Weather. Washington, May 28—Forecast for North Carolina for tonight and Saturday: Partly cloudy tonight and Saturday. SECOND. SECOND. SECOND. SECOND.

ESTABLISHED 1876.

RALEIGH, N. C., FRIDAY, MAY 28, 1909.

PRICE 5 CENTS

THE MAIL TRAINS ARE MOVING NOW IN STRIKE AREA

Trains Leave Both Augusta Mr. Stewart is in constant telegraphic Leaves New York Residence Senator Aldrich's Plan to and Atlanta to go Over Affected District.

NO TROUBLE IN MOVING

Strike Situation Remains the Same, Except For the Starting of Mail Trains-Trains Leave Both Augusta and Atlanta to Go Over Affected District, Carrying Nothing But Mail-Manned by White Englneer and Negro Firemen-No Demonstration or Disorder Anywhere. No Indication of An Early Settlement of the Strike-Postoffice Department in Constant Touch With the Situation.

(By Leased Wire to The Times) Atlanta, May 28-Upon result of the conference his afternoon between General Manager Scott, Vice-Prestdent Evans of the Louisville & Nashville, lessee of the Georgia Railroad, and Commissioner of Labor Neill, hinges the outcome of the aremen's strike. It is said that the possibility of a settlement is apparent in the attitude of the leaders of the contending forces. However, Vice-President Evans authorizes Scott to resume the running of trains with strike-breaking firemen, it is said that Grand Chief Engineer Burgess will permit the engineers to man the engines, provided Governor Smith or the rail-

physical injury. Vice-President Ball, of the firemen, also will confer with Mr. Neill, who it is understood will make a final effort to bring about an amicable settlement. The Atlantic papers all have demanded the discharge of the negroes by the railroad.

road will guarantee their safety from

Atlanta, May 28-The first train over the Georgia Railroad since Saturday night-a mail train exclusively -departed for Augusta at 7:30 this The engine was manned by a white engineer and a negro fireman. Telegraphic appeals have been sent along the railroads to exert influence with the citizens to allow the train and crew safe passage, and it is not stop it at any point. A large crowd gathered at the station here just before leaving time, but there was no demonstration.

Beyond this arrangement for moving the mails the strike situation re- and Waldorf Astor's Third Trick mains as it was yesterday, with no signs of an early settlement.

Train Out From Augusta. (By Leased Wire to The Times)

Augusta, May 28-The first train out of Augusta over the Georgia Railroad since last Saturday afternoon, left for Atlanta at 7:45 o'clock this morning, consisting of an engine and two mail cars.

The locomotive was manned by a white engineer and a negro fireman. There was no trouble attending the departure of the train. The mail train has been reported by Thomson, Ga., safely, and without delay, which was considered somewhat surprising. inasmuch as that village has offered the strongest resistance to the use of negro firemen on the railroad since the strike.

Department in Touch.

(By Leased Wire to The Times) Washington, May 28-Second Assistant Postmaster-general Stewart is busily engaged today in answering year telegrams from postmasters along the route of the Georgia Railroad strike. Advices received here last night indi cated that at least two trains would be moved by the railway today, as was done this morning. The department does not care whether white or negro firemen are employed; all it

requires is that the mails be moved. Attorney-General Wickersham held a conference with Mr. Stewart on the situation late yesterday, but no action was decided on. Postmaster-General Hitchcock and Mr. Stewart will hold a conference today. It is probable dry machinery worth \$7,100. the latter will leave for Atlanta tomorrow. He intended going there next week on postal business, in any

The department will not send a representative to confer with President Ball of the Brotherhood of Locomoarrangements are not with employes, corporators.

but with the railroad.

None of the members of the intertate commerce commission will go to Atlanta. No word had been received from Commissioner of Labor Neill, who is on the scene, up to 11 o'clock this prorning, except a brief telegram, out a long report is expected today.

Mr. Stewart said this morning that the mails in the affected territory are being moved as well as could be expected under the circumstances. Mail is being carried by hand-cars, automobiles, buggles, and even wagons where trains are not yet available Mr. Stewart is in constant telegraphic

WINTHROP AT NORFOLK.

Will Discuss Nine O'clock Gun Matter With Commandant.

Washington, May 28-Assistant Secretary of the Navy Winthrop will leave Washington this evening for Norfolk and will inspect the navy yard there tomorrow. Mr. Winthrop will make the trip on the Dolphin and will be accompanied by Captain Hubbard, his aide. He will take up with the commandant the complaints against the discontinuance of the nine o'clock gun, which has caused complaint on the part of residents of the

DOES NOT CLAIM CREDIT.

Governor Kitchin Declares There is Nothing Political About Appointment of Game Warden.

Governor Kitchin, when his attention was called to a paragraph in a newspaper commenting on his appo'ntment of republican game wardens, was much amused. He said he is not-entitled to nor does he claim eredit for rising above politics in appointing republican bird and game wardens in Cabarrus county, since he has nothing to do with the selection of these officers. He is required by law to commission such persons as are selected by the State Audubon So-

KING · EDWARD

Last Race at Epsom Downs Today.

W. C. Cooper's Perola Won the Oaks in Race Today-King Edward's Filly Was a Favorite, But Won Only Second Place.

(By Cable to The Times) Edward won the classic derby he lost The Oaks today at Epsom Downs to the authorities in the villages when W. C. Cooper's Perola beat out the cream of the three-year-old filles. The Oaks is the blue ribbon event for three-year-old fillies and is worth believed there will be any attempt to \$25,000 to the winner. A great crowd journeyed from London, hoping to see King Edward repeat his success with Princess De Gales, his entry in The Oaks. The Princess was a favorite, although L. Nuemann's Electra were looked upon as serious contenders. Princess De Gales finished sec ond and J. P. Joel's Verne was third Electra, the favorite, was left at the

The Keene and Madden American horses were scratched, as they did not show sufficient form to justify paying the entrance fees. Perola was an outsider, the form judges giving as the sider, the form judges giving as the STREET CAR MEN Gales, and Third Trick.

RETURNED FROM OBERLIN.

Col. James H. Young Sees His Daugh-

ter Graduate. Col. James H. Young, colored, returned today from Oberlin, Ohio, where his daughter, Maude E. Young. gave her graduating recital at the famous conservatory of music there. The friends of Colonel Young will be glad to learn of her success. She has been elected assistant teacher in the music department of Howard Univer-

BUILDINGS AT HOSPITAL.

\$33,000 to be Spent at State Hospital

For Insane. The council of state has approved the contracts made by the state hospital commission with the Central Carolina Construction Company for the erection of a dining-room, toilet and bath rooms at the Central Hospital, to cost \$20,500. Also for the erection of a steam laundry at a cost of \$6,000 and the purchase of laun

Chartered Today.

A charter was granted today to The Lindley Park Amusement Company, of Greensboro. The new company will increase the number of attrac- chusetts; Loudenslager, of New Jertions at Lindley park. The paid-in sey, and McCreary, of Philadelphia. tive Firemen, as to getting mail capital is \$300. J. H. Scales and Z. In autos the party went to the Merion trains through, for the reason that V. Taylor, of Greensboro, and E. B. Cricket Club for lunch and then visthe department considers its official Coler, of Brooklyn, N. Y., are the in- ited Valley Forge, enroute to West-

WILL OF HENRY H. ROGERS WAS **RECORDED TODAY**

and \$3,000,000 in Trust to His Wife.

ALL BEQUESTS TIED UP THE TOBACCO

Residence and Real Estate At Fair Haven, Mass., Given to H. H. Rogers, Jr .- Various Trust Funds Given to Testator's Relatives-Bequest of \$100,000 Given to the Town of Fair Haven As a Permanent Fund, the Income to be Used in Primary and Grammar Schools. Balance of Estate Divided Into Four Trusts, One for Each of Chil-

(By Leased Wire to The Times)

New York, May 28-The will of Henry H. Rogers was filed today. her life time the testator's New York City residence and all household goods, furniture therein, together automobiles, horses and carriages. It also creates a trust of not less than \$2,500,000 nor more than \$3,000,000 to provide an annuity of \$100,000 a year for Mrs. Rogers. Upon her death the property of which she has the use and her trust fund becomes part of the residuary estate of the testator. The residence and real estate of the testator at Fair Haven. Mass., are given to the testator's \$200,000 and aggregating \$550,000 are created for the benefit of the testator's relatives. The income from these trusts is paid to the various beneficiaries during their lives and upon their death the principal of the Discussing the subject that by the trust reverts to the testator's residuary estate. A bequest of \$100,000 is given to the town of Fair Haven, as a permanent fund, the income of mers but by all others without the which is to be applied to the use of payment of any tax the objection the primary and grammar schools of offered, he said, was that it would the town. After providing for these not benefit the farmer because of his bequests the residuary estate of the testator is divided into four trusts, frauds would be committed and the one for the benefit of each of his children. As the children attain the age of forty years they are each to receive one-half of the principal of the trust created for their benefit. The other half is to be held in trust during their lives but the children are each given the power to dispose of the principal of their trust by their fer it. The fight made against the last will and testament and in default of such disposition the principal of the trust goes to their heirs

The executors of the will are the testator's son, H. H. Rogers, Jr., John W. Sterling, of New York: Walter P. Winsor, of Fair Haven; and the Farmers Loan & Trust Company of New

THREATEN TO STRIKE

(By Leased Wire to The Times) Philadelphia, May 28-After a meeting lasting all night the street railway employes decided today to place crude petroleum and its prod- have but strengthened, the police say strike within 48 hours if their executive committee deemed it advisable. A committee of four was appointed to confer with President John Parsons, of the Philadelphia Rapid Transit sity, Washington, D. C., for next Company. It was intimated that Par- they will stay here until the dog the bandits. sons would refuse to receive the comnot street car men in employ of the

HONOR UNCLE JOE.

Party of Representatives in Norris-

town and Valley Forge. Philadelphia, May 28-Business was suspended in Norristown this morning while residents honored Are "Uncle" Joe Cannon, and some of hts colleagues, here as the guests of Representative Wagner. A public reception was held at the court house. Among the guests are Representatives Tawney, of Minneapolis; E. L. Hamilton, of Messota: Charles R. Thomas, of North Carolina; W. H. Howard, of Georgia: Samuel McCall, of Massachester.

INCOME TAX MAY **BE DEFEATED BY POSTPONEMENT**

Sidetrack the Measure When it Comes Up

Senator Bradley Called Up His Amendment to Remove the Internal Revenue on Leaf Tobacco at the Opening of the Senate This Morning-Discusses Objection That There Would be No Purchases and That Revenue Would be Decreased. Said Such a Law Would Give the Farmer a Market and Relief From

(By Leased Wire to The Times.)

Washington, May 28-The action of the senate in deferring until June 10 further consideration of the in-Mr. Rogers leaves to his wife during come tax amendment, it is believed will have the effect of defeating the provision. When the question comes up on that date it is the plan of Senawith the testator's stables and all his tor Aldrich, the republican leader, to move its reference to the committee on the judiciary, asserting at the same time that the provision will be unnecessary, as the customs measure will afford a sufficient revenue. Senator Aldrich expects that all of the schedules of his bill will be disposed of at that time, and will maintain that as passed they will yield to the government an income without the income tax. It is this argument son, Henry H. Rogers, Jr. Various which succeeded in drawing off some trust funds ranging from \$10,000 to of advocates of the tax and inducing them to vote:

The senate met at 10 o'clock. Senator Bradley called up his amendment to remove the internal evenue duty on natural leaf tobacco terms of the amendment the sale of unstemmed tobacco in the natural leaf may be made not only by farfallure to find nurchasers: that ereat revenue largely decreased. He asked how it was possible if the farmer found no purchaser, that the revenue Minneapolis; James Gordon, Denver, would be decreased. Such a law would give the farmers a market and relief from the trust. Negroes and noor whites of the south, he said, would buy the natural leaf, they premeasure by the eigar makers was wholly without reason, he declared.

Referring to the night riders, he asserted that his amendment would not only do justice to a deserving class but would disband all lawless elements and restore good order throughout the land."

Senator Bristow called to the at (Continued on page Two.)

WILL FIGHT UNTIL DOG DAYS ARE OVER

(By Leased Wire to The Times) Washington, May 28-A number of ucts on the free list the day the Payne tariff bill passed the house say that if the senate puts a duty of 25 per cent, ad valorem on crude petroleum suspects answer the description of days before they yield to the senate. A very bitter fight is promised over all three was purchased in Denver. the crude petroleum amendment.

LATE AUTO RIDES.

Productive of Divorce-Dr. Gormley Sues for Divorce.

(By Leased Wire to The Times) New York, May 28-Ten men are named by Dr. H. H. Gormley, of No. 128 west Nintieth street, in his suit for absolute divorce against Alice A. being handled before adjournment. Gormley. The doctor filed the papers in his divorce suit after a suit for separation had been instituted by Mrs. Gormley.

Pending the outcome of her action at least \$6,000 a year. Justice Guy day until 10:30 this morning.

granted her \$200 counsel fees and \$50 a month alimony.

In his affidavit Dr. Gormley declares that Mrs. Gormley has the "joy riding" fever, and that she will go anywhere with anyone who owns a motor car. He says she made frequent trips to roadhouses around New York. Finally conditions got so

house. This was six weeks ago. "On the night of May 14, I learned that Mrs. Gormley had gone into the apartment about midnight," he sets forth in his affidavit. 'I went there and found my wife with another woman and two men just back from an automobile ride."

bad, he alleges, that he left the

"These tales of midnight automobile rides are absolutely untrue, said Mrs. Gormley. "The only time I ever went out on an automobile trip with a man was two weeks ago. when a friend brought his car around to take myself, a friend who was staying with me, and my four year old baby out. It is true we were rather late, but my husband never found any whiskey bottles in the place.

The Gormleys have been married six years and have two children.

LLOYD LINER FLOATED.

Went Ashore in Fog Yesterday-Pulled Off This Morning.

(By Leased Wire to The Times) New York, May 28-The North German Lloyd liner Prinzess Alice. with her 436 passengers, which went ashore in the fog off old Fort Wadsworth yesterday morning, was pulled off this morning apparently uninjured. Captain Ackerman, the pilot, says he does not think the ship was injured, but a diver will make an investigation and report on the conditions of the hull. The vessel will probably be sent to her pier in Hoboken this morning and if a more thorough examination of the hull reveals any serious damage, her cargo win be transferred to another liner, which sails Saturday and the Prinzess Alice will be sent to drydock for re-

TRAIN BANDITS CAUGHT

Police Believe They Have Robbers.

Three Men Arrested in Omaha, Believed to be the Men Who Held Up and Robbed Union Pacific Train of \$100,000 Last Saturday.

(By Leased Wire to The Times) Omaha, Neb., May 28-In the ar-

rest here of three men who gave their names and addresses as D. W. Woods. and Fred Torrenson, South Dakota. the police today declared their belief that all but one of the bandits who held up a Union Pacific train Saturvalued at \$100,000 have been caught. The men were arrested in Brown Park, South Omaha. The arrests are the result of the finding by boys at play in the park of three automat of revolvers, four hats and four masks hidden in a clump of bushes. The boys reported their discovery to the police and for more than 12 hours detectives lay hidden in nearby shrubbery awaiting the arrival of the owners of the articles.

Late in the night four men appeared and the detectives rushed upon them with drawn revolvers and placed them under arrest. One managed to escape.

The prisoners tell conflicting stories of their reasons for being at that place, which is a secluded portion of the park, at a late hour, and their republican members who voted to statements under rigid questioning the suspicion that they are the train bandits. The train robbers were armed with automatics and work masks similar to those found. The

Chief of Police Briggs, of South mittee if they were labor leaders and The indications point to a deadlock Omaha, after sweating the three susin conference if the senate insists on pects, says he has no doubt but that a duty on crude petroleum and it is they are the train robbers. Although known the senate will place a duty of claiming to come from different parts 25 per cent, on the article in question, of the country, the clothing worn by

To Abolish Capital Punishment.

(By Leased Wire to The Times) Springfield, Ill., May 28-The house has passed Representative Ton's bill abolishing capital punish-

It goes to the senate now, but will get across so late in the session that it will hardly stand any chance of

Alderman Guilty of Larceny. (By Leased Wire to The Times)

Boston, May 28-Former Alder-Mrs. Gormley petitioned for \$150 man George Battis was found guilty alimony and \$1,000 counsel fees, al- of larceny from the city by the jury leging that her husband's income is which was out from 4 p. m. yester-

STATE SCHOOL FOR THE BLIND **CLOSED TODAY**

The Exercises At the School **Building Showed Splen**did Work

THE CONCERT TONIGHT

Exercises This Morning Show the Great Work the Institution is Doing for the Jind by the State-The Best Things of Life Opened Up to Them and They Are in a Measure Made to Sec-Year Marked by the Largest Attendance in the History of the School-The Graduating Class-Concert To-

The commencement exercises at the State School for the Blind this morning were sufficient illustration of the great work the state is doing for her'blind children by opening up to them the best things of life and literature and music and in a measure making them see, through the excellent training given them in this

This year has been marked by the argest attendance in the history of the school, the enrollment being 363. With the exception of the epidemic of measles, which was most grievous, this commencement closes the most successful year in the history of the

The graduating class was composed of Mr. Herbert Lemay Williamson, of Raleigh; Mr. Frederick Pigford, Mr. Bunyan Alexander Nance and Miss Minnie May Hyre, Mr. Frederick Pigford also received a diploma in music.

Each member of the graduating class delivered their essays in a most creditable manner, which deserves the highest credit, for besides the research, knowledge of literature. history, and of many things that are best in music and art, the essays

were memorized. The following certificates and distinctions were awarded by Superin-

Certificates of proficiency in fancy ork are awarded to Miss Mamie Ballon, Miss Karlie Keith, Miss Suwannie Phillips, they having completed the full course of the department, including Bead, Lovell, Raffia,

basket work and crocheting. Certificates of proficiency in croheting are awarded to Miss Minnie Hyre, Miss Annie Pool, Miss Elizaboth Willis, Miss Margaret Pleasants, they having satisfactorily completed the work of that branch of the fancy work department.

First distinction in fancy work is twarded Miss Gertha Koontz, average 96; Miss Ada Raken, average 96. The following young ladies deserve mention for excellency of work in bead work: Miss Mary McMahan, Miss Avy Strickland. Basket work: Miss Mary Gurganus, Miss Annie Thaxton, Miss Vallie May West.

The full program of the events of the evening:

Anthem-Magnificat Eton Faning Senior Chorus. -"Physical Training." Herbert LeMay Williamson. Essay-"The Value of Beauty."

Fredick Pigford. -"Intellect and Character." Minnie May Hayre. "To Him That Overcometh."

Bunyan Alexander Nance. 11 A. M.

Dr. Hubert Ashley Royster. Organ Solo-Adagio..... Merkel Frederick Pigford. Presentation of Diplomas.

12 M. Dedication Laura Bridgman Library.

Hon. Josephus Daniels. Address of Dr. Royster.

Dr. Hubert A. Royster delivered the address of the morning and while, as he announced at the beginning of his remarks, doctors are not usually orators, yet his address was teeming with inestimable advice to all who heard him. A good deal of his "thunder." he said, had been stolen by the young essayists of the

Dr. Royster gave as his definition of education the leading of human souls to what is best and making what is best out of them. The way to make what is best out of your souls is by making the best out of

(Continued on Page Two.)