

Supreme Court of Appeals Upholds Action of Lower Court in Beattie Case

Henry Beattie Jr., Doomed To Die In Electric Chair

Barring Executive Clemency Young Wife Murder, of Richmond is Doomed to Die For His Crime Soon.

Court of Appeals Refuses to Allow a Reopening of The Famous Case—Petition Had Been Filed Last Week.

Richmond, Va., Nov. 13.—The supreme court of appeals today denied the petition for a writ of error by Henry Clay Beattie, Jr., convicted of murdering his young wife last July. This decision on the appeal from the judgment of the Chesterfield court, which sentenced him to die in the electric chair Nov. 24 is final. Only clemency or reprieve by Governor Mann can save the condemned man.

Governor to Issue Statement.

Beattie's last hope of judicial interference was dashed when the supreme court announced that "the trial court was plainly correct in its ruling and the appeal is therefore denied."

No further comment was made upon the case.

The warden of the penitentiary said he would not tell Beattie of the decision but would leave that to his father and brother.

Powerful influences are said to be at work upon Governor Mann for and against either commutation or pardon. It is not believed he will intervene.

The governor said he would issue a statement tomorrow.

Supreme Court Gives Decisions

Washington, D. C., Nov. 13.—The long, stubbornly-fought contest over the power of the interstate commerce commission to prohibit railroads from starting to operators of elevators compensation for "elevating grain in transit," was finally decided today when the United States supreme court the commission possessed no such power.

Moving Picture Shows.

Moving picture show promoters received a blow today when the supreme court of the United States decided that moving pictures based on the scenes of a copyrighted book may constitute an infringement of the copyright on the book or the reserved rights to dramatize.

Rebels Continue Successes in China

Peking, Nov. 12.—Yuan Shi Kai, accompanied by two thousand troops, made a triumphal entry today into the capital from which he was driven in disgrace three years ago.

The news that the strong man of China at last had been prevailed upon to return and give the tottering throne the benefit of his counsels became known before his arrival; and a vast for silent crowd lined the route from the railway station to the temple which has been provided for his residence.

Yuan Shi Kai arrived in London, Nov. 13.—Cable dispatches from Peking today announced that Yuan Shi Kai arrived in Peking this morning. He will have an audience with the regent today to discuss the situation. It is said that Yuan will not accept the premiership.

Foreign Consuls to Quit Nanking.

Nanking, Nov. 13.—The American and other consuls and foreigners under their protection will move out of the city immediately. The command of the foreign warships today notified their consuls that they could not protect the lives and property of those who remained inside the city.

A TRIPPLE MURDER.

New York, Nov. 12.—A triple murder was committed today in Brooklyn. A woman, her mother and daughter, and the child of one of them were found dead in a dwelling on Park avenue. The father of the child is sought by the police.

5-DAY SLEEPER HAS RELAPSE.

Tillie Williams Drops Off Again While at Moving Picture Show. Goshen, N. Y., Nov. 13.—Miss Tillie Williams of this village, who went to sleep after attending a dance at Music Hall three weeks ago and slumbered for five days, had a relapse while attending a moving picture show in the same hall at 9 o'clock. Miss Williams went to sleep in a chair while watching the pictures.

A physician was summoned and the young woman was removed in an auto to the home of her grandfather, Silas H. Case, on Greenwich street. It was believed she had entirely recovered from the effects of her last seizure.

CONFERENCE IN FINAL SESSION AT STATESVILLE

Statesville, N. C., Nov. 13.—The morning session of the conference was occupied mostly with discussion of the reports of the committee on the spiritual state of the church, and the report of the board of education. The report on the spiritual state of the church recommended that pastors themselves hold meetings in churches instead of employing evangelists, except in special cases. It recommended the appointment of a committee on evangelism consisting of J. E. Abernethy, L. T. Cordell, J. W. Moore. It recommended also employing a conference evangelist of song in the person of S. A. Fisher, his salary to be provided without asking the conference for aid.

C. H. Neal, H. K. Boyer, C. W. Byrd and J. S. Martin, the last named being laymen spoke to the report. Dr. Byrd and Mr. Martin emphasized the importance of making evangelistic services of the regular services of the church in order to give opportunity for people to become Christians and unite with the church.

Report number 2 of the board of education recommending an increase of five hundred dollars on the assessment for education, created much discussion. An amendment was offered to strike out the increase. Several speeches were made after which the report was adopted including the increased assessment.

An amendment to the report on temperance was offered by W. S. Hales and others and was adopted recommending that the conference respectfully request the management of all daily papers now carrying liquor advertisements to discontinue same; when present contracts expire.

The afternoon session was set for 3 o'clock. When appointments will be read. The opinion prevails that man changes will be made. The appointments were by cabinet this morning session. The appointment of S. B. Turentine as president of the conference was announced. The appointment of W. P. Few, president of Trinity College; E. A. Cole and P. T. Durham, also in the interest of colleges; O. S. Dean, president Weaverville College; J. A. Baldwin, president Piedmont Industrial Institute.

L. B. Abernethy, conference secretary of education, spoke.

Reports of the Epworth League board and committees of district conference records and temperance conference relations, were heard. The temperance report recommended that the conference do not support papers advertising liquor. A lively discussion ensued, special mention being made of papers that carry liquor advertisement in the discussion. A substitute was offered to request the papers to discontinue liquor advertisements and the substitute was adopted.

Bishop Hoss then took the chair during the closing business, Rev. J. H. Weaver having presided during the morning.

HEALTH DEPARTMENT MAY TAKE HAND IN STRIKE

New York, Nov. 13.—If the garbage gatherers strike is not broken today the health department will step in to save New York from the evil effects of some 40,000 cart loads of refuse that has accumulated since the men who drive the street cleaning department's wagons quit work because they objected to night hours.

Fear of the strikers and their friends has kept professional strike breakers from accepting the high wages the city offers for substitutes and dread of the Teamsters' Union has prevented contractors from bidding to perform the work usually done by the city department. The health department intervened today when its men took out several hundred barrels of disinfectant to sprinkle on the piles of rotting garbage in the poorer and more thickly populated districts.

The police believe the severe clubbing administered some of the big mobs that gathered yesterday have taught the strike sympathizers a lesson. Although yesterday's riots were the most extensive the police had to cope with the strike began there were no fatalities and few hospital cases and the number of arrests has been remarkably small.

Shot by Sweetheart Woman Dies

Chicago, Ill., Nov. 13.—Miss B. Atwood, 26 years of age, who is supposed to have come to Chicago from New Orleans and who is believed to have had a sister in St. Louis, died in a hospital here today, the result of having been shot in the neck last Monday by her sweetheart, William J. Grush.

Grush committed suicide directly after he had shot the young woman. The shooting is said to have followed Miss Atwood's refusal to marry him.

Captain and Three Men Drowned

New Haven, Conn., Nov. 13.—The schooner Witch Hazel, from New York for Provincetown went down in the sound off New Haven during the storm of last night. The captain and three men were drowned and two others were saved.

WOMEN PREPARING TO RUN THE CITY.

Chicago, Nov. 13.—Believing that the time is not far distant when women may be elected aldermen and a woman wielding the gavel in the mayor's chair, Chicago's suffragists are interesting themselves in a school for the instruction of municipal employes which will be opened tonight.

Women especially are invited to attend the classes which will be conducted by John Curtis Kennedy of the University of Chicago. "We may have a woman mayor and women councilmen in a short time," said Mrs. Mary E. McDowell, of the University of Chicago settlement in making the announcement of the new school, "and it is well to get our instruction now."

FEDERATION OF LABOR CONVENES AT ATLANTA, GA.

Atlanta, Ga., Nov. 13.—Approximately 400 delegates, representing every state of the union and including fraternal delegates from England and Canada are in Atlanta for the opening session today of the thirty-first annual convention of the American Federation of Labor. With the leaders of every branch of organized labor in attendance and questions of far reaching importance to the labor world on the program for discussion, the proceedings of the convention will be watched with interest.

The opening session of the convention, which is to be preceded by a parade of all the delegates to the convention and members of the labor unions of Atlanta, will consist chiefly of addresses of welcome and the reading of the report of President Gompers.

The business of the convention until Friday, it is stated, will consist largely of the introduction of resolutions which then will be referred to committees for consideration and later reported to the convention for action. The convention is expected to be in session here for about two weeks.



BOY EMPEROR AND DOWAGER EMPRESS.

The boy emperor of China (upper picture) and the present Dowager Empress, who is the widow of Emperor Kwang-Su, who died in 1908. Both the boy-emperor and his mother had to flee the Chinese capital, for fear of the revolutionists, who are sweeping over the country and have established a republican form of government.

The South is Shivering To-day in Grip of Cold Wave

New Orleans, Nov. 13.—Considerable damage was done the sugar and trucking industries in Louisiana and Texas by the unseasonable low temperatures of yesterday and today. Freezing weather extended as far south as the middle gulf coast today with the temperature 27 degrees as far south as Alexandria, La.

In a large part of the sugar belt cane is still standing in the fields and the cold snap came so suddenly that few planters had time or sufficient force to give any protection to the crop.

The cold came too late to do much damage to cotton except to injure the grade but the high winds of yesterday stripped the scattered open bolls clean in some sections.

Increasing cloudiness is indicated for the west gulf states tonight and Tuesday but the weather bureau promises a general rise in temperatures. Atlanta, Ga., Nov. 13.—Atlanta is shivering in the grip of one of the coldest snaps experienced in November since 1887 when the mercury dropped to 16 degrees. At 7 o'clock this morning the official temperature was given as 22 degrees; a drop of 46 degrees since 7 o'clock a. m. Sunday.

past 39 years were broken in Montgomery this morning. The temperature registered here by the weather bureau was 27. This is the lowest on record so early in the month except November 12, 194, when a temperature of 26 was reached.

Bristol, Tenn., Nov. 13.—The coldest weather Bristol has experienced this winter came this morning when the mercury fell to 10 degrees above zero. This is unusually cold for Bristol at this season of the year.

New Orleans, La., Nov. 13.—Joseph A. Gonzalez, aged 64, a fisherman, died at the door of his cabin on Lake Pontchartrain today as the result of exposure to the cold. The old man was caught by a trap door falling across his body early today and thus pinioned, died as a result of the cold. The minimum temperature here was 34.

WHAT ABOUT ANTI-TRUST LEGISLATION.

Washington, Nov. 13.—President Taft discussed today with Attorney General Wickersham the advisability of supplemental anti-trust legislation at the coming session of congress. The conference related particularly to the likelihood of passing a federal incorporation act. It was pointed out that a provision of this kind might be made to allow corporations whose method of doing business was in violation of the Sherman anti-trust law to re-organize under a federal act.

Southern Train No. 37 Wrecked And Engineer Killed

THE WEATHER.

By Associated Press.
Washington, Nov. 13.—Forecast:
North Carolina, fair tonight, freezing temperature on the coast, slightly warmer in extreme west portion; Tuesday fair, with slowly rising temperature.
South Carolina, fair tonight with freezing temperature; Tuesday fair, slowly rising temperature.

BELATED REPORTS INDICATE GREAT DAMAGE BY STORM

Nashville, Tenn., Nov. 13.—Belated reports of the storm that swept over Middle Tennessee Sunday night and Sunday morning, reaching a climax in a cyclone at Joelton, this county, are coming in today. In a number of towns houses were unroofed, fences and wires blown away and corn fields leveled.

At Pulaski the fears of the people were accentuated by a blazing meteor and Lawrenceburg open in the night in darkness, the light wires becoming crossed with telephone wires and the current cut off to prevent a conflagration.

It is a coincidence that a storm of such extent in Tennessee should come during the voyage of the replica of the first steamboat to cruise down the Ohio and Mississippi rivers. While the old "New England" was steaming down the Ohio near the mouth the first of the earthquake shocks which formed Keel Foot Lake in West Tennessee occurred, the crew of the little boat witnessing the sudden disappearance of islands and shore lines and natural phenomena that left the people of the middle West panic stricken. The first of those shocks came on December 11, 1811.

RAILROADS OF STATE FIGHTING RATE REDUCTIONS

Special to The News.
Raleigh, Nov. 13.—Chairman Franklin McNeill and Secretary A. J. Maxwell, of the Corporation Commission, and Attorney General T. W. Bickett have gone to Washington for a hearing this week before the new commerce court, on the appeal of the Norfolk & Western Railway Company, from the order procured by the North Carolina commission from the Interstate Commerce Commission for a substantial reduction in freight rates from Cincinnati and other western points to Durham and Winston-Salem as the North Carolina terminals.

The Southern Railway Company has joined in the fight with the Norfolk & Western against the reduced rates on the ground that the North Carolina commission intends to undertake to require the Southern to apply similar reductions to Greensboro and the danger to railroads of the state generally that may lead to reductions to such North Carolina shipping points as Charlotte, Wilmington, Raleigh and others.

—Mr. Geo. A. Howell, Jr., is home from Davidson College spending a few days with his parents.

Steamer With Fifty Persons On Board Headed For Rocks Helpless In Terrific Gale

Portland, Ore., Nov. 13.—A wireless message to the weather bureau here reports that the life crews have succeeded in getting a line aboard the steamer Washington at the mouth of the Columbia.

The steamer was in a worse position this morning than when darkness fell and shut her off from the view of the watchers on shore. A terrific southeast gale was blowing; and slowly but surely she was creeping toward the rocks.

The only hope for the fifty persons aboard was in the bravery of the United States life saving crews from the Cape Disappointment and Point Adams stations. These men patrolled the beach all night wading for the vessel to drift close enough to shore that life lines might be fired over her. The tugboats Tatoosh and Goliath left Astoria early today for the scene but their captains had little hope that they would be able to get close enough to the stranded vessel to afford any kind of aid.

Derailment Occurred Between Beneja And Reidsville About Twenty Miles North of Greensboro—Cause of Derailment Could not be Determined

Colored Fireman Seriously Injured—Engine Tuned Over And Four Sleepers and Two Mail Coaches Left Track—Engineer Kinney Well Known

Engineer W. A. Kinney was killed, and Foreman Ed Townsend, colored, was so seriously injured that he may die, when Southern train No. 37, running from Washington to New Orleans was derailed this morning between Beneja and Reidsville, about twenty miles north of Greensboro. The engine turned over, and four sleepers and two mail coaches left the track. The mail clerks and passengers were badly shaken up, but according to early reports none were injured.

The cause of the derailment could not be determined on first examination. The train was running at a good rate of speed when without warning the engine left the track and turned completely over dragging with it six coaches. The engine was crushed and burned and died almost instantly. Fireman Townsend, though seriously hurt, may recover. It is considered almost a miracle that no others were killed, and the circumstances probably due to the steel construction of the cars.

Train No. 37 is the famous vestibule limited, and known as the finest train run in the south. It passes Charlotte, on schedule time, at 11 o'clock in the morning.

Engineer Kinney was running the train that was in collision with President Spencer's special, on Thanksgiving Day, about six years ago, when President Spencer, of the Southern Railway, was killed. He is the last of a family of engineers, his father and two brothers having been killed before him.

Later Story.

Special to The News.
Greensboro, N. C., Nov. 13.—Number thirty-seven, the Southern Railway-New York & New Orleans Pullman train consisting of two mail, one combination sleeper and baggage and seven pullmans running forty minutes late, was wrecked near Beneja, Rockingham, about a half-way between Reidsville and Greensboro at seven forty-five o'clock this morning. Engineer W. A. Kinney was killed, and colored fireman Ed Townsend of Spencer was badly hurt in back and hip.

No passengers were seriously hurt. D. E. Line of Baltimore suffered a sprained wrist, A. M. Short, ticket collector, Atlanta, had his head lacerated.

Henry Morrey, Greensboro had his thigh wrenched, R. F. Arrington, colored porter, Washington had his head cut. Several mail clerks were badly shaken up, but none seriously injured. There was great excitement here over the first report of many killed and injured before the facts became known.

Only six cars, the two postal, one combination, and three pullmans left the track. The accident is supposed to have been caused from spreading rails but it is impossible to say what the exact cause was since the track was completely torn up for two hundred yards. The remarkable escape from death and casualty was due to the heroism of the engineer, the steel cars and the bank which caused the cars following the engine to lay over on the bank when the engine ploughed into the soft embankment and was literally buried, crushing the engineer on his seat. The fireman was thrown out of the cab into the

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Washington, which ran ashore on Peacock spit yesterday afternoon is being driven by a southeast gale toward the Rock Island between Cape Disappointment and North Head. It is believed that many or all of the fifty persons on board are doomed. A terrific sea is running.

At 9:45 o'clock the Washington was drifting closer to shore between Cape Disappointment and North Head. A gun was made ready to fire a line aboard.

The Washington Adrift.

A report from the life saving station at North Head says the Washington is drifting rapidly and was expected to go ashore soon. No smoke from her funnel could be seen. It was believed she is full of water.

In spite of the heavy sea, life savers prepared to launch their boat in the hope of picking up any who might be washed from the wreck or jump overboard. Two of the crew of the Washington were washed overboard and drowned. The life saving crews have Astoria, Ore., Nov. 13.—The steamer got a line on board the vessel.