

TRIAL MAY END TODAY

Law Takes Its Course Expeditiously in the Case of Leon Colgoz.

JURY SECURED AND WITNESSES HEARD

First Day Marked by Accomplishment of Preliminary Routines.

PRISONER'S PLEA OF GUILTY CHANGED

Court Orders It Entered as Not Guilty, Which is Done.

ASSASSIN HIMSELF REMAINS INDIFFERENT

Shows Little Interest as Colla Tighten About Him and Answers Only When Urged—His Counsel's Explanation.

BUFFALO, N. Y., Sept. 21.—Leon F. Colgoz was placed on trial this morning, charged with the murder of President McKinley. He entered a plea of "guilty," which was changed to "not guilty" by the court.

All the events of the day indicated that the trial will be short. The court convened at 10 o'clock and within two hours eight jurors had been secured. Technicalities were not raised by the examining counsel, but it was significant that every man who said he had not formed an opinion on the case was excused by the district attorney. Those who acknowledged that they had formed an opinion, or stated that they were prejudiced, but admitted that their opinion could be changed by evidence were accepted by each side. Justice Truman C. White, one of the oldest and most experienced of the supreme court judges was on the bench.

Speaks for Colgoz's Counsel.

Immediately after the opening of the court and after the prisoner had pleaded, Justice Loran, in an address to the defendant announced that together with his colleagues, former Justice Robert C. Titus and Carlton E. Ladd, they were ready to act in behalf of the prisoner. "I thought I best," he said, "for my colleagues and myself that I should say something regarding our presence here as attorneys for the defendant. At the time my name was suggested I was out of the city and knew nothing of what was transpiring here, and I am sure that I should not be accepted as a juror. When the circumstance of my selection was related to me it was reluctant to accept. I ask that no evidence be presented here, that the court will not permit the acceptance of any evidence unless it would be accepted at the trial of the most meager criminal in the land."

"I am familiar with these circumstances," said Justice White in reply, "and I wish to say I will give you every assurance that the prisoner will have a fair and impartial trial and that during the progress of the trial he will receive such treatment as the law demands in any criminal case."

Quick Work with the Panel.

The work of securing the jurors was undertaken with a celerity that was amazing. Before the day was over the entire panel had been sworn, the jurors had listened to a description of the Temple of Music, had seen photographs of the interior of that structure and had been told by three surgeons what caused the death of the president and the effect of the assassin's shot upon the various organs of the body. They had also learned why the fatal bullet had not been located.

The president's death, the government's case began shortly before 3 o'clock, when Assistant District Attorney Haller began to address the jury. He spoke briefly.

"We shall show," he said, "that for some days prior to the shooting this defendant had premeditated the shooting of the president. He knew that on the 6th of September the president would receive the popular election, that on that day he went to the exposition, got in line with the people and approached the president; that he had a weapon concealed in his hand and as the president extended his hand in kindly greeting he fired the fatal shot. One of them took effect in the abdomen and caused that mortal wound which resulted in the president's death. That, in brief, is the story we shall show you. Witnesses will tell you this story and I am sure that when you have the evidence you will have no difficulty in reaching a verdict of murder in the first degree."

Engineer is First Witness.

The first witness, Samuel J. Fields, chief engineer of the Pan-American exposition, described the ground floor of the Temple of Music and was followed by Perry A. Bliss, a photographer, who presented views of the interior of the building. The remainder of the afternoon was taken up with the testimony of three physicians, two of whom had attended the president, while the other had attended the autopsy. The latter, Dr. Harvey H. Gaylord, was the first of the trio to be called. He described the location of the wounds in the stomach and the direction of the bullet. The cause of death was attributed to the gunshot wound, but fundamentally he said it was due to the changes back of the stomach in the pancreas caused by the "breaking" down of the material of the pancreas as a result of the passage of the bullet.

Dr. Herman Mynter followed and his testimony was of importance, inasmuch as it brought out the fact that the reason why the fatal bullet had not been located at the autopsy was because of the unwillingness of the president's relatives to have the president's body further mutilated. Dr. Mynter and Dr. Mann, who followed him, testified that the primal cause of death was the gunshot wound in the stomach. The effect of this wound was to cause the pancreas and the spot of poisoned tissue was as large as a silver dollar.

Trial May End Today.

The prisoner, Colgoz, during the morning showed no interest whatever in the proceedings, but as the testimony proceeded he paid more attention. The probable duration of the trial, it is believed, can be fixed at two full days. When District Attorney Penney was asked by Justice White as to the time he would take in the case he declared he would conclude by Tuesday noon. Judge Titus for the defense was noncommittal, however, and merely replied: "That depends upon the turn things take."

It is not probable that any defense will be put on, owing to the character of the prisoner and his refusal to help the attorneys in any way. The idea of an attempt to enter the question of his sanity is not

(Continued on Third Page.)

SUCCESSOR TO CANTON

Belief in Washington That is One of the Subjects of Senatorial Conference.

(From a Staff Correspondent.)

WASHINGTON, Sept. 21.—(Special Telegram.)—Senator and Miss Millard left this afternoon for New York. Before leaving, however, Senator Millard put in a good morning's work visiting the postoffice, War and Treasury departments and again calling on the president, together with other senators and members of congress. At the Treasury department he had an interview with the supervising architect in relation to the seventeenth street front of the new postoffice building in Omaha, and received confirmation that everything would be done to build the structure in conformity with the plans as revised. With Secretary Gage, Senator Millard had a long conference, and it is believed he will make a report on the matter of a possible acquisition of New Taylor, surveyor of the port of Omaha. Just what conclusions were reached are not disclosed, although Senator Millard said to a correspondent for The Bee yesterday that Taylor's term had quite a considerable time to run, and so far as he knew it would not be disturbed. When asked if he proposed making any changes in postmaster, the senator said he would not recommend any postmasters until after election.

John T. Clark of Omaha was in Washington today.

Ex-Senator Thurston will deliver an address tomorrow evening before the League of Republican Clubs of Pennsylvania, which convenes tomorrow in Scranton.

Joseph J. Langer's commission as consul to Solingen, Germany, was signed today by President Roosevelt. Mr. Langer was at once sworn in at Solingen and his bond in the American Surety company was New York was accepted. Mr. Langer expects to sail for Germany Tuesday on one of the North German Lloyd steamships.

The following postmasters have been appointed:—Lon, Allamakee county, M. F. McDonald; Little Cedar, Mitchell county, G. R. Hammond.

South Dakota—Moritz, Deuel county, W. D. Gordon. Postoffice at Laketon, Brookings county, S. D., discontinued and mail ordered to Arlington.

The postoffice at South Auburn, Neb., Ochevedan, Ia., and Arlington, S. D., to come presidential offices October 1, with the salaries of the postmasters set at \$1,009 each.

Rural free delivery has been ordered established November 1 at Glidden, Carroll county, Ia. The route embraces 400 square miles, containing a population of 620. George Sherer was appointed carrier. The postoffice at Benau was discontinued at Benau, Neb., and at Eske, Nebraska, appointed as postmaster.

E. Osmond Ellison of Webster City, James M. Della of Carroll City, Ia.; George H. Thomas of Schuyler and Corydon Road and Louis S. Tom, T. J. Spangler of Mitchell and Noble S. Cull of Hot Springs, S. D., were today admitted to practice before the interior department.

The application of H. O. Penick, Calvin Manning, B. F. Bates, J. A. Penick, William Penick and William E. Penick to organize a bank with \$50,000 capital, has been approved. The conversion of the Farmers' and Merchants' State bank of Hamburg, Ia., into the Farmers' National Bank of Hamburg, with \$50,000 capital, was also approved.

These appointments were made today in the Indian schools: Will A. McLaughlin of Eland, Wis., teacher at Yankton, S. D.; Louis Ridge of Craig, Mont., carpenter at Pine Ridge, S. D.; Miss Sadie Gridley of Max. Ore, Joseph H. Elliott of Grandeur, S. D., assistant engineer at Mount Pleasant, Mich.

BEGIN WORK FOR MONUMENT

Hanna, Day and Others Take First Step Toward Erection of McKinley Memorial.

CLEVELAND, O., Sept. 21.—Initial steps were taken here today for the erection of a monument to President McKinley. A conference attended by Senator Hanna, Judge William E. Day of Canton and Colonel Myron T. Herrick, it was determined to organize a committee, national in scope, to take charge of the work. It is proposed to have as members of this body representative citizens from all the various states of the union. The organization will be chartered under the laws of Ohio and will probably be known as "The McKinley Memorial Association."

It is proposed to locate the headquarters of the committee in this city and it is proposed to have the organization perfected within a week or ten days and fully prepared to take up the work. Those interested in the matter expressed the belief that congress will, at its coming session, make a liberal appropriation toward the erection of the monument.

MRS. MCKINLEY VISITS VAULT

Goes with Mrs. Barber and Dr. Rixey to Abode of the Dead.

CANTON, O., Sept. 21.—For the third day in succession Mrs. McKinley took drives today. The first one was to the cemetery, where she and Mrs. Barber and Dr. Rixey again entered the vault to look at the casket containing all that remains of the devoted husband. The afternoon ride was the longest taken and was along the country roads. The air was delightfully warm and bright. Mrs. McKinley seemed to take more interest in the affairs of the house today and went to the dining room for her meals.

BIG HORN STAGE HELD UP

Nells Lippcott, Charged with the Robbery, Captured by Sheriff Nelson After a Chase.

CHEYENNE, Wyo., Sept. 21.—(Special Telegram.)—A man supposed to be Nells Lippcott held up and robbed the Sheridan-Big Horn stage near Big Horn last evening. Sheriff Nelson of Sheridan took the man into custody and captured Lippcott this evening in the eastern part of Sheridan county. Lippcott was about to board a train for Nebraska. The stage carried the United States mail. Strong evidence against Lippcott has already been obtained. Lippcott has already been obtained. Lippcott was about to board a train for Nebraska. The stage carried the United States mail. Strong evidence against Lippcott has already been obtained. Lippcott has already been obtained.

Fair Opens at Tecumseh

TECUMSEH, Neb., Sept. 21.—(Special Telegram.)—Tomorrow will be the opening day of the annual fair in Johnson county.

CAMPAIGN OPENS IN IOWA

Republicans Hold First Rally of the Season in Southern Part of State.

(From a Staff Correspondent.)

A. B. CUMMINS SPEAKS IN CENTERVILLE. Firm for Republican Principles in State and Nation—Favors Revision of Tariff to Checkmate Trusts—Taxation Reform in State.

CENTERVILLE, Ia., Sept. 21.—(Special Telegram.)—The republican state campaign was opened here this afternoon. It had been intended that the opening should be at Atlantic, in the Ninth district, on the 16th, but the death of President McKinley forced a change in the plans and no meetings were held last week. This afternoon A. B. Cummins, the republican candidate for governor, commenced a week's tour of the southern part of the state and spoke to a large audience in the court house here. Mr. Cummins is an able orator and one who holds his audience by the magic of his fine words and sentences and convinces them with his clear logic. In every way the opening meeting was a success.

In his address Mr. Cummins treated all the issues, state and national, exhaustively. The tariff and foreign policy, particularly as concerns the Philippines, were dwelt upon at length and he did not mince matters in regard to state issues. He presented an impressive case for the measures to sustain the platform adopted at Cedar Rapids, and his words will be accepted as the keynote in the Iowa campaign.

Mr. Cummins referred briefly to the silver question, giving his reasons therefor, and although this may not have been a dead issue part of his address was interesting. Respecting the reiterated demand for the free and unlimited coinage of silver he said there is a menace in it which should not be overlooked. One of his deductions was that "An industrial depression can be quarantined, but a financial panic growing out of fear for the stability of value is a plague that will sweep over every inch of territory within the sovereignty of the United States and its victims will be those who have least to do with its origin."

On National Issues.

The Philippines became ours by the fortunes of war. We make no pretension with respect to the future of the Philippines. It is with courage, intelligence and confidence that we should consider whether the Philippine islands will become an independent nation, whether they will become a part of the United States, or whether they will remain a colony of the United States. I do not know, nor do I believe it is my duty to say, whether they will become an independent nation, whether they will become a part of the United States, or whether they will remain a colony of the United States. I do not know, nor do I believe it is my duty to say, whether they will become an independent nation, whether they will become a part of the United States, or whether they will remain a colony of the United States.

Western Passenger Association Notifies Them of Fare to Convention in Chicago.

DENVER, Colo., Sept. 21.—Chairman MacLeod of the Western Passenger association today notified the secretary of the National Live Stock association that a rate of fare for the Chicago convention had been made from all points within its territory to the fifth annual convention of the association in Chicago, December 3. The Central Passenger association covering territory east of Chicago, has made a similar rate. Chairman MacLeod also notified the agents of the Oregon Short Line, who have promised to make the same rates as granted by the Western association. Chairman MacLeod of the Transcontinental association announces a rate of 2 cents per mile from Chicago to all points.

FOR OMAHA'S EMPORIA LINE

Southern Railroad's Locating Engineer Reported to Be Now Running Route This Way.

EMPORIA, Kan., Sept. 21.—Richard Newton, locating engineer for the Kansas & Southern railroad, started here today with a gang of surveyors to run a direct route to Omaha for that road. This road was projected here some time ago and \$70,000 in bonds were voted by Emporia City and Lyon county. This road, if built, would be built by Omaha capitalists with the view of getting cattle from this territory for the Omaha market.

Dodge City Gets Headquarters

TOPEKA, Kan., Sept. 21.—E. Hurley, superintendent of the Atchison, Topeka & Santa Fe railroad between Newton and Albuquerque, officially announced today that the headquarters of the division between Newton and Albuquerque would be removed to Dodge City. This change will move from the Newton division superintendent and his force and the dispatchers and trainmasters from Newton.

WILL LAY PACIFIC CABLE

Mackays Incorporate Their Company with \$100,000 Capitalization.

ALBANY, N. Y., Sept. 21.—The Commercial Pacific Cable company, with a capital of \$100,000, was incorporated here today by the following: John W. Mackay, Clarence M. Mackay, Edward C. Platt, Albert B. Chandler and William W. Cook.

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LOW RATES ARE TO CONTINUE

Homeowners' Excursions to Be Run Over Western Roads, North and South.

(From a Staff Correspondent.)

CHICAGO, Sept. 21.—To a large extent the low passenger rates that have been in effect in the territory west of Chicago during the summer are to prevail throughout the winter months. Independent action taken by a number of western roads today insures a series of low rate home owners' excursions during October, November and December. Excursions will be run to all points in northern Michigan, Wisconsin, Iowa, South Dakota, Nebraska, Kansas and the southwest the first and third Tuesdays in October. Excursions will be run the first and third Tuesdays in October, November and December to all the southwest points, the Pacific coast and British Columbia. There will be one fare for the round trip plus \$2 and the tickets will have liberal limits for returning. The following roads have given notice of their intention to participate in the excursions: Chicago & North Western, Milwaukee & St. Paul, Great Western, Rock Island and Illinois Central. All of the other lines undoubtedly will meet the competition and quote similar rates.

WABASH ROAD OR A BIG WAR

Pennsylvania Lines' President Makes Unusual Demand of Surrender on George Gould.

PHILADELPHIA, Sept. 21.—The Engineer of the Pennsylvania road, has demanded of George Gould the surrender of the Wabash railway system and the Wheeling & Lake Erie at a price which will net a profit to the Goulds, under threat of cutting off the wires of the Western Union Telegraph lines from the entire Pennsylvania railroads system as well as from the Vanderburgh lines, which have agreed to the deal. The penalty means that the Western Union will suffer the greatest blow in its history and will lose many of its profitable lines, which will be turned over to its rival, the Postal Telegraph company.

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NEBRASKA LAW TURNED DOWN

Judge McPherson Dissects Three Statutes and Holds Them Unconstitutional.

(From a Staff Correspondent.)

DECISIONS IN THE UNITED STATES COURT. Federal Jurist Overturns Fire Insurance Regulation and Law Relating to Stock Yards Charges—Substance of Decisions.

Three statutes of the state of Nebraska were declared invalid by decisions which Judge McPherson, who has charge of the equity docket in the United States circuit court, handed down at Council Bluffs yesterday. The laws passed in 1887 for the regulation of fire insurance companies were declared unconstitutional and the law passed in 1897 for the regulation of the charges to be made by the fire insurance companies was held to be invalid because of a defect in the title. The statute which attempted to fix the charges to be made by the stockyards companies is known as senate file No. 63. Greenleaf W. Simpson of Massachusetts brought action to restrain the enforcement of the law relating to the stockyards companies in private corporation and is not engaged in a public business and that his affairs are not subject to legislative control. He also set up the claim that the rates fixed by the legislature would be confiscatory.

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CONDITION OF THE WEATHER

Forecast for Nebraska: Fair and Much Cooler Tuesday; Wednesday Fair; Winds Becoming Northerly.

Table with columns: Temperature at Omaha Yesterday, Hour, Deg., and Forecast for Tomorrow, Hour, Deg.

SAWS THROUGH JAIL BARS

Alleged Horse Thief Escapes from County Jail at Beaver City.

BEAVER, Neb., Sept. 21.—(Special Telegram.)—James Shoemaker escaped from the county jail at Beaver. He sawed his way through the heavy bars of his cell and then through the iron bars guarding the windows to the outside. He had assistance from the outside. The jail was searched a few days ago and no saws or tools were found. Saws and pieces of two by four had been passed to him through a window. Shoemaker wrote a letter to a local paper, which he dropped in the road near the jail. It gave a humorous account of his escape and the officials who had him in charge. He was charged with horse stealing and his trial was set for next month.

CHANCELLOR ON VERACITY

E. Benjamin Andrews Maintains that Lying is Never Justifiable for Any Purpose.

LINCOLN, Neb., Sept. 21.—Chancellor E. Benjamin Andrews of the University of Nebraska gave to the Associated Press this evening the following correction and denial of a report started at Chicago concerning an address he recently delivered there: "A report is in circulation to the effect that I declared that lying is never justifiable. The report is absolutely false and without foundation. Some careless reporter has mentioned in the lecture referred to that I mentioned that lying is never justifiable under any circumstances or for any purpose whatever. No other idea of meaning occurred