

Mysterious Witness Gives Vital Testimony In Beattie Trial

Man Declares it Was He Instead of Beattie Who Was Seen in Automobile With Woman on Night of The Tragedy.

Many Threatening Letters Received by Judge - Jury is Warned Not to Convict Beattie - The Day's Proceedings in Full.

By Associated Press. Chesterfield, C. H., Va., Sept. 2.—Charles Kestleberg of Richmond, the mysterious witness whose discovery yesterday caused counsel for the defense in the Beattie trial to interrupt his examination of witnesses for nearly an hour, came forward today with the declaration that it was he who was motoring on the Midlothian turnpike on the night of the murder and stopped his machine to get some water while the woman with him stood on the running board.

The testimony of Kestleberg if accepted as fact neutralizes the evidence offered by the prosecution in many important respects because the commonwealth has held that it was Henry Clay Beattie, Jr., who was crouching in front of a machine on the turnpike while his wife was standing on the running board and was shot, her fall causing the big blot of blood on the road. A crowd of boys coming from a lance at Bon Air had testified for the prosecution that they saw a man and woman and offered them help but it was refused.

"It was I," said Kestleberg, who is a wholesale butcher, to an Associated Press representative before court opened today, "who was on the Midlothian turnpike that night. I saw the crowd of boys pass and they offered me help which I said was unnecessary. I have hesitated to give my information about the case to anybody although I read in the papers that the testimony of the boys indicated that it was Henry Beattie and his wife who stopped and that it was Mrs. Beattie standing on the running board. I will tell you frankly that I don't know the woman who was with me. I met her on the road and gave her a ride for part of the way. Being a married man I didn't wish to volunteer testimony that would put me in a bad light socially but I told my wife and several intimate friends and I guess it leaked out of the defense who summoned me today."

"Did you see any others on the road that night," he was asked. "I saw the boys go by and another car that was running very rapidly and I could not see who was in it. I recognized one of the boys who stopped and asked if I wanted help but I don't think he recognized me. The story the boys have told about seeing a man and woman in the machine is correct but in the interest of justice I am frank to say that the man was not Henry Beattie nor the woman his wife."

Court convened at 11:30 o'clock and Ellis Mosley, a colored woman, took the stand. Judge Watson announced that the woman had told him she had heard a gun shot on the Midlothian turnpike the night of the murder and that he had asked her, though ill, to come to court and testify. The judge asked her when sworn, if she was at home the night of the tragedy. She said she was and that she heard a report of a gun around half past ten o'clock.

"I heard nothing beside the noise of the gun and the howling of an automobile horn," said the woman. "When did the horn blow?" "Just after I heard a noise like the starting of a machine." "How many minutes?" asked Juror Hancock, "elapsed between the report of the gun and the starting of the machine?" "About 5 or 6 minutes." "Is that a guess?" asked counsel for the defense. "Yes," said the woman. She was then excused. Charles H. Kestleberg was called to the stand. Beattie smiling, Henry Beattie's face was wreathed in smiles as Mr. Kestleberg entered the room. Kestleberg talks. Mr. Kestleberg said he was a married man and owned an automobile. "Were you on the Midlothian turnpike on the night of the murder?" "Yes." "What time?" "About 10:30." "Some time between half-past 10 and 11. About 10:30." "Were you with anybody?" "Lady There. Too." "Yes I had a lady with me." "Did you stop on the road?" "Stopped for Water." "I stopped at a pump to get some water for the machine." "Did any one pass you?" "Yes. Two machines." "Were they going fast?" "Yes." "Did another car pass later?" "Yes." "Did it stop?" "Lady on Running Board. Yes and the occupants asked me if I needed help. I was in front of the"



THE WOMAN IN THE CASE.

A late picture of Miss Beulah Binford, around whom the sensational Beattie case is revolving. Ever since the beginning of the trial she has been confined in jail, waiting to be called to the stand to give her testimony in the case. So far neither side has called her as a witness and in case Henry Clay Beattie, Jr., tells of his connection with her, she will not be called for either side. The prosecution may use her for rebuttal but she is considered a dangerous witness for either side, and may never go on the stand to repudiate or verify the many statements made about her.

Beattie to Complete His Explanation

By Associated Press. Chesterfield, C. H., Va., Sept. 2.—Before sundown today in the historic little court house here, Henry Clay Beattie, Jr., indicted for the murder of his wife on Midlothian turnpike probably will complete his explanation of the tragedy to a jury that for eight days has heard a variety of circumstantial evidence against him. The prisoner was expected to take the stand shortly after noon in direct examination to be followed by a vigorous cross-examination which, it was said, possibly might continue into the evening. Today, at any rate, the defense was prepared to rest its case and to fortify itself over Sunday against the forthcoming rebuttal of the prosecution on Monday.

Upon the kind of story told by the prisoner today many things are dependent. It already has been demonstrated by the defense that the accused would cling minutely to his story at the coroner's inquest concerning the alleged highwayman and would continue to discredit Paul Beattie, both with respect to the purchase of the fatal shotgun and the alleged confession which Paul says he heard from the lips of the accused the night after the tragedy. Importance was attached to the explanation of the prisoner as to his relations with Beulah Binford, the so-called girl in the case. Not so many details of the alleged motive for the crime had been brought to the surface by the prosecution at the time the accused was on the stand at the coroner's inquest and for today's cross-examination the prosecution let it be known that it had some interesting questions to ask the prisoner concerning the girl. Beulah though summoned by the prosecution was not put on the stand and if she goes on at all it will be in the rebuttal which is to begin Monday. If the prisoner admits his relationship with the girl in much the same way he did at the coroner's inquest the prosecution may not ask

the girl to testify, as it is an open secret that the numerous statements and chatter about the case has demonstrated to both sides a certain risk in allowing her to take the stand. One report today was that the defense might before the trial was concluded point to Beulah as an accessory before the fact and the prosecution, it is understood, has been working on information concerning a girl who is reported to have been told by Beulah that she knew of the planning of the murder. Only in corroborating the testimony of Paul Beattie, who says he carried certain messages from Henry to Beulah just a few days prior to the murder, is it probable that the prosecution will use her testimony. Such corroboration will not be of minor importance either as the defense already has by numerous witnesses attacked the veracity of Paul as to other points in his story. The prosecution, however, stands ready to support Paul's testimony, the most vital assault on which was made by the defense two days ago when E. H. Neblett testified that he saw Paul standing in a doorway with a gun at the bridge where he works just a day after Paul was supposed to have delivered the weapon to Henry. A man who also saw Paul that day will testify for the prosecution that he saw Paul in the same doorway and that it was a stick and not a gun which he held. Furthermore the prosecution will argue that from the point in the road where Neblett says he spied Paul a passerby could not see the doorway on account of an intervening mass of scaffolding. Court was not scheduled to reconvene today until 11 o'clock as the deposition of a sick witness was to be taken first. Mrs. M. C. Steger is the witness and she claims that a tramp who came to her home fitted some-what the description of the alleged highwayman.

While Waiting To Meet His Fiance Man Ends Life

Because He Believed he Was Too Ill to Marry, Daniel E. Garrison Shot Self Through Head in Waldorf—Astoria Hotel.

Was Member of Prominent St. Louis Family—Left Two Notes, One to His Father; One to Fiance.

By Associated Press. New York, Sept. 2.—While waiting here to meet his fiance upon her return from Europe, Daniel E. Garrison, Jr., a member of one of the most prominent and wealthy families in St. Louis, committed suicide today because he believed that he was too ill to marry.

When his body was found today shot through the head at the Waldorf-Astoria, there were two letters beside him. In one the suicide told his father that he would rather die than to continue to suffer and that it would be unjust to his fiance to marry her in his present state of health. The other letter was written by the girl he expected to marry, and urged him to "cheer up" and think of the "better days to come."

Mr. Garrison's father and his son by his first marriage, who came here with him yesterday, declined to tell his fiance's name, saying that this course was best for all concerned. She is expected to arrive from Europe either today or tomorrow. Her letter was dated August 28 and written while abroad. It was signed "Mary."

Forty-Six Years Old. New York, Sept. 2.—Daniel E. Garrison, Jr., of St. Louis, son of the vice president of the Corrugated Steel Bar Company of that city, was found dead today in his room at the Waldorf-Astoria, with a bullet wound through his head. The hotel people say that he committed suicide.

Mr. Garrison arrived here yesterday with his father and his son, Daniel E. Garrison, 2d. He was last seen about ten o'clock last night when he went to his room. This morning one of the employees of the hotel heard a shot in Garrison's room and found the occupant dead when he entered.

The dead man was 42 years old and resided at 5240 Westminister Place, St. Louis. He was connected with the concern of which his father is vice president, William G. Moler, the New York representative of the firm, was notified. The coroner is making an investigation.

Left Note to Father. The suicide left a note addressed to his father, saying that he would rather be dead than suffer any longer the pains of kidney trouble, hay fever and asthma.

The body was found by his son when he went to call him this morning for breakfast. Mr. Garrison lay in bed wearing his night clothes with a pistol by his side and a bullet hole over the right ear. No one heard the shot.

Mr. Garrison, Jr., went to the theatre last evening with his son and when the father retired he seemed in excellent spirits. He asked his son to call him in the morning, saying that they might be able to take an interesting boat ride today.

The Garrison family is one of the most prominent and wealthy in St. Louis.

Was to Wed Miss Williams. St. Louis, Sept. 2.—Mr. Garrison, Jr., was to have been married in New York in October to Miss Mary Williams, of New York, who at present is at Rye Beach, N. H. He had given up his home here and intended to live in Buffalo, where he was to take charge of a branch of his firm.

Many Homeless After Storm

By Associated Press. Washington, Sept. 2.—Many people are homeless and in dire need in the vicinity of Beaufort, S. C., as a result of the terrific hurricane which swept the South Atlantic seaboard a few days ago, according to a telegram received by the war department late today from Representative Byrnes of Aiken, S. C., who is in Bethlehem, N. H. The congressman appealed for army tents and rations to tide over the emergency. Maj. Gen. Leonard Wood, chief of staff of the army, immediately telegraphed the commander at Fort Scriven, Ga., the nearest military post, for a report on the situation. A reply has not yet been received.

MIMIC WARFARE OFF VIRGINIA COAST.

By Associated Press. Norfolk, Va., Sept. 2.—But for an early morning fog the Atlantic fleet now engaged in fall maneuvers and mimic fleet warfare off the Virginia coast, today had clear weather for its second day's work of general battle practice. While the ships are too far from shore for observation the firing of guns can be distinctly heard from the coast. Today the vessels of the fleet fired at long range upon targets which had been lowered out from Norfolk by the auxiliaries Panther, Lebanon, Celtic, and Cuisago.

Fighting Sunday Baseball Games

By Associated Press. Nashville, Tenn., Sept. 12.—The fight of the Men's Christian Union of Nashville for the dissolution of the Nashville baseball team as a result of this season's Sunday games is up again. Acting upon a petition signed by a number of citizens Governor Cooper, Attorney General Charles T. Gates, concurring, has directed Attorney General A. B. Anderson of Davidson county, to institute proceedings to have the charter of the club declared forfeited.

The action of Governor Cooper and General Cates was taken under section 5168 of the Tennessee code, which provides that such suits can be brought by the attorney general for the county, when directed to do so by the general assembly or by the governor and attorney general of the state concurring.

SILK PARASOL FOUND IN SHARK'S STOMACH

By Associated Press. Lewes, Del., Sept. 2.—A silk parasol, recovered from the stomach of a huge shark recently caught here by the crew of the government lightship, has been claimed by Miss Laura Dorsey, of Saugatuck, Conn. She dropped it overboard from a Long Island sound steamer early in the summer. Miss Dorsey identified the parasol by a monogram on the handle.

Report From Panama Liner.

By Associated Press. Norfolk, Va., Sept. 2.—The Panama liner Allianca, which broke down off the North Carolina coast Thursday while enroute from New York to Colon is expected to pass in the Virginia Capes enroute to Norfolk or Newport News where it is believed the break in the Allianca's machinery can be repaired. The steamer is being towed up the coast by the revenue cutter Tanager and the wrecking steamer J. J. Merritt has put to sea to lend any needed assistance.

Cotton Soars Dollar A Bale

By Associated Press. Washington, Sept. 2.—Permission was granted today to the Southern Railway, the Durham & Southern Railway and other railroads by the interstate commerce commission to establish lower freight rates on cotton piece goods from manufacturing points in Virginia, North Carolina and South Carolina to Ohio and Mississippi river transfers, and to various points in Virginia, including Richmond, Norfolk and Alexandria, for shipment beyond, than are currently in effect to intermediate points.

In granting the permission, the commission expressly stipulates that the rates established, which are three cents a hundred pounds higher than existing rates to the various transfer points, must be held as subject to complaint and review at any time.

COTTON BILLS LADING VALIDATION PLAN

By Associated Press. New Orleans, Sept. 2.—Although the local banks and the railroads are ignoring the bureau cotton bills lading validation plan, which went into effect in New York yesterday, the Leyland and Harrison steamship lines, operating out of this port, to Europe, established the new system and in future will abide by the requirements of the Liverpool bills lading committee. Duplicates of all bills lading for cotton issued by these lines are sent to the central bureau.

Decision on Rate Case.

By Associated Press. Washington, Sept. 2.—Hereafter the Birmingham Railway Company will be permitted by the interstate commerce commission to make the same rates on all freight from and to Waynesboro and Savannah, Ga., as are in effect over other lines of railroad, irrespective of the long-and-short-haul provision of the law.

Authority also was granted by the commission today to the Carolina & Northwestern railway to establish freight rates on granite and stone from Chester, Spartanburg and Winnsboro, S. C., to all destinations outside of South Carolina lower than are in effect to intermediate points.

Officer Killed Officer.

By Associated Press. Shreveport, La., Sept. 2.—Deputy Sheriff Clay Flannigan, of this state, was shot and killed by Deputy Sheriff Walter Aiken, of Harrison county, Texas, near the Texas state line, yesterday. Aiken is said to have surrendered to the Marshall, Texas, officers. The deputies had been assigned to Caddo lake to co-operate in enforcing the game laws.

DEATH OF FORMER U. S. SENATOR MILLS

By Associated Press. Corsicana, Tex., Sept. 2.—Former United States Senator from Texas R. Q. Mills, died at his home here today.

Three Aviators Came To Grief In Most Tragical Manner

Import. nt Clue in Sigel Mystery

By Associated Press. New York, Sept. 2.—The unsolved mystery of the murder of Elsie Sigel, now more than two years old, once more claimed attention today following the arrest of a Chinaman by immigration inspectors who last night raided a restaurant in Hoboken. Although the immigration authorities declined to explain what connection, if any, the arrest had with the Sigel case, it was reported today that the police had found an important clue.

Ostensibly, the prisoner, Gee Gow, was arrested on suspicion of having smuggled fellow countrymen into the United States in violation of the immigration laws.

Elsie Sigel was a granddaughter of General Franz Sigel. Her body, bearing unmistakable marks of violence, was found in a trunk in a Chinese resort and the search for her murderer was conducted almost exclusively in Chinese settlements throughout the country. Although several arrests were made no definite clue ever was obtained.

LABOR LEADERS THINK NO STRIKE IS IMMINENT

By Associated Press. Chicago, Sept. 2.—Notwithstanding refusals by railroad officials to deal with any general federation of shop employes, labor leaders in Chicago were inclined today to believe that no strike was imminent.

For the employes sentiment was voiced by Secretary Kramer of the International Brotherhood of Blacksmiths and helpers. He said:

"It can be truthfully stated that negotiations are still pending. Until peace efforts have ceased, I see no reason for forecasting results."

Referring particularly to the situation on the Illinois Central, Mr. Kramer added:

"We believe that we shall be successful in maintaining peace. In asking President Markham for another conference, it is our purpose to present to him additional reasons why it would be advisable for the company to deal with a federation of its mechanics."

"While the international officers now in Chicago have full authority to direct matters as they see fit it is the intention to continue to use conciliatory tactics."

Thirty days notice of a desire to change the nature of the shopmen's contracts on the Illinois Central will, it is expected, afford time for bringing about less strained relations between the employes and the railroad officials. There is also a hope that the example thus set may have a powerful effect indirectly as to the situation on other roads.

In addition to 8,000 men involved on the Illinois Central, there are 20,000 men affected on the Southern Pacific allied lines, and the issues have been made nearly if not quite as acute on the Northwestern, the Rock Island and the Chicago, Milwaukee and St. Paul.

ANOTHER BOMB WAS EXPLODED IN NEW YORK.

By Associated Press. New York, Sept. 2.—Another bomb, the seventeenth within a month, was exploded here today, in front of the butcher shop of Matteo Sarino, an Italian. The front of the building, which domiciled 18 families, in the upper floors, was scarred, but nobody was hurt. The police have not decided whether the charge was a case of black hand vengeance, another protest against the high price of meat, or a mixture of both.

Seven Men Drowned In Maume River When Launch Was Wrecked

By Associated Press. Toledo, O., Sept. 2.—Seven men were drowned in the Maume river about one-half mile north of the Red Canbury this morning at 1:30 o'clock when the 35 foot launch Nemo, owned by Michael Mayer, 1056 Norwood, was struck by the 500 foot freighter Phillip Minch, in-bound for the C. H. and D. docks. The drowned are: Harry Batch, city councilman. James Wisler, superintendent of waterworks. Thomas Purcell, fourth master mechanic at the waterworks plant, Sumner street. Fred Shane, secretary of Service Director Cowell. William Platt, waterworks inspector, Norwood avenue. William Carroll, 38, bookkeeper at waterworks.

Yonkers, 50 Dorr street. The party was bound for Kelley's island where they expected to do some bass fishing over the Labor Day holiday. With the exception of Michael Mayer, owner of the launch, all went down to a watery grave. Mayer was saved by members of the crew of the Minch. None of the bodies of the drowned men have been recovered, although the police began to make preparations to drag for them as soon as appraised of the accident. The members of the unfortunate party boarded the Nemo shortly after midnight. Captain L. B. Cummings, of the Minch, who with several others on that vessel witnessed the accident, says that when they first espied the launch, which he thought was about a mile and a half distant, she was considerably out of the course of the channel. The steamer blew the danger signals but before the launch could change its course the freighter crashed into the small boat capsizing it and throwing the occupants into the water. The crew of the Minch saved Mayer.

Report From Boston Tells how Cummins Fell 300 Feet into Water And was Later Rescued—A Miraculous Escape From Death.

By Associated Press. Boston, Sept. 2.—The first accident in the two years of aviation at Squantum occurred early this forenoon when Joseph S. Cummings fell 300 feet in a Bleriot monoplane into Dorchester Bay but managed to drag himself out and swim ashore.

He was badly bruised but expects to resume flying next week.

Cummings is a native of Pennsylvania, but is now a resident of this city. He went to France about a year ago, where he took aviation lessons at the Bleriot school. He had not figured in the three-days' flying at Squantum, as his machine lacked several important parts.

When he started up today the sun was half-way to the zenith and the wind was light. He made a circle of the field and then started out over the water.

He said afterwards that the sun got in his eyes and before he realized it the monoplane was diving for the water.

He was seen to make the plunge, and a whaleboat pushed out from the revenue cutter Gresham and was soon on the scene. Cummings had worked himself free of his machine, but one of the flying blades of the propeller struck him before it stopped. He was swimming for the shore when the whale boat reached him and took him in.

Burned in Mid Air. Troyes, France, Sept. 2.—Lieutenant De Grailly, of the eight cuirassiers, while making an aeroplane flight from this city today was burned to death in mid air.

The disaster probably was caused by the explosion of the fuel tank, the burning fluid being scattered all over the machine. The blazing aeroplane fell, with its pilot, at Rigny-Le-Normeneus, about 25 miles from this city and was completely incinerated.

Another Tragedy. Hangois, France, Sept. 2.—Captain De Canine, one of the most experienced aviators of the French army, fell with his monoplane while flying here today and was instantly killed.

The machine crashed to earth with frightful violence and the aviator struck the ground with his head, which was crushed in.

Captain De Vamine ascended from the aerodrome at Toussus-Le-Noble early this morning with the intention of making a distance flight. He had taken hundreds of excursions in the air and was regarded as one of the two or three finest aviators of the army. He was a cool and intelligent officer with a scientific knowledge of aviation, and was inventive and dexterous in all aeroplane manoeuvres.

WIRELESS FROM THE ONONDAGA.

By Associated Press. Washington, Sept. 2.—A wireless message from the revenue cutter Onondaga today said the Panama liner Allianca, disabled off the Carolina coast by a breakdown in her machinery while en route from New York to Cristobal with 75 passengers, was headed back to New York under her own steam and passed Asateague light house, north of Cape Charles, at 4 o'clock this morning. The Onondaga reported the steamer was a case of black hand vengeance, another protest against the high price of meat, or a mixture of both.