

MR. ROY DOOLEY WAS KILLED

Two Seaboard Engineers Met Death Also

In Terrible Freight Wreck Which Occurred Late Yesterday Afternoon, Near Ellenboro in Western Part of State—Parents and Sisters of Mr. Dooley Left This City Today For Charlotte, Where the Funeral Will Probably Be Held.

Friends in this city were horrified last evening to learn of the tragic death of Mr. Roy Dooley, son of Captain and Mrs. J. T. Dooley, of this city. The young man was killed in a freight wreck on the Seaboard Air Line near Ellenboro, in the Western part of the State yesterday afternoon.

The terrible news of the death of young Mr. Dooley has been received with deepest sorrow in this city where he resided for a number of years, and where he was exceptionally well known.

Young Mr. Dooley had been a fireman for Seaboard Air Line for about three years and was just about ready to receive promotion to the position of engineer.

Special to Observer.

Ellenboro, May 28.—Pinned beneath their engines in Watkins creek, on which are piled seventeen cars of coal, are the bodies of Engineers Lindsay and Green and Fireman Dooley.

Engineer J. Mack Lindsay, Monroe. Early Engineer Rod M. Green, Monroe.

Fireman Roy Dooley Monroe. Early Lewis, colored, the other fireman, and Lon Nealey, brakeman, are perhaps fatally injured.

Conductor F. B. Howell, of Charlotte, was in the caboose on the rear of the train and was uninjured.

The bodies of Engineer Lindsay and Fireman Dooley are still under the wreckage and can not be removed until the wrecking crew arrives.

The train was moving slowly east-bound and had passed nearly over the trestle when it gave way, both engines falling a depth of forty feet and seventeen steel coal cars piling on the engines.

The second engine, on which were Engineer Lindsay and Fireman Dooley, was covered up completely and neither man has as yet been located.

A mangled hip can be seen but it is not known to which man it belongs.

Engineer Lindsay's people live at Cherryville, while he made his home in Monroe. His white fireman, Roy Dooley, also made his home in Monroe; Dooley's people live at Wilmington.

Engineer Rod Green, on first engine No. 704, live at Monroe. His remains have been taken to an undertaker at Shelby.

Early Lewis, the colored fireman on Mr. Green's engine, felt the trestle give and jumped in time to save his life, although he is painfully and perhaps fatally injured about the head and shoulders.

Lon Lealey, a colored brakeman, was on the tender of the second engine. He has a broken back and the doctors say he will not recover.

Charlotte May 28.—News of a headlong plunge of a double-header Seaboard freight train through a burning

(Continued on Page Two)

MANY DIE IN TRAIN WRECK

Two Passenger Trains Crash Together

Head-On Collision on Burlington This Morning and Nine and Probably More People Killed—Number Injured, Including Baseball Players—Accident Happened in Nebraska.

Denver, May 29.—Nine persons, and probably more, were killed and twenty injured in a head-on collision between eastbound and westbound passenger trains Nos. 9 and 12 of the Burlington, ten miles east of McCook, Neb. The engineers of both trains reported among the killed. Members of the Denver and Omaha baseball teams were passengers on the westbound train. A number of them were slightly injured. A day coach on the Chicago Limited, westbound, was totally wrecked. In this car the most casualties occurred. The tourist and baggage cars were thrown on their sides, but the occupants escaped serious injury.

DEMOCRATIC SENATORS UNBIND THEMSELVES

Washington, May 29.—By a vote of 14 to 11, the Democratic Senators in caucus today rescinded their former decision to support the Martin resolution, providing for re-investigation of the Lorimer case by the Privileges and Elections Committee.

Young Mr. Dooley had been a fireman for Seaboard Air Line for about three years and was just about ready to receive promotion to the position of engineer.

Washington, May 29.—The mediation proceedings, agreed upon Saturday between the Southern Railway and its firemen, in the hope of adjusting the wage dispute, began today. The mediators were in conference practically all the day with the firemen's committee, headed by Vice President Teat, of the Brotherhood of Locomotive Firemen.

Special to Observer.

Ellenboro, May 28.—Pinned beneath their engines in Watkins creek, on which are piled seventeen cars of coal, are the bodies of Engineers Lindsay and Green and Fireman Dooley.

Engineer J. Mack Lindsay, Monroe. Early Engineer Rod M. Green, Monroe.

Fireman Roy Dooley Monroe. Early Lewis, colored, the other fireman, and Lon Nealey, brakeman, are perhaps fatally injured.

Conductor F. B. Howell, of Charlotte, was in the caboose on the rear of the train and was uninjured.

The bodies of Engineer Lindsay and Fireman Dooley are still under the wreckage and can not be removed until the wrecking crew arrives.

The train was moving slowly east-bound and had passed nearly over the trestle when it gave way, both engines falling a depth of forty feet and seventeen steel coal cars piling on the engines.

The second engine, on which were Engineer Lindsay and Fireman Dooley, was covered up completely and neither man has as yet been located.

A mangled hip can be seen but it is not known to which man it belongs.

Engineer Lindsay's people live at Cherryville, while he made his home in Monroe. His white fireman, Roy Dooley, also made his home in Monroe; Dooley's people live at Wilmington.

Engineer Rod Green, on first engine No. 704, live at Monroe. His remains have been taken to an undertaker at Shelby.

Early Lewis, the colored fireman on Mr. Green's engine, felt the trestle give and jumped in time to save his life, although he is painfully and perhaps fatally injured about the head and shoulders.

Lon Lealey, a colored brakeman, was on the tender of the second engine. He has a broken back and the doctors say he will not recover.

Charlotte May 28.—News of a headlong plunge of a double-header Seaboard freight train through a burning

(Continued on Page Two)

UPHOLDS HOURS OF SERVICE LAW

U. S. Supreme Court Declares it Valid

Highest Tribunal Hands Down Decision in the Employees' Time of Service Law Applying to Railroad—Act of Congress of 1907 Held Valid—Justice Hughes Delivers Opinion.

Washington, May 29.—The "hours of service law for railroad employees," passed by Congress in 1907, was upheld as constitutional by the United States Supreme Court today. The decision was announced by Justice Hughes in a test case suit instituted by the Baltimore and Ohio Railroad.

WILL NOT PROBE THE EXTRADITION OF M'NAMARA

Washington, May 29.—That Congress will not conduct an investigation into the arrest and extradition to California, in connection with the Los Angeles dynamiting case, of J. J. McNamee, the Indianapolis labor leader, was indicated when the House Rules Committee declined today to take action on the Berger resolution providing for such an inquiry.

MAY HAVE BASEBALL

An effort is being made by several gentlemen to secure the Anderson franchise in the Carolina Association. Telegrams were sent Saturday night when it was learned that there is a probability that Anderson may drop out of the neighboring league. No definite answer had been received to the message this afternoon. It is hoped that a deal may be consummated by which Wilmington will secure the Anderson franchise.

"Jim and Joe."

Latest Sell picture with great scenic views—Grand Theatre today. 1t.

MEDIATORS START IN ON THEIR KNOTTY PROBLEM

Washington, May 29.—The mediation proceedings, agreed upon Saturday between the Southern Railway and its firemen, in the hope of adjusting the wage dispute, began today. The mediators were in conference practically all the day with the firemen's committee, headed by Vice President Teat, of the Brotherhood of Locomotive Firemen.

GETS ABSOLUTE DIVORCE.

Emerson's Wife Got Final Decree This Morning. Baltimore, May 29.—A divorce decree was signed today for Mrs. Isaac E. Emerson in her action against Captain Emerson, the millionaire drug manufacturer. An absolute divorce was granted.

PREACHER BEAT HIS WIFE TO DEATH TODAY

Tacoma, Wash., May 29.—T. H. Gardner, a traveling preacher, attached to no sect, today beat his wife to death with a club, one mile east of Kittitas. Later he gave himself up to the authorities.

ROOSEVELT THE SPEAKER.

Will Deliver Address at Grant's Tomb Tomorrow. New York, May 29.—Theodore Roosevelt will deliver the chief memorial address tomorrow at Grant's tomb.

Menu for this evening at 8 o'clock. Broiled Steak, Hollandaise sauce, French Fried Potatoes, Little cakes. Cooking Demonstrations 620 North Fourth street. 1t



New York, May 29.—Henry L. Stimson, the new Secretary of War, made his first official appearance in public at the annual lawn party at Governor's Island. General Frederick D. Grant presented Mr. Stimson to the army officers present.

SMASHED RECORD

"Speed King" Snatches Record From Barney Oldfield—Made Mile in Little Over Half Minute On Track at Indianapolis. Indianapolis, May 29.—Bob Burman, the "Speed King," driving a two hundred horse power Blitzen Benz car, this morning established a new world's record for one mile, going this distance in 35.35. The previous record was 35.63, held by Barney Oldfield.

FATAL SHOOTING OVER WOMAN IN VIRGINIA

Winchester, Va., May 29.—As the result of a shooting affray at Strasburg, Solomon Middleton, aged 20, is in a hospital with a bullet wound in the abdomen and will likely die. Mrs. Bettie Middleton Eaton, mother of two children, is suffering from a bullet wound in the leg. Henry Goetz is arrested, charged with the shooting. Goetz, it is said, resented Middleton's attention to Mrs. Eaton and the shooting resulted.

ITALIAN KILLS ANOTHER.

Tragedy Grew Out of White Slave Business. Milford, Mass., May 29.—Trouble, caused by bringing Italian girls to Milford for illegal purposes, resulted today in the assassination of Domenico Cairuti, an alleged white slave trafficker, by Domenico Surace, who has been arrested.

STEEL MAGNATES MEET TO DISCUSS TRADE SITUATION

New York, May 29.—Steel manufacturers have gathered here to attend the meeting called to discuss the trade situation, following a reduction in the price of steel bars last week by the Republic Iron and Steel Company.

PAYING TELLER NABBED.

Pittsburg Man Charged With Big Embezzlement. Pittsburg, Pa., May 29.—William W. Baker, aged 35 years, paying teller of the Diamond National Bank, was arrested today charged with embezzlement of \$14,500 of the bank's funds. Baker was with the bank for eight years.

COMMITTEE WANTS T. R. AS A WITNESS

Washington, May 29.—Theodore Roosevelt is desired as a witness before the special House "Steel Trust" Investigating Committee. The request was sent Roosevelt to appear to tell about taking over the Tennessee Coal and Iron Company by the United States Steel Corporation.

Torpedo Boats In Collision. Kiel, Germany, May 29.—Two German torpedo boats have arrived here in a damaged condition, after a collision near Skalen, Denmark. One sailor was killed.

DAY BEFORE BIG RACE

Few Tests Made On Indianapolis Speedway Today—Largest Field in Auto Racing History Will Start in Tomorrow's Big Event.

Indianapolis, May 29.—With the exception of preliminary tests of ten cars, the morning of the day before the big five hundred miles automobile race, found everything in readiness for firing of the starting bombs tomorrow morning at 10 o'clock. Probably forty-three cars, the largest field in automobile racing history, will be lined up at the start.

MORE POSTAL BANKS.

Postmaster General Designates Fifty Additional Ones. Washington, May 29.—Postmaster General Hitchcock has designated fifty additional postal savings depositories, making the number in operation before July 1st over three hundred.

ANOTHER REBEL PLOT DISCOVERED IN MEXICO

El Paso, Texas, May 29.—Revelations of an alleged plot to start another revolution in Mexico, after overthrowing Madero's leadership and preventing his journey to Mexico City, created intense excitement today throughout the Insurrecto army.

Stocks Today.

New York, May 29.—Wall Street—United States Steel was slightly lower at the opening of the stock market, ten thousand shares being sold in the first five minutes at 3-3/8 decline. Most of the other active stocks were firm.

The general run of fluctuations did not amount to much. The market was not influenced by the buoyancy of Canadian Pacific and several industrial heaviness in United States Steel, which sold down nearly a point, held the stock market in check this morning. It became dull. Trading was restricted because of the belief that the Supreme Court would announce the American tobacco case decision.

The market made quite a show of strength after midday on light dealing.

Trading was quiet and firm during the late sessions. Specialists generally were reluctant to any business until it was learned whether the decision in the American Tobacco suit would be made known. The American Tobacco Company Ps. were heavily bought and rose over a point and on the curb the stock jumped 26 points, to 515.

CLEMSON COLLEGE LOSES BEFORE HIGHEST COURT

Washington, May 29.—Clemson Agricultural College, of South Carolina, in the United States Supreme Court today lost its fight to escape a suit for payment of \$8,000 to Dr. John Hopkins, for damages, it is alleged, done to the latter's land along the river in Oconee county, S. C. The damages, it is said, resulted from erection by the college of a dike on the river bank opposite the Hopkins land. The South Oconee county, S. C. The damages, it is said, and so could not be sued. Justice Lamar held this view was wrong, directing further proceedings looking toward hearing the suit.

"I Love My Wife But Oh Her Family"

Comedy song by Mr. Baldwin, Grand Theatre today. 1t.

TOBACCO TRUST LOSES ITS CASE

Court Holds It in Restraint of Trade

Supreme Court of United States About 4:30 O'clock This Afternoon Handed Down Second Vital Anti-Trust Case Decision—Holds Tobacco Corporation is in Violation of Both Sections of the Sherman Law—History of the Case.

Washington, D. C., May 29.—The United States Supreme Court this afternoon, about 4 o'clock, handed down the other important anti-trust case decision, this being in the alleged tobacco trust case. The Tobacco Corporation is held in restraint of trade and a violation of both sections of the Sherman anti-trust law.

History of the Case. The American tobacco corporations were made the target of the second big "trust" prosecution of recent years. The first was the Standard Oil. Because the testimony taken in the tobacco case was not so extensive as that in the Standard Oil, the two cases were before the Supreme Court for consideration at the same time.

The attempt of the government to dissolve the tobacco corporation as violating the Sherman anti-trust law took shape in 1907. In that year, a petition was filed in the United States Circuit Court at New York. The Government asked that the American Tobacco Company, its officers, directors and affiliated corporations, be prevented and enjoined from restraining and monopolizing commerce in tobacco.

The restraints and the monopolies alleged by the Government, were said to have been obtained by an intricate system of corporate organization. It began in 1890 when the first American Tobacco Company was organized. The new company took over the business of five independent cigarette concerns.

In 1898, the Continental Tobacco Company was incorporated to take over the plug-tobacco business of The American Tobacco Company and that of five independent plug manufacturers.

In 1900 the American Snuff Company was incorporated to take over the snuff business of the American Tobacco Company, and of two other independent manufacturers.

In 1901, the American Cigar Company was incorporated to take over the business of the American Tobacco Company and other manufacturers and sellers of cigars, cheroots and stogies.

In the same year, the Consolidated Tobacco Company was incorporated to take over in exchange for its bonds substantially all of the stock of the American Tobacco Company and the Continental Tobacco Company.

In 1903, the American Stogie Company was incorporated to take over the stogie business of the American Cigar Company, the American Tobacco Company, and the Continental Tobacco Company.

In 1904, the American Tobacco Company, the Continental Tobacco Company, and the Consolidated Tobacco Company were merged into the present American Tobacco Company.

The Government claimed that all these organizations were created with the definite purpose to destroy competition and that they accomplish that purpose. Each step was attacked as a part of an unlawful plan, whose development and progress was advanced, it was charged, by duress, oppression, and unfair methods intended to drive out and keep out competitors and secure monopolies.

The defendants claimed that nothing was to be found in the organization of these corporations, but the orderly, natural and legitimate development of a great business. They said the acquisitions had been proper and that no attempt to restrain trade or to monopolize trade had prompted the creation of corporations.

In addition, it was charged that the American Tobacco Company acquired control of the United Cigar Stores Company, which conducts retail stores in large cities, and thereby was seeking dominion in the retail business, an avenue absolutely necessary to effective competition.

The tobacco organization was charged with having a monopoly of the licorice paste, required in the manufacture of tobacco, the MacAndrews & Forbes Company, organized by the Continental having no competitor, it was said.

It was also said that the defendant had a monopoly in the tin foil business, the Conley Foil Company, of which the American Tobacco Company held a majority of the stock.

(Continued on Third Page.)

CAROLINA TO HER HEROES

Confederate Veterans Gather at University

Eighty Eight Warriors Today Received Diplomas at the University of North Carolina—Left Their Studies to Fight for Their Beloved South—Governor Woodrow Wilson Speaks Tomorrow.

Durham, N. C., May 29.—Eighty eight gray haired Confederate veterans, who at the outbreak of the Civil War, were students in the University of North Carolina, and left their books to take up arms in the long conflict between the States, today received degrees as Bachelors of Art. Bestowal of the long deferred graduation honors was in accordance with a special act of the North Carolina Legislature. Many old soldiers had not met from the time they left the University to go to war until today when they occupied seats of honor at the Alumni banquet. Governor Woodrow Wilson, of New Jersey, makes the commencement address tomorrow.

SPRINGS SENSATION

Artist Claims State Department Reduces Cost for Picture of Justice Day and Gave Him Much Smaller Amount—Congressional Committee Probing.

Washington, May 29.—Albert Rosenthal, the Philadelphia portrait painter, startled the House Committee investigating the State Department expenditures today with a charge that he was paid only \$850 for the portrait of Associate Justice William R. Day, former Secretary, while State Department records contain a voucher and receipt indicating he was paid \$2,450.



Governor Carey of Wyoming and Mrs. Carey

Philadelphia, May 29.—Governor Carey of Wyoming, who visited this city to attend the launching of the battleship Wyoming, will head a subscription list for the purpose of purchasing a handsome silver service for the huge craft. The Wyoming legislature will appropriate a sum to add the fund. Governor Carey, who is an insurgent Republican and who ran for Governor on the Democratic ticket, was formerly United States Senator.

POPE ISSUES ADDRESS TO BISHOPS OF THE WORLD

Rome, May 29.—An encyclical address by Pope Pius to Roman Catholic Bishops throughout the world strongly deploring the anti-religious attitude of the Portuguese Government, has been officially published at the Vatican.

THREE CENTS THE COPY.

The price of The Dispatch is but 3 cents per copy. That is all the paper sells for at the office, and the only price authorized on the streets. Purchasers will confer a favor on The Dispatch by not paying but 3 cents for a paper, and at the same time will be getting a "square deal".