

## UNION PACIFIC TRAIN ROBBERS

Omaha Police Believe Gordon, Tortensen and Woods Are The Right Men.

EVIDENCE NOT YET COMPLETE

Chief Briggs Says That It is Enough to Show They Are Desperate Characters.

Omaha, Neb., May 28.—The police of South Omaha and Omaha have been busy today following every clue that promised to furnish identification of the men arrested last night on suspicion of being the Union Pacific train robbers, but little material progress had been made up to noon. The belief that the right men have been caught, is still strong, but the link connecting them with the guns, masks and other evidences of guilt is missing. The men today deny being acquainted with each other, but in the belongings of one of them was found a photograph of all three, together with a woman, seated in an automobile. There is nothing to show where the picture was made.

### MAY HAVE RIGHT MEN.

Although it was not possible to identify Gordon, Tortensen and Woods the three men arrested by the South Omaha police last night as those who held up the Overland Limited train on the Union Pacific railroad near the Omaha city limits last Saturday night, Chief Briggs and the Omaha police believe they have the right men.

An inventory of the paraphernalia captured is said to give evidence that the men are suspicious characters. Gordon and Tortensen were brought to Omaha and the latter pointed out to the police he lived at 224 North One-hundred and fifteenth street. A search was made of his room and two suitcases were found. One of them belonged to Woods, the third man of the trio. Mrs. Jerome Selbert, who runs the roominghouse at that number, said Tortensen had been at her place for some time, but that Woods came there last week, two or three days before the Union Pacific holdup occurred.

Woods wore a suit of clothes bearing the mark of Pickers Brothers, 615 Sixteenth street, Denver. Gordon wore a hat, evidently a year or two old, manufactured by Rosenthal & Co., Portland, Or., block No. 7325, and lot No. 332,055.

The police had no opportunity during the night to communicate with Union Pacific officials or to make an attempt at identification. Chief Briggs, however, believes he has secured the right men and that he will soon be able to unearth additional evidence. He is sure that Gordon and Woods have a room in Omaha, which has not yet been located and search is now being made for it.

The police dragnet was put out for the fourth man who made his escape. The capture of the three prisoners was not made without a severe struggle. The first of the prisoners to see the detectives shouted to his companions to "beat it," here comes the police. All four started to run. One was stopped by a detective near where he was discovered and the other two ran into the arms of another officer and were taken to the station at the point of a revolver. The fourth man escaped to the Missouri river bottoms.

### CHIEF BRIGGS' OPINION.

"The elaborate equipment of this gang is evidence sufficient to indicate they are desperate men," declared Chief Briggs. "I have never seen a better layout in my experience. There can be no doubt these men have pulled off some good jobs, and I believe further developments will show that they are the men we are looking for."

The discovery of the revolver was made by a pupil of Brown Park school, who was playing in the vicinity. The cache where the guns were hidden was under a bank overlooking the Missouri river. The boy took the revolver to his teacher, Mrs. Nora Freeman, who notified the police. Detectives kept watch of the place, believing the owners would return for their revolvers.

The place where the guns were found is about three miles northwest of the city. Further search will be made today in the hope of finding the missing mail pouches.

## ASSOCIATED HARVARD CLUBS MEET IN CINCINNATI

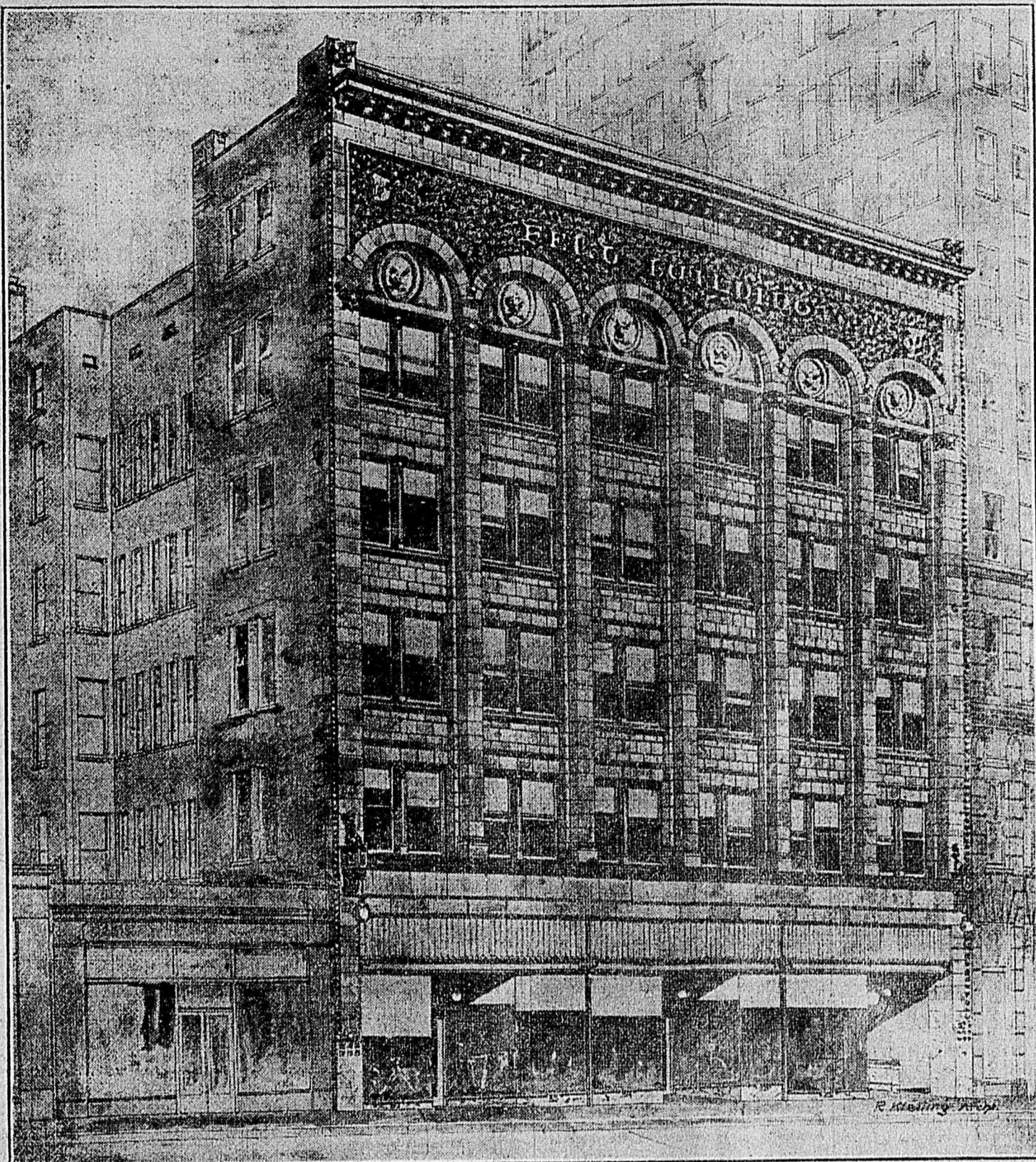
Cincinnati, O., May 28.—The crimson will predominate in Cincinnati today and tomorrow in honor of the meeting there in annual session of the associated Harvard clubs, bringing together Harvard graduates from all parts of the country. The meeting was formally opened in the Sinton hotel this morning by Robert J. Cary, president of the clubs, with all of the prominent graduates in attendance.

An important feature of the session today was the report of the committee on public school administration. The committee recommended that in all cities excepting New York, all boards of education should consist of five, seven or nine members and also emphasized the importance of the merit system. The program today included a discussion of Harvard's future policy by former President Eliot, and President Lowell.

### NELSON AND HYLAND.

Champion is Favorite in the Betting At Odds of 10 to 1.

San Francisco, May 28.—Battling Nelson of Illinois and Dick Hyland of San Francisco, who will fight for the world's championship in the lightweight division at Cofre's arena tomorrow afternoon, have ended their training and both claim to be in splendid condition. Nelson is reported to have placed several large commissions with local bookmakers before the fight, and the twenty-fifth round, Hyland on the other hand has bet \$200,000 on the fight, claiming that he will defeat the champion. Willis Britt, Nelson's manager, will arrive from New York tonight and will act as the Dane's chief adviser, while Jack Welsh will serve as timekeeper for the champion. Eddie Smith of Oakland will referee the contest, which will begin at 8 o'clock. A 10-round bout between local fighters will precede the main event.



FELT BUILDING TO BE ERECTED ON LOWER MAIN STREET.

The above cut represents the new five-story office building which is to be built by the Salisbury company on Main street, immediately north of the Boston block. The contract for the construction was let about a week ago to the Whitney-Steen company of New York, the total cost being \$175,000. The dimensions of the building will be 60 feet by 143 feet. It will have 115 offices, including a number on the top floor, fitted especially for architects and engineers. These will have upper floors lighted by skylights and arranged for handling blue prints with the least trouble. There will be two light courts, so that every room in the building will be afforded outside light.

The ground floor will consist of three stores, and the basement will be fitted for an elegant cafe, which is to be run by a California man. The main entrance will be built of Italian marble and the elevator will be operated by electricity and have a speed of 350 feet per minute.

## TOBACCO TRUST AND NIGHTRIDERS

Senator Bradley of Kentucky Declares Outrages of Latter Due To Former's Oppression.

### THEY MAY OCCUR AGAIN

Unless Internal Revenue Tax on Leaf Tobacco in Hand is Repealed.

Washington, May 28.—That the outrages of the nightriders in Kentucky and Tennessee resulted from the oppression of the American Tobacco company and that unless the internal revenue tax on leaf tobacco in the hand was repealed these outrages would again occur, was the declaration made by Senator Bradley of Kentucky, today in urging the adoption of his amendment to the senate bill. This amendment proposes to repeal the tariff bill the house provision for the free sale of leaf tobacco by the farmer, which was stricken out by the finance committee of the senate. After review of the growth of the American Tobacco company Mr. Bradley said that, not content with destroying all competition in the United States, this concern drove the Imperial Tobacco company of Great Britain, its chief competitor, to a compromise and obtained an agreement by which the Imperial company yielded up all competition in the United States.

"France, Austria, Italy, Portugal and other countries each meanwhile protect their territory should be and was divided, all agreeing to pay the same fixed price and allotting the territory into well defined districts so that there could be no conflict of interests. "Thus the producers found themselves powerless and hemmed in on every side," continued Mr. Bradley, and after appealing to Congress without effect, as a last resort organized the pooling societies which resulted in a saturnalia of crime in Kentucky and Tennessee. While denouncing the nightrider out-

rages Mr. Bradley declared the tobacco leaf growers were so sorely pressed that they were forced to combine to protect themselves and that the crimes which resulted were due to the trust's oppression.

Helena, Mont., May 28.—"The lower Yellowstone project of the United States reclamation service was formally opened by the secretary of the interior and water was turned into the main canal system April 20," said Supervising Engineer H. N. Savage of the reclamation service in this district today.

The water is now traversing the entire length of the system and is available for delivery to land owners. This season 40,000 acres of land can be brought under irrigation in the project. The Pacific Northwest Railway company entered into a contract with the secretary of the interior before work was started on the project agreeing to dispose of its holdings comprising about one-third of the land, at not to exceed \$3 per acre, plus the cost of reclamation, thus putting its lands practically on the same basis as the public land.

"Director N. F. H. Newell and myself have just completed a trip of inspection over the projects in this territory. The director was much gratified over the development and progress being made by entrymen on the new projects. Filings on the Huntly project continue at a rate of one in every two or three days, about the same rate on other projects where public lands are open to homestead entry."

### INTERNATIONAL AGREEMENT FOR PROTECTING FOOD FISH

Washington, May 28.—Commissioners and counsel operating under the treaty between Great Britain and the United States providing for the adoption of uniform and effective measures for the protection of the food fish in the waters contiguous to the United States and Canada met here today at the state department. Prof. David Starr Jordan is the United States representative and Prof. Edward B. Prince, the Canadian representative. The commissioners have been at work for about a year and have completed a set of regulations to govern fishing, which if adopted by both governments will go far towards protecting and preserving the fish and will avoid friction and strife. Recent dispatches from Canada have indicated that the agreement reached by the commissioners is in the main satisfactory to that government. As soon as accepted by both governments it will be proclaimed.

### PEROLA WINS THE OAKS.

Epsom, England, May 28.—The Oaks stakes of 500 sovereigns for a year-old fillies, distance about one mile and a half, was run here today and won by Perola, owned by W. Cooper. His mare, Jesty's Princess De Gales was second,

The building will be of the steel cage type and absolutely fire proof throughout. The concrete floors will be filled with a composition to deaden the sound. All the casings will be metal, the doors only being wood. The front of the building will be finished in enameled terra cotta. The store windows will be finished in metal on marble bases, but they will be marked by an absence of any heavy bearings.

All the partitions in the building are to be made fireproof, which does away with the old-fashioned 2x4 wood studding. The partitions will be arranged to suit tenants. In addition the building will be fitted with the necessary equipment for vacuum cleaning. About 25 per cent of the rooms have already been let.

The architect is R. Kletting, and the structure will be known as the Felt building, in honor of C. B. Felt, secretary of the Salisbury company.

and J. B. Joel's Verne third. Fourteen horses ran. The Acorn stakes of 100 sovereigns for 2-year-old fillies, distance five furlongs, was won by Yellow Slave. Minstrel was second and The Judge third. Among the 10 starters was H. P. Whitney's Artless.

The Ladies' Derby, as the Oaks is called, proved an easy victory for Perola, who came in two lengths ahead of the king's filly. Two lengths apart separated second and third horses. The favorite Electra failed to get away at the start, lost 15 lengths and never appeared in the first flight. The hitting was Perola, 5 to 1; Princess de Gales, 11 to 2; and Verne, 25 to 1. King Edward was present and the crowd for Oaks day was a record one.

The Micklenham selling plate of 200 sovereigns for 2-year-olds, distance five furlongs, was won by Cupola. Decidedly was second and Maggie May third. Eleven horses ran. H. P. Whitney's Belle of Troy filly was left at the post.

### SHARP WILL SOON KNOW WHAT HIS FATE IS

Kansas City, May 28.—James Sharp, of Adams City, probably will know his fate some time today at the hands of the jury that has been hearing his case in the criminal court. The case against him was much more complicated than it appeared to be at first. The case was begun this morning and it was expected that the case would be given to the jury in the afternoon.

Sharp's trial came as a result of the riot which took place here between his band of traveling street evangelists and a number of police officers here on the afternoon of Dec. 5 last, within a block of the city hall. As the result of that fight five persons lost their lives and three others were injured.

### THE VICTIMS WERE:

Officer A. C. Dalbey.  
Officer Michael Mullane.  
A. J. Nelson, a bystander.  
Lewis Pratt, a leader of the band.  
Sergeant Patrick Clark, shot in eye.  
Lieut. Harry Steele, flesh wound.  
Probation Officer George Holt, hit on head with gun.  
Mrs. Sharp is yet to be tried for her part in the affair.

### GOV. CRITTENDEN UNCONSCIOUS

Kansas City, May 28.—Ex-Gov. Thomas T. Crittenden, who collapsed with a stroke of apoplexy while watching a ball game here yesterday, has not yet recovered consciousness and his physicians pronounce his case critical.

### Y. M. C. A. RE-DEPT.

St. Louis, May 28.—This morning's meeting of the international conference of the railroad department of the Y. M. C. A. was featured by an address by C. R. Gray, vice president of the St. Louis & San Francisco railroad. Mr. Gray discussed "Education and its Relation to Modern Railroad."

## VALUE OF ROGERS ESTATE NOT GIVEN

With Exception of Bequest of \$10,000 Vast Fortune All Goes to His Family.

### FOUR TRUST FUNDS CREATED.

One for Benefit of Each of His Children—Widow Has Use of Residence And Annuity of \$100,000.

New York, May 28.—The will of the late Henry H. Rogers was filed for probate here today. The testator leaves all his property to his widow, children and relatives with the exception of \$100,000 which he bequeathed to the town of Fairhaven, Mass., for the use of the primary and grammar schools of that community. The will gives to the widow the use of the New York residence and sets aside a trust fund of from \$2,500,000 to \$3,000,000 to provide an annuity for her of \$100,000. At her death this trust fund is to be returned to the residuary estate. Mr. Rogers leaves his residence at Fairhaven, Mass., and his real estate there to his son, Henry H. Rogers, Jr. Various bequests, ranging in amount from \$10,000 to \$200,000 each, and at least 100 other trusts are created for the benefit of Mr. Rogers' collateral relatives. The income from these trusts is to be paid to the various beneficiaries during their lives and upon their deaths the principal of the trust funds will revert to the residuary estate of the testator.

Mr. Rogers divided his residuary estate into four trust funds, one for the benefit of each of his children. When the children attain the age of 40 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 the life of each child, but the children are each given the power to dispose of the principal of the trust by will.

The executors of the will are Henry H. Rogers, Jr., John W. Sterling of New York; Walter P. Winsor of Fairhaven, and the Farmers' Loan & Trust company of New York.

## TRAIN RUNS WITH NEGRO FIREMAN

No Demonstration Was Made as It Pulled Out Through Long Line of Spectators.

WARNING COMMENTS MADE.

Only Mail Was Carried. Officials Declaring Correspondent Could Not Be Taken as Passengers.

Atlanta, Ga., May 28.—Carrying a negro fireman, the first train of any sort to run over the Georgia railroad for more than five days, an engine and a mail car, left here at 7:30 this morning. The train pulled out through a deep lane of spectators at the station, but there was no demonstration. The negro fireman on the Atlanta train bore a name distinguished in Georgia. Joseph M. Brown, which is identical with that of the governor-elect, who will take office in a few weeks. The subject of keen scrutiny, the fireman, kept his eyes upon his work and smiled goodnaturedly. A few comments were overheard from the crowd that he was running a risk.

The engineers upon all the trains today were the regular men who stopped work last Saturday. They returned to work with the assurance from Asst. Chief Burgess of the Brotherhood of Locomotive Engineers that they would be protected. The mail car was a combination half mail and half baggage, but the baggage department was heaped with mail sacks.

The train made only a little more than seven miles in its first hour's run, owing to a stop at Decatur, the first town east of Atlanta, where newspapermen who had started to make the trip in the baggage car were put off. There was a long conference with officials of the road over their presence and it was finally decided that they were passengers and that the road had no right to carry passengers.

### ONE LEAVES AUGUSTA.

Augusta, Ga., May 28.—With a regular crew, including a negro fireman, the first train over the Georgia railroad since last Saturday, left Augusta at 7:45 this morning. The train consisted of mail cars only, manned by negro mail clerks. No unusual demonstration marked the departure of the train.

### P. O. DEPARTMENT INTERESTED.

Washington, May 28.—Postmaster Gen. Hitchcock returned here today from a trip to Cuba for the benefit of his health, and among the first matters brought to his attention was the question of sending Second Asst. Postmaster Gen. Stewart to Georgia to look into the railroad strike situation. In case Mr. Stewart is sent he will not go before early next week, when the railway mail clerks' convention will be held in Atlanta.

The department is not inclined to act favorably upon the suggestion of Vice President Ball of the Brotherhood of Locomotive Engineers, to designate some one to confer with him upon the question of the movement of the mails, as the Georgia railroad company is looked to for the performance of service. Officials were greatly pleased to receive advice that mail cars had been sent from Atlanta and Augusta this morning.

Atty-Gen. Wickersham today received a telegram from United States Atty. Tuley at Atlanta stating that while the Georgia railroad strike was still acute, there was fair prospect of an adjustment of the difficulties.

### GEORGIA MAY INTERFERE.

Atlanta, Ga., May 28.—Unless there are immediate steps taken by the officials of the Georgia railroad to restore train service it is reported that the state of Georgia may interfere to settle the strike. The state is a stockholder in the Georgia railroad, and under the state law has power to operate trains. Exactly what means the state would interfere with is not stated, but a receivership was hinted at. This solution was given color both by the fact that the state is a stockholder in the railroad, and by a dispatch from Savannah, Ga., that the people there intended to demand a receivership by the state on the ground of public convenience, provided no relief from the tie-up of freight and passenger service was obtained quickly. Other points sent urgent messages to the governor demanding relief and the continued reports of dissatisfaction over the presence of the negroes on the mail trains forced a crisis. Any action by the state, however, was deferred awaiting the result of arbitration negotiations.

There was no mistaking the depth and the severity of the ill-feeling existing in the strike district. "This is a white man's country, and we propose to keep it a white man's country, if we have to do without any trains."

### CABINET CONSIDERS MATTER.

Washington, May 28.—President Taft and his cabinet considered the Georgia railroad strike today and decided that Chairman Knapp of the interstate commerce commission should go at once to Atlanta to use his efforts to effect an adjustment of the trouble, or at least secure compliance with the interstate commerce laws.

### MOB LYNCHES NEGRO.

Baton Rouge, La., May 28.—News has reached Baton Rouge of the lynching of a negro known as Hobo Brown at Port Allen, the parish seat of West Baton Rouge, late last night. The negro was taken from the jail by a mob of masked men.

ate, are named in the will as follows: Anne Engle Benjamin, Clara Leland Brightman, Matt Rogers and Henry Hutcheon Rogers. It is provided in the will that the cost of any litigation that may be instituted in regard to the bequests shall be deducted from the bequest of the litigant. Mr. Rogers' works of art, bric-a-brac, books, plate, etc., are left to his widow. To his son he willed his jewelry and personal effects. The will was dated May 7, 1907.

## PRESBYTERIANS CONDEMN COURTS

Of Tennessee for Declaring Illegal Union With Cumberland Presbyterian Church.

CRITICISM WAS UNSPARING.

Report Recognizes Right to Pass on Disputes Concerning Property but Not on Church Doctrine.

Denver, May 28.—The church locked horns with the state this morning when the general assembly of the Presbyterian church in effect condemned the action of the state courts of Tennessee in setting aside the union of the Presbyterian church in the United States of America with the Cumberland Presbyterian church.

The assembly's criticism of the courts, which was unsparing, was based on the report of the committee on church co-operation, which report was written by William Henry Roberts, D. D., LL. D., the stated clerk of the assembly, chairman of the committee, and for more than 20 years regarded as the lawgiver of the assembly. It set out in effect that there are three established doctrines with respect to the relation of church and state, they being the Roman Catholic wherein the church is superior to state; the theory recognized in England and some parts of the United States, that the state is superior to the church; and the Calvinistic wherein church and state possess distinct jurisdictions the latter is the preferable view and will be held to in the Presbyterian church.

The report rebukes the Tennessee courts for presuming to pass judgment upon matters of church doctrine. It recognizes the right of courts to pass upon disputes concerning property but where a religious belief is concerned the report contended that they shall be adjudicated in the church councils. The assembly also reaffirmed the recommendations of the assembly of 1906, at which the union of churches was effected. The report of the committee was based on the legal action begun by anti-consolidation members of the Cumberland church, wherein they were supported by the Tennessee courts and given possession of a number of valuable churches which otherwise would have become the property of the united church. It was this contention in these suits that the union forced members of the Cumberland church to recognize a doctrine different from the one to which they had originally subscribed.

During the morning the assembly recommended the action of the last assembly making it imperative that the retiring moderator be elected chairman of the committee on bills and overtures. He will be chairman only of the executive commission. A resolution also was passed making it illegal for any member to serve on both judicial and executive branches of the assembly at the same time.

The assembly heard short addresses from Bishop H. W. Warren of Colorado and Bishop W. M. McDowell of Chicago, both of the Methodist Episcopal church.

### PITCHER DURBIN TRADED.

Cincinnati, Ohio, May 28.—It is announced that Pitcher Blaine Durbin has been traded by the Cincinnati club to the Pittsburgh team for Outfielder Ward Miller.

### ARMED MEN HOLD UP NEW YORK RESTAURANT

New York, May 28.—Four armed men invaded a restaurant at 44 Seventh avenue today, held up 20 customers, and made their escape. One of the robbers, a man of about 30 years of age, covered the cashier with his revolver, while the other two robbed the customers. They are believed to be members of a notorious East Side gang.

### PEDESTRIAN WESTON LEFT DENVER AT MIDNIGHT

Denver, May 28.—Edward Payson Weston, carrying a lantern and a walking stick, left Denver at midnight on his westward journey. If he finds the roads good, Weston may keep on to Greeley, 51 miles north of Denver, today, with the possibility of reaching Cheyenne, Wyo., late tomorrow night. From Cheyenne west, Weston will follow the Union Pacific tracks to Ogden, Utah, thence across Great Salt Lake and across Nevada.

### MOB STORMS JAIL AND SHOOT MURDERER

Arlene, Texas, May 28.—At 1 o'clock this morning a mob stormed the county jail here and shot to death Tom Harpnet, recently convicted of the murder of Alexander Sears. Refused admission by the jailer, the mob worked successfully for an hour to open the cell doors. Then the victim was shot to death inside his cell. The proceedings were conducted with comparative quiet and but few citizens were aware of the lynching until it was over.

### PRINCESS ALICE AGAIN AGROUND

New York, May 28.—The steamer Princess Alice, outward bound for Plymouth, again ran aground at night, being towed through Ambrose channel off Sandy Hook today, but was floated soon after. The steamer had just been floated after being aground off Staten Island, last night.

### PROBLEM OF GROWING SMYRNA FIGS SOLVED

Washington, May 28.—The United States department of agriculture has solved the question of growing the Smyrna fig in Fresno county, California, in the heart of the San Joaquin valley. This was accomplished by importing a peculiar kind of wasp, which fructifies the figs, from Smyrna. George C. Roeding, one of the early settlers of the San Joaquin valley, began experimenting with the Asiatic fig some time ago, but the fruit failed to mature. After much study it was found that the insects were a necessary factor. The government sent an expert to Asia who brought back a number of little Capri figs containing the insects. The bugs were placed on the Capri fig trees in the Roeding orchard and carefully protected during the winter. With the coming spring many colonies of the wasps appeared and the crop of Smyrna figs has since been a success.