

The Mount Airy News

VOL. XXXIII

MOUNT AIRY, NORTH CAROLINA, THURSDAY, AUGUST 1, 1912

NO. 4

"GUILTY" IS VERDICT IN ALLEN CASE.

Found Guilty of Murder in First Degree, as Charged in the Indictment—Friel to be Tried Next.

Wytheville, Va., July 27.—The jury in the case of the Commonwealth versus Claude Allen for the murder of W. M. Foster were sent to their room at 2:30 p. m. and at 4 o'clock returned with the verdict of murder in the first degree.

At the former trial Claude Allen was found guilty of murder in the second degree for killing Judge T. L. Massie.

This gives the extreme penalty of the law to the only two of the Allen clan this far tried for the shooting up of the court in Carroll on the 14th of March.

The court adjourned until August 12th, when the others of the clan now in custody will be tried.

The court house was packed and the stillness was tense when the jury was brought in. The verdict was announced by Foreman Keys. Miss Wisler, Claude Allen's sweetheart, who sat by him, began to weep softly as the verdict was given. Claude seemed to be distressed more by the girl's distress than by his own fearful position, and tears came into his eyes, a few rolling down his cheeks.

Several of the jurors were deeply moved and wept visibly. Foreman Keys' cheeks being wet and his voice tremulous as he answered the formal question. There was no demonstration of any kind in the court room.

Claude Breaks Down.

When Claude Allen was taken back to jail he recovered his composure. His father, Floyd Allen, seemed to be shaken and startled when told of the result, but remarked in a formal kind of way that he could hardly believe it. Mrs. Allen, the mother of the man just convicted, first inquired of the detectives what they thought of the chances for a new trial. Told as considerably as possible that probably there was no chance on earth, she broke down absolutely, threw her arms around Claude's neck and wept pitifully.

To Try Friel Next.

Friel Allen, first cousin of Claude's, will be put on trial August 14, accused of the murder of Mr. Foster. The allegations are that this killing was particularly cold blooded, as Friel is said by witnesses for the prosecution to have fired bullets into Foster's person after Foster was helpless and dazed by a shot in the head wandering through the court house, dazed, holding a pistol in his nerveless hand and with the blood streaming down his face and neck.

This is the fourth trial of members of the Allen family for the murder of Judge Massie, Commonwealth's Attorney Foster, Sheriff Webb, Juror Fowler and Miss Ayers at Hillsville Court House on March 14.

Floyd Allen, supposed to be the leader of the clan, and who began the shooting, was put on trial at Wytheville, under charge of venue, April 30. After a trial lasting two weeks he was convicted of murder in the first degree, but was not sentenced, sentence being suspended so that he might be a competent witness for his sons and nephews accused of part in the same crime.

Claude Tried Thrice.

Claude Allen, Floyd Allen's second son, was put on trial for the murder of Judge Massie. The jury gave a verdict of murder in the second degree, fixing his term in the penitentiary at fifteen years. He was next put on trial for the murder of Commonwealth's Attorney Foster. In this case the jury stood eight for conviction and four for murder in the second degree, and was dismissed.

His second trial for the same murder began July 17th and ended as above told. Father and son now both await the death sentence and other members of the family will be arraigned and

tried as rapidly as possible.

Next Venire from Bedford.

The afternoon session of the last day of the Claude Allen trial opened today at two thirty. Victor Allen, Friel Allen and Sidna Edwards were brought over from the jail in order that a motion for a charge of venire might be made. The Commonwealth moved for a venire of seventy-five men to be summoned from Bedford county, for the next trial. The Commonwealth moved to consolidate the indictments against Victor Allen, Friel Allen and Sidna Edwards, which the defense agreed to upon condition that the Commonwealth would elect the verdict upon which they would try the case, dismissing the other indictments against the defendants, there being five indictments against each of the Allen clan. This the Commonwealth refused to do and it was agreed that Friel Allen would be tried next on indictment Number 2, for the murder of Commonwealth's Attorney Wm. M. Foster the trial to begin on the 14th of August.

The jury retired to their room at two-forty to consider the verdict and were out exactly one hour and forty minutes. When they returned the foreman announced they had agreed upon a verdict of murder in the first degree as charged in the indictment. The defense moved that the jury be polled, which was done with the same result.

When the verdict was announced the prisoner's fiancée broke down and sobbed aloud and the prisoner for the first time during the long trying days of his trials showed signs of emotion and he with his mother and all the members of his family present wept. Several of the jurors and lady spectators cried also.

The defense moved to set the verdict aside as contrary to the law and evidence and upon the ground of exceptions taken in the case. Court was adjourned at four thirty until the 14th of August, at which time Friel Allen will be tried.

There was a large number of spectators present throughout the day and the court room was crowded this afternoon with spectators to hear the verdict, the majority of whom were ladies.

Second to go to Chair.

This is the second member of the noted Allen clan to receive a verdict that puts him in the electric chair, and it is thought the other three will share the same fate. Two more are at large somewhere in the mountains of Carroll county, but it is hoped they will be soon in custody, as frequent rumors have been received here as to their whereabouts, one to the effect that Sidna Allen is suffering from a wound received in the shooting at Hillsville on March 14th and which will in time incapacitate him for flight.

Allen Prisoners Back in Roanoke.

Roanoke, Va., July 28.—Smiling and with an air of confidence that long imprisonment apparently can not blight, Claude Allen, who yesterday evening heard a jury pronounce him guilty of murder in the first degree, stepped from the train at the Norfolk & Western station at 10:45 o'clock last night, together with the other prisoners who are held for their part in the murder of court officials at Hillsville.

If the verdict of the jury, with all the dismal prospects it might convey, made any impression on the young member of the Allen clan, who three times was tried for his connection with the Hillsville tragedy, it was not marked on his features. He spoke pleasantly to several of the detectives whom he knew and who were at the station to accompany the prisoners to the jail. The other members of the Allen family, including Floyd, Victor and Friel Allen and Sidna Edwards, manifested much the same attitude.

The change in the appearance of all the Allens since their first trip to this city has been great. With the exception of Floyd, the father and uncle of the others, the change has been for the bet-

ter. The swarthy tan, a product of the mountain winds, has disappeared. They dress neatly and with care.

In the case of Floyd Allen however, the prison air and the suffering which he has undergone has caused a pallor. He has lost weight and walks on his crutches with some difficulty. He was taken to the jail last night in an automobile, the other prisoners being able to walk.

The Allens were guarded by Detectives W. G. Baldwin, E. G. Baldwin, R. A. Horgan and Arthur Brim. From the station they were taken to the jail by way of Shenandoah avenue to avoid the Saturday night crowds. A few persons, doubtless suspecting that the Allens would return to this city with the close of the trial yesterday, gathered at the depot and in front of the jail.

Allen Case is Costly.

Richmond, July 23.—So far the Allen case has cost the State exceeding \$25,000—for detectives jury trials, witnesses, transportation and the like, and there is no telling when the end will come. One account for court trial was allowed today by the auditor amounting to more than \$1,400, and that was for the month of April. An estimate has been made fixing the cost at not less than \$40,000 for the outbreak on the part of the Allens.

The exact amount paid over to W. G. Baldwin, of the Baldwin-Felts agency at Roanoke, who applied last Saturday to the State auditor for funds in the matter of the Allen trial at Wytheville, and Hillsville, was \$6,718.53, making a total of something under \$11,000 so far paid out by the State for detective hire in this case.

Tax on Astor Estate Will Amount to \$5,000,000.

Albany, N. Y., July 26.—A tax appraiser has been appointed by the State to appraise the estate of John Jacob Astor, one of the victims of the Titanic, for the purpose of imposing the State inheritance tax. The designation followed the application of counsel for the Astor estate, who desired to obtain five per cent discount if the tax paid within six months. It was estimated that the estate is worth over a hundred million. The Staest tax will be close to five millions.

A MERCILESS JUDGE.

One Who Shows No Favor.

A merciless judge is Father Time. Before him the weak and the wanting go to the wall. Only the truth can stand. For years the following statement from a Mount Airy resident has withstood this sternest of all tests.

Mrs. Mollie Starling, 295 N. Main St., Mt. Airy, N. C., says: "I have used Doan's Kidney Pills with splendid results and it is a pleasure to recommend them. For several months I had a bad pain in the small of my back. If I stooped I could hardly straighten, and mornings I usually felt lame and sore. Doan's Kidney Pills were just what I needed, and by the time I had used two boxes, my trouble was entirely cured." (Statement given January 24, 1911.)

A Later Endorsement.

One of our representatives interviewed Mrs. Starling on March 12, 1912, and she said: "I like Doan's Kidney Pills very much. I am pleased to confirm the statement I made some time ago praising them."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's

A vast amount of ill health is due to impaired digestion. When the stomach fails to perform its functions properly the whole system becomes deranged. A few doses of Chamberlain's Tablets is all you need. They will strengthen your digestion, invigorate your liver, and regulate your bowels, entirely doing away with that miserable feeling due to faulty digestion. Try it. Many others have been permanently cured—why not you? For sale by All Dealers.

Politics Warming up in South Carolina.

Aiken, S. C., July 27th.—After branding Governor Cole Blease, as the "foulest of liars" Judge Ira Jones, candidate for governor, advanced on his opponent during the joint debate here today and most of the crowd scattered thinking that the long predicted shooting between the two men was about to begin. Ira B. Jones, Jr., was backing up his father and several pistols were displayed. Chief of Police H. H. Howard, house of representatives, got between Jones and Blease and swore he would kill the first man who made a hostile movement. The chief's attitude restored order and the would-be combatants were forced to take their seats.

Jones became enraged by the charge that while he was chief justice of the supreme court he was subservient to the Southern Railroad because that corporation employed his son as counsel.

"That's the foulest lie," said the judge, "that ever passed the lips of a human being."

With Chief Howard on guard Governor Blease bitterly attacked Judge Jones. "Whenever you stick the gaffs into a dunghill," said he, "the dunghill will be sure to cry out. That old fellow can't make me mad, he knows he's defeated and that's what makes him lose his temper. I am not going to hit him, but on August 27, the people are going to knock him clear out of the box."

Some one asked the governor about "Tom Felder." Governor Blease replied: "You should have more respect for ladies than to mention indecent subjects in their presence."

Fist fights, public anathemas and even shooting affrays, in which at least one man has been dangerously wounded, have characterized the most tempestuous political campaign South Carolina has had since Ben Tillman grew too old to take the stump.

Blease, who has been governor for a year and ten months, is being charged nightly by his rivals with selling pardons, accepting bribes from the liquor interests and setting his supporters free when they came to fall into the toils of the law. The governor is on the stump, trying to save his political life. On the same platform with Blease at many meetings, Chief Justice Jones has declared Blease is prostituting the powers of a sovereign state's chief executive in any way he can devise, to furnish himself with campaign funds. Jones claims he is not running for office because he wants to be governor, but to rid South Carolina of Bleasism, demagoguery, the pardon graft and the blind tiger, moneys from all of which sources, he alleges, have found their way into the present governor's pockets.

Man Shot at Woodman Initiation.

Honea Path, S. C., July 27th.—While Furman Bagwell was being initiated into a lodge of the Woodmen of the World at Friend ship, three miles northeast of here last night, Milton Taylor was seriously shot and is thought to be in a critical condition. It is difficult to find out just what took place. But from the best reports obtainable it seems that in this lodge they have a custom of using pistols and blank cartridges.

Furman Bagwell, who was to be initiated, was in the hall before the lodge was called to order and hung up his coat in which there was a pistol. When the shooting with blank cartridges began the candidate thought that it was in earnest and took his pistol from his pocket and used it as he thought in self-defense with the result that Milton Taylor, as stated above, was shot three times, twice in the abdomen and once in the back of the neck. Physicians from here were called and took the young man to the hospital at Anderson.

All of the parties involved bear a good name and the whole affair is greatly to be deplored. Furman Bagwell, who clerks at the store of T. H. Brook, is at his place of business.

KILLED HER HUSBAND.

Mecklenburg County Woman Who is Enraged Over Daughter Kills Her Husband.

Charlotte, N. C., July 26.—Mrs. V. J. Hartsell, of Mecklenburg county, killed her 60-year-old husband near here today. She explained she was enraged at the conduct of her husband and her daughter by a former marriage. The Hartsells had been married 25 years.

The scene of the tragedy was a quiet farm on the Catawba river. Mrs. Hartsell, standing in her doorway, shot her husband, returning from the farm, firing a second load when the prostrate form attempted to arise and the two loads of shot failing to produce death, she seized an axe and wielding this with all her strength, she made death certain.

Hartsell had just made a visit to his cantalope patch and was nearing the house when his wife appeared in the doorway and fired at a distance of 10' or 15 yards, the man falling at the first shot. As he attempted to stagger to his feet, the wife leveled the shotgun and sent a second load of shot into the stumbling form of her husband, again bringing him to the ground.

Seeing that life was not extinct and urged on by a woman's will and with the memory of many long years of wrong surging through her mind. Mrs. Hartsell is said to have laid hold of an axe at the doorway and approaching the form of her husband, proceeded to crush out the remaining spark of life with the heavy iron instrument, making ugly wounds on the injured man's body and adding more wounds to those already received.

Although carrying two loads of shot in his body and having been shot with the heavy gun, Hartsell lived one hour after the tragedy occurred.

Mr. Guyas Parks was the first man to reach the scene of the tragedy. He found Hartsell in a terrible condition, covered with blood and barely alive, lying on the ground. Messages for medical and other assistance were hastily sent out and in a short time there was a large gathering of neighbors and others attracted to the home by the news of the horrible tragedy.

The position occupied by Mrs. Hartsell was one probably without parallel in the annals of the county. When Mrs. Hartsell was married to Mr. Hartsell, her second husband, she had a little daughter. The child was taken into the family and reared by the mother and the step-father.

It is reported that Hartsell was the father of two children by the step-daughter and furthermore the step-daughter lived in the family and was a member of it when the tragedy occurred. The situation and strange family relationship existing are most unusual and just such conditions are not now to have existed in the county at any other time in the past.

Political Feud Feared.

Jonesville, Va., July 25th.—The killing of Dr. James W. Walden, a prominent Democrat, last night by Perry Wallin, a Republican leader, has fanned a smoldering political feud in the Blackwater district to a threatened outbreak. All through the mountain district the clans are lining up.

The coming trial of 200 mountaineers charged with vote-selling is causing the local authorities to make preparations for the protection of the court and jury. They fear an outbreak paralleling the tragedy at Hillsville last March, when with the exception of one man the entire human fabric of the court was wiped out.

Judge Skeen today received a message from the mountains reading:

"There are 38 in our party. Before we will submit to going to jail we will die and see to—"

One of the most common ailments that hard working people are afflicted with is lame back. Apply Chamberlain's Liniment twice a day and massage the parts thoroughly at each application, and you will get quick relief. For sale by All Dealers.

SIDNA ALLEN IS CAUGHT AGAIN.

This Time He is Taken in Iowa—Police Telegraph for Photographs. Also Lately Seen in Carroll.

Pulaski Daily Times of Tuesday.

Sidna Allen has again been located. This time he has been shadowed by the chief of police of Madison, Iowa. Just how long he has been sojourning in that western section is not certain, but he remained too long and the police seized him up as the man yesterday while Sidna was taking a Sunday stroll and placed him under arrest. A wire passed this way this morning from the officer to the sheriff of Carroll county asking that a photograph of Sidna Allen be sent to Madison and to be sent quick. This was all the information which the message contained.

Just what may develop in the way of identity when the photograph has reached the chief remains to be seen. However in talking with many witnesses which have been passing to and from the trial at Wytheville the majority express the belief that Sidna Allen is in the mountains of Carroll county. It is believed that he has been seen from time to time by people who reside in that section where he has lived but either from fear or friendliness towards the Allens those who really know will not divulge anything which they may know.

It is asserted that men go to Hillsville admit and believe Sidna Allen is in the mountains, but when pressed for a reason decline to open up further on the matter. It is believed by some that these people who admit just so much known for a fact that the outlaw is there. To such was the ex-

pression of one of the men of Hillsville Saturday to the Times man. He believed that it was more from fear than other reasons that they would tell nothing.

Sunday it was reported that Mrs. Sidna Allen had gone out toward the mountains, and the man who had told the incident at Hillsville was confident that if the truth were known she had gone out to meet her husband. The man who was responsible for the story is alleged to be relative to the family and seemed confident in his belief. So far as it known there are no detectives in the mountains at this time.

Heavy Fines Are Imposed.

Wilmington, July 27.—Constituting what is regarded as the most severe pecuniary punishment ever imposed for violations of the prohibition law in North Carolina and what is generally believed to be a death blow to "blind tiggerism" in Wilmington, fines ranging from \$1,000 to \$3,000 and costs were ordered against a number of defendants by Judge Frank Carter, of Asheville, in Superior court today when the 60 odd cases against those who, at the January term of court, entered pleas of nolo contendere to charges of retailing were called.

Hardly half of the defendants were present to answer when their names were called, and the bond forfeitures total well into the thousands of dollars. The heaviest fines were against some of the absent ones and the court ordered that their property be seized upon for the amount of the fines and costs. No straight road sentences were meted out, but several of the defendants were given to understand that if they failed to raise the amount of their fines they would go to the rocks. The majority of those who answered when their cases were called were found to have kept faith in their agreement with the state and their cases were continued until the September term of court under the former order.

Bonds forfeited by the absent ones ranged from \$200 to \$1,800.

"I was cured of diarrhoea by one dose of Chamberlain's Colic, Cholera and Diarrhoea Remedy." Writes M. E. Gohardt, Oriole, Pa. There is nothing better. For sale by All Dealers.