plead before them for a woman's life.

"I will not speak to you," he said, "for it will be useless consumption of time. The evidence against this woman here is of a purely circumstantial nature, and I wish to say to you, gentlemen, that I have never been prouder of the fact that I am a lawyer and that I have never been happier at having such an opportunity as is presented to me now in defending this woman. The circumstances in this case," he went on, "will be shown to be not only consistent with Mrs. Hall's innocence, but will, indeed, point to her innocence. The pistol which has been introduced in this case was examined by all the members of the coroner's jury, and they all agreed that it had been fired at least a month before the murder was committed. You will find that though Victor Hall was much younger than his wife they were happy together, and that he was her chief support, and a hope for her and her two children.

"The circumstances will show you some other agent guilty of this murder. But it is not upon us to bring to justice the murderer of Victor Hall. That rests upon the Commonwealth, and if the Commonwealth, with all its resources, has been unable to bring that murderer to justice it shall not be required of us."

The courtroom, crowded to its capacity, listened to Louisa's best known and best beloved citizen with silent attention. In the final analysis Mrs. Hall's fate will rest in the hands of Lindsay Gordon.

FATHER OF SLAIN MAN FIRST WITNESS CALLED

Nicholas W. Hall, father of the dead man and father-in-law of the accused woman, was the first witness to be called. He came without emotion. He went without apparent feeling. He was unvaryingly precise in delivering his testimony, and as unvaryingly heedless of the hundreds of curious eyes bent upon him.

In brief, his testimony was centred mainly about the events of the night of April 14, immediately preceding the murder of his son. He told of being informed by his sister of the burning of W. R. Dunkum's store and of going to the fire, from where he went to his son's store. He was examined by Mr. Fulton, who has taken charge of the examination of the witnesses. Replying to Mr. Fulton, he said that he went into his son's bedroom and that he could have seen if any one besides his son and his son's wife had been in the room, unless some one was hidden there. After leaving his son he went down to the latter's stable to see that it had not caught fire, and, returning, found the store door locked. He went home. The witness was notified of his son's death by Mrs. Victor Hall's negro servant. He told of finding Victor Hall lying behind the counter, as has been described before. He added Mrs. Hall, W. R. Dunkum, Mrs. Dunkum and Miss Elsie Wood in carrying the wounded man back to his bed. So far as he could remember, he made no inquiry as to who shot Victor, and no one volunteered him any information. He saw no one around the premises when he went to the Hall store.

The witness admitted that he did not know definitely of any enemy his son had, though he thought there was one man who should have been Victor's enemy.

On cross-examination, Mr. Hall said he did not know whether the windows in the Hall store were curtained or unclosed. Replying to Mr. Gordon, he said that there were no blood stains on the bed, though he had noticed blood spots on the floor of the store where Victor Hall was found dying. He said that the relations between Victor and his wife were happy and pleasant. As to Mrs. Hall's actions after the murder, he testified that she did everything she could for her husband. He did not remember whether there was any blood on her hands. He testified that there was a swelling above Victor's left eye, but he remembered no blackness then. On redirect examination Mr. Hall said that the bolster on which Victor's head rested was so bloody that the blood penetrated through to the other side. Mr. Fulton asked that the bolster be produced in court. Mr. Hall said that he did not know whether Mrs. Hall had ever shown her night clothes to any one since the night of the murder, and he could not remember whether she was dressed when she went to the fire.

Replying to the question as to whether Victor Hall was not a clerk in his wife's store, which had been stocked with funds left her by her former husband, N. W. Hall said that he thought it was true. And, after the marriage, the witness admitted, Victor bought the store and gave in payment a note signed by his mother. He said that Victor's life was insured, but he did not know how much Mrs. Hall received. Mr. Gordon stated that she received $1,000 on a direct policy, but would not get a cent on the policy made out to the estate.

Court adjourned for lunch after the taking of Mr. Hall's testimony.

SCHOOL TEACHER CALLED AS SECOND WITNESS

The first witness to be called in the afternoon was Miss Elsie Wood, the young school teacher, about whose previous testimony there has been so much doubting discussion. She said that there were six people in the household of Victor Hall, but she forgot the little colored girl, Rebecca Coates.

She was awakened on the night of the murder by the knocking of N. W. Hall on the front door and his shout of fire. She ran into Miss Mamie Rosson's room, from where she saw W. R. Dunkum's store burning. At the time of the fire she saw N. W. Hall, Mrs. N. W. Hall, Mrs. Victor Hall and Mrs. W. R. Dunkum, Victor Hall and Mr. Harris. Victor Hall returned to his store in about ten minutes. She heard N. W. Hall go out, saying it would be all right for Victor to lock the door, and then Victor asked his father to go to the stable to see that there was no fire there. Mrs. Hall came into the witness's room before N. W. Hall had come. She was awakened later by a pistol shot, followed by a moan and three footfalls on the porch. She then heard the door slam just after a woman's voice sounded. Mrs. Hall called from the outside, she thought. The footfalls and noise came in rapid sequence. Mrs. Hall called "Buck" and then "Bessie" in a loud voice, saying "Some one has shot Victor." Witness went down stairs into Hall's room and then into the store. Hall was lying behind the counter with his feet toward Mrs. Hall's room. She had to walk around his feet to get out of Mrs. Hall's room. Hall was lying on the floor, with a quilt partially covering him, in a bolster with ends beat up under his head.

"Who told you he was shot?" she was asked.

"Mrs. Hall," was the reply.

Miss Wood could not approximate the time elapsing between the firing of the shot and the call to Dunkum. They telephoned for a doctor, and Mrs. Hall went out again to call Dunkum. Witness didn't know whether Mrs. Hall had on shoes then or not. When she got down Mrs. Hall was standing by Victor's side. W. R. Dunkum came then. Then the witness told about the difficulty of getting telephone connection to call a doctor. Dr. Taylor was finally reached by Dunkum.

"Did you see a pistol that night?" she was asked.

"Yes," the witness said. She was frightened, afraid some one would shoot in the store, and she went into Hall's bedroom and got the pistol out of the top bureau drawer. "I was scared," she said again. When Dunkum went out to fix the telephone she gave the pistol to him.

Miss Wood said that one chamber of the pistol, the one under the hammer, was empty. The pistol was produced, and she identified it.

When she heard the noise downstairs, Miss Wood thought it was from Mrs. Hall's bedroom door opening onto the back porch. She said she could hear when people walked and talked in the store. She testified that money was found in two cash drawers and a $5 bill in a little satchel in which the post-office receipts were kept.

"Did Mrs. Hall have blood on her face?" she was asked.

"Yes, little specks scattered over her face."

"How was she dressed?"

"She had on a black kimono." The witness didn't know whether there was a night gown underneath. She described how Hall was carried into his room on a quilt, the bolster still held under his head.

The witness said there were other firearms in the house, a rusty 38-calibre pistol, a 22-calibre rifle and her own 22-calibre pistol.

Cross-examination. Miss Wood said that she had fired Hall's pistol once and left it as it was after being fired, the plunger on the empty shell. She said she always carried a pistol, and that she took Hall's because her own was broken. The witness was refreshed with a glass of water and a lemon. When asked as to the Hall domestic relations, she said:

"It was as happy a family as I ever saw."

FOUND PISTOL WHERE HALL ALWAYS KEPT IT

"There were never indications of jealousy, she said, and they never kept anything from each other." Miss Wood testified that she found the pistol where Hall had always kept it. She said it was a short time after hearing Mrs. Hall's call that she ran downstairs.

The foot steps she heard on the porch, she said, were heavy.

"What was Mrs. Hall's demeanor?" asked Mr. Gordon.

"She did not holler and cry, but the children did. She sat down in a chair and began to cry and I told her not to."

After Victor was placed on his bed, Mrs. Hall wiped blood from his mouth, the witness said.

Miss Wood stated she saw a dark bruise over Victor's left eye. As to the pistol, she said that she and Mr. Bibb examined it together and that both thought the empty shell was an old one. She looked through and smelled the barrel of the pistol and detected no odor.

Miss Wood verified the time of firing Hall's revolver at a railroad mile post by a notebook she kept her school diary in. To a question from one of the jurors, she said that the bed was no more disarranged than is ordinarily done when the bed is left. She saw blood spots on the floor where Hall was shot, each about the size of a saucer.

N. W. Hall was recalled to identify the bolster. Mrs. N. W. Hall went bitterly at the sight of the gruesome relic, but Mrs. Victor Hall viewed it without apparent emotion.

Miss Mamie Rosson will be called to the stand to-morrow morning.

CONDITIONAL PARDON

Governor Executes Clemency in Case of Henry Stevens.

On the recommendation of the Commonwealth's attorney, who prosecuted the case, Governor Stuart yesterday granted a conditional pardon to Henry Stevens, convicted in Alexandria of malicious wounding and sentenced to serve two years in the penitentiary.

A conditional pardon was granted on recommendations from the Judge and Commonwealth's attorney to Ernest Smith, serving eighteen years for murder. He was convicted and sentenced in Wythe County.

Pardon was refused in the case of John Hodges, serving one year for housebreaking in Portsmouth, with five years added for a second conviction. James Bine, convicted of housebreaking in Danville, and serving one year, was refused executive clemency because of his bad prison record. E. F. Rogers, convicted of housebreaking in Tazewell, and serving one year, with five years added for second conviction, was likewise refused. Pardon was refused Joe Wheeler, convicted of cocaine selling in Dickinson County, and sentenced to one year in prison. At the time of his arrest Wheeler enjoyed the distinction of being the only colored man in Dickinson County, which has the smallest negro population of any county in the State.

Smith Case Continued.

The case against E. H. Smith, who is charged with stealing $62.45 from the Southern Express Company, was yesterday continued in the Police Court to August 26. Smith was arrested by Detective-Sergeants Atkinson and Wiley. He is alleged to have delivered a package of automobile supplies to a local dealer and to have failed to make returns for the collection.

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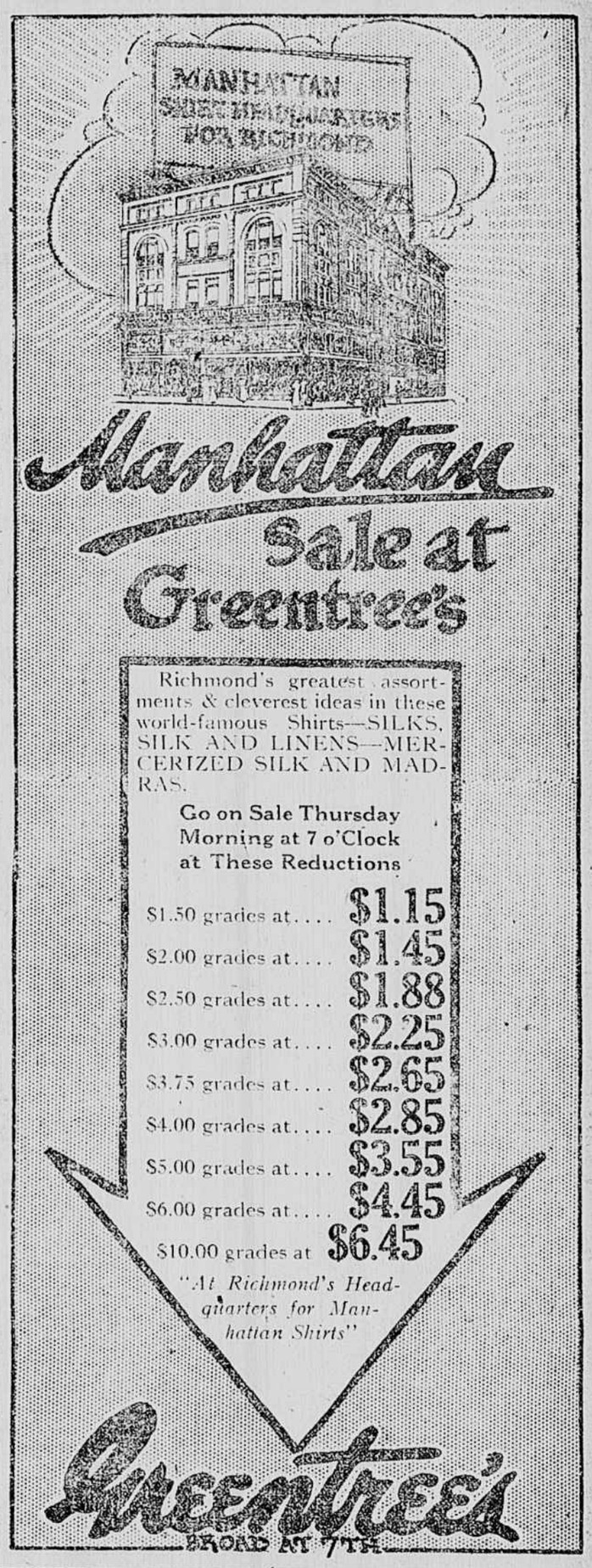

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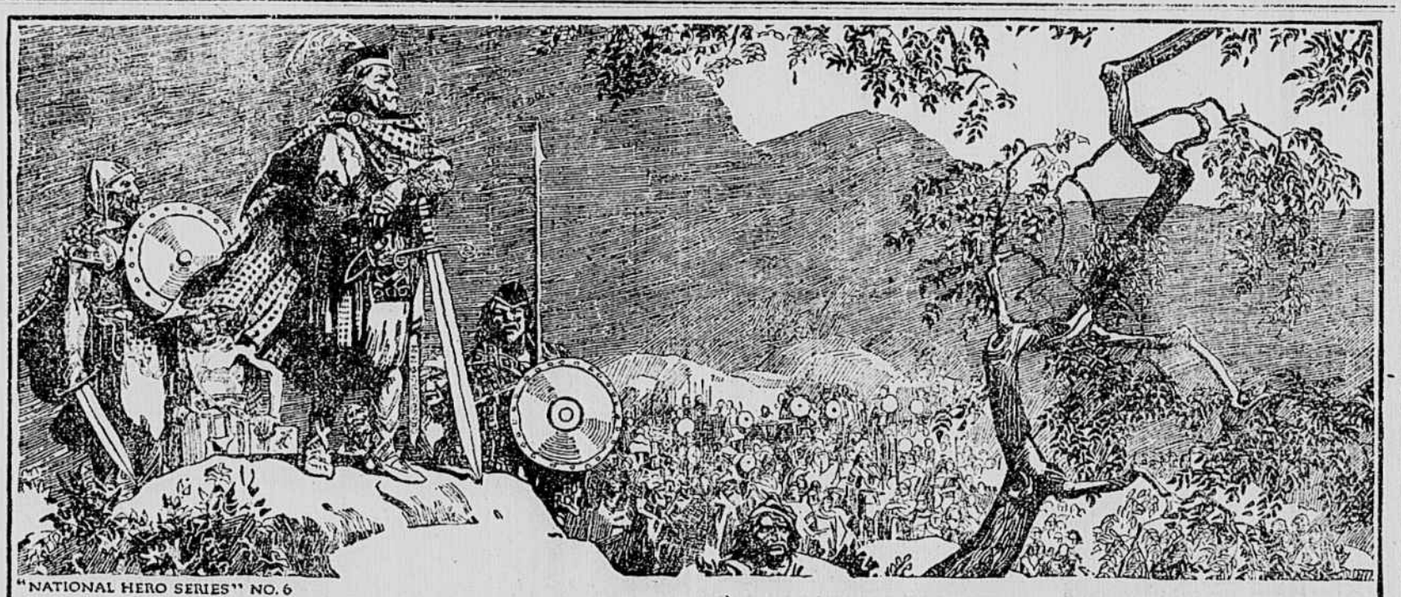

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