

# Continued Attack On Veracity of Paul Beattie By Defense

## Many Witnesses are Used to Impeach Testimony Given by Paul Beattie as to the Purchase of a Gun for Henry Clay Beattie, Jr.

## Statement Made by One Witness That he Saw Paul With a Shotgun a Day After He Claimed to Have Delivered it to Henry.

By Associated Press. Chesterfield Court House, Va., Aug. 31.—Continued attacks on the veracity of Paul Beattie as to his story of the purchase of a shotgun for his cousin, Henry Clay Beattie, Jr., brought out a statement from E. H. Nebblitt that he saw Paul with a shotgun a day after he claimed to have delivered the weapon to Henry.

On cross-examination by the prosecution Nebblitt testified that he had only yesterday given this information to counsel for the defense. "Did you tell any one else about it?"

"Not until a few days ago, when I told my wife and J. G. Sanders." "Why didn't you tell of it before?" asked Mr. Wendenburg. "I didn't think it was of much importance until Paul Beattie denied it on the stand."

"You didn't know from the papers that a gun in the possession of Henry or Paul Beattie was important?" "No, until I saw the denial in the papers, which was on yesterday."

"Did you not tell Mr. Smith yesterday morning and did not Mr. Smith pose the question told of in the paper to information you gave him?" "The witness was excused and several character witnesses intended to tell of Henry Clay Beattie, Jr.'s good reputation and reputation for peace and order were good."

Sta. Talley, who says he heard a man fired and a woman scream the night of the murder, followed the charge witnesses on the stand. Counsel for the defense asked him if he didn't say to F. E. Lutz and others the day after the homicide that he knew nothing of the murder. Talley denied it, but Lutz, when put on the stand, affirmed it.

Court recessed at 1:24 o'clock. Henry on Stand Tomorrow. During luncheon recess there were several conferences between detectives for prosecution, Mr. Wendenburg and Paul Beattie with reference to Nebblitt's testimony. Paul denied that he ever had a shotgun on the bridge, but said he was at work as usual on the morning in question, Sunday, July 16th.

It was said by Mr. Smith, counsel for the defense, that the prisoner would not go on the stand until tomorrow. Will Conclude Tomorrow. The case for the defense, declared Mr. Smith, would be concluded tomorrow.

### TODAY'S PROCEEDINGS.

**Pawn Broker Up.** David Weinstein, son of the pawn broker from whom Paul Beattie purchased the gun, was the first witness for the defense when court convened at 10:30 a. m. The commonwealth knew you were the boy who sold the gun to Paul Beattie," asked Harry M. Smith, Jr., counsel for the defense. "Yes." "You were not summoned by the prosecution?" "No."

**Paul Said He Did.** Paul Beattie testified that you took the gun apart into three pieces and wrapped it up in paper and put his name on it. What do you say about that? "But He Didn't." "I didn't take it apart. It was a very old fashioned gun and I didn't know how."

The gun was produced at this point. "What time of day," continued Mr. Smith, did you sell the gun to Paul Beattie? "That Saturday morning between 10 and 12."

**Paul Was Watchman.** "When you sold the gun to Paul Beattie did he say he was a watchman and wanted the gun to be used on Mayo's bridge where he worked?" "He did."

**Knew Paul.** "Did you know Paul Beattie before that Saturday?" "Yes a little more than a week." "How did you become acquainted with him?"

**Wanted a Pistol.** "He worked for Mr. Stegler nearby and came in one day to buy a pistol. I told him we didn't have any."

**Some Discrepancy.** Paul Beattie had previously testified that the only time he had entered the pawn shop before was to borrow a dollar. The witness denied having lent him a dollar and added that Paul Beattie had been in the pawn shop four or five times.

**Cross Examination.** On cross examination Mr. Wendenburg asked if the witness could identify the gun in court as the one sold to Paul Beattie. He said he could and described the peculiar parts of the gun by which he recognized it.

**Remembered Talking.** "Do you remember on the Saturday after the homicide coming to the hospital where Paul Beattie was and telling myself and others that you sold the gun at 10 o'clock the previous Saturday morning?" "Yes."

**Asked Others.** "Yes, I thought so at the time but there were others at the store at the time I sold it and I asked them." "So you couldn't keep this thing straight in your own memory, but had to depend on some one else?" "Yes."

**Told Scherer.** "Didn't you tell Detective Scherer that you waited on Paul and after showing him some guns you waited on other people and left your brother to complete the sale?" "Yes."

**Agreed on Price.** "But you and Paul had agreed on the price of the gun?" "Yes."

"Then you knew nothing more of the gun?" "No."

"Who wrapped it up?" "I did."

**Tried to Find Shells.** "Did you try to find some cartridges for the gun?" "Yes, I told my brother to, but don't know whether he found any or not."

"Didn't Paul Beattie tell you that he wanted to buy a pistol to use down on the bridge?" "Yes."

**Attacks Boy's Memory.** A tilt between the witness and Mr. Wendenburg as to the exact hour of delivery of the gun, the prosecution attacking the boy's memory on different answers as to the hour given during the examination itself.

**Pawnbroker's Brother.** Jacob Weinstein about 14 years old, a brother of David, followed him on the stand.

**Remembered Paul.** "Do you remember Paul Beattie buying the gun?" "Yes."

**Was at Store.** "The Saturday before the murder were you at your father's store?" "Yes."

"Were you there all day?" "From 10 o'clock on."

"When did he buy it?" "I can't say. After dinner I guess."

"When do you have dinner?" "About 2 o'clock."

"When did he buy it?" "After 2 o'clock."

"What did he do?"

**Talked to Brother.** "He was talking to my brother. I heard him say he wanted it for a watchman on the bridge. He wanted the gun said aside."

"Did you write his name on the paper?" "Yes, I wrote it somewhere."

"Wasn't the gun taken apart?" "I don't think so."

"Can you take it apart?" "No."

**Paul Wrong.** "If Paul Beattie said you took it apart and put it in three pieces is he right?" "He's wrong."

"He says you took it apart. Try it."

**Couldn't Take Gun Down.** The boy tried but said he couldn't do it.

**Cross-Examination.** On cross-examination he contradicted his brother as to the hour of sale of the gun, saying it must have been around 4 or 5 o'clock.

**Nebblitt Up.** E. H. Nebblitt, superintendent in a paper-making plant, next testified.

**Knew Paul.** "Do you know Paul Beattie?" asked Mr. Smith. "Yes, saw him on the bridge once near the plant."

"Did you ever see Paul Beattie with a shotgun anywhere?" "Saw him with gun. Yes, I saw him on Sunday, July 16, I had to go down to the plant on Sunday morning after breakfast and I saw Paul Beattie standing in the door of a cement house with a single-barrel gun. It was broke. He talked with my boy."

"Where was he standing?" "About a foot inside the door."

Continued on Page Two.



BEATTIE AND LAWYER SMITH.

Henry Clay Beattie, Jr., now standing trial in the Chesterfield County Court House, Virginia, for the murder of his wife, photographed in a serious mood. The picture shows him conversing with his lawyer, Hiram Smith, while behind him is his father. The unconcerned manner with which Beattie has appeared to assume during his trial is beginning to disappear, and day by day, while testimony is being heard, he is becoming more and more nervous. It would not be surprising if he broke down completely some day.

# Emphatic Protests Against Management of Wells-Brown Fight Last Night in N. Y.

By Associated Press. New York, Aug. 31.—Emphatic protests against the management of the big Wells-Brown fight here last night poured in today on police, newspapers, reform organizations and the state officials charged with supervision of boxing clubs. The ten-round battle was the first big fight staged under the new Tammany law legalizing boxing and it attracted a crowd of unprecedented size in New York fight history.

Three hundred police reserves from eleven precincts had to be called out in an effort to restrain the throng which mobbed the streets around Madison Square Garden. With drawn nightsticks the blue coats repeatedly charged the mob in right formation and finally resorted to the expedient of closing up several streets.

The trouble began early in the evening with a series of protests against the manner in which the price of tickets to the fight was being raised. Holders of a \$1 ticket calling for admission found staring them in the face "standing room \$5" and the price of tickets continued to soar as the evening advanced. It was charged also that the speculators had a corner on the best seats.

Nearly 20,000 persons finally gained admission to the big amphitheatre, but there was still a mob of equal size clamoring and fighting in the streets outside. Police Inspector McCloskey blamed the new boxing law, which provides that the police may not enter any portion of the building where a fight is being held, for most of the trouble. "The whole scene was disgraceful," he said, "it was the old days and the old game over again. The hands of the police are tied."

The receipts of the fight were not made public by the promoters. Experts estimated the proceeds at anywhere from \$30,000 to \$50,000 and declared that the profits would exceed those of any fight held since the Jeffries-Johnson battle at Reno.

# JAPAN'S NEW PREMIER GAVE A STATEMENT

By Associated Press. Tokio, Aug. 31.—Marquis Saloni, the new premier of Japan, today authorized the Associated Press to state that the change in administration does not portend a fundamental or material change of any policy. The government will, in all essentials, follow the traditional policy, devoting itself especially to the enhancement of the national credit and to the development of industrial resources.

In no less a degree, will the cause of international peace receive the attention of the premier who says that the government will continue to cultivate the closest amity with all the powers.

## Cutter Ordered To Follow Storm

By Associated Press. Washington, D. C., Aug. 31.—The Atlantic revenue cutter fleet was today ordered to remain at sea, to follow the path of the second storm, which is predicted to break over the South Atlantic coast and move toward Cuba.

The derelict destroyer Seneca has been ordered from her home station at New York to cruise off Charleston, S. C., and aid vessels in distress. The Onondaga has been ordered from Norfolk to search for the schooner Sarah D. Fell, of New York, which was last reported abandoned by her captain and crew of six, a hundred miles off St. Augustine, Fla.

## LIBERALS RAID RANCH.

By Associated Press. Juarez, Mexico, Aug. 31.—A ranch located a few miles south of this city was raided by a small band of armed liberals Tuesday night, all the mules on the place being taken. It is believed here that the liberals are providing themselves with horses and mules in preparation for resuming hostilities.

## THE WEATHER.

By Associated Press. Washington, D. C., Aug. 31.—Forecast: North Carolina: Showers to night and probably Friday. Moderate south to southwest winds. South Carolina: Unsettled showers tonight or Friday. Light to moderate south winds.

# Clean Up, Disinfect, Dry Out And Repair The Go in Charleston

## CAUGHT WANTED NEGRO.

Special to The News. Lenoir, Aug. 31.—Wilson Forney, the negro who shot and killed James Powell, another negro at Morganton, Sunday, has been captured here at the home of his brother in the colored settlement of Freedman, by Sheriff Icard, Deputy Sheriff Robert E. Tuttle, Policeman J. W. Walsh and U. S. Officers L. A. Grant and Louis R. Abel. The house was surrounded and admittance demanded by Deputy Sheriff Tuttle and Deputy Marshal Grant, and after some minutes the house was entered. Upon entering the house, the negro, Wilson Forney was found in bed, apparently asleep, but when the officers entered his room the negro appeared to be searching for a weapon in his bed and was quickly overpowered, handcuffed and escorted to jail. He was taken to Morganton by Sheriff Icard.

## Storm Ridden South Carolina City Making Strenuous Efforts at Rehabilitation—List of Dead Now Reaches Seventeen.

By Associated Press. Charleston, S. C., Aug. 31.—Dry out, clean up, disinfect and repair is the watchword in storm-stricken Charleston. Mayor Rhett, having hurried from New York, on hearing of the hurricane of Sunday night, has taken the helm and is directing the work of rehabilitation.

This morning the death list was seventeen and the property damage was conservatively estimated at a million dollars. Every effort is being exerted to make sanitary the low lying sections where there is danger of sickness. The passengers brought here from the liner Lexington which is reported still aground off the mouth of the Edisto river are still in Charleston but may leave for Philadelphia this afternoon. The storm battered Clyde liner Apache is in port as are several other more or less crippled steam and sailing vessels. Efforts will be made to float the stranded schooners. Reports are getting in from the exposed sea islands where only two lives were lost, on James Island, but the property damage is very heavy. It is said by planters that long staple cotton and rice have been all but wiped out. Houses have been wrecked and cattle and live stock killed. Roadways are impassable as bridges have gone and trees have been felled.

First reports of damage at the Isle of Palms, a resort directly on the ocean nine miles from here, were exaggerated. Buildings were not as badly damaged as believed. In Charleston things are approaching the normal with splendid progress. The railroads, though their yards are crippled, are giving much better train service for passengers and freight.

The trolley cars are running on all the city lines and the cars on the sea shore division will be in operation regularly by Saturday, if not tomorrow. The telephone company reports that most of its system is again in working order. Electric lights and power service is being rapidly extended over the city. Much of the storm debris has been removed and all the streets are clear. The board of health is imploring householders to get their premises sanitary without delay, citing the danger of sickness from continuance of present conditions. The damage about Beaufort and Port Royal is placed at a million dollars. There was no loss of human life in that section.

## AMER. ASSO TO GET GREATER PRIVILEGES

By Associated Press. Cincinnati, O., Aug. 31.—The possibility of the American Association breaking away from the national agreement and instituting a baseball war received what baseball magnates consider a death blow here today when President Edward Barrow of the Eastern League arrived and issued a statement to the national commission that the Eastern League did not join in with the American Association in its demands.

President Cavanaugh of the Southern League, the only other class A league is on a train headed for Cincinnati and while no official word has come from him yet it is believed those who are familiar with the situation that he will take a stand similar to that of the Eastern League. The national baseball commission went into executive session today to consider the demands for greater privileges made by the American Association. It was rumored that the commission would not permit any radical changes, but might see its way clear to granting some of the claims on behalf of the association.

Members of the commission said that the session would be a short one and that by tonight they would give out their terms. It will then be up to the American Association to accept or reject the terms offered it. Talk of a baseball war unless the National commission does not grant all that is asked for is again rife today but was not substantiated by any of the baseball magnates in attendance. All the members of the national commission were on hand. The commission will consider 35 cases, but the demands of the American Association will be the first to be taken up. Baseball magnates from all over the country will be present at the drafting of players tomorrow.

## DISAPPEARANCE OF PAINTING CAUSES DIRECTOR'S DISMISSAL

By Associated Press. Paris, Aug. 31.—Theophile Homolle, director of the national museums, was suspended by the French cabinet today in consequence of the disappearance of Leonardo Da Vinci's painting "Mona Lisa" from the Louvre. It was the opinion of the members of the ministry that Homolle took insufficient precautions to guard the treasures in the museums.

## Violent Scene on Cotton Market

By Associated Press. New York, Aug. 31.—Violent fluctuations marked the final trading in contracts for the crop of 1910-11 in the cotton market today. August, the only remaining old crop month, advanced from 11.70 to 12.70 in the last few minutes of business, 100 bales changing hands at the high price which represented an advance of about 150 points from the closing low level yesterday. There was no excitement, however, and as soon as August was out of the way new crop positions which had ruled from 15 to 16 points net higher early, broke sharply under heavy liquidation.

## LADY DIED ON WAY TO VISIT HUSBAND IN HOSPITAL.

By Associated Press. Savannah, Ga., Aug. 31.—Mrs. Lula Vocell, while en route to St. Joseph's hospital on Friday of last week to see her husband Augustus Vocell, who was ill there, suffered a stroke of paralysis as she left a street car and was carried into the Savannah hospital, where she died today. Her husband is still ill, although he was able to ride to the hospital where his wife was.

## RAIN PUTS OFF GAMES.

By Associated Press. Newport, R. I., Aug. 21.—Rain made impossible playing today of the final match in the national lawn tennis tournament and it was postponed for another day.

## FRENCHMEN APPROVE PLANS WITH GERMANY

By Associated Press. Rembouillet, France, Aug. 31.—Premier Caillaux and his colleagues in the French cabinet met at the Chateau of President Fallieres here today and listened to the narrative of Justin de Selvaes, the foreign minister, concerning the latest developments of the negotiations with Germany on the Moroccan question. The cabinet approved in their final form the instructions to be given to Jules Cambon, the French ambassador at Berlin.

## TRANSFERANCE OF MR. O'BRIEN

By Associated Press. Tokio, Aug. 31.—Thomas J. O'Brien, for four years American ambassador to Japan, sailed from Yokohama today on board the steamer Shinyo Maru, to take up his new duties as American minister to Italy. The departing ambassador was given an unprecedented send-off at Tokio. A large assembly, representing all classes, packed the vicinity of the railroad station, the gathering including representatives of the imperial household, as well as members of both the new Sainjoi and the retiring Katsura ministries. Mr. O'Brien was transferred to Rome to succeed John G. A. Fishburn, appointed ambassador at Berlin in succession to Dr. David J. Hill, resigned.

## AGED MAN A SUICIDE.

By Associated Press. Brewton, Ala., Aug. 31.—David Moore, aged 84 years, committed suicide early today by hanging himself from a hook in the ceiling of his room.

# THE PRESIDENT TO SPEAK AT BAR MEETING

By Associated Press. Boston, Aug. 31.—The announcement that President Taft would say a final word at the closing session of the American Bar association today was sufficient to crowd Huntington Hall with some of the brightest legal lights of the country. As the president was not expected until nearly noon considerable routine business was transacted during the morning hours.

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