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TO FIGHT CASE TO BITTER END

Dr. McCullers and Commissioners No Longer Think of Compromise in Health Matter

INJUNCTION WAS SOUGHT

County Health Officer Asked That Commissioners and Doctors be Restrained From Interfering With Him in Discharge of Duties—Was Appointed by Secretary of State Board of Health After Being Recommended by County Board of Health—If Commissioners Should Lose, County Will be Out Good Sum of Money.

Dr. J. J. L. McCullers, through his attorney, Mr. Bart M. Gatling, will fight through the courts the legality of his appointment as county superintendent of health, and there will be no compromise so far as he is concerned. Application was made in Goldsboro this week to restrain the county board of commissioners, Dr. Sorrell and Dr. Stephens from interfering with Dr. McCullers in the discharge of his duties as superintendent of health, but Judge Peebles declined to issue the injunction.

The law requires sanitary inspections and quarantine in case of certain contagious diseases. The county board of health recommended to the secretary of the state board of health the appointment of Dr. McCullers, the appointment was made and the fees of the office fixed in accordance with the recommendation made at a joint meeting of the state medical society and the state board of health in Charlotte last June. This recommendation was made to all the counties as a system of equitable compensation for all health officers and does not apply alone to Wake county, but to all appointments made by Dr. W. S. Rankin, secretary to the state board of health.

Should a contagious disease occur at one of the convict camps or at the jail, it is contended, there would be no power in the county having the authority to quarantine and the board of county commissioners are held responsible for this condition. Drs. Sorrell and Stephens at the request of the board of commissioners, are performing the duties of the office insofar as they are able, but would not have any authority, it is claimed, to quarantine a contagious disease. They were made defendants to the action brought by Dr. McCullers for this reason, and the issue will be fought out to the end.

Injunction was sought on the ground that Drs. Sorrell and Stephens are enjoying the emoluments of the office belonging to Dr. McCullers, and it would be very difficult to ascertain what the fees would have been after the lapse of several months. If Dr. McCullers wins, and many persons believe he will, the suit against the county will result in the payment of three physicians instead of one.

Big Parade Tonight.

Detroit, Aug. 23.—Twelve thousand delegates will march in tonight's parade of Loyal Order of the Moose, now in annual convention. A warm fight is on for the 1912 convention. The choice probably lies between Denver and Kansas City. This will be decided tomorrow.

PRESIDENT AT THE GRAND ARMY MEETING

Rochester, N. Y., Aug. 23.—President Taft reached here from Washington, and reviewed the parade of the Grand Army of the Republic veterans. More than twenty-five thousand veterans are attending the annual encampment, most of them participating in the big parade. Taft reviewed the parade from the reviewing stand in Washington Square. Elaborate plans were made for the President's entertainment this afternoon. Tonight he hears campfire addresses in the convention hall.

Killed by Bursting Emery Wheel. Easton, Pa., Aug. 23.—A bursting emery wheel killed Edward Biasasada, a Cuban, sent here to learn the machinists' trade.

ON CENTRAL HIGHWAY LINES WILL CONNECT

Forty Convicts at Work On This County's Part

Commissioner Franklin Says Zebulon Is One Good, Thriving Town—Thirty Buildings Going Up There Now—Another Public Road Wanted.

Mr. W. L. Wiggs, road supervisor of Wake county, said this afternoon that he had 40 convicts at work on the central highway and was bending every energy to improve the road by October. There are about 48 miles of road in this county embraced in the central highway, the highway coming into Raleigh by way of Auburn and Garner and leaving by way of Cary and Morrisville.

Mr. B. S. Franklin, a member of the board of county commissioners, returned this afternoon from Wakefield and Zebulon, where he went to investigate a road that the people want there made a public highway leading from Wakefield through Zebulon to the Johnston county line. Mr. Franklin said he was amazed at the growth of Zebulon, which five years ago was not on the map. This little town is just five years old and had at the last census 580 inhabitants. Thirty buildings are now being erected and the community is displaying unusual activity. There is no better section of country in the county and Zebulon is assured of substantial growth.

WIFE KICKED HIM FROM AUTO.

L. A. D. Percival Gives Sensational Evidence in Divorce Case.

Reno, Nev., Aug. 23.—Dalrymple Percival, president of the Amalgamated Paint Company, New York, and relative of the Earl of Stair, today testified in the district court to various acts of extreme cruelty on the part of his wife, Ethel Percival, of New York city.

Percival related one instance when he and his wife were motoring he accused her of being intimate with another man. She retaliated by kicking him out of the automobile and compelling him to walk to town.

Percival's case will test the "time lock" divorce law. He has spent the greater portion of the year since he came to Nevada in the east, and states that his business called him away from Nevada.

THE BURLEY TOBACCO CROP WILL BE SMALL

Lexington, Ky., Aug. 23.—The Burley tobacco crop of Kentucky, last year estimated at 300,000,000 pounds, will not be more than 50,000,000 this year, it is believed. The great shortage is due to the worst drought in thirty years, hail storms, which recently damaged or destroyed two hundred growing crops, and the failure of hundreds of farmers, members of the Burley society, to plant tobacco this year on account of the large amount of pooled crop of other years, still unsold.

STRANDED IN EUROPE.

College Men Trying to Borrow Money to Get Home.

Cleveland, O., Aug. 23.—Europe is rife with penniless American college men, anxious to borrow enough money to get home, according to Frank P. Bagnall, son of A. C. Bagnall, principal of East School, Lakewood, who has just returned from a European tour which cost him exactly \$80 in cash. Bagnall made the trip in company with Carlton Small, son of a Jamestown (N. Y.) minister who, like himself, is a student at Adelbert College here. Starting out early in July, with only \$25 in their pockets, they visited London, Paris and other European points for twenty-six days, and then returned to America. They worked their way across the ocean, going and coming, earned a little money after arriving, and borrowed the remainder of the sum required to pay their expenses from friends they met in Paris.

Two New Dreadnaughts.

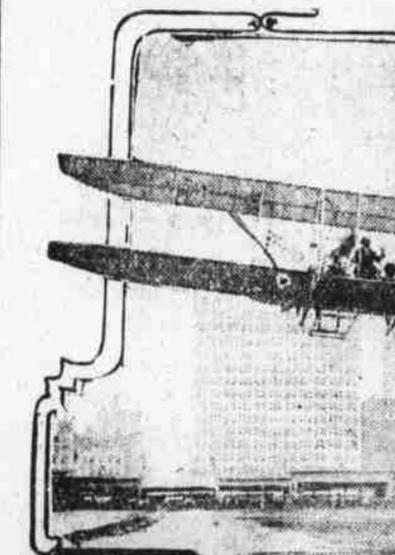
Washington, Aug. 23.—The United States navy is soon to be augmented by two sister dreadnaughts, the Utah and Florida, which will be placed in commission about September 15th.

And some people get a lot of enjoyment out of the trouble they are able to bestow on others.

Southern Power and Carolina Power and Light Join

Rumor Now Certain That Both Lines Will Join Hands and Furnish Power—George Roberts Caught Charged With Assault, Let Off With Fine and Costs.

(Special to The Times.) Durham, Aug. 23.—The meeting of the Carolina Light and Power Company's lines by the Southern Power's from this end, foretold five weeks ago in a special to The Times, is



Harry N. Atwood, the youthful Boston aviator, his Burgess-Wright aeroplane in flight, and sketch-map of his remarkable trip from St. Louis to New York.

ATWOOD NEARING END OF HIS LONG FLIGHT

Albany, N. Y., Aug. 23.—With 135 miles of the 1,265 mile flight from St. Louis to New York to be covered Harry N. Atwood, landed south of Castleton after flying 65 miles from Port Plain, in one hour and 47 minutes. He continues to New York at 5 o'clock this afternoon.

WOULD ENLARGE WEST POINT.

Gen. Barry Suggests Buildings to Accommodate 750 Cadets.

Washington, Aug. 23.—It will cost \$1,700,000 to conduct the United States Military Academy during the next fiscal year, according to estimates received by the war department yesterday from Maj. Gen. Thomas H. Barry, superintendent at West Point.

Gen. Barry asks congressional authority for new buildings to cost \$3,000,000 to carry out the plan of 750 cadets can be accommodated. Gen. Barry urges a law by which qualified alternates can be appointed to the cadetship by regular candidates. There are 53 vacancies in the corps.

DEFENDS DEAD WIFE.

Myrtle Reed's Husband and Dr. Sugg Deny Rumors.

Chicago, Aug. 23.—Detailed statements were given today by James Sidney McCullough, whose wife, Myrtle Reed, author and poet, took her own life last Thursday, blaming her husband's inattention for the deed, and by Dr. George Edmund Sugg, who was mentioned as receiving money from Mrs. McCullough with which to further his own enterprises. The positions of both men are set out in the first detailed interviews that have yet been given out.

Fire Does \$3,000 Damage at Brogdon Cotton Mills.

Anderson, S. C., Aug. 23.—Fire this afternoon in the napper room of the Brogdon Cotton Mill did damage estimated at \$3,000. It is thought that it originated from a match. The flames were extinguished by the automatic sprinkler and the fire hose. The loss is fully covered by insurance.



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HOLD FOR 13 CENTS

Conference of Senators and Representatives on Cotton

John Sharp Williams, Senator Owen, Representative Small and Others in Conference—Advise Farmers to Hold Cotton for 13 Cents—Thinks Preconcerted Effort is Being Made to Break Price.

Washington, D. C., Aug. 23.—"Hold cotton for thirteen cents" is the advice to be formally given to the farmers organizations by a committee consisting of Senators Williams, of Mississippi, and Owen, of Oklahoma, and Representative Burleson, of Texas, representing the conference of senators and representatives from seven cotton-growing states. The committee will urge state banking associations to co-operate against the "bearish movement of the speculators."

The conference discussed the "threatening condition of the cotton market." Among the participants were Senators Williams and Owen, and Representative Underwood, of Georgia, Burleson and Beall, of North Carolina. A number of them are large cotton planters. The committee issued a statement, which reads: "It seems in the opinion of all that there was a preconcerted effort being made, principally through the instrumentality of the speculative element of the New York cotton exchange, to break down the price of cotton. It was the opinion of all present that the statistical condition of cotton did not justify the looseness of present quotations and the estimate of 15,000,000 bales was unjustified by any facts upon which a prediction could be safely based, and moreover, even if a 15,000,000 bales crop were in sight the world's supply will probably fall short of the world's demand for cotton to the extent of more than 1,000,000 bales, because of the exhaustion of the present visible supply of carried over spot cotton. In other words, that with a 15,000,000 American crop the world's crop would sum up only 25,000,000, with 14,000,000 of spindles creating an active demand

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PROGRESS IN BEATTIE CASE

Prisoner Exhibits the Same Air of Confidence But Will Not Talk

NO WITNESSES TODAY

The Day Given Over to Completing

The Jury and the Witnesses in the Case Excused Until Tomorrow—Beulah Binford and Paul Beattie Kept in the Richmond Jail—Binford Girl Says She Hopes Never to See Young Beattie Again—The Elder Beattie Again at the Side of His Son—Waves Interviewers Aside.

Chesterfield, Va., Aug. 23.—With twelve jurors already selected, but with sixteen necessary, that the defense may exercise the right of four peremptory challenges, Henry Clay Beattie's trial for wife murder was resumed today before Judge Watson in Chesterfield circuit court. The day was set aside solely for completing the jury, all witnesses having been excused until tomorrow. The examination of thirty talemens, was all that faced the defense and prosecution. Beattie was brought from the jail early, and as the task of selecting a jury that will decide his fate, continued, the prisoner exhibited the same air of confidence that impressed the spectators when he plead not guilty when arraigned Monday.

Beulah Binford, the young "woman in the case" and Paul Beattie were kept in Richmond jail. The Binford girl declares she hopes never to see again the man charged with murdering his wife for her sake. Henry Clay Beattie, Sr., was again at his son's side during the day's proceedings. Evidence is not lacking that he will fight hard to save his son from the electric chair. The prisoner refuses to discuss his case. He poses cheerfully for photographers, but when asked whether he expects acquittal or conviction, he smilingly waves interviewers aside.

Court was called to order at 12:15. Beattie, silent and with a set face, took a seat by the side of his lawyers. The father sat on his right. Additional veniremen were called and their examination begun. The examination progressed slowly.

Two additional jurors were chosen. Recess was taken at 1:15 p. m. Of the fourteen men in the box all but two are farmers. Beattie appears haggard but sat solidly as the talemens were examined.

PASTOR WOULD MARRY ASTOR.

Dr. Vandoren Condemns Attitude of Dr. Richmond.

South Norwalk, Conn., Aug. 23.—"If Colonel Astor and Miss Force should appeal to me to marry them, I certainly would do so, provided they had the state license. I do not set myself about the laws of the state," said the Rev. Dr. DeWitt Talmage Vandoren tonight. Asked for his views on the Astor-Force nuptials, he said:

"The question of their marriage is not one for outside parties to decide. I think any minister degrades his calling as did the Rev. Dr. George Chalmers Richmond in this connection. The Episcopal people seem to think they have been called upon by heaven to regulate matrimonial affairs on earth."

EAGLES WILL ELECT PRESIDENT TOMORROW

San Francisco, Aug. 23.—Joseph J. Cussack and Frank E. Herrine, are named as opposing candidates for Grand President of the Fraternal Order of Eagles.

The election will be held tomorrow. Grand Treasurer McRear's report shows the order in a healthful condition. The cash balance on hand is \$29,323.

Thought Somebody Had Shot Her.

Atlanta, Ga., Aug. 23.—An exploding incandescent electric light globe frightened Miss McReynolds, the city hall telephone operator, so badly yesterday that she fainted in her chair. When she regained consciousness she said she thought somebody had shot her.

LARGE CROWD ATTENDS THE GATES FUNERAL

New York, Aug. 23.—Two thousand people gathered at the Hotel Plaza to pay the last tribute to John W. Gates' memory. There were mourners from all parts of the country. Flowers in carload lots came from far distant points. Rev. Wallace MacMillen, of Madison Avenue Methodist Episcopal church, officiated. Simultaneously with services here, memorial services were held at North Arthur, Texas, where Gates had large interests.

GOV. BALDWIN A CANDIDATE.

Will Accept Nomination for Vice President if Offered.

New Haven, Conn., Aug. 23.—Gov. Simeon E. Baldwin whose name has been mentioned in connection with the office of vice president of the United States in the democratic ticket, said today that he would take the nomination if it were offered him.

"Several persons in this and other states," he said "have talked to me or written to me within the last few days on the subject of the vice presidency, and I have always said, 'I say now, that I am not a candidate for any office and should not lift a finger to obtain one. But if the democrats think proper to support my nomination for vice president, I should certainly not decline it.'"

RARE SKELETON UNEARTHED.

Remains of a Prehistoric Dinosaur Discovered Near Petersburg.

Petersburg, Va., Aug. 27.—The skeleton of a prehistoric animal, a sauropodus dinosaur, has been found on the Kenneth W. Harris farm, near this city. The skeleton is about 40 feet in length, and across the vertebrae measures about 6 inches.

The body was discovered in the bottom of a branch which had about dried up from the drought, and was embedded in a marl soil.