## CHARLOTTE DAILY OBSERVER, THURSDAY, JUNE 17, 1909.

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### TRIAL PROPER BEGINS TO-DAY.

weith Man Acceptable to Prosecution and Defense Alike Was Passed Into the Jury Box at 4:15 in the e of Biggers. Charged With Murder of J. G. Hood Near Charlotte's Public Square on Morning of February 9-Trial Will Continue Several Days and May Be Drawn Out Until Next Week-Many Veniremen Challenged and Stood Aside-Advance Opinion Favors Biggers Decidedly.

Well satisfied with its day's work in that it secured twelve jurors acceptable to both sides between 10 and 1:15 o'clock yesterday, Superior t'ourt took a recess shortly after the last named hour. This morning at 10, all preliminary sparring having been put behind, the trial of William S. Bigters for the murder of J. Green Mood on February 9, will be begin guilty." was the unexpected answer

bout 150 veniremen were called to the front and stood aside for reasons which rendered them to prosecution or defense undesirable jurors When the total of twelve finally filled the box only two names of the company of 200 summoned had not been disposed of in some manner or other Quite a number had been excused for special reason and a few did not appear. Some were dead

permanent result of the threshing-out process, on which all the wits of a small army of attorneys were concentrated, aided by all the information which particular friends. could give, takes form in the following body of men who will hear the widence and are supposed to render their verdict accordingly J. H. C. Flow, of Plear Crock town-

ship. W Metinn, of Berryhill, R. L. Rogers, of Crab Orchard, L Deston of Deweese W Mason of Mollard Creek. P. C. Henderson, of Mallard Creek W. A. Smith of Paw Creek A. G. Hagler, of Crab Orchard Kenneth F. Ward of Charlotte city J. P. Flow, of Clear Creek.

M. L. Faker of Sharon

John L. Suwart, of Downese. That's two ine and about an average

fury it makes A fact of -me interest which ap-

cears on the surface is that Charotte, which on a basis of population, one would expect to furnish at least half the number, has only one of twelve

THEIR TASK RESPONSIBLE. As soon as the full number had been secured vesterday afternoon Judge Council delivered a brief speech to the jurymen, impressing on them the great responsibility which is theirs, the gravity of the charge lodged against the defendant and thprecautions which they should take, tot only to give the case the benefit themselves in the discharge of their | duty that no occasion should be green for breath of suspicion to rise "will probably trial." said the judge. extend over several days. You may yourselves don't discuss the case and don't allow any one else to discuss it in your hearing. Some men have later liquidation of the concernknown to try to get close been enough to the jury in cases of this sort and to talk loud enough to get their views into the jury hox. If any person attempts this you should realize that that man is trying to corrupt you and would do it if he could.

two years, whether they were related by blood or marriage to either Biggers or Hood, whether they had paid their poll taxes for the last year. what townships they were from, whether they were freeholders. whether they had suits now pending in court-these were a few of the teries fired. Mr. W. E. Coster, of Pineville, sail

he had heard the killing discussed favorably and unfavorably and we a little mixed up on the matter. He Mr. J. Walker Kirk was excused. patrick, asked if he was related blood or marriage to the defendant. "I think Mrs. Biggers answered: grandfather and my father were third

He was excused. CUSIDS. Have you formed or expressed an opinion that the defendant, W

Biggers, is guilty?" was asked one venireman. "No, but I think he ought to he of the man, who had a puzzling kink

It was in earnest yesterday, for in the expression of his thought. He that matter Witness the fact that was excused on account of this view in the expression of his thought. He HOW THEY STOOD.

Among those who stated that they had formed or expressed the opinion that the defendant is guilty were Messra, O. C. Utley, Thomas W. Wingate, L J Roberts, B. M. Pitts, E J C. W. Miller, E. L. Mason, W Price. G. Barrier, T. M. Alexander, J. P Hackney

Some of those who were convinced in advance that he is not guilty were Memors. J. S. Robhins. J. A. Heims. T. McCoy, J. C. Bradway, J. M. W D Phillips, G McLaughlin. J John B Jeuon, Bichard Blakely, S. A. Armstrong, J. W. Woolen, W. R. Wearn, T. M. Webb, E. H. Overcash, S. M. Neeley, Samuel Auton Fortner, J. A. Shopton, J. B. Severa W F Baker, C J Moore.

As will be noted from this partial comparison the trend of alreadyformed opinion was decidedly favorrble to Biggers. Whether or not the all the testimony has been heard and writing on the check. able fact, however, that there is a time he was 10 years old. strong undercurrent of sympathy for Biggers throughout the county and er a peculiar one which matters may take. More than witnesses are under hundred nni over all the detailed phases of the Osborne & Co." case, which are extremely complex in some of its aspects, particularly those not endorsed Hoot.

#### conclusively or very satisfactorily THE BUSINESS MIX-UP.

According to the best understandng obtainable previous to the trial. the basis of the trouble was embedin financial entanglements ded which came about several years ago, and giving when the deceased was engaged in number of E. C. Osborne & Co. Rosthe dry goods business here under onbaum kept the check with the un lights before them, but to so conduct the firm name of J. G. Hood & Co., derstanding that the man should re and occupied the store room under turn during the evening or Monday the Helmont Hotel. Biggers claimed morning to secure the desired watch "The that he lost money in this company, which, after a few months, was that the check was a forgery, and forced to liquidate, the stock being Huckabee's non-appearance Saturday extend over several days, rou may bought by Efird's Department Store, night made things look bad for him well recognize this fact at the bought by plands beparsing shows high made things look bad for him very beginning. We cannot rush in the company were Messre. J. G. through the case. And you must Hood, P. B. Hood, James Stewart, spent Sanday with friends wer of the not make up your minds until all J. S. Archbell, W. S. Biggers, Paul city, and on being beated between the evidence is in and all the argo-ments by the attorneys have been it is suid by friends of Mr. Hood, pur in the direction of the city, ha im-To decide the case in advance \$1,500 into the concern when it was mediately acquiesced in coming to the of all the evidence and arguments first organized and put \$500 more in police station and telling his side of

of all the evidence and arguments when Mr. Hood purchased the Arch-to yourselves and to the cause of justice. In the counsels which you hold at night and other times among management of the store. This story, studing that a man he ourselves don't discuss the case and  $\xi_{2,000}$  of stock which Biggers put known for three works named into the company was lost in the son, had asked him Saturday night to It purchase the watch at Rosenbaur store for him. Wilson," is claimed that in order to settle up the affair, Mr. J. G. Hood, Mr. P. H. Hood, Mr. Biggers and others bornote back except \$2,000. It is claim- left it with him for the purpose of ed further that Biggers refused 'o allowing him to straighten out the af pay anything on the note and de fair. I then returned to Wilson who fair. I then returned to Wilson who still standing on the street near the transaction. Hood they betrawed by, and told him to call for the watch \$2,000, having montgaged his home. later during the night. Figgers, obtaining judgment for his friends," have of the \$10,000 but when the sheriff went to the Biggers home he was notified that Mrs. Biggers owner all the property. Mr. H. H. Hood, brother of the deceased, what then en It's All cointed trustee of two lots owned by Biggers on Ninth street, and later Piggers much Hood for \$2,000 lost in company's demise, contending Right hat he had been robbed of this mount through mismanagement of the business Mr. J /l Hood responded with a counter sult in the For a Here the matter oferee's court None of the sults had ever nen tried, though it has been rumord that Biggers was wrought up over ot getting what he termed a square leal and Mr. H. H. Hood, on the day Cheap plane to be sold as a of the killing, declared that two years igo Biggers had threatened the life cheap plano at a cheap price, of Hood unless he got feir treatment. TRADE WAS HALTED Fut the killing short time before piggies found that he was prevented the judgment of the court from There Should colling a farm, concerning the sale of which he was negotiating with a Charlotte man. It is said that he beame very angry, went to H. H. Hood be a Way besought him for a gult claim and which J G. Hood refused to sign unti-Riggers had signed certain dissoclaion papers relative to the old firm wrongle of several days had been To prevent cheap planos from progress, Mr. H. H. Hood, being sold as high grades and acting the part of peacemaker at prices that will buy a strictly Manual defore the killing Tuesday he was advised to sign the Figh-grade piano. claim to avoid further trouble 11111 If you turn a deaf ear to all has wife asserted on the day of the homicide that he had left home circulating sgents and buy your to go to the court house to do this plano from the old reliable are when slain. The foregoing is the statement of of Chas. M. Stieff, you run no the Hood side of the case as made immediately after the tragedy Biggers, it will be recalled, came Write to-day. Easy terms if ipon Hood in front of the Central Hotel at 9:10 Tuesday mothing. Febdesired. 9, and after a brief conversa-124.13 ion Biggers fired four times, the last it is said, being after the man 17734 assailed was down. One bullet went CHAS. M. STIEFF through the window of the Central Hotel 'bus, narrowly missing the driver, flew across the street and cracked a heavy plate-glass window in the Southern Loan and Savings Manufacturer of the Bank. The pistol was a 32-calibre Smith & Wesson of the latest make. Artistic Stieff. Shaw and Stieff Mrs. Biggers said he had own Hood lay ten Self-player Pianos, for some time. consistent on the sidewalk, reached the harlotte Kanatorium at 9.45 and al at 10 pictock

BIGGERS JURY SECURED had served on the jury in the past brought on by brooding over alleged wrongs as the cause of the tragedy is the theory which the defense will jut forth, while it will endeavor at, the same time to create sympathy for the accussed by showing that he had teen wrongly theated. Denying both these premises, the State will ask for a verdict of murder in the first degree. Defending the prisoner lare Measrs, Osborne, Lucas & Cocke and Maxwell) & Keerans. Prosecuting are Solicitor Clarkson: Mr. Herbert McClammy, of Wilmington; Stewart McRae, E. R. Preston, Shannonhouse & Jones and John A. Parker. Thirteen lawyers ought to be able to bring something to light. The jury will be permitted to have

xercise under the supervision of the sheriff, but the judge stated that he preferred that attorneys on both sid " shoould agree to it before the jury is permitted o attend motion picture shows or vaudeville exhibitions The court evidently intends to allow as tual Life Insurance Company, of few loopholes as possible for attack- Worcester, Mass. to bring the State ing the legality of the trial.

Among the witnesses under subpoena by the State are Dr. Isaac M. Taylor and Dr. Charles Ross, oth of Morganton, and both alienists. Mr. W. H. McCabe, general agent, of What part, if any, they will play in the trial remains to be seen. It is not known whether or not hey will be alled upon to estify

L. B. HUCKABEE FOR FORGERY.

Slim Case Against Young White Man -Bound Over to Higher Court Under \$250 Bond.

For forgery, L. B. Huckabee. oung white man of the city. 8.8.77 bound over yesterday morning by Re- striends in the city will learn with corder D. B. Smith to the next term of criminal court under a \$250 appearance bond.

Mr. J. D. McCall represented Huckabee at the trial yesterday morning. and as one of the strongest places of evidence introduced the testimony of fury will fall in with this trend when his step-mother to identify the hand-The mother all the lawyers have thrown their stated positively that the handwritabilities into the breach cannot possi- ing was not that of the accused man. bly he forefold. It is an unquestion- saying she had raised him from the

The case against Huckabee is rath-Biggers throughout the county and re one need he surprised at any turi night he entered the store of David Rosenbaum, on West Trade street with a check for \$30 on the Charlotte subpoens, and their testimony will National Bank, and signed by 'F. C The check was made out to "W. B. Wilson" and was Huckabee stated to hearing on the financial and business Rosenbaum that he wished to pur relations sustained by Biggers and chase one of his \$11 watches and The exact inwardness of their showing the check, asked if he could ffairs has never been brought out puy for the timepiece with it, received ing the change. Rosenbaum in turn stated, that not knowing the validity of the check. they could trade, but Huckabee insisted on leav ing the unendorsed check with storekeeper, advising him to as ertain whether or not it was of any value. him the telephone Upon investigation it was learned

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American-they are all there

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so meated Huckabee, "said he was not known the affair. Mr. J. G. Hood, Mr. P. B. Hood, Mr. Biggers and others bor-towed \$10,000 from the Commercial I took the check and knowing it had National Bank and that by good not been endorsed, told Mr Rosen-management Mr. Hood paid all the baum that I would see him later. I Then I went and paid the \$2,000. He then sued to the country to spend Sunday with



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This jury system of ours is a great It is a great privilege which system a man has of coming into coourt when he is charged with an offense and of submitting the case to twelve fellowmen."

Consequently, the court continued. we should protect this system from all criticiam. It should be kept above the shadow of sumption.

You will not understand from this that the court suspects any person in this jury hox of even improdence but the gravity of the case is so intense that I feel it my duty to caution you on all these points.

The judge expressed the hope that in its final complusions the jury would rise to the full height of its duty and its opportunity to deal justice. The sheriff would take charge and would see that they were treated as well as possible, although they would readily see that a company of twelve men who must be kept together cannot as contortable as one or two could be. All those who had some message to word to the folks at home regarding then stock or other mat ters, were given the privilege of hav ing the friend tailed up to whom the wished to speak. The sheriff called aloud those named, the individual come forward and court took a recess until this morning at 10 o'clock

LARGE CHOWD IN ATTENDANCE Every seat or the floor of the court room was compted by white peopland scores stoud in the alsies and ! the doorway, attesting forcibly the popular interest in the Biggers case. The two nundred veniremen who had been hastly summoned from all parts of the county during two feverishly busy days by the sheriff, deputies and assistants, bud come in all carieties of conveyance. The prisoner and his attorneys, the father and mother. wife, sisters and other relatives of the defendant sat within the bar There, too, were the attorneys for the prosecution and relatives of the slain man, including his brother. Mr H. H. Hood.

From 10 o'clock to 1.20 o'clock, when the noon recess occurred, saven jurors had been secured. The first two came from the ranks of the regular jurors.

The first was Mr J C Flowe The second was Mr. J. W. McGinn, of Berryhill, who said he hadn't heard the case discussed at all Many were the replies made by those questions 1 No point was neglected by the lawyers in subjecting the proposed jurors to the inquisition. Whether or nor they had formed or expressed an opinion, either that the defendant was or was not guilty, whether they

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Green Hood was trying to rob me, trying to rob my wife and chil-Biggers is said to have deared to Patrolman Hunter, who ran o arrest him. "I won't stand for it. Handing his pistol to Mr Hunter he added 'I have done all I had to do and I will go with you anywhere." And that is about the state of facts on which, with intricate details, the jury is to pass. Temporary insanity,



