

OFFICER ROGERS SHOT DOCKERY

Son of U. S. Marshal at the Point of Death

CLAUDE BERNARD SUED

Ex-District Attorney and Dockery Carried Two Girls Out—Vengeance of the Fathers, Policeman Rogers and H. C. Howell, Led to Tragedy in Tucker Building

John C. Dockery, aged 25, deputy in the office of his father, United States Marshal H. C. Dockery, was shot down by Policeman Isaac W. Rogers yesterday morning. Rogers stood at the head of the steps on the second floor of the Tucker Building and fired when Dockery was a few feet from him. Dockery, who is at the point of death, fired one shot at Rogers as he fell to the landing ten steps beneath. The ball grazed Rogers' hip. The tragedy was the outcome of a visit to a disreputable house by Dockery and Claude M. Bernard with the daughters of Rogers and Henry C. Howell. Warrant in a civil suit by Howell against Bernard has been issued, and he will probably be arrested at Wilmington, where he is said to be attending court. Dockery lies in Rex Hospital with two balls in him, and the physicians say there is not more than one chance in a hundred for his recovery.

As Deputy United States Marshal John C. Dockery, followed by Clarence Howell, was mounting the steps in the Tucker building yesterday morning at 10:15, Policeman Isaac W. Rogers appeared at the head of the stairs and fired two shots in quick succession at Dockery. The young man, probably mortally wounded, fell to the landing below and lying there fired at Rogers, the ball grazing the latter's right hip and striking the post at the head of the banisters.

The three shots were distinctly heard through the building and on the street below. Among the first to reach the wounded man were Mr. A. C. Hinton and Mr. Marcus W. Crocker. Dr. Hubert A. Royster, in his office on the second floor of the same building, was attracted by the reports and ran to the railing. The wounded man was borne into his office, where it was soon apparent that his injuries were desperate.

Meanwhile Policeman Rogers had walked into the office of Dr. James R. Rogers, which is only three doors from the head of the steps where the tragedy was enacted, and there telephoned to the office of the sheriff and to police headquarters. Officers arrived almost instantly and he surrendered himself. The preliminary hearing, at the request of the defense, is set for next Tuesday at 11 o'clock, and in the meantime Rogers is confined in jail without bail.

The shooting caused a profound sensation on Fayetteville street and throughout the city. A few knew that trouble was brewing, but the public was not prepared for the terrible outcome. No statement by Rogers or the Howells will be permitted by the attorneys, and the dying declarations, which have been taken down by a stenographer and sworn to by the wounded man, will not be made public at the present. However, the fact is well established that the tragedy was the outcome of alleged wrong doing by Dockery and Claude M. Bernard.

United States district attorney, with John Rogers, the 19-year-old daughter of Policeman I. W. Rogers, and Bertha Howell, the 17-year-old daughter of Henry C. Howell, who keeps a stall in the market. Charges are preferred by the fathers of the girls against the two men.

But for the absence of Claude M. Bernard from Raleigh yesterday there is strong reason to believe that there might have been a double tragedy. Officer Rogers and his son, Paul Rogers, and Clarence and Cleveland Howell, being satisfied themselves Thursday evening that Bernard and Dockery had entered the house of Jennie May, in East Raleigh, with the daughter of the policeman and the sister of the two Howells, consulted lawyers on the matter. The Howells employed Messrs. Crocker and Shaffer and Rogers retained Col. J. C. L. Harris. The attorneys had advised, after investigation, the institution of suits for leading the girls away and had prepared to push the matter.

As it happened, Deputy Marshal Dockery was then in Wilmington, where federal court was in session, and Bernard was also there as an attorney. Dockery returned to Raleigh yesterday morning and the shooting occurred a few hours after he came down town. Bernard is supposed to be still in Wil-

ilmington and a criminal process is out for his apprehension.

Warrant Out for Bernard

Henry C. Howell at 6 o'clock last evening instituted his suit against Bernard charging him with the betrayal of his infant daughter, Bertha Howell, and claiming \$30,000 damages. The suit is brought in the form of a pauper, and is made under the section of the code which requires arrest and bail. Clerk of the Court Russ placed Bernard's bail at \$5,000, and unless he gives this after his apprehension he will go to jail. The warrant is made returnable at the term of court here July 10th. The affidavit of Howell is very brief, and the facts of the alleged crime are not recited in this paper. The warrant has been sent to Wilmington, and there is little doubt about Bernard's arrest. In fact, if he failed to appear in Raleigh to answer the complaint, then judgment for \$25,000 would be entered against him by default. He is a man of means, and is supposed to be worth more than double this amount.

Impending Trouble Apparent

A score of persons, who had heard vague rumors or observed the movements of Rogers and his son and the Howells shortly after nine o'clock yesterday morning, realized that trouble was impending. Indeed, less than half an hour before the tragedy Mr. A. C. Hinton, who had noticed what was going on, warned Dockery of danger. Officer Rogers' beat this month was on Fayetteville street. He stood around the postoffice and the Tucker Building and had several chats with his son, Paul Rogers, and with Clarence and Cleveland Howell. Dockery came into the Tucker Building pharmacy and while he was there Rogers stepped his lawyer, Col. Harris, on the opposite sidewalk a short distance away. When Dockery came out of the postoffice young Howell looked at him, then joined Rogers. When Dockery returned to the drug store Mr. Hinton told him that those men seemed to be after him, pointing the men on the opposite side of the street out to Dockery. Young Howell and Mr. Hinton heard this conversation in substance: "I want to see you," said Howell to Dockery. (Continued on page five.)

FEARS OF A BOYCOTT

The Pacific Coast Beginning to Take Alarm

Secretary Metcalf Does Not Think the Exclusion Laws Are Enforced Too Harshly—The President Thinks Otherwise

Washington, June 24.—The danger of a boycott against American goods in China is causing alarm even on the Pacific coast, and telegrams are being received by President Roosevelt calling for a less harsh execution of the Chinese exclusion laws in this country. The significance of these telegrams, coming as they do from a part of the country where the agitation in favor of the exclusion law originated, is fully appreciated by the president.

President Roosevelt had a conference with Secretary Metcalf of the department of commerce this morning. A little later he talked with Solicitor Penfield of the state department in regard to the provisions of our treaty with China. The immigration is under Mr. Metcalf's department and the secretary does not take the view that the administration of the exclusion law is any more rigid than it ought to be. The president does not agree with him, however, and Mr. Roosevelt is determined that there shall be a change in the methods of administration. Mr. Metcalf is from California.

A statement on the Chinese boycott matter will be given out at the White House tomorrow.

This telegram from the chamber of commerce of Portland, Ore., addressed to the president, was made public today: "The Portland chamber of commerce respectfully urges immediate action on your part with respect to this country's relations with China. The first consideration being a regard for the nation's honor, which demands faithful and fair performance of its treaty obligations. Secondly, our commercial interests are seriously threatened by the severe manner in which our present administration is executing its mission of Chinese into this country, which seem to be in their practical working to contravene treaty obligations. We earnestly recommend that a more liberal interpretation of the laws be enjoined upon the immigration authorities, and meantime the announcement of the appointment by your excellency of a commission to inquire into the present administration and the method of their enforcement with instructions to recommend to congress such legislation as shall promote increased harmony between the two nations, would have a beneficial effect. We are advised today by cable from Hong Kong that immediate action is necessary by our government or a boycott will follow."

An Asheville Sensation

Asheville, N. C., June 24.—Special. Fred W. Thomas has been named to take depositions for the defendant in this city in the \$50,000 breach of promise suit of Miss Lola Walker of Asheville against Millionaire Edwards of Tennessee. It is said that a number of persons residing in the fashionable Montford avenue section of Asheville have been summoned to give testimony, principally as relative to the character of the plaintiff. A ripple of excitement has resulted over the serving of papers by a deputy sheriff. It was also stated

BLACKBURN HAS A QUIET CONFAB

He Is Silent Regarding White House Interview

GOT WHAT HE WANTED

The Eighth District Congressman to Have a Voice in the Dispensing of Patronage—He Refuses to Comment on His Reported Understanding With Chairman Rollins

By THOMAS J. PENCE

Washington, June 24.—Special.—Representative E. Spencer Blackburn had a half-hour conference with the president at the White House this morning, which it is known related to North Carolina politics, and especially to the dispensing of federal patronage in the state. Just what took place at this interview will not be known unless Mr. Blackburn changes the attitude he assumed today after emerging from the executive offices. The representative from the Eighth district admitted that he saw the president, and later in the day consented to make this statement: "I had a very pleasant and satisfactory talk with the president, and you may say that I am satisfied that he will do the fair and just thing by North Carolina Republicans. As for myself, Mr. Roosevelt will give me the recognition to which I am entitled at the proper time."

The report that State Chairman Rollins and Mr. Blackburn have reached an agreement with reference to the distribution of patronage in the state was brought to the congressman's attention, but he refused to comment on the subject. This report, that the young factional leaders had decided to settle their differences and had agreed on a patronage program is reiterated here with much persistency. It is said that according to this agreement Blackburn will be satisfied with the naming of the marshal and district attorney in the western district, conceding the collectorship and other offices to Chairman Rollins. Mr. Blackburn was asked specially about such an arrangement, but declared that he was unable to throw any light on the subject.

Mr. Blackburn talked longer with the president today than at any previous interview since his election to congress. In fact his previous visits at the White House have not been lengthy. Mr. Roosevelt undoubtedly went over with him the question of party differences in the organization in the state.

One thing seems to be settled with the president, and that is, he will dispose of all the big North Carolina appointments together about the first of the new year. Marshall Milliken's term expires early in December. Soon thereafter the terms of all the other big officeholders will come to an end with the exception of District Attorney Harry Skinner, who will hold on for a while longer.

Mr. Blackburn was accompanied to Washington by Col. W. S. Pearson of Morganton, whom he presented to the president. Colonel Pearson is applying for a position in the consular service, and the president is disposed to reward him with an appointment. The matter was brought up by Mr. Blackburn, who strongly endorsed Colonel Pearson, reciting the fact that he is endorsed by all the Republican members of the legislature. At present there is no available vacancy, and as Colonel Pearson wishes to go to Canada he will have to wait until one exists. In 1873 he was appointed consul to Palermo, Italy, by President Grant.

Representative Slemm, who is the boss of Virginia Republicans, is arranging to explode a lot of red fire at the Republican state convention, which will meet at Roanoke July 8. He was here today and unfolded a scheme by which he proposes to have all the candidates for the Republican presidential nomination in 1908 at his disposal. He winged Secretary of the convention, Shaw today, who readily accepted an invitation, and says he will also land Vice President Fairbanks and Secretary Taft. The nominee for governor is going to be District Attorney J. J. Lewis.

WERE NOT NEGROES

Brazilian Midshipmen Excite Patrons of a Norfolk Restaurant

Norfolk, Va., June 24.—Four midshipmen of the Brazilian cruiser "Le Navire" were requested to leave the Neddo Cafe here because other guests of the place mistook them for negroes. Lieutenant Lorente, the spokesman for the party, declared that they did not comprehend the cause of the confusion they created in the dining room, but when it was explained to them they were glad to leave and go to a finer hotel. They went to the Montecello, the largest hotel in the city, and were entertained with all the courtesy that is shown to other guests. Barton Meyers, the Brazilian consul here, said that the incident had not been referred to his notice officially, and he supposed it would not be as the officers are of Spanish descent and all educated and cultivated naval officers. The cadets from the ship have had shore leave and have been going around the city freely and behaving with more propriety than the average sailor behaves after a long cruise. The officers are having a banquet at the Atlantic Hotel tonight, at which they invited the members of the press and a number of Spanish-speaking citizens.

American Instruction in Guatemala

Guatemala City, June 24.—President Cabrera of his personal funds has decided to establish a practical school of sciences, arts and agriculture under American professors. The tuition will be given in the English language.

this afternoon that several ladies have been summoned to give evidence, but that they have been excused.

First Bale of Cotton

Austin, Tex., June 24.—Manuel Guerrero, a planter of the Rio Grande valley, today shipped to Galveston the first bale of this year's cotton crop in the United States. The ball will make the rounds of the cotton exchange of Galveston, New Orleans, Memphis and New York, being auctioned off at each place to the highest bidder, the proceeds going to charity.

Sheepshead Bay Races

Sheepshead, Bay, June 24.—Results today are as follows: First race—Sandhurst, 11 to 5, first; Hylas, second; Gamecock, third. Second race—Roseben, 7 to 5, first; Sparkling Star, 3 to 5, second; Diamond Flush, third. Third race—Security, 15 to 1, first; Timber, 7 to 2, second; Geo. C. Bennett, third. Fourth race—Agile, 3 to 1, first; Bel-dame, second; Graziallo (added starter), third. Fifth race—L. Joe Hayman, 7 to 5, first; Gentian, 5 to 1, second; Lieber, third. Sixth race—Hippocrates, 9 to 2, first; Palmbear, 5 to 2, second; Bank, third.

NO ARMISTICE

The Japanese Will Not Throw Away Their Advantage

Washington, June 24.—The peace situation on the surface has shown no change, but there is good reason to believe that during the past few days President Roosevelt has been very busy in communicating with St. Petersburg and Tokio, both through the diplomatic representatives of Russia and Japan in Washington and the United States government diplomats in the two capitals. The question of an armistice has been the main subject of the president's representations.

It now seems that there will be no cessation of hostilities until the peace plenipotentiaries of the belligerent nations come to Washington. It became known tonight that the president was informed several days ago by the Japanese government that it would not take the initiative in negotiations for an armistice, and it was also indicated very clearly that an armistice was not desired until the plenipotentiaries meet. Japan has no intention of throwing away her strategical advantages in the far east by agreeing to an armistice.

THE GOLDEN RULE

A Fugitive Chinaman Gives Christian America a Hint

Philadelphia, June 24.—Kang We Ye, the noted Chinese reformer, who was obliged to flee from China because the empress became enraged at finding that he was instilling his ideas of government into the mind of the young emperor, who was his pupil, arrived here this evening, after having had a long audience with President Roosevelt. Chinese scholars and city officers greeted him. Late in the evening a Chinese banquet, attended by prominent Chinese from New York and this city, was given him.

We said that in speaking with President Roosevelt the subject of the proposed boycott came up, and he told the president he did not wish to say anything about it, as the president must know what is right and that the Chinese are looking to the Christians to carry out the "golden rule" they talk about. He also told the president that the movement toward American exclusion is one of the Chinese people's, and not of the government, which regrets it.

WORKING ON THE WRECK

Facts Brought Out by the Coroner's Inquest at Mentor

Cleveland, O., June 24.—Detectives investigating the wreck of the Lake Shore's Twentieth Century Limited, at Mentor Wednesday night, tonight announced that they believe the switch causing the disaster was thrown open by the man who murdered Marion Burleson here last Friday night. This man was seen near the scene of the wreck early Wednesday night, the description of him tallying with that of the man who killed Burleson. The fugitive is known as a desperate dope fiend. He murdered and robbed Burleson, a prominent west side resident, after he had befriended him.

Coroner Slegiesten began an investigation of the Mentor wreck today. He disclosed facts which he believes to be of great importance. He found evidence that the switch was not thrown

ENGINEERS FOR ISTHMIAN CANAL

Consulting Board Directed to Meet September 1st

WILL DECIDE ON PLANS

Five Distinguished Foreigners to Share the Labors With Nine Americans—The Principal Question Is Whether the Canal Shall Be Sea Level or Lock and Dam

Washington, June 24.—In an executive order issued today, President Roosevelt gives his instructions to the board of consulting engineers of the Panama canal, and also announces the personnel of the board. The president directs the board to convene in Washington September 1 to investigate and pass on the plans of the canal commission, and, if the board deems it necessary, a man will go to the isthmus there. The canal commission is instructed by the order to turn over to the consulting board all maps, charts, plans and other data which have been gathered.

Scores of plans have been submitted to the commission by engineers from all parts of the world. No action has been taken on any of these plans, the commission leaving the matter of the final decision to the consulting board. The most important thing to be decided by them is whether the canal shall be a sea level or a lock structure.

The board consists of fourteen members, nine of whom are prominent American engineers from various parts of the country, and the other five are foreigners. France, Germany and England have each designated an engineer, who will be present at the meeting September 1, and the Netherlands government has been asked to make a nomination. M. Quellenne, the consulting engineer of the Suez canal, is the fifth foreigner who has been asked to participate. The personnel of the board is as follows:

General George W. Davis, Alfred Noble, William Barclay Parsons, William H. Burr, General Henry L. Abbott, Frederic P. Stearns, Joseph Ripley, Herman Schussler, Henry Hunter (Nominated by the English government), Herr Eugene Tinecauer (nominated by Germany), M. Guernard (nominated by France), and M. Quellenne. The fourteenth member will be named soon by Netherlands.

President Roosevelt determined upon having a board of consulting engineers at the time of the reorganization of the isthmian canal commission. He made several appointments at that time, and through the state department asked Great Britain, France, Germany and the Netherlands to select engineers of a high standard in their own countries to come to Washington to assist in settling the vexing questions, which are sure to appear. The American members of the board are all prominent in their own lines.

Plans are being made by Governor Magoon of the Panama canal zone for the construction of forty-two school houses within the zone. Secretary Taft has approved a recommendation of Governor Magoon that \$30,000 of the funds of the government of the canal zone derived from local revenue be used for public school purposes. The money will be applied to the purchase of real estate, the construction of school houses, rent of rooms and the general equipment of the buildings constructed.

A recent census of the canal zone shows that there are 1,936 children in the villages within a radius of a mile and a half of the line of the Panama Railroad. Of these 976 are male and 960 female, 1,045 between the ages of six and ten, and 891 between the ages of eleven and sixteen. Of the total 892 can read and write, and 935 can neither read nor write. The balance can read, but not write.

REPORT OF TWO FIGHTS

In One Japanese Retired, in the Other Russians Were Repulsed

Headquarters of the Russian Army, Godzyadani, Manchuria, June 24.—The Russians on June 21 made a reconnaissance in force against the Japanese right in the region of Onocheze. The Japanese advance post retired to Tsao-pling, where they have built strong fortifications and hold them in force. Behind this line of positions are two other lines of fortifications strengthened by bomb-proofs and entanglements. The Russian attack, which forced the Japanese to summon three divisions of infantry from Kaiyuan, ceased with darkness, and the Russian detachment retired.

Tokio, June 24.—Undated telegram to the newspapers here report a fight in the Yingkow district. It is said that 3,000 Russians were repulsed, leaving forty dead on the field. It is believed their casualties reached 300.

BLOOD RUNS IN LODZ STREETS

All Day Fight Between Soldiers and Mobs

SCENES WERE TERRIBLE

The Killed and Wounded Probably Exceed Two Thousand—Mobs Barred the Streets and Fire on Troops From Doors and Windows. Reinforcement Sent From Warsaw

Lodz, Russian Poland, June 24. Rioting continues here today. Yesterday's scenes were of the most terrible description. Fighting between the troops and the mob continued all day, and was only stopped by the coming of night, when the city was plunged into total darkness owing to the strike of workmen at the illuminating plants. It is impossible yet to state the number of casualties, but they will probably exceed two thousand. Rioting on a large scale began Thursday night when two officers and seven Cossacks were shot. All night the mob worked at erecting barricades in the streets. In the morning telegraph and telephone poles were chopped down and the wires were stretched from building to building to form a barrier to the movements of the soldiers. The troops attacked the barricades, charging repeatedly and firing continual volleys at their defenders. Workmen replied with revolvers from doors, windows and roofs, some even pouring vitriol on the heads of the soldiers in the street below.

Warsaw, June 24.—An infantry regiment of dragoons were ordered from here to Lodz today to reinforce the garrison at that place. Telephone communication with Lodz was restored today. The latest reports are that 120 persons were killed in the street fighting yesterday. Forty-one died in the hospitals last night. The hospitals are filled with wounded persons, many being compelled to lie upon the floor. The ambulance society attended 320 slightly wounded persons.

There were eighteen casualties today by noon. The rioters are trying to set fire to the government offices. A general strike of workmen commenced in Warsaw this morning.

GEN. BRAGG'S DAUGHTER

Mrs. Carrie Graves Dead in New York

Love and Elopement—Married a Yankee Against Opposition of Both Families—Wife of Engineer and Mother of Nine Children

New York, June 24.—Mrs. Carrie Graves, a daughter of Maj. Gen. Braxton Bragg of the Confederate army, died Thursday morning at 10:28 East 137th street of cancer, and was buried today.

General Bragg in his early career was that Captain Bragg of the United States army to whom General Taylor, at the battle of Buena Vista, gave his famous orders. "A little more grape, Captain Bragg." It was he who whipped Rosecrans at Chickamauga and fought Grant at Missionary Ridge. He left lands and estates when he died in 1876, yet his daughter, brought up a southern gentlewoman, with servants and gallant society, lived for twenty years as the wife of a railroad engineer, doing the work of a large household, for she was the mother of nine children. All this was the result of an elopement which stirred up the society of North Carolina in its time.

In the early 80s Arthur Graves, a Yankee out of New Haven, was wandering in the south, doing an odd job wherever he could find it. Carrie Bragg, daughter of the general, who died in 1876, was then living with her mother on the family estate at New Bern, N. C. Arthur Graves met her there, and they fell head over ears in love. But Graves was a Yankee and the opposition was violent. One night the couple packed up and eloped. They made straight for New Haven, where Graves expected they would be welcomed and married at his home. He was mistaken, as his parents opposed the match. So they eloped a second time, went to the parsonage of a Methodist church, and were married.

Arthur Graves, with a wife to support, had to get something to do. He took the first job that offered, which happened to be firing on the New Haven line. His people forgave him in time, and a year later Mrs. Bragg returned and visited her daughter in New Haven. She died in 1886. About that time Mr. and Mrs. Graves moved to New York, where they have lived ever since. Graves was promoted to be an engineer on the New York, New Haven and Hartford, and still works at the throttle.

Sudden Death at Nashville

Nashville, N. C., June 24.—Special. Mrs. Rebecca R. Brooks, wife of R. U. Brooks, died today of acute indigestion and heart failure. She was taken about 7 o'clock this morning and continued to grow worse until her death. Mrs. Brooks leaves surviving her husband; three sons—E. L. Brooks of Kinross, B. A. Brooks, Dr. B. U. Brooks, and two daughters—Mrs. A. P. Petway, Eastman, Ga., and Miss Annie Brooks.

Intercession for Victory

Moscow, June 24.—A great public intercession for victory will be made tomorrow in the square opposite the Kremlin. Prayers will be offered, the whole clergy of Moscow taking part. Every possible holy symbol will be displayed. The same ceremonial followed, as a service of thanksgiving, the departure of the French troops from Moscow in 1812. It has been held annually since.

Russian Cruiser Floated

Tokio, June 24.—The commander at Port Arthur reports that the Russian armored cruiser Bayan, which was sunk in the harbor during the siege, has been successfully floated.

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