

HEARING CONCLUDED

Matter Now Up to Council of State

Norfolk & Southern Represented at the Afternoon Session by Messrs. R. T. Gray, A. C. Broxton, and T. J. Jarvis—Messrs. H. C. Carter, J. F. Latham, and S. C. Bragaw Favor the Extension of the Road.

The hearing of the Mattamuskeet Railroad proposition was taken up again yesterday after dinner and at a late hour was concluded and the matter left with the governor and the council of state.

Senator John F. Latham, the able representative of Beaufort county in the legislature of 1909, was the first to address the council of state at the afternoon session in favor of the extension of the road from Belhaven to Washington. He followed the outline of the contentions of those who preceded him at the morning session and showed the great need of the road's extension to Washington. It would open up a fine section now completely shut off from contact with the outside world and be of incalculable benefit to Washington.

Mr. E. A. Daniels followed, speaking strongly for the extension. He declared that the Norfolk & Southern's interest in the matter was purely a selfish one and was to get the long haul. Stopping the road at Belhaven would have the effect of depriving Washington of a great volume of business—all of which would go to Virginia. North Carolina has too long been building up Virginia towns at the expense of North Carolina towns. The extension has the sanction of the legislature and the interest of the state in the road and the welfare of the people demand it.

Former president of the Mattamuskeet Railroad Company, Mr. H. C. Carter, of Hyde county, also spoke for the extension, reviewing in an able and interesting manner the history of the road from its beginning. He showed that the road was originally intended to run from Fairfield to Washington, via Belhaven. He said that he wanted to see the Norfolk & Southern in control of and operating the road, but that in justice to the people the original plans should be carried out.

Hon. S. C. Bragaw, of Washington, was the last speaker for the extension of the road. He said that failure to extend the road to Washington would have the effect of making Hyde county a feeder of Norfolk, Va., and would be disastrous both to Washington and Hyde county. He argued that the only way to protect the state's interests was to complete the road and issue bonds for maintenance and equipment.

In opposition were heard Mr. R. T. Gray, Mr. A. C. Broxton, and ex-Governor T. J. Jarvis. These gentlemen argued that definite action should not now be taken because the Norfolk & Southern Railway Company, which they represented, is still in the hands of receivers and unable to take definite action. They intimated that the Norfolk & Southern would be glad to complete the road from Belhaven to Washington, thus relieving the state from the necessity of issuing bonds.

Jack Johnson Fined.

(By Leased Wire to The Times) Chicago, Aug. 13—Jack Johnson, the negro heavyweight champion, was this morning fined \$15, with \$8 costs added, for speeding his automobile in Michigan avenue yesterday morning.

Tennis Tournament.

Newport, R. I., Aug. 13—The drawings for the national tennis tournament at the Casino week will be made Saturday or Sunday. The number of entries already received exceed those of last year, which numbered 138.

THE THIN AND WEAK.

Easy Way for Them to Get Strong and Fat.

Samose is not an ordinary medicine; it is a flesh forming food that is adapted to the most delicate. Its tonic effect gives strength and health so that after its use for a short time, all the flesh and fat producing elements in the food will be easily assimilated and retained by the body.

The large sale Druggist Henry T. Hicks Co. have had on Samose since they first introduced it in Raleigh and the wonderful results following its use have made them such an enthusiastic believer in its great merits that they give their personal guarantee to refund the money if Samose does not make thin people fat and restore strength and health.

When a gain in weight is noticed after Samose has been used for a week or ten days, and health has improved and you notice yourself growing stronger, you certainly should feel more than satisfied with what you have received from the small cost of 50c.

There may be one or two out of every hundred who begin the use of Samose who are not helped as they expect. In all these cases Druggist Henry T. Hicks Co. will return the money without any questions.

Sent postpaid on receipt of price, 50 cents.

A LITTLE RED SPOT

Novel Experiment by Which It May Be Made to Disappear.

A peculiar feature about posam, the new skin discovery, is that no one is asked to buy it without first sending to the Emergency Laboratories No. 32 West Twenty-fifth street, New York City, for an experimental sample and applying same to an affected part of the skin, about the size of a silver dollar. It will clear the spot so treated in twenty-four hours—a remarkable visual demonstration of its powers.

While posam has been mentioned principally in connection with the cure of eczema, the most stubborn of skin diseases, it must be remembered that when used for itch, hives, pimples, blotches, acne, itching feet, scaly scalp, chafing of infants and similar minor skin troubles, its action is all the more pronounced, results being seen after an overnight application. As only a small quantity of posam is necessary to cure such cases, a special fifty-cent package, usually sufficient, has been placed on sale at the King-Crowell Drug Co. and other leading drug stores in Raleigh and throughout the country.

Body of Sutton Will Be Exhumed by Mother

walls of the court room expanded to the horizon.

Getting down to the conflicting evidence, he eliminated as having nothing to do with the real issue, the theory that the affair was a drunken brawl. He eliminated also the accusations in a mother's letters.

"The question is, what shall the judgment of this court be in the light of the evidence and all the circumstances?" he demanded referring to the events at Carvel Hall, where Sutton and his friends were in social intercourse; his acknowledged enemies in conviviality just before the automobile ride to the barracks began; Sutton's invitation to drink, an act of hospitality; his tender to share his auto, another act of hospitality; the dismissal of the auto in camp, paid for by Sutton; the attack upon Sutton in the hollow and his flight to camp; his arming himself and returning to get his clothes.

Mr. Davis then went over the testimony given as to the fights between officers and pointing out the discrepancies in the accused lieutenant's evidence.

He brought out in bold relief each little conflict, driving home relentlessly one of the most important ones of the whole trial, namely Adams' statement that Sutton lay upon the ground alone when some one called "Roelker has been shot", and that he saw him pull a gun and fire a shot near his own head.

Other witnesses testified that at least two, and some of them three, were upon Sutton's prostrate body, and Mr. Davis used this point for all it was worth. He also demanded to know how the court could reconcile the statement of other officers that DeHart was astride Sutton's legs when the shot was fired, while the sergeant himself denied repeatedly that he was near the body.

The attorney then went into a graphic description of the manner in which Sutton was described as dying when shot through the head. "Bevan knows better than any man in the world," he exclaimed, "for he was holding Sutton's shoulder. Bevan says Sutton's face was perfectly flat upon the ground, with his nose in the dirt; that when he heard an exclamation that Roelker was shot Sutton's arm simply moved toward the top of his head, directly forward. He saw no turning of Sutton's arm. He heard a dull report, such as he had never heard from a revolver before.

Willing, too, testified that his nose was straight down, and that the shot came almost coincident with the remark about Roelker," and now comes Utley who says that he was following Sutton's arm up trying to get hold of the other revolver when the shot was fired; that the gun exploded while Utley was in the act of trying to find it.

"What does Adams say?" thundered Davis.

"He says that he saw Sutton pull the pistol out; that Sutton made a sudden movement with his body, pulled his right hand from under his body and placing the pistol about four inches from his head, fired.

"At the inquest he said his attention was on Roelker at this time. This time he recalled Sutton turning his head to the right and shooting.

"I challenge my friend, Mr. Birney, who is to follow me, to find the slightest hint of Sutton turning his head at any time, except this single reference to it and it has never been said before.

"I declare that the evidence of this case demonstrated that he should turn his head to the right in order that he might be shot in the way that Adams says Sutton was shot. He had to turn his head or he could not have shot from the ground, and I ask you to remember, that every demonstration that Adams has given as to the manner in which the boy was shot was given with his head turned to the right, a condition contrary to the testimony of other witnesses.

"All have identified the Coits as being the revolver in Sutton's right

hand, but Adams says that in some way the weapons were exchanged at the time of the fatal shot. The small one was in Sutton's hand.

"Adams knows," said the speaker with tragic effect, "that Sutton was shot with the small Smith & Wesson gun and his own tongue cannot mistake the promptings of his conscience.

"Did you notice that when Adams described the fight that he said that Sutton threatened to shoot him before there was any fighting?"

"Why did Osterman and Adams try to arm themselves?"

Mr. Davis next turned his attention to Sergeant DeHart, making the statement that everybody knew that DeHart had not told the truth on the stand.

The hands of the man who handed the gun to DeHart are stained with blood.

Each defendant party here has separately denied being responsible for this mystery. If DeHart is telling the truth, the man who gave him that gun was the one nearest to the parade ground. The testimony shows that this must have been either Adams or Willing.

Why will none of these officers say that Sutton committed suicide? Why do they not use the word?

In conclusion, I say to you that on the evidence you cannot say that he died a suicide.

"It remains for me to say, and I do now say, that by the same token that I do not believe that Sutton shot that gun and killed himself. I do not believe he shot at all and by the same token that I say he did not fire a shot into his own head deliberately. I say he never did it in any way.

"It will not do to say these young men are on trial here. They are parties to the inquiry now. What else may come is not known. Finally, it is my duty to say that reading this testimony as I did read it, there is no suicide in it, and that furthermore there is no hypothesis for accidental killing and the rest, gentlemen of the court, is now up to you."

Mr. Davis was warmly congratulated as the court adjourned for the noon recess.

THE GEM CANNED HANDCUFF KING

It never rains but it pours. This thought must be constantly on the mind of Manager A. L. Mansfield, of the Gem Theatre today. For six weeks hand running the Gem has been running exceptionally high class vaudeville acts, the Gem setting an unusually high standard for "ten cent" vaudeville. This week the management has been handicapped on all hands by serious illness and one bad act—an act that did not come up to the standard of the Gem.

However, the Manager, Mr. Mansfield assured the reporter this morning that in the future the patrons of the Gem may rest assured that they will see only high class vaudeville or none at all.

For the latter three days of this week, the Gem had booked the Fayne Sisters, which is considered by theatrical acts to be one of the best vaudeville acts in the South, but on the last moment a telegram was received announcing that one of the sisters was seriously ill with typhoid fever and it would be impossible for them to fill their engagement. The wires were kept hot for several hours with the result that a "Handcuff King," with the highest of recommendations, was secured. The artist arrived last evening too late for a trial, which is always given before they are allowed to go on the stage. Manager Mansfield, not being sure that the act measured up to the Gem's standard, remained behind the scenes during the first performance and while it was under way it was decided that it was best to ring down the curtain. And the "King" was canned on the spot.

The manager then apologized for the unfortunate occurrence and assured the patrons of the Gem that in the future, regardless of high recommendations, no act would be permitted on the Gem stage unless it measured up to the standard set by the Gem for the past six weeks.

While handicapped with only one vaudeville and pictures for today and tomorrow, the Gem still has a show that is well worth far more than the price of admission and will please the public. To fill in the vacancy caused by a "canning" of the Handcuff King, a special program of pictures has been secured.

Governor Hughes Makes a Record.

(By Leased Wire to The Times) Banff, Alberta, Aug. 13—Governor Hughes, of New York, has just returned from the ascent of Sulphur Mountain. Accompanied by one guide, he made the 1455 feet climb to the summit without a halt in less than two hours, establishing a new record.

YOUR SUMMER OUTING.

If you are fond of fishing, canoeing, camping or the study of wild animals look up the Algonquin outing. A fish and game preserve of 2,000,000 acres interspersed with 1,200 lakes and rivers is awaiting you, offering all the attraction that Nature can bestow. Magnificent canoe trips. Altitude 2,000 feet above sea level. Pure and exhilarating atmosphere. Just the place for a young man to put in his summer holidays. Hotel accommodation. An interesting and profusely illustrated descriptive publication telling you all about it sent free on application to F. P. Dwyer, 290 Broadway, New York.

STRAUS GUNST & CO. OUR SPECIAL OFFER

WHISKEY SHIPPED in DRUMS!

Being the largest and most complete WHISKEY HOUSE in the South, we are able to produce PURE WHISKIES at the lowest cost, and make this SPECIAL OFFER, packed in Drums of 50 QUARTS, OR 100 PINTS, OR 200 HALF PINTS.

Cheer Club Rye.....\$25.00
Lipton Club Rye.....\$28.00
Virginia Apple Brandy.....\$28.00

OUR SPECIALS ARE:
FULL DRESS, JEFFERSON CLUB, OLD HENRY, POWHATAN CLUB. Special Prices on Request.

ROONEY MALT, TURKEY GIN, DIXIE CORN, BOTTLED IN BOND.

Sharp-Williams Rye.....\$25.00
Old N. C. Corn.....\$24.00
Extra Fine Gin.....\$25.00

We will fill your orders promptly. Our record of thirty years for square dealing will be strictly maintained by continuing to serve the public with absolutely pure and standard Whiskies. All goods guaranteed. Send us your orders. We sell to Dealers Only.

SPECIAL INDUCEMENTS TO LARGE BUYERS.

STRAUS-GUNST & CO., Distillers and Blenders of Fine Whiskies
RICHMOND, VIRGINIA

Time Limited For Working in Big Race

shaped, circular; rooms that are acute-angled, obtuse-angled, triangular, rectangular, everything except square and rigid in their lines.

It is one of the features of the Chateau Frontenac that everything is of the best. All the larger rooms are carried out in separate schemes of decoration, making the place at once homelike and more like a private mansion than a fashionable hotel. As an instance, the dining room walls are hung with tapers consisting of a replica of the five panels composing the "Foundation of Rome" series in the Royal Palace at Madrid.

The furniture throughout the Chateau is chiefly oak. The bed-room furnishings are much alike—handsome brass bedsteads, oak furniture and cozy upholstery in each room. And then the stairways—they are everywhere, and equally pretty and unique in effect. Every corner one peeps into along these wide, curving corridors holds an inviting little stairway—bright and soft, with rich carpeting and oak bannisters—that tempts one to ascend or descend just to find where it leads. Ascending the main stairway, which leads by easy turns from the vestibule, there is to be seen one of the most artistic effects in the building, for, standing in the broad corridor, beautiful with its white panelings, oak floor and Axminster, one looks between large creamy, daintily-moulded pillars into the long drawing-room, and beyond it into the ladies pavilion. The pretty sight brings a suggestion of the Renaissance, and the white and gold days of Louis Quinze.

One of the unexpected things about the Chateau Frontenac is that the fourth, fifth and sixth stories are more desirable than the lower ones, for the higher one ascends, the wider the panorama of river, mountain, city and sky that unfolds to one's view. The surroundings of the Chateau Frontenac combined with the superlative qualities of the building itself render it the ideal hotel. There is nothing like it on the continent of America, nor in any hotel is there a better quality of service, or greater attention to every convenience that has to do with twentieth-century requirements.

It is the most superbly situated hotel in the world, a place that is always remembered with pleasure by those who make it their headquarters for a stay in this romantic city.

- Wilson, N. C.**
Mrs. R. W. McFarland..... 189,347
Raleigh, N. C.
Miss Frances Dement..... 55,535
Miss Eva Waiters..... 34,325
Miss Annie Clark..... 28,125
Miss Muss Ellison..... 27,325
Miss Helen Ball..... 25,900
Lillington, N. C.
Miss Mabel Clifton..... 23,765
Beaufort, N. C.
Miss Bessie Taylor..... 1,050
Miss Reva Morton..... 5,100
Miss Mamie Caffrey..... 4,350
Hillsboro, N. C.
Mr. Ergene Rimmer..... 3,250
Miss Virginia Paris..... 1,000
Miss Kate Reynolds, R. F. D. 3..... 1,000
Reidsville, N. C.
Mrs. J. E. Amos..... 42,265
Washington, N. C.
Miss Carrie Simmons..... 28,240
Morchedad City, N. C.
Miss Georgia Willis..... 1,600
Miss Bertha Willis..... 2,750
Miss Corinne Bell..... 22,500
Kinston, N. C.
Miss Clara Oettinger..... 4,100
Durham, N. C.
Miss Lida Vaughan..... 37,600
Miss Marguerite Goodall..... 1,035
Miss Mildred Turner..... 2,750
Roxboro, N. C.
Miss Rosa Newell..... 5,150
Miss Frankie Woody..... 1,075
Dunn, N. C.
Miss Isabel Young..... 7,500
Elizabeth City, N. C.
Miss Inez Broughton..... 6,150
Rocky Mount, N. C.
Miss Minnie Price, Route No. 2..... 6,240
Henderson, N. C.
Miss Jessie Dunn..... 26,225
Miss Mabel Kelly..... 4,265
Greenville, N. C.
Miss Helen Forbes..... 1,326
Miss Lillian Carr..... 5,765
Miss Lillian Burch..... 1,245
Goldboro, N. C.
Mrs. C. L. Bass..... 24,610
Miss Dora Powell..... 5,185

THE RALEIGH BANKING & TRUST COMPANY.

WITH An unsurpassed history behind it since 1865. Safety to its Depositors. Accommodation to its Customers.

Willing service to its Friends.

CHAS. E. JOHNSON, President. F. H. BRIGGS, Cashier.

\$4.50 Raleigh and Selma TO WRIGHTSVILLE BEACH,

(Near Wilmington, N. C.) VIA GOLDSBORO OR FAYETTEVILLE, AND ATLANTIC COAST LINE.

Tickets on sale each Saturday and Sunday, May 29 to September 5, inclusive. Limited to return Monday following date of sale.

\$2.50-RALEIGH TO WILMINGTON via GOLDSBORO AND A. C. L.

Tickets on sale to Wilmington Sunday only, July 18th to Sept. 5th, inclusive. Limited to return date of sale. For any information address,

W. J. CRAIG, Passenger Traffic Manager. T. C. WHITE, General Passenger Agent. Wilmington, N. C.

Schedule of Votes.

\$ 45..... 45 votes
\$ 1.25..... 125 votes
\$ 2.50..... 250 votes
\$ 5.00..... 500 votes

Payments Made in Advance.

\$ 45..... 200 votes
\$ 1.25..... 500 votes
\$ 2.50..... 1,000 votes
\$ 5.00..... 2,500 votes
\$ 10.00..... 7,500 votes
\$ 15.00..... 12,500 votes
\$ 20.00..... 20,000 votes
\$ 25.00..... 30,000 votes

SATURDAY EVENING CAPITAL, Weekly, 25c per year.
25c. one year..... 500 votes
50c. 2 years..... 1,500 votes

Send all votes and address all communications regarding the contest to THE CONTEST MANAGER, The Evening Times, Raleigh, N. C.

'Phone 364, Circulation Department, if The Times does not reach you by 6:30. A copy will be sent you by a messenger.

Scalded With a Hot Iron, or scalded by overturned kettle—cut with a knife—bruised by slammed door—injured by gun or in any other way—the thi o needed at once is Bucklen's Arnica Salve to subdue inflammation and kill the pain. It's earth's supreme healer, infallible for Boils, Ulcers, Fever Sores, Eczema and Piles. 25c. at all druggists.

BILIOUS? SIMMONS' LIVER REGULATOR FOR SPEEDY RELIEF.

DID NOT ESCAPE.

Maude Kelly is Still "At Home" Within the Confines of Workhouse.

The story that went the rounds yesterday that Maude Kelly, the notorious and pernicious woman recently sentenced to fourteen months in the workhouse, had escaped, is untrue. How the story originated is unknown. It was telephoned in to The Times office yesterday by a gentleman of veracity and was published on the strength of his statement.

Superintendent A. A. Rowland, of the County Home, says that Maude is still under his watchcare and supervision, laboring faithfully for the up-building of Wake county. Mr. Rowland says that there has been only one escape from his sanitarium in two years.

MAD DOG SCARE.

Mr. A. A. Rowland, superintendent of the County Home, today brought to the Pasture Institute here the head of a small canine for examination. Dr. Shore's examination of the dog's brain showed unmistakably that the dog had hydrophobia.

Yesterday the dog showed up at the Home and ran amuck among Mr. Rowland's valuable dogs, biting several of them. A hog was also the victim of the mad dog. Fortunately, the dog was killed before he did damage to any of the people of the neighborhood.

HOTEL ST. DENIS

BROADWAY and 11th STREET NEW YORK CITY.

Within Easy Access of Every Point of Interest. Half Block from Wamameter's 3 minute walk of Shopping District. SAVED FOR: Excellence of Cuisine. Comfortable Accommodations. Courteous Service and Homelike Surroundings.

ROOMS \$1.00 PER DAY AND UP

Very Commodious. Sample Rooms at Reasonable Rates.

EUROPEAN PLAN. Table d'Hote Breakfast 90c.

Wm. TAYLOR & SON, Inc.

OTLEY'S BARBER SHOP, YARBOROUGH HOUSE.