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### STATE PUTS ON WITNESSES

#### More Witnesses Put On By the State in the Beattie Murder Trial

### BEATTIE ENDS STORY

The Accused Was Only Kept on the Stand a Few Minutes This Morning—The State Then Began Putting on Other Witnesses—Mother-in-Law of Paul Beattie Put on the Stand and Flatly Contradicted Henry's Testimony About Conversation With Paul Over the Telephone on Thursday Night and Riding With Him in Automobile Saturday Night.

Chesterfield, Sept. 5.—Henry Clay Beattie, Jr., indicted for wife murder, at nine-thirty again took the stand. Prosecutor Wendenburg resumed the cross-examination. Court convened an hour earlier than usual, so the prisoner's testimony might be completed today. Cross-examination, when dusk interrupted its progress yesterday, had reached the point where Prosecutor Wendenburg had touched on Henry's alleged intimacy with his cousin Paul, before the murder, his relations with Beulah Binford as the supposed motive for the crime, and preliminary details of the homicide itself.

Beattie was in the witness chair only seven minutes, the prosecutor concluding his cross-examination. Attorney Smith for the defense said no redirect examination was intended and the prisoner was excused. Wendenburg asked only a few questions.

"Mr. Beattie," he began, "will you explain how the same gun your cousin bought on Saturday night was in the woods on Midlothian turnpike that night?"

"I don't know anything about the gun. I did not see it until the highwayman raised it."

"And will you admit that if your wife hadn't suggested a ride you wouldn't have been there?"

"No," responded Beattie, "my mind wasn't made up about the ride when my wife suggested it."

Harry Latham, was the first witness called by the prosecution in rebuttal.

The prosecution called many other witnesses for the purpose of corroborating Paul Beattie's story. Among the most important of these was Mrs. A. B. Houchens, mother-in-law of Paul, living in the same house with Paul. She was asked if she knew anything about the receipt of a telephone message, from Henry Clay Beattie, Jr., Thursday night, July 13, about nine o'clock when Henry called up, and asked for Paul.

"She heard Paul in conversation with Henry, agreeing to meet him at Short and Main street. She said Paul and Henry were together again Saturday night, preceding the night (Continued on Page Five.)"

### MURPHY RELEASED WAS NOT THE MAN

Mr. W. J. Murphy was not in Albany, Ga., at the time of the alleged gambling and larceny, August 12. This was the opinion of counsel for the state of Georgia and of Hon. W. A. Hoke, associate justice of the supreme court, before whom evidence was taken in the matter of the extradition of Mr. Murphy. Mr. J. W. Walters, Jr., of Albany and Mr. James H. Pou both stated that it did not appear that Mr. Murphy was the man; in fact, Mr. Pou had ascertained from Seaboard officials that Mr. Murphy was on a run as conductor August 10 and could not possibly be the party wanted. This was a case of mistaken identity. Judge Hoke took occasion to say that the evidence was conclusive that Mr. Murphy was in Raleigh. The two witnesses brought here by Mr. Walters were convinced that he was not the party wanted. Mr. Murphy was therefore released from custody.

A man may be ignorant of the law but the ignorance of his lawyer is always inexcusable.

### AUDITOR DOING WORK

#### Mr. Holding Supervising Tax List Matter

By Order of Commissioners, After Controversy as to Whose Duty it Was, Order Was Made—Another Opinion Says It Was Register of Deeds' Duty.

Auditor Henry G. Holding is complying with the request of the county commissioners to supervise the computation of the tax lists, Register of Deeds C. H. Anderson, on the advice of his attorneys, having declined to do the work. Along in May when the question of whose duty it was to compute the tax lists arose, Mr. Anderson consulted Messrs. R. C. Strong and C. B. Aycock, who advised him that under the law it was the auditor's duty. After this opinion, Auditor Holding was ordered to supervise the doing of this work and it is being done in his office.

An opinion from Messrs. T. W. Bickett and R. B. White was read to the commissioners yesterday placing the duty on the register of deeds. In this opinion the month of September was referred to as a dull month, when the books could readily be made up. Mr. Anderson said today that he acted strictly on the advice of his attorneys in refusing to compute the tax lists, and as to September's being a dull month, he would say that yesterday, the date on which the opinion was read, his office received papers, the fees of which amounted to \$130 and for which work his clerical force would be busy four days at the least—this for one day's receipts.

#### Fallieres Reviews French Fleet.

Paris, Sept. 5.—The most formidable fleet of modern warships ever assembled under the French flag was reviewed off Toulon today by President Fallieres. The fleet included eighteen battleships and nine armored cruisers, in addition to several scores of destroyers and other war vessels of the smallest classes.

### WOULD PERPETUATE OLD LEADERSHIP

Chicago, Sept. 5.—Summing up the reasons for his opposition to the re-nomination of President Taft, Senator A. B. Cummins, in a signed statement says: "If the voters of the republican party believe the old leadership should be perpetuated they can find no better nominee than Taft. I do not believe it ought to be continued. Without any personal disparagement of the president I am hoping that a progressive republican will be nominated and elected next year."

#### SHE GETS 100 PROPOSALS.

Girl Who Objects to Parental Match-making Finds Response.

Boston, Sept. 5.—Miss Lena Leavitt a west end girl, has received more than one hundred proposals of marriage, all due to her proclaiming her right to choose for herself when it came time to select a life partner.

What she did was simply to state publicly that she did not believe in the custom still in vogue among many orthodox Hebrews of allowing the parents, with the aid of a schatchen or matchmaker, to arrange all the details of a marriage pact without consulting the ones to be married.

From the proposals Miss Leavitt has selected one, that of a young man from Watertown, and they will be married in the winter.

#### FAMINE CAUSED BY FLOODS.

Rice Fields of China Destroyed, and Dead Lie Unburied.

Peking, Sept. 5.—Summer floods along the Yangtze-Kiang and its tributaries and also other great rivers are repeating in various provinces the conditions in Anhwei and Kiangsu, which have not yet been relieved. In the province of Anhwei early in August hundreds of thousands of acres of rice were destroyed by the floods and half a million persons were rendered homeless.

Many thousands of square miles are now submerged and the bodies of hundreds of persons lie unburied.

Reunion on Battlefield. Lexington, Mo., Sept. 5.—The annual reunion of the Confederate veterans of Missouri began here today with a celebration of the fiftieth anniversary of the battle of Lexington, the exercises taking place on the battlefield. The reunion will continue over Wednesday and Thursday.



Mrs. Henry Clews, one of the leading hostesses of Newport, who fears neither rain nor cold. On the eve of her biggest event of the season, recently—an elaborate dinner party—the rain poured down in pitchforks, and had been doing so all week. The air was cold and frosty as on a November morning, but Mrs. Clews did not cancel or postpone the function. Instead she telephoned each invited guest and told them all to be sure to come which they all did.

### DECIDE POLL TAX MATTER IN COURT

Mr. B. C. Beckwith, county attorney and Mr. Jeroy J. Olive, attorney to the county board of education, will submit an agreed case at the next term of Wake superior court for the trial of civil causes on the question of the division of the poll tax funds in this county. The matter involves only a question of law, the facts being submitted. Mr. Beckwith contends that the commissioners in apportioning \$1.28 to the school fund acted in accordance with the law, while Mr. Olive contends that the school fund should have received \$1.50. Since the question involved concerns the entire state, the result of the case will be awaited with more than ordinary interest.

#### "CONSCIENCE" SENDS \$500.

State Department Receives Large Sum in Envelope Without Name.

Washington, Sept. 5.—A clerk in the index and files bureau of the state department was busy opening and classifying the mail that had just been delivered Saturday morning, and as he sliced a sealed envelope and emptied the contents he observed five \$100 bills drop out. He gathered them up, and then delved into the envelope to find the accompanying letter.

But the only enlightenment he got was a slip of paper, on which was written "conscience."

The state department officers think it is just as well not to give out the post mark on the envelope. Such letters are frequent in the treasury department, but unusual in the state department. The treasury will probably lay claim to the money, to be covered into the miscellaneous fund of the treasury.

#### MRS. S. J. GOOCH.

Died Yesterday, Age 68 Years—Funeral Today.

(Special to The Times.) Stern, N. C., Sept. 5.—Died after an illness of six weeks, at her home, yesterday near Hester, in the fullness of faith in her Redeemer, Mrs. Sallie J. Gooch aged 68 years, she was the mother of W. S. Gooch, of Stern, and Walter R. Gooch, of Hester, N. C. The funeral will be held at the old homestead at 3 o'clock.

Just being acquainted is peaceful; being intimate is a storm.

### SEE THE GOVERNOR

#### Other Delegations Here On Judgeship Matter

Mr. David Stern, of Greensboro, appeared before Governor Kitchin today in the interest of Mr. Cook, and a Graham Delegation Also Here in the Interest of Mr. Long—Other Applicants.

Mr. David Stern, of Greensboro, appeared before Governor Kitchin today in the interest of Mr. A. Wayland Cook an applicant for the judgeship made vacant by the resignation of Hon. J. Crawford Biggs. Messrs. J. L. Scott, Jr. and C. A. Scott, of Graham, also appeared before the governor in the interest of their townsman, Mr. Jacob A. Long. Friends of Mr. Howard A. Foshree, of Durham, appeared yesterday. Mr. A. A. Hicks, of Oxford, is the fourth candidate. The appointment may be made late today, but it is not believed the governor has fully made up his mind as to whom he will name.

#### GIRL SWIMS 22 MILES.

Brooklyn Teacher Makes Record in Five Hours.

New York, Sept. 5.—Miss Adelaide Trapp, a 20-year-old Hoboken school teacher, established a new swimming record for distance in local waters today by covering the course from North Beach to Robbins' Reef, near Livingston, S. I.

The straightest possible water line between the two points shows a distance of 20 1/4 miles, but a conservative estimate of the course covered by Miss Trapp in her various changes to escape cross currents would make her swim 22 1/2 miles. She was in the water 5 hours 7 minutes and 30 seconds.

Miss Trapp's performance is one-half mile longer than the recent swim of Charles Durborow from the Battery to Sandy Hook, but 12 miles below Durborow's record-breaking swim last year in the Delaware River.

#### BOY'S LEG IS LENGTHENED.

Norfolk Lad Probably Cured of Deformity by Operation.

Norfolk, Va., Sept. 5.—Samuel T. Hand, Jr., the little son of the late S. T. Hand of this city, has just been subjected to a remarkable operation in a hospital in Baltimore, the object of which was to lengthen one of his legs. This the surgeons succeeded in doing, lengthening the limb to the extent of 2 3/4 inches.

The little patient is getting along finely in the hospital, and the operation, it is believed, will be entirely successful, and his deformity, through the shortness of one of his limbs, will be almost totally eliminated.

#### GORED BY ANGRY DEER.

Man Attempting to Chloroform Buck is Terribly Injured.

Patchogue, N. Y., Sept. 5.—John Buckley came near being gored and stamped to death today by an infuriated buck deer that he was attempting to chloroform.

When all but unconscious Buckley was rescued by Capt. Ackery, who was passing by and heard his cries for help. The buck had to be almost killed before it desisted. It finally died.

### FOR ENTERTAINMENTS IN NEW AUDITORIUM

Three committees will meet in the office of Mr. Henry E. Litchford at 5 o'clock today for the purpose of perfecting plans for opening the new auditorium in a most fitting manner during fair week. The tentative plans call for three entertainments, but until the committees discuss the matter it cannot be stated the nature of the entertainments. The committees meeting will be:

Entertainment committee of the chamber of commerce—Messrs. Wade R. Brown, chairman; Jos. E. Pogue and Henry W. Bagley; Municipal building commission—Col. Chas. E. Johnson, president; Messrs. John C. Drowry, Jos. G. Brown, Albert L. Cox and Joseph Daniels; alderman committee—Messrs. J. C. Ellington, chairman; Clarence Johnson and W. A. Cooper.

John R. Keene's Condition Favorable. London, Sept. 5.—The surgeon attending James R. Keene, who underwent an operation for stomach trouble report the financier's condition favorable.



Mrs. May Beltrio-Baldwin, of Milford, Conn., to whom \$600,000 was left by the will of her uncle, J. J. Day, of Milford, on condition that she marry a girlhood suitor. Although Mrs. Baldwin is now married and has five grown children, she is confident that some means will be observed whereby she will receive the fortune. "I feel no doubt that every complication will be adjusted," she says. "The will of my uncle says that it is his wish that I marry the young man he names, not that I must marry him or forfeit the inheritance." Her husband, Oliver Baldwin is the village blacksmith.

### PAUL GEIDEL GIVEN 20 YEARS FOR MURDER

New York, Sept. 5.—Paul Geidel, the bell boy who slew William H. Jackson, a broker, was sentenced by Judge Crain in general sessions court to serve not less than twenty years in state's prison.

#### DIES AFTER 7-HOUR DANCE.

Man Succumbs at His Partner's Side as He Seeks Refreshment.

St. Paul, Sept. 5.—After dancing for seven hours, A. E. Scott took his partner to a refreshment stand at Broadhead in this city last night and topped over dead as he was about to take a glass of soda.

Miss Mary Webb, Scott's partner, stood by his side as he toppled over. They started dancing as soon as the place opened at 6 o'clock and kept at it continually, save thirty seconds' rest of the orchestra, until 1 a. m., when Scott, exhausted, decided to give up the struggle. The pair walked to the refreshment stand, ordered soda, and Scott was about to raise the glass to his lips when he fell. He was dead when bystanders started to assist him to his feet.

#### CHEAPER TO LIVE THAN DIE.

Burial Lots and Carriages Deared, Caskets More Elaborate.

Washington, Sept. 5.—The cost of dying exceeds the cost of living in the opinion of experts here, and the average citizen must leave more for funeral expenses than was required of his ancestors.

Cemetery plots have gone up since 1900. The banding together of Washington's livorists, casket providers of hearse and funeral carriages, has resulted in the advance of 50 cents a casket. New and elaborate styles of caskets cost more. There are mahogany caskets, the carving representing three months' work, and bronze affairs weighing 600 pounds, which range in cost from \$800 to \$2,000 each.

#### Big Harvest for Ticket Scalpers.

Chicago, Sept. 5.—Ticket scalpers selling seats for the Goteb-Hackenschmidt wrestling match reaped one of the biggest harvests ever recorded of a similar event. Tickets selling originally for ten dollars went for fifteen. It is estimated that two thousand tickets were disposed of by scalpers.

### MR. SMITH'S FUNERAL

#### Services Over Deceased at Central Church

Was Held in High Regard by His Employers by All Who Knew Him—Was Native of Buncombe County and Had Lived in Goldsboro.

The funeral services over the remains of Mr. J. M. Smith, who met his death by a fall from a telephone pole yesterday afternoon, will be held from Central Methodist church this afternoon at 4 o'clock. Mr. Smith, who was a native of Buncombe county, came here from Goldsboro a year ago, and was an expert telephone lineman. He was employed by the Capital City Telephone Company and yesterday was repairing damage on a line on East Jones street, opposite the governor's mansion, when he unaccountably lost his footing and dropped twenty feet to the pavement below, falling on his forehead. He was attended by Dr. Ivy J. Riddick and rushed to Rex Hospital, where he died shortly after 2 o'clock. He was 40 years old.

Mr. Smith is survived by his wife, who was Miss Maggie Hutchings of Buncombe county, and four children. Fred, the oldest, being seven years old yesterday. He was held in high esteem by his employers and liked by all who knew him.

#### Thirty Thousand Deaths From Cholera.

Chinasso, Switzerland, Sept. 5.—Since the beginning of the present year the total number of deaths from cholera in Italy has passed the thirty thousand mark. Terror and superstition are causing violent outbreaks among the population.

#### Fresh Hunt for "Mona Lisa."

New York, Sept. 5.—A fresh hunt for the famous painting, "Mona Lisa," is being made in every large city in the country. Renewal of the investigation is based on a tip received by the customs agents that a painting was smuggled into the United States.

### NEW ENGLAND TEXTILE MILLS START UP AGAIN

Boston, Mass., Sept. 5.—Textile mills throughout New England, employing 55,000 persons, resumed operation after a shut down varying from eight days to two weeks. Curtailment of the production of cotton goods will continue at a number of places, including Fall River, until the raw cotton situation and the cotton goods market conditions are further improved. Manufacturers hope the worst is over.

#### SUREMEN SAVE RICH YOUTH.

George Kuhl, of Philadelphia, Rescued at Atlantic City.

Atlantic City, Sept. 5.—George Kuhl, son of a wealthy Philadelphia cottager at Ventnor, was rescued from drowning off Portland avenue, Ventnor, this morning by Kendrick and Wilson, city life guards, after a hard battle with the waves.

Kuhl went out beyond the surf line and got into difficulty a hundred yards from shore. The guards were unable to launch their boat, so they went out with the can buoy. Young Kuhl had disappeared before the surfmen reached the spot where he was last seen, but Kendrick brought him to the surface after several dives. Then the crowd on shore pulled them in by the line. The life savers had a hard fight with the current to keep Kuhl on the buoy. All were badly exhausted and it took over half an hour to revive Kuhl.

#### POLICE AUTO IS STOLEN.

Motor Car Endless Steel Pittsburg's Official Pursuit Machine.

Pittsburg, Sept. 5.—The auto bandits who have been terrorizing Allegheny county for weeks, splashed the guns of the authorities by stealing the police automobile that was used for emergency cases and pursuit. Twenty-four hours passed since the car was stolen from in front of the fashionable clubhouse of the Pittsburg Athletic Association in Grant Boulevard.

Two sleuths and two newspapermen wearied after an all-day grind on a case, stopped at the club for a short time, and when they returned to the boulevard found that the machine had been singled out of about fifteen others and driven off.

### HEALTH BOARD ELECTS DOCTOR

#### Dr. J. J. L. McCullers Elected County Superintendent of Health At Meeting Today

ARE STRONG RESOLUTIONS

Powers of Health Officers Are Defined in Resolutions and Penalties Named for Interference—Sheriff and Other Officers to Be Served—Friends Still Hoping That Level Heads Will Prevail and Avoid Further Complications.

At a called meeting of the county board of health, Dr. J. J. L. McCullers was elected county superintendent of health and his compensation fixed. It was ordered that the county commissioners, the jailer, and other officials be notified of the election and a penalty of \$25 was imposed for interference with this official in the discharge of his duties. The action of the board of health puts the question of the election of Dr. McCullers squarely up to the county commissioners and unless level heads prevail the matter will likely go to the courts and become an issue in county politics.

It was intimated this afternoon that a compromise may be proposed, though it is doubtful if the commissioners will acquiesce. Members of the board of health stated that they had no desire to antagonize the commissioners.

Newspaper readers will remember that Dr. McCullers was elected county superintendent of health by the county commissioners last spring, but such restrictions, fines and forfeitures were thrown about the office that he would not accept. Since that time the matter has been discussed in the papers about every week.

After electing Dr. McCullers, the board of health fixed his compensation as follows:

"For monthly inspection of jail, county home, and convict camps each \$4; for medico-legal post-mortem examinations, \$10 each; for examination of lunatics for commitment, \$5; for visit to sick inmate of county home, jail and convict camp, \$1.50 plus 50 cents for each additional patient seen, plus 50 cents mileage from courthouse; for obstetric work, \$10 per case; for surgical work, the regular price fixed by section 21 chapter 42, public laws 1911, which compensation shall be paid monthly by the board of commissioners of Wake county at its regular meetings."

The board ordered copies of the resolutions furnished the sheriff of Wake county, the jailer, the keeper of the county home, the superintendent of roads, the supervisors of the various convict camps and the county commissioners.

The board adopted the following rules and regulations:

1. That it shall be the duty of the sheriff, the jailer, the keeper of the county home, the superintendent of (Continued on Page Six.)

### LIGHT PROPOSITION IS A POPULAR ONE

The proposition to light Martin and Fayetteville streets with cluster lights has been meeting with unusual favor among business men and others. As was announced in this paper last Friday business firms along Martin street have agreed to furnish the current. Merchants and others on Fayetteville street are also wanting to "get in" on a similar proposition and the prospects of lighting Raleigh most beautiful at night seem very bright. The finance and light committee of the board of aldermen will meet with agents of the Carolina Power & Light Company this afternoon for the purpose of getting definite information as to cost, etc.

#### Three Killed in Wreck.

Erie, Pa., Sept. 5.—Three are dead and several others injured as the result of a collision between an Erie and Pittsburg passenger train and a Lake Shore freight last night at a railroad crossing. The dead bodies were found beneath the locomotive,