

BEATTIE CASE MAY BE RE-OPENED ON EVIDENCE FOUND

Letter Received From Man Claiming to Have Been an Eye-Witness of Killing AN ELEVENTH HOUR SENSATION IS SPRUNG Commonwealth's Attorney Says he May Ask Court to Re-Open Case Today

RICHMOND, Va., Sept. 6.—All plans of the prosecution in the case of Henry Clay Beattie, Jr., on trial for the murder of his wife may be changed as the result of a letter received tonight by Commonwealth's Attorney Wendenburg from a man who claims to have been an eye witness to the killing of Louise Owen Beattie.

Mr. Wendenburg refused to divulge the name of the alleged eye witness but said investigation today had proved that the man had been employed as a farm hand near the scene of the crime.

In his letter the man says he saw an automobile stop and heard a man and woman quarreling. Then the man attacked the woman with the stock of a shot gun, he declares, and this was followed by the report of a gun. Numerous letters have been received by the Commonwealth from persons claiming to have witnessed the murder but none of them has been given such serious consideration by the prosecution as this.

TAXATION ACCORDING TO EARNINGS ADVOCATED AT RICHMOND CONFERENCE

Allen Ripley Foote Adversely Criticizes the Ad Valorem System

OTHER ADDRESSES

RICHMOND, Va., Sept. 6.—The feature of today's session of the International tax conference here was a speech by Allen Ripley Foote, president of the association, on the taxation of railroads and other public service corporations, in which he criticized adversely the ad valorem system and advocated a plan which contemplates in the main a taxation according to earnings.

Other speakers of prominence were Herbert Knox Smith, commissioner of corporations, Washington, D. C.; Alfred E. Holcomb, assistant secretary of the American Telegraph & Telephone, of New York; Prof. Brindley, of the Iowa state college; E. L. Heydecker, assistant tax commissioner of Wisconsin; K. K. Keenan, chief of the income tax bureau of Wisconsin; J. H. K. Keenan, chief of the University of California; and Dr. Douglas S. Freeman, secretary of the Virginia tax commission. The last named deplored the existing system of taxation in Virginia as unequal and the alleged tax methods practiced by the large assessors.

CENTRAL BUREAU IN OPERATION NEW YORK, Sept. 6.—Further steps intended to promote the adoption of the plan for the elimination of frauds in connection with cotton bills of lading were taken today. Thomas E. Patton, general counsel for the American Bankers' association, completed a redraft of the form of notice to be forwarded from shippers to the cotton bills of lading central bureau, just established in New York, for the purpose of informing the bureau of shipments as they are made. The shippers' letter was redrafted to meet the objection that in the form originally drawn it might impose some liability upon bankers forwarding such letters to the central bureau.

The new central bureau was in full operation today and it was said that the cotton carrying railroads are sending in copies of the documents issued by them in compliance with their agreement. No inquiries have been received, however, regarding the genuineness of bills from any of the foreign exchange banks.

BEULAH BINFORD MAY BE ARRESTED AS AN ACCESSORY

Application Made to Judge that Her Release be Held Over Until Today. Argument Begins Today After Instructions to Jury.

RICHMOND, Va., Sept. 6.—While counsel for both sides in the trial of Henry Clay Beattie, Jr., indicted for wife murder, conferred with Judge William A. Watson here today concerning the legal basis for the argument scheduled for tomorrow at Chesterfield Court House, detectives for the Commonwealth investigated information alleging that Beulah Binford, the so-called girl in the case, was an accessory before the fact.

Application was made to Judge Watson by the prosecution today that the release of the girl from custody be delayed at least until tomorrow. Judge Watson was informed that if the investigation was successful, the Binford girl might be arrested and indicted as an accessory. Judge Watson today received a telegram from a man in Chicago advising that Paul Beattie, a cousin of Henry, be indicted as an accessory, the Chicagoan declaring he would come to Chesterfield Court House to testify if it was so desired. Detective L. L. Scherer, who has been chief in working up the case of the prosecution, tonight repudiated any such purpose as to Beattie, but said that the investigation as to the Binford girl had not been completed.

"I do not attach much importance to it," said Scherer tonight, "and it is quite probable that Beulah Binford will be released tomorrow, yet we are working on the information received and will continue to do so regardless of her release tomorrow or the verdict in the case."

Beulah Wants Out Detective Scherer made this statement immediately after leaving the county jail tonight where he talked with the Binford girl. The latter pouted and fretted at her long detention and even accused the prosecution of connivance in preventing her from testifying because "they knew she could get a bigger contract on the stage." It has been alleged to take the stand. When she learned of the investigation made today, she was greatly irritated as she had hoped to gain her freedom tomorrow. The report on which the investigation was based came first in a telegram from the west, which alleged that Beulah had known of plans for the tragedy.

In jail today the Binford girl on learning that Henry Beattie declared he hoped to eat dinner with his family on Sunday next, exclaimed: "I'd give a million dollars to see him do it!" The argument over the instructions to be given the jury occupied three hours today. The instructions are brief and will not be made public until delivered to the jury tomorrow. They are similar, however, to those given in the famous murder case against Mayor McCue of Charlottesville, Va., six years ago when the Virginia Supreme court set a precedent in determining not to trust aside what it regarded as evidently fair verdict merely on legal technicalities.

The conference today took place in a law library here and ponderous volumes were heaped on the table where counsel argued. The final draft made by Judge Watson included the usual perfunctory request of the defense that the indictment be quashed because of "the reasonable doubt," a similar instruction of the Commonwealth that the jury find the accused guilty of murder upon the evidence given by Paul Beattie as to Henry's alleged confession.

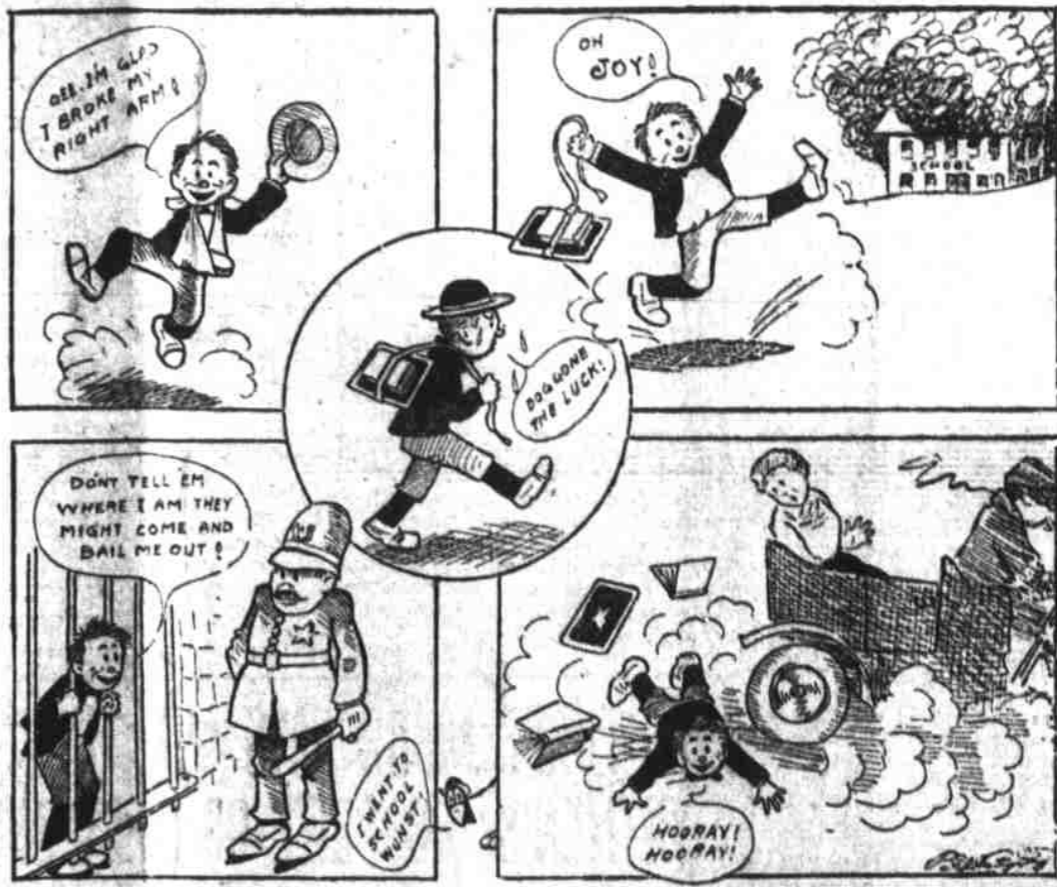
Argument May End Today

Judge Watson declared tonight that after delivering the instructions to the jury tomorrow, he intended to ask how long a time was desired by counsel for the argument and if it was not an unreasonable period he would grant it. He added, however, that he would suggest to counsel the conclusion of the argument by tomorrow night and that if the jury did not appear to be very fatigued, he would ask them to retire at once and find a verdict. It is not considered likely that the lawyers will be able to finish their speeches summing up tomorrow, and it is expected that they will be continued over until Friday morning. It is now quite certain that the case will go to the jury not later than Friday noon.

J. M. Gregory, the Commonwealth attorney, will open the case for the prosecution and will be followed by Attorney Harry M. Smith, Jr., and Hill Carter for the defense, the conclusion.

(Continued on page five.)

Wouldn't the School Kid's Life be a Dream if a Few Things Like These Would Happen?



AFTER SIXTEENTH ATTEMPT BURGESS DUPLICATES CAPTAIN WEBB'S FEAT

Yorkshire Man by Birth and Naturalized Frenchman Swims English Channel—Twice he Was Attacked by Sickness and Many Times Stung by Jellyfish But His Great Will Power Overcomes Every Obstacle.

DEAL, England, Sept. 6.—After a lapse of 36 years, Captain Matthew Webb's feat of swimming the English channel has been duplicated by William T. Burgess, a Yorkshire man by birth and a naturalized Frenchman. It was Burgess' sixteenth attempt, he having first essayed the task in 1894.

Burgess started from South Foreman, Dover, at 11:15 o'clock Tuesday morning. He landed at LeChatelet, a little village two miles east of Cape Gris Nez, at 9:50 o'clock this morning, accomplishing the passage in 22 hours and 35 minutes. A motor boat accompanied the swimmer, and it is estimated that Burgess, on account of the zigzag he was compelled to take because of the baffling tide, covered 80 miles. Soon after the start a deep fog settled over the Channel and no further tidings of his progress were received until the announcement was made that he successfully accomplished the task and landed on the French side.

Sick Twice

Throughout the trip, Burgess was favored by a calm sea, but a strong tide was running and a severe strain was put on the swimmer to get past the Goodwin Sands. Twice he was attacked by sickness and several times

was only held to his task by the strongest will power and the encouraging words of the men in the boat. He remained on French soil just long enough to telegraph word of his success to his wife and partake of refreshments in a bathing box. Then he returned by motor boat, to rest and sleep.

When he landed at Deal this evening, Burgess received a tremendous ovation, and with difficulty made his way through the cheering throng to a hotel. Speakers of his great achievement, he said:

"In the time the swim occupied, I should have been able to cross the channel twice, but for the adverse currents. Against these I had a terrific fight and came within an ace of failing. I was held up for some time, but when I rounded the corner of the Goodwin Sands, I found slack water and then knew that it was assured success.

"It was just in the slack of the tide that I got in. If I had not managed it then, I might have missed it and drifted to Calais. It took three full tides and two part tides to bring me over.

Stung by Jelly Fish "I was severely stung several times,

by jelly fish and while in mid-channel, after a sick spell, I felt heart broken. For a while I was almost delirious, but my pilots began to sing, and this gave me fresh courage to persevere."

It was seven o'clock in the morning when the swimmer sighted Gris Nez semaphore. He was then two miles to the west-southwest. In these two miles it was a battle with the currents, but when Burgess got within the shelter of the cape, he swam easily ashore. He stumbled for two or three steps, then walked without assistance. He looked remarkably fresh, considering his long immersion.

MUCH ENTHUSIASM

PARIS, Sept. 6.—The news that Burgess had repeated the famous exploit of Captain Webb in 1875, in swimming the English Channel, caused much enthusiasm in Paris. Burgess is an old resident of Paris and has taken part in all the most notable swimming events in France in the last decade.

KING'S CONGRATULATIONS

LONDON, Sept. 6.—The king tonight sent a telegram of hearty congratulations to Burgess.

MINIMUM PRICES FIXED ON YEAR'S COTTON CROP BY NATIONAL FARMERS' UNION

During September and October Will be 14 Cents, and 15 Thereafter

OTHER BUSINESS

SHAWNEE, Okla., Sept. 6.—This year's cotton crop will be sold for 14 cents during September and October and 15 cents thereafter. This was the agreement reached tonight by the cotton growers of the south attending the national farmers union here.

The action, which was unanimous, was taken in the adoption of the report of a special committee on minimum prices. The committee was composed of cotton growers who were largely influenced by scores of telegrams and messages from all parts of the south, many of which urged a minimum of 15 cents.

Little of the proceedings and deliberations was made public today, although aside from fixing the price the farmers are to ask for their cotton, good roads, parcels post and dabbling in cotton futures will be discussed by the convention. Members of the union say parcels post will be favored by the farmers and that the delegates will endorse the Scott anti-gambling bill, "prohibiting the use of the furthering of contracts for the delivery of cotton where there is no intent to make actual delivery. The report of the live stock committee urges diversified farming and stock raising and contains the statement that "one million additional milch cows and an equal number of mother cows properly distributed through the south would easily add \$10 per bale to the price of the cotton crop."

The congressional immigration committee recommends increasing the head tax excluding illiterate adults from America and fining of foreign steamships for bringing to this country undesirable characters that could be rejected on the other side.

INSURANCE MEN MEET

NEWPORT NEWS, Va., Sept. 6.—With representatives from nearly every insurance company in the United States and many from Canada, the International Claim association assembled in its second annual convention at the Chamberlin hotel, Old Point, today for a three days' session.

HARTFORD IN "GLAD BAGS" TO GREET TAFT BEFORE DEPARTURE FOR THE WEST

Will Lunch With Governor Baldwin, See Harness Races, Make Speech

THEN TO BEVERLY

BEVERLY, Mass., Sept. 6.—The week-end trip that President Taft takes before his 13,000 mile cross-country tour will be made tomorrow in a visit to Hartford, Conn., where he will lunch with Governor Baldwin, see some harness racing and deliver a speech on peace at the fair grounds. The president expects to be back in Beverly in time for a late dinner. One of his companions will be Attorney-General Wickersham, who will join the party at Boston and upon his return will go to Marion, Mass., to visit Secretary Nagel. The two cabinet officers will spend part of next week on a light house tender and may visit such solitary beacons as the Nantucket Shoals lightship, the turning point for incoming trans-Atlantic liners.

The president was up at 6 a. m. and at work on his speeches four hours.

IN GALA ATTIRE

HARTFORD, Conn., Sept. 6.—This city will be in gala attire tomorrow when President Taft comes here to be the guest of the state and to attend the Connecticut state fair at Charter Oak park. The attitude of the Connecticut grange on the question of reciprocity and the withholding of a welcome on its part to the president has only served to intensify interest in general.

Governor Baldwin and his party will gather at the capital at noon. In Memorial hall at one o'clock will be served a state luncheon to which the governor has extended 85 invitations. Among the guests will be former Ambassador Lloyd C. Griscom. President Taft will be accompanied by Attorney-General Wickersham and his military aide, Major Butt. From the luncheon the president, the governor and the entire party will be taken to Charter Oak park from the grand stand on the enclosure both the president and governor will speak. The president will leave on his return to Boston at 2 o'clock.

ARRESTED FOR KILLING MAN TWELVE YEARS AGO

Knoxville Officers Arrest Man for Alleged Crime Committed near Asheville

KNOXVILLE, Sept. 6.—While engaged as a carpenter among a large force remodeling a local church, Lawson Dougherty was arrested today charged with a murder committed twelve years ago near Asheville, N. C. Once in custody, Dougherty acknowledged that he had killed a man named Wilton Hamby near Asheville, but added that he had been acquitted by a coroner's jury on the ground of self defense. Advised by friends to leave the vicinity to avoid trouble with Hamby's friends, Dougherty states that he, following the tragedy, went to Texas and after four years residence there, came to Knoxville where he has since worked at his trade. Dougherty bears several deep scars, which he says were the result of wounds inflicted by Hamby.

NEW ALTITUDE RECORD

WASHINGTON, Sept. 6.—A new altitude record for the army was made today by Lieut. Henry H. Arnold of the army aviation school at College Park, Md., when he reached a height of 5,079 feet. The previous record for the army fliers was 4,985 feet, made by the same officer. Arnold was in the air 42 minutes.



WASHINGTON, Sept. 6.—Forecast for North Carolina: Local showers Thursday and Friday; light variable winds.

VIRGINIA'S SENATORIAL FIGHT WILL END TODAY

Interest Runs High, Regulars and Insurgents Both Claiming Victory

RICHMOND, Va., Sept. 6.—Virginia's second primary to nominate candidates for the United States senate will be fought tomorrow and will conclude a particularly bitter fight in the ranks of the democratic party between the regulars headed by Thomas S. Martin and Claude A. Swanson and the insurgents led by Representative Wm. A. Jones and Carter Glass. Martin and Jones are rival candidates for the six year term in the United States senate and Swanson and Glass are the opponents for the short unexpired term of the late Senator Daniel, prepared tonight for a vigorous struggle. Both sides are claiming the victory but the outcome cannot be forecasted. Supporters of the Martin-Swanson estimate are more extensive in their estimates, claiming that their margin will be at least 25,000, while the insurgents thing they can muster a 15,000 plurality without much trouble. Interest runs high.

URNS DOWN \$10,000 FEE TO MARRY ASTOR

NEWPORT, R. I., Sept. 6.—A fee of \$10,000 to marry John Jacob Astor to Miss Madeleine Talmadge Force has been refused by the Rev. Edward C. Johnson, D. D., pastor of the First Baptist church, of this city. Dr. Johnson was called to the office of a local attorney on August 29, according to his statement today and there the offer was made. The attorney told Dr. Johnson that the ceremony was planned for some time between Monday and Thursday of this week. Under the recently enacted law it is necessary for a non-resident to file notice of intention to wed five days before the marriage license can be issued. Miss Force is not a resident of Rhode Island and so far as known her intention has not been filed.

JOHNSON DECLARES HE IS INNOCENT OF IMMORALITY

"Girl in Case" of Missouri Minister Teaching Music in N. C. Seminary

CLARENCE, Mo., Sept. 6.—Members of the Center Street Methodist church, after talking over the case of their former minister, who has confessed to writing a letter to a former organist of the church, today decided that they had no power to take any action for or against the minister. The meeting was informal and was held at the church. Oscar Collins, who wrote the letter to the Rev. H. H. Johnson, which caused him to resign from the ministry, was not present, although he is a member of the board. Collins refuses to show anybody the letter from Johnson to the girl, found by her sister, which caused him to write to the minister. To the Rev. Mr. Lenhoff, Johnson said: "I have no excuse to make for what I have done. I am not guilty of any immorality, there is nothing criminal in my conduct; I have no excuse to offer for the correspondence."

He also expressed deep concern for his family and asked Lenhoff to come to Clarence and look after them. Johnson is now somewhere in Iowa. His wife will join him as soon as she can arrange to leave here. The girl in the case left here a week ago to teach music in a North Carolina seminary. Mrs. Johnson refuses to be seen. Rev. Johnson's injudicious letter was written to a young woman who had shown marked admiration for him and had been a frequent caller at his home. She had been enraptured with his sermons. He is known to have written the young woman a warning that her conduct toward him might be misconstrued.

FORCED TO TURN BACK

SEATTLE, Wash., Sept. 6.—Miss Dora Keene of Philadelphia, who undertook to climb Mount Blackburn, Washington, 16,140 feet, and who was obliged to turn back when only two days from the summit because of exhaustion of her supplies, food and alcohol, arrived in Seattle today.

TWO MILLIONAIRES UP ON CHARGES OF SMUGGLING JEWELS

Nathan Allen, Who Quarreled With Mrs. Helen D. Jenkins One of Indicted

JOHN R. COLLINS, OF MEMPHIS, "ACCESSORY"

Testimony of Mrs. Jenkins Formed Foundation For Finding True Bills

NEW YORK, Sept. 6.—Separate indictments accusing Nathan Allen, of Kenosha, Wis., and John R. Collins, of Memphis, Tenn., reputed millionaires, of smuggling gems valued at many thousands of dollars into the port of New York, were brought to the light of day this afternoon in the office of United States District Attorney Wiles. The indictments had lain on his desk, bearing the seal of the federal grand jury since August 29, when they were handed down. The testimony of Mrs. Helen Dwellie Jenkins, the woman with whom Allen is said to have quarreled and broken his friendship not long ago, is said to have formed the foundation upon which the true bills were found. Allen, a leather manufacturer, is charged with having concealed about his clothing a pearl valued at \$10,000 in the indictment, when he landed in New York from the Lutanla on June 25, 1909. The indictment charges him with having failed to declare the gem and with bringing it into the country, duty unpaid.

Other Counts

A second count of the indictment charges that Allen also smuggled on the same date a gem studded gold bracelet fashioned in the design of a snake. A third count charges illegal importation of the pearl and the bracelet and the other "divers articles of jewelry and wearing apparel" on the same date.

This count also charges that Allen was a party to a conspiracy with other persons to defraud the government of duties by "illegally introducing into the country the jewelry and wearing apparel described in the two prior counts."

Collins, a coal operator of Tennessee, was a fellow passenger of Allen, the indictment in the Tennessee case recites, and it charges him with having smuggled a necklace consisting of five strands of pearls with a diamond and ruby clasp, a pearl and diamond bracelet and other articles of jewelry and wearing apparel. The charge of conspiracy is also laid at his door, but the value of the articles alleged to have been illegally imported is not estimated in the record. At the office of the district attorney it was said that "whereabouts of the indicted men is unknown."

Confidence was expressed, however, by United States District Attorney Whitney that both indicted men would appear and plead in due time. No bench warrants have been issued.

COLLINS WOULD'T TALK

MEMPHIS, Tenn., Sept. 6.—John R. Collins is president of the Southern Coal company with offices in this city. When shown the dispatch from New York stating that he had been indicted by the federal grand jury on a charge of smuggling he declined to discuss the matter.

ELEVEN PEOPLE INJURED IN AUTO ACCIDENTS AT WILMINGTON LAST NIGHT

Two Seriously Hurt, One Car Turned Turtle, Another Ran Into Train

Wilmington, N. C., Sept. 6.—Two persons were seriously injured and nine slightly hurt as the result of two automobile accidents in this section tonight. Mrs. Sarah Burris, 53 years old, and three friends, occupied an automobile that turned turtle four miles from Wilmington. Mrs. Burris was caught under the machine, suffered a broken leg and perhaps internal injuries. Misses Roberts and Ella Brady, daughters of a Wilmington contractor, and Mrs. John Hewett were in the car and they with the chauffeur received trivial injuries.

ONE AUTO WRECKED

Miss Jane Stewart, daughter of a prominent New Bern citizen, was seriously injured and two of her sisters and three other women friends sustained minor injuries when their automobile dashed into a railroad locomotive at New Bern. The machine was badly wrecked.

AGAINST CENTRAL BUREAU

GALVESTON, Tex., Sept. 6.—That the sentiment of the Galveston cotton exchange is against the central bureau for validating cotton bills of lading was shown today by the unanimous adoption of a report of a special committee which had investigated the plan and objected thereto.