

## SUPREMACY DEATH OF JUDGE NEILL

Honored Jurist, Former El Pasoan, Dies of Apoplexy at Cloudercroft.

## WAS SOLDIER OF THE CONFEDERACY

Hon. H. H. Neill, associate justice of the fourth court of civil appeals at San Antonio, died suddenly Thursday evening at Cloudercroft, where he had been spending the summer.

Judge Neill had been a resident of San Antonio, Tex., since 1892, when he was appointed on the bench of the court of appeals, but prior to that time, he was a resident of El Paso for a number of years, and his son, Robert T. Neill, is now a practicing attorney of El Paso.

Judge Neill died of apoplexy, death coming suddenly when he was apparently in the best of health. His son left El Paso Thursday evening for Cloudercroft and will bring back the remains of his father to El Paso this evening.

Whether the body will be buried here or sent to San Antonio will not be known until the son arrives. Mrs. Neill, the wife of the deceased, is now at San Antonio. A daughter, Mrs. Rosa Raymond, resides at Raymondville, Tex., near Brownsville, and will be unable to attend the funeral owing to illness. A baby son was born to her just a day or two before the judge died and he had only known the joy of being a grandfather for a few hours.

Judge Neill was a native of Mississippi and a graduate of the University of Mississippi. In the civil war he served in the Confederate army in Harvey's scouts, attached to the headquarters of Gen. Forrest. After the war he came to Texas and settled at Stephenville in Erath county, where he resided until about 1884, when he came to El Paso and located for the practice of law. He was law partner during his residence here of both Peyton F. Edwards and Capt. W. B. Brack.

During the Hoeg-Clark campaign in 1892, Judge Neill espoused the cause of Hoeg and was awarded politically by the governor when the fourth court of criminal appeals was created that year by being appointed to the bench of that court. He was at that time law partner of Judge Edwards. He has been elected judge each time since his appointment and his present term would not have expired until 1914.

Judge Neill has for several years spent his vacations at Cloudercroft, always stopping over in El Paso friends and coming to visit his old friends in this city. He was very fond of the natural beauties of Cloudercroft, where his last days were spent. He was recognized as a lawyer of brilliant, witty even in many of his written decisions, and it is said that he never lost a friend once acquired. His long term on the appellate bench is one of the best testimonials to the type of man that he was.

The bar association has been called to meet the train when the remains arrive from Cloudercroft; after it is ascertained from the son that the body will be made of the body, the lawyers will then form their plans for honoring the deceased. If the body is sent to San Antonio, a committee of lawyers will go.

The Texas state flag was flying at half mast from the courthouse flagpole on Friday, in honor of Judge Neill.

## LIGHTFOOT TO MAKE FIGHT ON COLQUITT

Will Test in the Courts the Right of Governor to Cut His Appropriation

Austin, Tex., Sept. 1.—In a 3000-word statement issued today, the attorney general maintains that the governor had no authority to cut in two the appropriation made for the attorney general's department and declares that the matter will be settled in the courts.

The office force in that department has volunteered its services to the state free of charge pending action by the higher courts through mandamus proceedings. Mandamus proceedings to the supreme court is the route selected. Beginning today, there is no appropriation for support of that department, according to the contention of the attorney general.

The governor today signed the legislative expense bill, which carries an appropriation of \$20,000 to defray the expenses of the legislative investigating committee.

## SMALL POSTS NOT NEEDED IN TEXAS

Fort Clark For Consumptive Sanatorium; Ringgold For a Leprosorium.

## WILL BE GIVEN TO THE STATE

Washington, D. C., Sept. 1.—All Texas border posts but Fort Bliss have been ordered abandoned by the war department. Two of them are to be turned over to the state for sanatoriums—one for leprosy patients and one for consumptives. Old Fort Brown has been abandoned for some time, Forts Ringgold and Clark have lately been abandoned and now comes the information that Fort McIntosh is in for abandonment.

That it is the determined policy of the war department to abandon all small posts in Texas established in early days when marauding bands of Indians and outlaws were making trouble and to concentrate troops now at these outlying points at San Antonio, is the effect of a general statement made by Maj.-Gen. Leonard Wood, chief of staff, to a group of newspaper men.

"It is the department's intention not only to abandon Fort Clark," said he, "but to abandon Fort McIntosh also. No hasty action will be taken. These early established posts are being maintained at a heavy expense, and are at points not easily in touch. The department's policy is gradually to concentrate the Texas troops at San Antonio, as much as possible. That is the best base. The troops may be kept there economically and still be at a strategic point from which to be dispatched."

Fort Ringgold, in Starr county, has been turned over to the interior department to give to the state of Texas, but that department has deferred action pending disposition of resolutions in congress asking that the Fort Ringgold reservation and the Fort Clark reservation be turned over to the state of Texas as sites, respectively, for a leprosorium and a tuberculosis sanitarium.

"You probably know," continued Gen. Wood, "the war department has decided to give to the state of Texas the Fort Clark reservation for a tuberculosis sanitarium."

Fort McIntosh adjoins Laredo. Gen. Wood would not say when the abandonment of Forts Clark and McIntosh will ensue.

## INDIAN IS SHOT IN JAIL CELL

Spokane, Wash., Sept. 1.—Peter Mallick, half breed Nez Perce Indian and a graduate of Carlisle Indian school, was shot to death by an infuriated mob of Grandville, Idaho, citizens last night as he lay asleep in his cell in the county jail in that town. Over 30 bullets were fired into his body.

Mallick was arrested some weeks ago charged with beating his half breed wife while on a drunken spree. Her ribs and collar bone were broken and her life was in danger for over a month.

Since his arrest threats have been made to "take the half breed's life and then batter it's way into the jail last night and shot him to death as he lay in his cell. Mallick died without uttering a sound and the mob, which numbered 20, marched away unmolested.

## METHODISTS ARE ANGRY AT BREWERS

Colorado Springs, Colo., Sept. 1.—The annual conference of the Methodist Episcopal church of Colorado in session here, has appointed a committee to draft and forward to president Taft resolutions protesting against official recognition of the International Brewers' congress. The conference is especially incensed over secretary Wilson being made honorary president of the brewers.

## PRESIDENT TO STOP AT CHEYENNE, WYO

Laramie, Wyo., Sept. 1.—President Taft will spend an hour in this city on Wednesday, October 4. He will arrive about 2 o'clock, and after an automobile ride over the city, will deliver an address from the steps of the university, or from the Carnegie library.

Senator Warren will accompany him on his trip across the state. Secretary Hillis could not grant a longer time for the presidential party here.

## MADEIRO WILL NOT BE A RADICAL

Promises Political Freedom and Fair Treatment to Foreigners.

## WILL IMPOSE TAX ON ALL LANDS

Mexico City, Mexico, Sept. 1.—Radicalism will not characterize the administration of Francisco I. Madero as Mexico's president. When he appeared before the convention to pledge himself to the support of the adopted platform, he assured the delegates that they need not expect him to carry out the reforms proposed in any given time or by any radical means.

When he walked down the aisle toward the stage, his slight form almost hidden by the committee that had been sent to greet him, the house from parquetry to gallery shook with applause.

It was some time before chairman Sanchez Azcona could restore order. The delegates broke into applause once more when their hero advanced to the front of the stage.

Attired in frock coat, Madero presented a strange contrast to the khaki colored figure which many of the delegates from northern Mexico had seen in the campaign about Juarez and El Paso.

On the stage behind him sat his proud father who had chided him for hundreds of miles to stop the fight, if he could, and in one of the upper boxes were a number of the women of the Madero family, including his wife, who has been his companion on the battlefield, on his tours of pacification to the south and who accompanied him to the convention hall.

Mrs. Madero cheered. Following Madero's address Serapio Rido, one of the capital's eloquent lawyers, in an eulogistic address, called attention to the presence of Mrs. Madero, and when he had finished, the delegates rose to their feet, faced Mrs. Madero and almost shook the house with their applause.

When Madero began to speak, the audience became quiet. With the exception of the speaker's voice, scarcely a subject could be heard. A cough here and there was a signal for indignant silence.

That his administration would do all in its power to carry out the wishes of the convention, Madero assured the delegates, but he reminded them that all changes would be brought about by appointment by Gen. Diaz, according to Madero, and he declared that they would be permitted to serve out their terms. He pointed out that it would be only reasonable to suppose that until successors, named by the people, could be elected, opposition to reform might be expected.

Plank by plank, the nominee of the party discussed the platform and expressed his approval of it. Regarding that plank which is provided that no monopolies or special privileges shall be granted, Madero declared that this should not be taken to mean that his administration would be an enemy to foreign capital. He insisted that the money of the foreigner would be treated like that of the Mexican; that all foreign capital would be given ample protection; but he emphasized the statement of the platform that the government in the future would be an enemy to all monopolies.

To impose Land Tax. Fear has been expressed in some quarters that Madero's government can be counted on to bring about a radical division of the large estates by arbitrary method. This fear was allayed. He declared that the large estates of the country would not be attacked, although greater protection would be given to the small land owners who have recently complained of illegal seizures of their property. This policy of supporting the small land owner, he declared, had been largely responsible for progress in the United States.

Madero's idea, frequently expressed, is the imposition of a land tax which will have the effect of forcing the owners of huge tracts to develop them, sustain the expense of taxation without remuneration or dispose of their property. It also is his idea to open government lands to colonization.

Political Freedom. It was when he promised political freedom to both friends and foes that the convention broke the silence with which it had been listening to his discussion. He was talking of the reform laws, for whose observance the convention had deemed it fit to adopt.

Madero declared these reforms were desired by the people today, and that his administration would be as jealous of their enforcement as any preceding administration had been.

By law, clergymen are not allowed to hold office; but Madero announced that with this exception, no citizen of Mexico, whether he had supported the friars, or their foes, would find himself embarrassed by any antagonism in the exercise of his political rights.

## This is "The Girl in the Case"

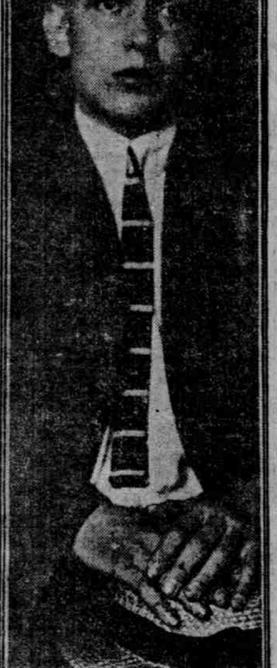


The latest and one of the best pictures of Beulah Binford, the principal witness in the Henry Clay Beattie, jr., murder case, now going on at the Chesterfield county courthouse, Virginia. Beulah Binford, for love of whom it is believed Beattie killed his wife, is expected to be called to testify, and it is expected there will be heard a story second in dramatic and pathetic interest only to that of Evelyn Nesbit Thaw.

## BELL BOY FOUND GUILTY OF MURDER

Paul Geidel Will Get From 20 Years to Life Imprisonment

New York, Sept. 1.—The jury in the case of Paul Geidel, the 17-year-old bell-boy, charged with the murder of William H. Jackson in the Iroquois hotel.



On July 26, today returned a verdict of murder in the second degree. By the verdict Geidel escapes the electric chair, but will be sentenced to prison for 20 years to life. He was bell-boy at the hotel and his victim had befriended him. He was trying to rob Jackson's clothes, when Jackson awoke, and the boy killed him.

## NEW LIABILITY LAW IS EFFECTIVE

California Protects Her Laborers in All Lines Against Injury

San Francisco, Cal., Sept. 1.—California's new employer's liability law, abolishing the contributory negligence and fellow servant defenses, in actions for damages brought by injured employees, went into effect today.

The law, which was a part of the reform program of the last legislature, provides fixed compensation for injured workmen, benefits to widows and orphans, and medical and surgical attention. The amount of compensation is to be regulated by an industrial accident board of three members appointed by the governor.

## FRANCE FEARS A GERMAN DISPUTE

Moroccan Situation Likely to Result in Trouble Between the Two

Paris, France, Sept. 1.—France still remains in a state of suspense over the outcome of the negotiations between France and Germany relative to Morocco. While in official circles an optimistic attitude is maintained that the negotiations, which are to be resumed shortly, will lead to a satisfactory settlement, there is certain anxiety among the people because of the possibility of a rupture. The consequences of such a result are much discussed.

## TAFT WILL ATTEND LANDS CONVENTION

Goes to Denver October 3. Will Not Hold a Reception

Denver, Colo., Sept. 1.—President Taft has accepted the invitation to address the public lands convention in Denver, October 3, but requested that the plan for a public reception at the state house be abandoned.

## ANOTHER CAR BIG STRIKE IN SEEN; NOT BEATIE'S

Defence Trying to Make the Jury Believe There Were Two Couples in the Road.

## BROTHER OF THE PRISONER ON STAND

Chesterfield Court House, Va., Sept. 1.—Douglas Beattie, brother of Henry Clay Beattie Jr., indicted for wife murder, admitted on the witness stand today that he would not have rendered the assistance he did to the detectives in running the ill-fated automobile to and from and about the scene of the crime if he "had known they would lay the crime against my brother."

The witness also said he would have washed and cleaned the car that very night.

The prosecution drew this forth on cross examination and by its questions sought to lay a charge of destroying evidence upon Douglas for having washed some blood from the machine before the authorities seized it.

The witness was still on the stand when court recessed at 1:30 p. m. for luncheon and indications were for the testimony of the prisoner "himself" would not be reached today.

A mysterious message to Harry H. Smith, counsel for the defense, interrupted the trial for a half hour and resulted in the discovery of a witness in Richmond to account for the solitary car, the woman on its running board and the man in front of it, which a group of boys early in the trial said they saw on the night of the murder and described as resembling the prisoner and his wife.

The prosecution had built up its case with the theory that Mrs. Beattie was shot, not while sitting in the machine beside her husband, as the latter alleges, but as she was standing either on the running board or in the road, the big blood spot resulting from her fall on the turnpike.

The witness, whose name was withheld till he appeared in court, was expected today to testify concerning the man and the woman whom the boys saw. His story, it is said, is that the man stopped to crank the machine on the Middlethian turnpike, the woman standing on the running board as the boys were coming from the dance at Bon Air passed them.

An Important Find. A sensation was created by news that in the examination of the Beattie car by the prosecution witnesses, a similar examination by witnesses for the defence, an expert discovered a few hairs thought to be from the head of Mrs. Louise Owen Beattie.

The hair was clotted in the blood in the lower front part of the car. Detectives for the prosecution went to confirm the find.

Detective Scherrer said the finding of the hair under a seat cushion indicated the cushion was up and was tilted when the prosecution's witness saw the woman's head was concealed under the seat on the prisoner's trip to the Owen home immediately after the tragedy.

Prisoner's Father Testifies. The prisoner sobbed like a child yesterday when his gray haired father, in low tremulous voice told of the domestic felicity of his son and the slain woman, Louise Owen Beattie. It was the first time that the stoical calm of the prisoner's countenance had given away during the trial.

The testimony of the father on behalf of his son came as the dramatic close of a long day's battle by the defence against the evidence heaped up by the prosecution.

The father of the accused was interrogated for an hour just before court adjourned. As he stepped to the witness stand the prisoner's face flushed. The white-haired man, his face wrinkled and pale, spoke in a voice scarcely above a whisper. Counsel leaned forward over the bench to listen to him.

He talked with great effort, representing an ever-recurring emotion. He told how his life had been saddened by the death of his only child, how Henry in his infancy had been neglected because twins came into the family during his boyhood, and described how on this account, and the death of his own wife, he had grown closely attached to his son. He described the strong love that had existed between Henry and the ill-fated wife, testifying that he himself grew to love his daughter-in-law as one of his own children.

## LEADERS ARE MEETING, EACH SIDE DECLARING THAT IT WILL NOT REcede.

San Francisco, Sept. 1.—At a conference attended by Julius Kruttschnitt, vice president of the Harriman lines, and other Harriman system officials in this city on the one side, and by James W. Kilne, J. A. Franklin, J. D. Bucklew, M. F. Ryan and J. D. Crane, representing the five shop crafts involved, the formal demands of 25,000 railroad shopmen employed on the Harriman system are being thrashed out in this city.

## NO STATEMENT BY LABOR LEADERS

Both Sides Determined. Both sides announced that they went into the conference determined not to recede from their positions, each of the railroad being that it would not recognize the federation of employes, and that of the international union leaders that this recognition must be conceded.

In setting the hour for the meeting, vice president Kruttschnitt let it be understood distinctly that he was meeting the labor leaders as individual representatives of their respective unions and not as joint committee representing the federation.

The Point at Issue. While there are some minor subjects that the labor leaders wish to have adjusted, the real point at issue is the question of recognition of the federation, and the labor leaders went into the conference firm in the determination to induce Kruttschnitt to consent to a meeting between the representatives of the federation and the general managers of the Harriman systems.

A direct conference with Kruttschnitt will not be demanded. In case no agreement is reached today, or if the decision is against the desires of the labor leaders, there can be no appeal.

Kilne received a telegram yesterday from president Lovett of the Harriman system, saying that any action resolved upon by the officials now in this city would be ratified by the railroad company.

Labor Leaders Silent. The labor leaders were late in breakfasting this morning and spent the time before 11 o'clock, the time set for their conference with Mr. Kruttschnitt in informal conferences. They declined to discuss their plans.

President Kilne, who has acted as spokesman of the committee, said they had decided to make no further statements until after their talk with the railway officials.

Shortly after 11 o'clock the men left their hotel and went to the Southern Pacific headquarters, where Mr. Kruttschnitt and other officials were awaiting the audience.

Conference In Secret. The representatives of the Harriman system who went into conference with the federation of labor leaders were Julius Kruttschnitt, vice president and director of maintenance and way; E. E. Calvin, vice president and general manager of the Southern Pacific; W. R. Scott, assistant general manager of the Southern Pacific, and other officials.

None of the railroad officials would say whether they had any intention of making a concession or intentions prior to the meeting.

The conference began promptly at 11 o'clock behind closed doors, and at noon no word had reached the outside as to what had transpired between the railway officials and the representatives for the shopmen.

Auditors Laid Off. The Southern Pacific company continues to lay off men, between 75 and 100 men from its auditing staff, having been laid off yesterday. Most of these men have been employed as train auditors and this work will be done by Chicagoans from now on.

Chicagoan Leads Report. Chicago, Ill., Sept. 1.—Following the refusal of president C. H. Markham of the Illinois Central railroad to recognize the federation of shopmen, the 27 delegates representing the nine crafts, today held several conferences and kept in close touch with the situation in San Francisco, where vice president Julius Kruttschnitt of the Harriman lines was to meet the union labor leaders.

Three Courses Open. Three courses are said to be open to the leaders of 8000 shopmen employed by the Illinois Central railroad: 1.—To call off the shopmen employed by the Illinois Central at once, either in a separate strike or in connection with a general strike of all shopmen on the Harriman lines. 2.—To serve a 30 days' notice abrogating existing wage agreements withholding the strike order until the expiration of that period and in the meantime make an effort to resume negotiations for peace with the railroad officials. 3.—To recede from their demands.

## COTTON CROP IS NOT UP TO THE NORMAL

Washington, D. C., Sept. 1.—A total production of 13,218,200 bales of cotton as the final yield this year is indicated by the department of agriculture's official report on the condition of the growing crop on August 25, which the crop reporting board estimated today at 72.2 percent of normal.

This estimate, based on the ratio of the average yield for the last 10 years to the average condition of the crop on August 25 for the last 10 years, would mean a final yield of 151.55 pounds an acre on the planted area of approximately 34,000,000 acres, allowing for an abandoned acreage of 1,000,000 and provided the crop does not decline or improve from the date the condition was estimated to the time of picking.

Table with 2 columns: Year, Percentage of Normal. Rows include 1911, 1910, 1909, 1908, 1907, 1906, 1905, 1904, 1903, 1902, 1901, 1900, 1899, 1898, 1897, 1896, 1895, 1894, 1893, 1892, 1891, 1890, 1889, 1888, 1887, 1886, 1885, 1884, 1883, 1882, 1881, 1880, 1879, 1878, 1877, 1876, 1875, 1874, 1873, 1872, 1871, 1870, 1869, 1868, 1867, 1866, 1865, 1864, 1863, 1862, 1861, 1860, 1859, 1858, 1857, 1856, 1855, 1854, 1853, 1852, 1851, 1850, 1849, 1848, 1847, 1846, 1845, 1844, 1843, 1842, 1841, 1840, 1839, 1838, 1837, 1836, 1835, 1834, 1833, 1832, 1831, 1830, 1829, 1828, 1827, 1826, 1825, 1824, 1823, 1822, 1821, 1820, 1819, 1818, 1817, 1816, 1815, 1814, 1813, 1812, 1811, 1810.

Unofficial advices from the cotton belt indicate that most important declines in the crop were due to severe droughts, hot winds and worms in Texas and Oklahoma, since the date on

## GROUND BROKEN ON NEW ROAD AT ARTESIA

Artesia, N. M., Sept. 1.—First ground on the San Diego, El Paso & St. Louis railroad was broken here yesterday, A. Courchene and W. H. Winter, of El Paso, handling the spades.