

Weather.

Washington, June 9—Forecast for North Carolina for tonight and Thursday: Showers tonight or Thursday.

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SUIT AGAINST SUGAR COMPANY ENDS SUDDENLY

Compromised by the Payment of Nearly Ten Million Dollars.

END A BIG SURPRISE

Suit Against the American Sugar Refining Company For \$30,000,000 Brought by the Pennsylvania Sugar Refining Company Compromised For \$10,000,000—Sudden End to Suit Came as a Big Surprise as Case Was Nearly Ready to Go to the Jury—Thought That the Jury Would Have Returned a Verdict For the Full Amount and This Made Defendant Company Axious to Settle.

(By Leased Wire to The Times.) New York, June 9.—Two million dollars in cash, their turn of \$7,000,000 par value of securities held as collateral and the cancellation of a loan of \$1,250,000 was the price paid by the American Sugar Refining Company to end the suit for \$30,000,000 brought by the Pennsylvania Sugar Refining Company, it was learned today.

The sudden ending of the suit came as a profound surprise. Both sides had rested their cases in the suit which was being tried before Judge Holt in the United States district court and preparations were being made for summing up before the jury when the announcement was made that a settlement had been made that was satisfactory to the complainants. The quashing of the suit came after the Pennsylvania company's lawyers had outlined a sensational case of alleged conspiracy and fraud against the sugar trust and those who had been following the testimony in the suit were predicting that a verdict in full would probably be returned to the complainants by the jury.

The Pennsylvania concern which is headed by Adolph Segal, sought to recover \$30,000,000 damages under the Sherman anti-trust law for its complete wrecking through what it charged to be a conspiracy by the officers and directors of the sugar trust. The actual damage was estimated at \$10,000,000, but under the Sherman act three times that amount could be recovered.

The case grew out of the downfall of the Real Estate Trust Company, of Philadelphia. As outlined by ex-Governor Frank S. Black, who appeared for the plaintiffs, the real estate company was loaded up with the securities of the Pennsylvania company and its receiver discovered that the latter concern had been put out of business by the transaction upon which the suit was based.

There was, moreover, an element of personal tragedy behind the Pennsylvania company's suit for the closing down of the new plant which Adolph Segal had built for it to compete with the sugar trust, and consequent depreciation of its securities, was one of the contributing causes in the downfall of the Real Estate Trust Company of Philadelphia whose president, Frank Hipple, committed suicide when the exposure came.

BAPTISTS TO REMOVE RUBBISH.

Professor Foster Causes Storm by His New Book on the Function of Religion.

(By Leased Wire to The Times.) Chicago, June 9.—To continue to recognize a man of Prof. Foster's views as a Baptist minister is to run the risk of the annihilation of our faith. We will show him that there are still a few real Baptists alive and that they are not jelly fishes. He must get out of the church. With us it has become a matter of removing rubbish from the backyard.

With the storm caused by Prof. George Burnam Foster's new book on "The Fraction of Religion," gathering new fury, the Rev. Johnston Myers, pastor of the Immanuel Baptist church, today made this reply to the notice served by Prof. Foster that he would not resign from the Baptist church nor surrender his ordination papers.

"We have spent generations building up the Baptist church to its position as a great saving religious, moral and social force," declared Dr. Myers. "Now are we going to risk its destruction by sanctioning the teaching of a Baptist minister who says that modern science makes the

claim of Christ's divinity absurd? The Baptist clergy next Monday will vote unanimously for his expulsion from the conference."

Professor Foster on the other hand, has his own views on saving the faith from annihilation. He said:

"My purpose in writing the things which have angered my fellow ministers was to save the church—to defend it from its most potent enemies. There is an exigency confronting the church, to face which successfully the church must cast aside the baggage which was brought down from unenlightened ages, keeping only the essence of true religion."

Prof. Foster contends that his views are in accordance with the vital principles of the Baptist church as he understands them.

Mr. Myers made it known today that Dr. Foster three years ago was expelled from the faculty of the Theological Union of Chicago because of his liberal doctrines.

Next Monday at the Baptist ministers' conference, Dr. Myers will introduce a resolution to expel Dr. Foster from membership and requesting him to withdraw from the Baptist ministry.

DELEGATES POURING IN

Many Building and Loan Men in City.

Public is Invited to All Meetings—Especially Fine Treat Promised For Tonight—Hon. Heriot Clarkson to Speak—Car-Ride This Afternoon.

The delegates to the sixth annual convention of the State League of Building and Loan Association have been pouring into the city today. This year's convention promises to be the largest in point of attendance that has ever been held. They are of a high class, sterling, trust-worthy business men of highest character and attainments and Raleigh is honored in having them here.

Everything will be done to show them that Raleigh appreciates them. The Merchants' Association and Chamber of Commerce have appointed a committee of entertainment to look after the visitors. The committee is composed of Messrs. J. B. Pearce, chairman; J. F. Ferrall, J. H. King, W. B. Mann and Walters Durham.

The beautiful hall of the Chamber of Commerce and Merchants' Association will be open at all hours to the visitors and is entirely at their disposal with all its conveniences. The meeting of the convention will be open to the public. Tonight, in the hall of the house of representatives, a specially interesting session will be held and everybody is invited to be present. Hon. Heriot Clarkson, of Charlotte, will make the principal address. After the speeches a smoker will be given.

The car-ride around the city, beginning at the Chamber of Commerce at 4 o'clock, promises to be an enjoyable event.

Program For Today.

The program for this afternoon and tonight is as follows:

3:00 p. m.—Delegates assemble at the Raleigh Chamber of Commerce for registration and organization of conventions.

5:00 p. m.—Car ride over the city.

9:00 p. m.—Delegates assemble at the Hall of the House of Representatives. Convention called to order by the president. Invocation by Dr. W. McC. White. Roll-call. Address of welcome by Hon. James I. Johnson. Response by Hon. Heriot Clarkson. Reading of minutes of last meeting. Impromptu address. Smoker.

No action was taken by the committee.

CONGRESS OF CATHOLICS.

Catholic Missionaries Will Assemble for a Two-days' Session.

(By Leased Wire to The Times.) Washington, June 9.—The congress of Catholic Missionaries, which will be held at the Apostolic mission house here, will assemble this evening for a two days' session. Missionaries from all sections of the United States and representatives of various orders are present.

The congress is for the purpose of discussing the best means of advancing, through missionary enterprises, the interests of the Catholic church.

VOTE ON INCOME TAX SCHEDULED FOR TOMORROW

Senator Aldrich However Wants Vote Postponed for Another Week

WILL BE ACCEDED TO

Senator From Rhode Island Don't Want the Proposition Voted Upon Until All Schedules of the Tariff Bill Have Been Completed—Senate Met At Ten-thirty This Morning and the Tariff Bill Was Immediately Taken Up—Senator Clay of Georgia Explains Argument He Had At Evening Session—Senator Frye Wants All Ocean-going Steamers to Carry Wireless Apparatus.

(By Leased Wire to The Times.) Washington, June 9.—A vote on the income tax amendment is on the program tomorrow, as the 10th was the day decided on some days ago on motion of Senator Aldrich. It was said today that Senator Aldrich will ask that the vote be postponed for at least another week. This will probably be acceded to by the advocates of the income tax.

The senator from Rhode Island will resist any vote on the amendment until after all the schedules in the tariff bill have been completed.

The senate met at 10:30 this morning and the tariff bill was immediately taken up. Senator Warren, of Wyoming, was recognized, but yielded to Senator Clay, of Georgia, who made an explanation of the argument he had at the evening session yesterday with Senator Keen, of New Jersey, over the motion to adjourn. He explained the parliamentary situation, and characterized Senator Keen's ruling in the chair as a flagrant violation of the rules.

Senator Warren, in a lengthy speech then defended the wool schedule from the standpoint of the wool growers.

Senator Frye, of Maine, introduced a bill providing that all ocean-going steamers, carrying more than fifty passengers, where the voyage is more than 200 miles from port to port, shall be equipped with sufficient wireless telegraph apparatus. The penalty for failure to comply with the law to be a fine of \$2,000.

Provision is made in the bill that it shall constitute a good defense for ship owners to show that the corporation supplying such apparatus has entered into a combination for the purpose of raising rentals or the price of the apparatus.

Senator Lodge, of Massachusetts, offered a joint resolution authorizing the supreme court of the Philippines to hold regular or special terms at Gaguio, Bonquet, the summer capital of the islands, and making provision for the transfer of records and documents.

George L. Street Potentate. (By Leased Wire to The Times.) Louisville, Ky., June 9.—George L. Street, of Richmond, Va., was today elected imperial potentate of the Mystic Shrine, New Orleans, Toledo and Richmond are contesting for the next annual meeting.

MOTOR BOAT HEATHER CROSSES FISH LINE

(By Leased Wire to The Times.) Hamilton, Bermuda, June 9.—The motor boat Heather, owned by Richmond Levering, crossed the finish line of the race from New York at thirteen minutes past one a. m. today. She was the first of the four motor boats to finish.

Although the Marchioness and the Reckless are still candidates for first honors by reason of their time allowances the yacht race from New York to Bermuda appears to have been won by the Margaret, which followed the schooner yacht Amorita across the line of St. David's Heads in a thrilling finish. Only two minutes separated the leaders. In previous races the motor boats have beaten the sailing yachts many hours. The bad weather, however, has materially interfered with the motor boats this year and retarded them.

Governor Newland Here. Lieutenant-Governor Will C. Newland, of Lenoir, is in the city today on legal business. He has a cityful of friends here who rejoice to see him.

VETERANS HAVE BIG CROWD AGAIN THIS MORNING

Big Building Packed and Jammed When Called to Order by Gen. Evans

ANNUAL REPORT READ

Bijou Theatre Was Again Jammed With Veterans and Visitors When Commander-in-Chief Evans Called the Convention of Veterans to Order—Annual Report of Confederate Memorial Association Read by Lieutenant Governor Elyson, of Virginia—Has a Balance on Hand of \$207,709.34—Appropriate Eulogies Pronounced Over Death of J. William Jones and J. H. Carter.

(By Leased Wire to The Times.) Memphis, Tenn., June 9.—Despite the intense heat of the morning, continuing the torrid wave which set in with the Confederate re-union, the Bijou theatre was again jammed with veterans and visitors when Commander-in-Chief Evans called the convention to order shortly after 10 o'clock this morning. At this suggestion the band leading, the immense audience sang the "Doxology" and after the invocation the regular order was called.

Immediately several delegates protested against the occupation of seats on the floor by veterans not holding credentials. There was considerable crowding and at the request of General Evans many seats were vacated. Lieutenant Governor Elyson, of Virginia, read the annual report of the Confederate Memorial Association, showing a balance on hand of \$207,709.34. Appropriate eulogies were pronounced over the death of Dr. J. William Jones, for many years its secretary and superintendent, and Captain J. H. Carter, trustee for Kentucky.

The board reported the purchase of a lot on Monument avenue, in Richmond, near the statues of Robert E. Lee and Jefferson Davis, upon which the Battle Abbey is to be erected. The committee is authorized to expend \$150,000 on the work which will be completed by the next reunion. The committee also reported the election of Colonel T. Taylor Elyson as president; General Clement A. Evans, vice-president; George L. Christian, treasurer and General Robert White as chairman of the executive committee. This report was unanimously adopted.

Colonel Stratton, of Virginia, offered a resolution reciting that inasmuch as the militia of the south is made up largely of Sons of Confederate veterans that an effort be made to hold an annual encampment of all the militiamen of the south upon the same dates as the Confederate reunion that the expenses be borne by the United States government. This was referred to the committee on resolutions.

Houston, Texas, will probably be the next re-union city. Many prostrations from the intense heat, among the ranks of the old soldiers have been reported today.

FLOOD SITUATION BECOMING SERIOUS

(By Leased Wire to The Times.) Grand Junction, Col., June 9.—The flood situation is becoming more serious hourly. The Gunnison river is rising rapidly and threatens to destroy the municipal pumping plant. Hundreds of men are working to save the costly Redlands dam, which is seriously undermined. The Grand river rose twelve inches yesterday and is the highest in fifteen years. The Denver & Rio Grande Railroad has a large force of men protecting its tracks. All parts of the western slope report considerable flood damage.

FOREIGNERS RIOTING.

Parade Under Red Flag—Fifteen of Number Placed Under Arrest. (By Leased Wire to The Times.) Charleston, W. Va., June 9.—Fifteen foreign miners are under arrest charged with rioting. On Monday they paraded under a red flag and fired more than 100 shots at a crew of car repairers and shot several times at Superintendent of Mines Gillies. Sheriff Dickinson arrested fifteen of the number. Following

the arrests three hundred foreigners secured Springfield rifles and heavy calibre revolvers and yesterday took to the hills after a running battle with the sheriff and a posse, but so far as can be learned no one was injured.

A force of deputies is guarding the mine property. The report that an American child had been killed during the shooting and that the strikers had attempted to burn the company's tippie were denied by the coal company officials.

ANOTHER KIDNAPING. Boy Has Disappeared Completely and Police Are Baffled—Mother Has Collapsed.

(By Leased Wire to The Times.) New York, June 9.—The mother of Peter Callandra, the five year old boy, who was stolen from his home, 128 Floyd street, Brooklyn, last Sunday, was in a state of collapse today, and fears are felt by her family that she will lose her mind completely if the child is not returned. The boy seems to have vanished off the face of the earth and his parents believe he has been killed. Police and detectives who are making a house to house search, admit today that the case has them baffled. The only word from the kidnapers so far has been a letter demanding \$5,000 from the father, John Callandra.

REFUSES COMMUTATION

Robert Robertson Must Hang for Murder

A Hard Fight Has Been Made For Negro's Life—Case Been to Supreme Court and Sentence Affirmed—Strong Endorsement of Commutation—Governor Kitchin's Reasons For Refusal.

A hard fight has been made for the life of Robert Roberson, the negro who killed his employer, Mr. Richard, in the town of Robersonville, Martin county, in the summer of 1908. The negro escaped and for some time terrorized the neighborhood. He was hunted from swamp to swamp for several days and was finally captured. He was tried at the September term of Martin county court, 1908, and convicted of murder in the first degree. He was sentenced to be hanged but an appeal to the supreme court was taken. The supreme court affirmed the decision of the lower court and Roberson was to have been executed May 28. A reprieve was granted and a final effort was made to secure a commutation of sentence to life imprisonment. This the governor today refused to do. Concerning his refusal to commute the sentence, the governor says: "While the trial judge, solicitor, one of the jurors, and the supreme court judge who wrote the opinion in prisoner's case on appeal, recommend commutation to life imprisonment, no fact is disclosed showing, nor do either of those officials express the opinion that the verdict was wrong, and no development since the trial has occurred in mitigation of his offense.

"Seventy-one citizens sign a petition recommending commutation, in which they state that some doubt has been raised in the minds as to whether he was guilty of murder in first degree.

"Ninety-eight citizens of Robersonville, in which the crime was committed, including the mayor, five town commissioners, the policeman, the superintendent of the graded school and the attorney who aided the solicitor in the prosecution, protest against changing the sentence of the court.

"He had a fair trial, was ably defended, and twelve good men on oath and from evidence, found him guilty of murder in the first degree beyond a reasonable doubt. The verdict is amply sustained by the testimony. There is no claim of unbalanced mind, the prisoner armed himself, went to the window of the butcher shop of deceased to demand \$1.50, over which they had had a dispute, having stated that if he did not get his money there would be trouble. He made his demand, was refused, and then, in accord with his previously formed purpose, in case of refusal, as the jury must have found, he opened fire on deceased, shooting three times and then running. Declining to interfere with the execution of the sentence pronounced by the law in this case is a painful discharge of duty."

Will Issue New Postal Card. (By Leased Wire to The Times.) Washington, June 9.—The postoffice department is preparing to issue a new postal card. Postmaster general Hitchcock says it is intended to make improvements on the general type and designs.

BIG BALLOON WAS KNIFED BEFORE RACE STARTED

Stevens Balloon Found to Have a Clean Knife Cut In It.

REWARD FOR CRIMINALS

Mr. Stevens Returned Home From Indianapolis Today Bringing Big Balloon and Inspection at Factory Revealed That it Had Been Put Out of the Race by Cut Made by Knife in One of the Panels—Stevens Offers \$1,000 Reward For Arrest and Conviction of the Criminals—All Parties Concerned are Wealthy Sportsmen and the Affair is Expected to Create a Sensation.

(By Leased Wire to The Times.) New York, June 9.—In the big balloon factory of A. Leo Stevens, the aeronaut, at 282 Ninth avenue, the discovery was made today that the huge 80,000 cubic foot balloon, the "Cleveland," which was entered in the western air race for distance and endurance, had been knifed.

Mr. Stevens returned to New York from Indianapolis today, bringing the deflated silk bag with him, and in his factory made a close examination of it. He found a great gash in the rippling panel near the top, the cut being clean and straight, showing that a knife was used.

Mr. Stevens offered \$1,000 reward for the arrest and conviction of the criminal or criminals. As all the parties concerned are members of the Aero Club of America, which is made up of wealthy sportsmen the knowledge of this piece of foul play during the big race is bound to create a sensation.

"The owners of the balloon," said Mr. Stevens today, "are wealthy young men of Cleveland, J. Wade, Jr., and A. H. Morgan. It is a wonder that the knifing of the balloon did not cost them their lives. They had a strong chance to win in the race and there must have been some man in the race who was low enough to put them out of the running by slashing their balloon."

"I did not engage in the race save to superintend the arrangements for the flight of 'The Cleveland.' The night before the start Mr. Morgan, who had tossed coins and won from Mr. Wade the post of pilot, went with me to the grounds. Mr. Wade joined us. We examined the balloon carefully and found that everything was all right. Then we had some gat put in it and left it at anchor, the regular attendants at the grounds having it in their charge. When the time came for the start of the nine balloons on their long journey through the air I noticed that a good deal of the gas had escaped. I suspected that something was wrong, but the two balloonists would not take my advice not to make the ascension. They were set on winning the race, and had the bag filled with gas. They shot into the sky with the other racers and were hardly on their way in a good fair current when I saw that they were losing gas. Down they came and fortunately the slash in the balloon was not large enough to bring them to their deaths. I determined to bring the bag back to New York with me and I have just found the cut made in it.

"The rippling panel is used in case of emergency to bring about a quick descent. It is near the top of the balloon and where an injury to it could not be seen from the ground. There the knife of the man who did this piece of foul play was used."

Mr. Stevens said that it was probable that the Aero Club of America would take up the matter. In the interest of clean air sports and the science of ballooning he would be glad to give \$1,000 reward for the arrest of the man who slashes the Cleveland.

"I know of only one similar case," he said. "At the St. Louis World's Fair Santos Dumont's dirigible was slashed, but Dumont did not attempt a flight, discovering what had been done in time to save his life from great peril."

PEACE ALUMNAE.

Important Meeting Called For June 11th. There will be an important meeting of the alumnae of the Peace Institute at the Woman's club, Friday morning, June 11th, at 11 o'clock. Every one, graduate or not, is requested to be present as is desired to form a local alumnae association.