

Double the Number of Paid Subscribers in Raleigh of any Other Newspaper

FLEMING CASE
NOW HISTORY

Chief Justice Walter Clark Awards
Children to Paternal Uncle
Without Prejudice

MRS. FLEMING IN CITY

Mother of Children Will Remain in
Raleigh a Week Before Determin-
ing What Course She Will Pursue
—Little Ones Carried to Louisburg
Where They Will Be Kept by
Order of Court—Affecting Scene
When Chief Justice Announced
His Order Saturday Night.

The last word in the babe corpus
proceedings of Mrs. Nelle Claire
Fleming for the possession of her
two small children, George Mortimer
and Nelle Bryan Fleming, has been
said; the children are now with their
uncle, Dr. A. H. Fleming, at Louis-
burg; the husband, Mr. Percy B.
Fleming, may now return to Greens-
boro for treatment, and Mrs. Flem-
ing, the mother, will remain in Ra-
leigh at least a week before decid-
ing what she will do.

After the most affecting hearing
ever held in this city, Chief Justice
Walter Clark late Saturday night,
awarded the children to Dr. A. H.
Fleming without prejudice as to Mrs.
Fleming, pending the action of her
husband for divorce. Judge Clark
expressly stated that he was not de-
ciding as to the moral competency of
Mrs. Fleming, but as to the financial
ability of herself and father to pro-
vide for the little ones, and he did
not want the children taken out of
the jurisdiction of the court. Any
other issues will have to be decided
by a jury.

When the announcement was
made Saturday night, Mrs. Fleming,
who had been under a terrible strain
for a week, collapsed. A shudder,
a cry of anguish, and temporary
forgetfulness on her part as she fell
into the arms of her father; the
frightened screams of children, a
commotion in the courtroom—these
followed the last words of the chief
justice. Dr. Fleming and the husband
carried the little ones out of the
room and the large number of people
departed.

Mrs. Fleming was asked today by
a Times reporter what she intended
to do. For a week at least, she re-
plied, she would remain in Raleigh;
after that time she would know
whether she would return to her
people at Washington. Her father
has already returned to his duties
in the treasury department.

After Messrs. Spruill and Norris
concluded their arguments Saturday
afternoon, Col. John W. Hinsdale,
and Col. W. C. Douglass delivered
strong arguments for their respective
sides. The order of Chief Justice
Clark, given shortly after eight
o'clock, is as follows:

By Order of the Court.
North Carolina, in re Nelle Claire
Fleming Petitioner, Habeas Corpus
Percy B. Fleming, the husband of
the petitioner, and the father of the
infant children whose custody is be-
fore the court for decision, admits in
his pleading that he is an unfit per-
son to have the custody of the said
children and does not ask for the
same.

The petitioner, Nelle Claire Flem-
ing, the mother of said children,
asks for custody of her two children
George Mortimer, aged four years,
and Nelle Bryan, aged three years.
(Continued on Page Five.)

THE NORRIS HEARING
TO BE HELD FRIDAY

The preliminary hearing of L. J.
Norris, charged with the murder of
J. B. Bissett, will be held before
Police Justice Walter L. Watson next
Friday morning at ten o'clock. The
delay in the trial was caused at the
request of Solicitor Herbert E. Nor-
ris, who will prosecute for the State,
and Mr. Bart M. Gattling, counsel for
the defendant. Mr. Norris is appear-
ing as Solicitor in Wayne County this
week, but will probably get through
by Thursday night.

SENSATIONAL MURDER

Colored Merchant Found With
Head Blown Open

A. W. Rogers Found in Front of His
Own Gate Dead—Hole in Back of
Head Resulting From Gun Shot—
Assassin Unknown—Had Domestic
Troubles.

(Special to The Times.)

Williamston, N. C., Aug. 21.—This
quiet little town has had more ex-
citing scenes enacted within its bor-
ders during the last week than have
occurred here before in many years.
Two murders inside of five days right
here in Williamston is a fact that
we are not proud to chronicle.

Following the murder of Chief of
Police White on last Tuesday night,
another crime was committed last
night which has shocked this com-
munity.

This morning about five o'clock as
a negro by the name of Jack Everett
was walking by the house of A. W.
Rogers, a negro merchant who re-
sides in the suburbs of Williamston,
he found the prostrate form of
Rogers lying face downward at his
gate. Upon closer investigation he
found that Rogers had a severe gun
shot wound in the back of his neck,
that his body was cold in death and
presumably life had been extinct for
several hours.

Rogers had his own pistol with no
cartridges used clasped in his right
hand and his glasses in his left. It
is thought that they were placed
in his hands by the assassin after the
deed was committed. When
Rogers' wife was informed that her
husband had been found dead, she
said that she had heard the explosion
of a gun about ten o'clock last night,
but had not heard any one cry out
and was afraid to go out to investi-
gate. It appears that the assassin
wrapped his feet in bagging to pre-
vent his shoe tracks as being identi-
fied as one of these bags was found
where it had slipped from his foot
in his haste to escape. Sheriff Craw-
ford has wired for blood hounds and
will leave no stone unturned to
solve the mystery surrounding this
murder and arrest the guilty party.
Some five or six months ago just as
Rogers was leaving his store for the
night he was shot in the arm and
slightly wounded. About two months
later his store was burned. It is
rumored that Rogers domestic af-
fairs were not at all agreeable and
on this clue the officers expect to es-
tablish a motive for the crime. The
coroner's inquest will be held this
afternoon.

Togo Resting.

Niagara Falls, Aug. 21.—Admiral
Togo rested before continuing his
journey late today to the Pacific
Coast, where he embarks for Japan.

MOUNTAIN LION IS
KILLED BY JACK KNIFE

Brownsville, Texas, Aug. 21.—
Juan Morales, a Spanish farmer liv-
ing seven miles from here, killed a
mountain lion with a jack knife, af-
ter the beast had entered the house
and slain Morales' three-year-old
child. Morales' arm was so badly
mauled, it must be amputated.

YOUNG NOT RESPONSIBLE.

Medical Board Finds North Carolina
Ensign Irresponsible for Strange
Disappearance—To Hospital.

Washington, Aug. 21.—Ensign H.
S. Young, Jr., of Concord, N. C., who
recently disappeared from the de-
stroyer Perkins, leaving a note that
he contemplated suicide and was lat-
er found by his father in New York
City, has been declared by a naval
medical board of survey at Norfolk,
Va., to be mentally irresponsible for
his act.

The Navy Department has ordered
the young officer to the government
hospital for the insane at Washing-
ton for observation and treatment.
Previous to his disappearance Ensign
Young was under orders for court-
martial on charge of absence with-
out leave.

He was examined by naval physi-
cians to determine whether he should
be prosecuted on these charges.
When found by his father he was
taken to a North Carolina sanitarium
and removed from there to Norfolk
for the examination.

—Mr. Graham C. Knight has re-
turned from Seven Springs.



PRINCIPALS IN THE BEATTIE MURDER CASE.

From left to right are: Henry Clay Beattie, Sr., father of the accused; Paul Beattie, who bought the gun which is believed killed Henry Beattie's wife; Henry Clay Beattie, Jr., the prisoner; Beulah Binford, Beattie's affinity and the alleged cause of the tragedy.

HENRY BEATTIE
NOW ON TRIAL

One of the Most Spectacular Trials
In History of Virginia Began
At Chesterfield Today

MURDER THE CHARGE

Great Crowds Began Early Today to
Wend Their Way to Chesterfield
Court House Where Famous Case
Will Be Tried—Thirty-two Talis-
men Already Summoned and More
Expected—Beattie Spent Quiet
Night and Enjoyed Trip Out to
Chesterfield—Father to be Regu-
lar Attendant at Trial—Selection
of Jury.

Chesterfield, Va., Aug. 21.—One of
the most spectacular trials in Vir-
ginia's history began here today with
the arraignment of Henry Clay
Beattie, Jr., of Richmond, on the in-
dictment charging him with wife
murder. More than sixty witnesses
were subpoenaed by the common-
wealth, besides a venire of thirty-
two talismen. Crowds from every
direction surrounding the country
early began wending their way to the
historic court house to catch a
glimpse of the merchant's son, charged
with shooting his young wife
while motoring on the Middlethian
turnpike, near Richmond, on the
night of July 18th. Judge Watson
convened the court despite the grave
illness of his father-in-law, had given
rise to the reports of possible pos-
sionement of the case. Before the
convening of court at 10 o'clock, the
dapper young prisoner reached the
court house in the officer's custody,
after a fifteen mile ride from Rich-
mond jail, where he has been incar-
cerated since the tragedy, one month
ago. Jailers say that he slept well
last night, rose early, ate a light
breakfast, and enjoyed his first trip
in the open air since imprisonment.
There was a slight prison paller in
his face.

Beulah Binford, the pretty seven-
teen-year-old "woman in the case,"
made no preparation to leave the
Richmond jail. Her presence as a
material witness is unnecessary, un-
til the jury is selected, and hearing
of testimony proceeds.

Paul Beattie, the prisoner's cousin
who swore he purchased the gun
with which Louise Welleford Owen
Beattie was shot, probably will not
be brought here until tomorrow.
(Continued on Page Six.)

GOVERNORS FAVOR
UNIFORM DIVORCE

New York, Aug. 21.—Response to
inquiries sent to all the governors,
asking for their views on the desir-
ability of uniform divorce laws, twen-
ty-three have replied declaring them-
selves in favor of uniformity. Four
governors who could not be reached
were said by representatives to favor.
Hadley, Missouri, and Hoke Smith,
Georgia, declined to express an op-
inion. Many of the governors declared
for federal regulation. The question
is to be threshed out at the coming
conference of governors at Spring
Lake, N. J.



William Henry Jackson, seventy-
three years old, who is the victim
of one of New York's most notorious
crimes, Jackson, who was a well-
street broker, and a descendant of a
fine old New York family, was found
slain in his room in the Hotel Fro-
quois, early on the morning of July
27th. A bellboy who was discharged
a couple of days before the murder
has been arrested and is charged
with the crime.

Insanity to Be Geidel's Defense.

New York, Aug. 21.—The case of
Paul Geidel, the 17-year-old bellboy
indicted for the murder of William
H. Jackson, the aged broker, who
was robbed and beaten to death in
his room at the Hotel Froquois on the
night of July 27th, was called in the
Court of General Sessions today.
Unless the counsel for the defense
succeeds in getting a delay the actual
trial probably will begin within a
day or two. In view of Geidel's
alleged confession it is regarded as
a certainty that a plea of insanity
will be made in his behalf.

PLANS READY SOON
FOR STATE BUILDING

The plans for the handsome ad-
ministration building to be erected on
the corner of Fayetteville and Mor-
gan streets will be ready for the
contractors by September 6th. Mr.
P. Thornton Marye, of Atlanta, and
Mr. Frank R. Simpson, of this city,
are the architects. The State build-
ing commission will meet early next
month and it is probable that bids
will be received from the contractors.
The building was authorized by the
last legislature.

About Sixty Candidates.

The supreme court will begin its
fall term next Monday and at this
time examinations will be given to
about sixty young men who want to
practice law in this State.

SECRETARY WILSON
BEFORE COMMITTEE

Washington, D. C., Aug. 21.—Sec-
retary Wilson, before the house
committee investigating the trouble
in the department of agriculture,
over Dr. Wiley's proposed dismissal,
charges Wiley with keeping the facts
from the committee about the use of
sulphur dioxide in fruit. Wilson
said: "Wiley was speaking through
his hat," referring to Wiley's testi-
mony that he considered Associate
Chemist Dunlap his superior. Wil-
son defended the legality of the
Remsen referee board.

ADJOURNMENT
TO BE TUESDAY

Final Adjournment of the National
Lawmakers Has Been Deferred
Until Tomorrow Afternoon

A GRUELLING SESSION

Everything Now Done in Way of
Concrete Law Writing—Extra Ses-
sion Has Lasted Just Four
Months and Sixteen Days at Cost
Of About \$2,000,000—New Laws,
Their Purpose and Effect—"Lame
Ducks' Roost" Has Been Abolished
—President Taft Has Vetted Sev-
eral Bills Passed by Democrats.

Washington, Aug. 21.—Although
final adjournment has been deferred
until tomorrow afternoon, the cir-
cumstances admits of laying the bal-
ance sheets of the extra session of
the sixty-second congress accurately
before the public.

Everything is now done that can
be done in the way of concrete law
writing. Another presidential veto
like the sword of Damocles, over-
hangs the one important bill still
pending. The session was carried
over into this week, not from any
thought of actually accomplishing
tariff reforms, but because the lead-
ers of the Democratic majority of
the house desire to round out the
party's tariff record.

Today the session has lasted four
months and sixteen days and has cost
the American people about \$2,000,-
000. Five members of the house and
senate have died during the trying
hot summer. It has been gruelling
work.

The senate marked time Saturday
and adjourned early; but the house
remained in session until late Sat-
urday night, passing minor bills of
personal interest to members. Of
big legislation it remains only to
pass the cotton tariff bill with its
elaborate senate rider which re-
vises the iron and steel schedule,
which reduce the Payne-Aldrich
tariffs on cotton machinery, which
lowers taxes on chemicals used in
manufacturing cotton goods, and
which provides for reciprocal free
trade with Canada in bituminous coal.
The house leaders will accept this
bill just as it passed the senate, and
notwithstanding the help given the
senatorial Democrats by the Repub-

(Continued on Page Five.)

RAILROAD STRIKE
PRACTICALLY OVER

London, Aug. 21.—Railroads are
rapidly restoring their normal ser-
vice. The managers hope by night,
that all lines would be operating
as smoothly as before the general
strike on the roads of Great Britain
was ordered Thursday night. The
settlement Saturday through the of-
fices of the government and board of
trade, provided for the appointment
of sectional conciliation boards, re-
presenting both parties. The board
will undertake the adjustment of all
differences.

FIREMAN THE VICTIM
"Carolina Special" Has First
Wreck Since Put On

Into Burning Trestle Near Columbia
Plunged Both Locomotives—Coach-
es Remain on Track and None Was
Injured But Fireman Bennett—Its
First Accident.

Columbia, S. C., Aug. 21.—Fire-
man Luther W. Bennett, wife, of
Columbia, was crushed to death yes-
terday, in this first wreck that has
befallen the Southern Railway's Clin-
nanti-Charleston Flyer, the "Caro-
lina Special," since that train was
established about six months ago.
The wreck occurred at 4:45 o'clock,
just when the train was due here,
both locomotives plunging into a ra-
vine where 150 feet of a frame
trestle had been burned away, at
Sueville, an industrial siding four
miles north of Alston and 24 miles
north of Columbia.

Nobody except Fireman Bennett
was hurt. The passengers were not
even jarred. A relief train sent from
Columbia, returned at 9:15 last night
with the passengers and baggage and
departed shortly afterward for
Charleston.

The bridge will likely be replaced
by tonight. Meanwhile traffic is being
detoured by way of Charlotte.

The train was crowded, a large
number of the passengers being Co-
lumbia and Charleston business men
returning from a Sunday visit to
their families sojourning in the
mountains of Western North Caro-
lina. Fireman Bennett's body was
brought here on the relief train and
taken to his home, 1410 Barnwell
street, where his wife and babies
were awaiting him.

Engineer Delano G. McAllister, of
1217 Blanding street, driving the
head engine, No. 1013, saw the gap
in time to apply the emergency
brakes and to jump in safety, with
his colored fireman, Hal Robertson,
but not in time to warn the crew
of the second engine. Mr. McAllister's
locomotive plunged into the ravine
and turned upside down, and No.
1006 also toppled over the brink.
Engineer William H. Green somehow
escaped injury, but the fireman,
Bennett, was instantly crushed to
death beneath the ponderous ma-
chine.

The train was in charge of Con-
ductor James F. Weaver, of 1620
Gregg street. Engineer Green lives
at 1530 Henderson street.

Prompt application of the emer-
gency brakes so checked the momen-
tum of the heavy train, without in-
juring any of the passengers, that the
evacuees were barely moving when
(Continued on Page Five.)

WANT COMMISSIONERS
TO DISCUSS COTTON

Commissioner of Agriculture W. A.
Graham has been requested by com-
missioners of agriculture in other
states to call a meeting of commis-
sioners of the southern states for the
purpose of discussing the cotton crop.
Mr. Graham is not president of the
association, though he is vice-pres-
ident, the presidency being held by
Dr. Tai Butler, of Mississippi.
Major Graham said today that he
knew almost nothing about the con-
dition of the crop, which is in such
a condition at the present time to
make an estimate of it might appear
ridiculous three months from now.
Some cotton has been ginned, and
the two bales that have been sold
brought 12½ and 12 cents a pound.

FINANCIAL LOSS.

Aeroplane Meet Ran \$55,000 Below
Expenses—People Witnessed From
Outside.

Chicago, Ill., Aug. 21.—Though
three million people witnessed the
aeroplane flights that closed last
night, it is estimated the expenses
ran \$55,000 above the receipts of
the meet. The people preferred to
stay outside of the grounds and
watch the flyers.

CLARK PREDICTS TODAY.

Believes Congress Will Adjourn To-
night if Speed is Used.

Washington, Aug. 21.—Speaker
Clark expressed the belief that con-
gress would adjourn tonight. Wheth-
er the prediction comes true depends
upon the speed with which the cotton
bill is passed today and the Pres-
ident's veto message is sent in.

CAN CONTEST
CLOSED TODAY

Nearly 25,000 Cans Deposited In Front
of Times Office By Raleigh
Boys Today

THE THREE PRIZE-WINNERS

Master Pink Wood is Winner of Billy
Patterson and Strong Wagon and
William Jones and Archie Caudle
Winners of Two Splendid Watches
—Number of Boys Worked Hard—
An Unusual Scene.

PRIZE WINNERS.

Pink Wood 4,734 cans
(Prize, Billy Patterson)
William Jones 4,596 cans
(Prize, Gold Watch)
Archie Caudle 3,424 cans
(Prize, Gold Watch)

The Contestants.

Pink Wood, 119 Johnson St., 4,734
William Jones, 113 S. Harring-
ton St., 4,596
Archie Caudle, 557 E. Martin, 3,474
Paul Jacobs, McGee St., 1,662
Harold Byrd, S. Bloodworth, 1,577
G. F. Ball, 115 N. Bloodworth, 1,457
Chas. S. Williams, 410 W.
North, 1,250
Baxter Nowell, W. Raleigh, 1,208
Henry Jones, 954
Sexton Jones, 523 Cannon, 800
Geo. Henry, South St., 200

Total 23,532

Exactly 23,532 tin cans of every
size and description, piled in a heap
in front of The Raleigh Times office
today, describe more accurately than
words the wonderful success of the
crusade that has been carried on for
the past two weeks by this newspaper
and the boys of Raleigh, all ably as-
sisted by Health Officer W. T. Davis,
who has given the work his endorse-
ment and encouragement.

Just as the town clock struck
twelve today the last load of cans
was shoveled of a wagon and an-
other boy entered the contest. The
pile of cans must have been over 100
feet in circumference, and at the
center six feet in height. Never were
so many cans seen by anybody and
when Billy Patterson was led up to
the scene, he almost turned around
in his harness, as if to say,

"And did I do all that?"

In truth, Billy and the two hand-
some ten-year gold-filled watches,
The Times and the boys of Raleigh
did do it. All these agencies caused
cans to be removed from yards
that had never been so thoroughly
cleaned before. Thousands of breed-
ing places for mosquitoes were
stopped at "one fell swoop" and the
health of the town was made more
secure by the removal of such breed-
ing places.

Hundreds View Cans.

Hundreds of persons, attracted by
the rattle and din of the descending
cans, watched the young boys as they
drove up in wagons and dumped
their loads on the street. Wagon
after wagon came—and still others,
until it seemed as if all the cans in
this city must surely have been in
the pile.

The health department of Raleigh
warmly approved the effort of The
Times, and Sanitary Inspector Davis
(Continued on Page Eight.)

SCHOONER DISABLED
NEAR SOUTHPORT

Washington, Aug. 21.—Schooner
Lottie R. Russell, Bridgeton, N. J.,
bound from New York to Wilm-
ington, N. C., was saved yesterday by
Revenue Cutter Seminole, after she
was disabled in southeast gale and
drifting upon Cape Fear bar. Her
foremast and head sails were carried
away when her distress signals were
seen by the Seminole cruising for
derelicts. Cutter took off the crew
with six men and towed the schooner
to Southport, N. C.

Mr. and Mrs. C. H. Beckham leave
son left today for Kinston.