THE OMAHA DAILY BEE.

ESTABLISHED JUNE 19, 1871. OMAHA, TUESDAY MORNING, APRIL 21, 1903—TEN PAGES. SINGLE COPY THREE CENTS.

ERIE WRECK FATAL

Chicago Flyer Crashes Into Freight Train Which is Taking a Siding.

EIGHT DIE IN RESULTANT COLLISION

Engine and Cars Jump Track and Demolish Nearby School House.

FIRE SPREADS AMONG PILE OF DEBRIS

Victims Burned Beyond Recognition When Rescuers Reach Them.

COAL FREIGHT SPREADS AMONG FLAMES

Filters Through Splintered Wood Helping to Keep Conflagration Roaring and Intensifying Terrific Heat.

JAMESTOWN, N. Y., April 20.—Eight persons are dead and ten injured, three of them seriously, as the result of a collision between passenger and freight trains on the Erie railroad near Redhouse, N. Y.

Of the dead only one, Robert N. Hotchkiss of Meadville, Pa., a brakeman, has been identified. Seven bodies, apparently those of three men, three women and a child, were burned beyond recognition in the fierce fire which followed the wreck. The women are said to have boarded the train at Youngstown, and to have come from Pittsburg.

R. S. McCready, a mail weigher of Meadville, Pa., and Frank Barhite of Jamestown, a traveling salesman, are missing and it is likely two of the unidentified bodies are those of the two men.

The wrecked passenger train was known as No. 4, running from Chicago to New York. The engine was in charge of Engineer Samuel Cook and Fireman Fred Bell of Meadville. The train was made up of one combination car, two day coaches, three sleepers and two private cars. The train was derailed by striking a freight taking a siding at Redhouse. The wreck at once took fire and the combination car, two day coaches and two sleepers, together with several freight cars, were consumed.

There is some dispute as to the cause of the wreck. The passenger train was running east and the freight, which was westbound, had orders to go onto the siding and await for it to go by. The siding is about a mile and a half long and there is a tower of the block system near the west end.

The freight was drawn by two engines. Some trouble was experienced in entering the siding and the foremost engine of the freight was sent with a flagman to hold the express. It is alleged that the operator in the tower, Lawrence Vale, a boy 18 years old, saw the light on the engine and supposed the freight was on the siding behind it. Vale then displayed a white signal toward the passenger train, indicating that it had a clear track. The engineer on the passenger failed to see the flagman and only saw the clearance signal from the tower. The train ran toward the east end of the siding at high speed and collided with the second engine of the freight just as it was about to clear the main line.

The passenger engine and some of the coaches crashed into a small wooden structure used as a feed store and school house. The first half dozen cars of the freight were wrecked and the coal with which they were loaded filled in among the burning wreckage, creating an intense heat. All but three of the express cars followed the engine and the whole mass of wreckage was soon in flames. The tracks were strewn for rods with burning wood and coal and heaps of twisted ironwork.

No 4 is one of the fastest trains on the Erie. The two private cars attached to it today were occupied by W. J. Murphy, his wife and two officials of the Queen & Crescent railroad, and J. L. Frazier general superintendent of the Clover Leaf. All escaped uninjured.

TORNADO DESTROYS A TOWN

St. Paul, in Neosho County, Kansas, is Visited by a Deadly Wind.

TOPEKA, Kas., April 20.—Word has just reached here of a tornado at St. Paul, Neosho county, Saturday night, which destroyed a great amount of property and injured five people, four of whom cannot recover.

Mrs. David Chamberlain and three members of a German family named Longham will die, it is thought. David Chamberlain has bruises of a severe character, while several other persons sustained minor injuries.

The three story brick school building was entirely destroyed, and the home of David Chamberland, Mr. Longham and Mrs. Melluze were blown away. Many houses were unrooted. The depot platform was carried from the townsite.

The tornado jumped a building occasionally taking a house here and a barn there. The storm lasted about five minutes.

Near Cherryvale all the buildings on the farm of Stanley Foster were demolished. Mr. and Mrs. Foster were injured badly and their 2-year-old child was fatally hurt, the latter suffering a fractured skull.

NAVAL COMMANDANT IS HELD

Warrants Issue for Arrest of Porto Rican Official Charged with Smuggling.

SAN JUAN, P. R., April 20.—Chief Hood of the internal revenue department has sworn out warrants for the arrest of Captain Andrew Dunlap, U. S. N., commandant of the naval station here, and Robert Giles for bringing in liquers from the island of St. Thomas on the lighthouse tender Laurel without paying duty.

Giles has appeared and was held under $1,000 bond for trial before the insular district court.

LIGHT CLASHES WITH RAILS

Colorado Electrical Companies Enjoined from Interfering with Railway Construction.

DENVER, April 20.—Judge DeFrance of the district court at Golden has issued an injunction restraining the New Century Light and Power company and the Hydro-Electric Power company from interfering with the Denver, Northwestern & Pacific Railway company in building its line through Gove canyon, in Grand county.

The New Century company today filed another application for the land with the state land board.

MARRIES UNDER FALSE NAME

Footman Assumes Title of a Prince and is Wedded to a Countess.

LONDON, April 20.—William Brown, a footman, was remanded today at Portsmouth on the charge of making a false entry at the registry office there in the middle of December last, when, under the name of "Prince Athrobald Stuart de [illegible]," he married Countess Russell, wh[illegible] a divorce from her husband, Earl [illegible] the ground of the earl's bigamy in [illegible]ing Mrs. Sommerville in the United Sta[illegible]

Countess Russell was the first wife of Earl Russell. On March 28, 1901, she obtained a decree of divorce from the earl on the ground of his bigamy in marrying Mrs. Mollie Somerville at Reno, Nev., the earl having previously obtained a divorce from the countess in the United States on the ground of desertion.

The earl subsequently was arrested in England on the charge of bigamy, was tried at the bar of the House of Lords, pleaded guilty and was sentenced to three months' imprisonment as a first-class misdemeanant. The court's decree of divorce was made absolute October 28, 1901, and the earl again married Mrs. Somerville October 31, 1901.

Countess Russell's maiden name was Mabel Edith Scott. She was the eldest daughter of the late Sir Edward Claude Scott.

NO HITCH IN THE TREATY

Negotiations with Cuba Are Progressing in a Most Satisfactory Manner.

HAVANA, April 20.—The correspondent of the Associated Press is authoritatively informed that there is no hitch in the negotiations for the final treaties between the United States and Cuba, the only differences thus far being on the subject of details covering the acquirement of private properties for purpose of naval stations.

The Cuban government prefers to purchase these lands and lease the whole, together with the government lands required, to the United States for a nominal consideration. There seems to be some natural questions to the extent to which the United States will compensate Cuba for the purchases and leases, but no serious difference has arisen on these subjects.

The final negotiations are now embodied in three treaties: One for carrying out the details of the arrangements for the occupancy of the naval stations in accordance with the Roosevelt-Palma agreement; another covering the sovereignty over the Isle of Pines, and the third incorporating the Platt amendment provisions into a perpetual treaty.

GOVERNMENT GENERALS SLAIN

Dominican Rebels Repulse Attack, Killing Three of Enemy's Leaders.

SAN DOMINGO, Republic of Santo Domingo, April 18 (Delayed in Transmission.)—The government shelled this city yesterday when several houses were damaged and this morning attacked in force at several points, but was repulsed with losses, General Cordero, minister of the interior; General Alvarez, governor of Puerto Plata, and General Queseda being killed. Over 100 government soldiers were killed or wounded.

The revolutionists made several prisoners and captured horses and ammunition. Their losses were slight, only a few men being killed or wounded. President Vasques narrowly escaped being shot.

The rebel gunboat Independencia has returned and it is reported that General Navarro landed from it near Monte Cristi. The revolutionists are surrounding Monte Cristi.

OFFER TO AID MACEDONIA

Volunteers from All Countries Ask to Fight Under Garibaldi.

ROME, April 20.—Ricciotti Garibaldi, leader of the Italian volunteers in Greece during the war with Turkey, has received letters from almost every country in the world from men who volunteer to join his expedition to free Macedonia from Turkey. These offers include the formation of a battalion of yeomanry and cavalry in South Africa. Many offers have been received from the United States.

It is reported, however, to be Signor Garibaldi's opinion that no serious rising in the Balkans is possible this year.

ARK FLOATS BEFORE KING

Noah's Famous Ship Reproduced at Malta Water Carnival in Edward's Honor.

VALETTA, Island of Malta, April 20.—King Edward today reviewed 8,000 blue jackets and marines and later laid the foundation stone of the breakwater, which is to protect the entrance of the grand harbor.

This evening there was a water carnival in the harbor, the features of which were floating models of thirteen types of vessels of various periods, from Noah's ark to the battleship Edward VII.

The royal yacht, Victoria and Albert, leaves here tomorrow.

Will Welcome Warships.

KIEL, Prussia, April 20.—The warships of the United States European squadron will be welcomed here during the yachting week and the members of the executive committee of the Imperial Yacht club have already discussed informally how to entertain the American visitors. The crews will be asked to take part in the boat races, to which one day will be given up. The German men-of-war boats are modeled exactly after the American fashion supplied by the Navy department to Germany several years ago. Therefore, the contests between the German and American sailors will be on equal terms.

Letters Coming Home.

LONDON, April 20.—The White Star liner Oceanic, which is to sail from Liverpool April 22 for New York, will have among its passengers Mr. and Mrs. G. W. C. Drexel, Mr. and Mrs. W. A. Hazard and Mrs. Levi Z. Leiter and Miss Leiter.

Famine Funds Ample.

STOCKHOLM, Sweden, April 20.—The central famine relief committee says the funds at its disposal are sufficient, provided the growth of the pasturage is not retarded.

Netherlands Exhibit at St. Louis.

THE HAGUE, April 20.—The government of The Netherlands has decided not to make an appropriation in aid of The Netherlands exhibit at the St. Louis exposition.

DEEP SNOWFALL IN EUROPE

Storm Ceases After Having Continued for Thirty-Six Hours.

FREEZING TEMPERATURE IN GERMANY

Gale Does Much Damage in the Grounds at Potsdam and Many Historic Trees Are Uprooted and Destroyed.

[illegible] April 20.—The gale of Sunday wrought [illegible] havoc on the grounds at Potsdam that [illegible] full report on the subject has been telegraphed to Emperor William. Many splendid trees dating from the time of Frederick the Great were uprooted. The imperial wild park was also seriously damaged.

The thirty-six hours snow storm over Europe ceased today at daylight. The snow is two inches deep in Berlin, increasing to a yard deep in the Harts highlands. Snow lies deep in east Prussia and Poland, where wires are down and trains delayed.

The temperature in most parts of Germany is barely at the freezing point, so that the damage to the fruit crops may not be so serious as at first supposed. The snow is melting rapidly and the streams are already flooding.

The government has issued notices that telegraphic communication with Russia is interrupted and that the lines connecting with Pomerania, Silesia and eastward of Berlin are also down.

Snow on Polish Plains.

The snow lies from eighteen inches to three feet deep in the Polish plains. At noon no trains had arrived at Posen for twelve hours. Trains are snowed in on the lines all over Silesia and the province of Posen.

The railroad administration has no snowplows, as such snows as this are extremely rare. Hence shovel expeditions have been ordered to dig out the drift-covered trains and carry food to the belated passengers. Telegrams from many cities read alike. Street cars are immovable. Telephone and telegraph wires are down and the trains are either not venturing to leave the terminals or are stalled in the country, or are arriving at their destinations after great difficulty and with their passengers wretched with cold and hunger. Minor accidents have been numerous. The turret over the Paradise door of the Magdeburg cathedral was blown down.

Forty large trees in the Thiergarten here were uprooted. Part of the roof of the opera house was blown off and workmen, at the risk of their lives, sought to repair it so as to prevent damage to the richly decorated interior, but they were unable to continue at work. The snow, however, did little damage to the interior.

Berlin Streets Perilous.

Falling chimneys and tiles made the Berlin thoroughfares perilous last night. Twenty-one injured persons were taken to the hospitals.

Count von Ballestrem, president of the Reichstag, who is on his way to attend the opening of Parliament tomorrow, is snowed in between here and Silesia.

Among the fine trees planted by Frederick the Great which were uprooted in the park at Potsdam was the largest of all, the fir trees.

Some shipping disasters are reported from the Baltic and the North sea. The German schooner Spoort was stranded near Dantzic and the Danish cutter Irene was wrecked off Swinemunde. The crews of both vessels were saved.

WORTHLESS ORE GETS VALUE

St. Paul Man Invents New Smelting Process for Refractory Work.

ST. PAUL, April 20.—An experiment that may revolutionize the iron and steel industry of the country was successfully made this afternoon at the plant of the Valley Iron works in this city.

Iron ore, of which there is billions of tons in north Minnesota, was smelted in an ordinary cupola and turned out pig iron which polished up like steel and which, according to those interested in the experiment, is better than the finest Bessemer steel.

While the hard and soft iron ore mines of St. Louis county have been turning out millions of tons annually for years, farther north there are gigantic beds of iron which, because of the price of titanium, making it refractory, have received but little attention.

Frank Johnsen of St. Paul claims to have discovered a process by which it can be profitably used and in the presence of a delegation of Duluth men interested in mining he today conducted a successful demonstration of his discovery. A prominent chemist and assayer who was present stated that in his opinion this ore could now be smelted as cheaply as hematite.

Aside from solving the question of how to smelt this refractory ore it is stated that it produces a steel better than Bessemer because with one-third the weight, the same tensile strength is secured. The superior quality of the product is ascribed to the presence in the ore of vanadium and chrome, ingredients that are said to give it extraordinary strength and toughness.

Propositions for the construction of large smelting works at Duluth have been hinging on the result of this test and it is expected now that success has been attained, that these projects will be rapidly pushed.

WIFE CONTRADICTS YOUTSEY

Other Relatives Will Also Take the Witness Stand for the Same Purpose.

FRANKFORT Ky., April 20.—James B. Howard, on trial on the charge of killing Governor Goebel, took the witness stand again today for further cross-examination. The witness declared he was in the Board of Trade hotel when the crowd passed bearing the wounded man.

He could give no description of the manner in which Goebel was being carried and got considerably tangled on this point.

Mrs. Henry E. Youtsey is here and will be called by the defense to contradict her husband as to his confession made on the witness stand in the Howard trial. Youtsey's brother-in-law, Banker R. H. Witherspoon of Winchester, and other relatives are also here for the same purpose.

The cross-examination of Howard was completed shortly before noon. He contradicted himself on a number of important points, as compared with the record in former trials.

Mrs. Anna Weiss, who was a typewriter under Auditor Sweeney, and who worked in the little room in which Youtsey worked, said she did not hear any knock on the door or see or hear him in conversation with anyone prior to the shooting. She was in and out of the office, but did not see him admit Howard or anyone else.

DRUNKEN MAN MURDERS TWO

One is Policeman Who Sought to Arrest Him and Other Disinterested Bystander.

RAWLINS, Wyo., April 20.—(Special Telegram.)—F. J. Keefe, head of the Keefe Commercial house and ex-city treasurer, shot and killed Tom King and Policeman Baxter tonight, and has escaped. Sheriff Horton and a posse are in pursuit and if Keefe is taken tonight it is feared he will be lynched. There is intense excitement in the city and extra police are being appointed to prevent violence if Keefe is captured. King was killed instantly and Baxter died at 10 o'clock.

Keefe has been drinking heavily for several weeks and has been arrested a number of times. He locked himself in his place of business tonight and began shooting. Policemen Baxter and Spencer attempted to gain admission to his store, when Keefe suddenly appeared, gun in hand. He fired several shots, and King, a former lieutenant in Torrey's Rough Riders, who was passing up the street, fell, shot through the heart. Baxter was shot through the stomach. Keefe sprang out of the store and ran across the railroad yards.

FIND BODIES OF CHURCHES

Buried in Sheep Corral Where Murderer Directed the Officers.

GILLETTE, Wyo., April 20.—(Special Telegram.)—The searching party returned tonight with the bodies of Mr. and Mrs. John W. Church, late of Omaha and Council Bluffs, who were murdered at their ranch, sixty miles south of Gillette, on March 15, by W. C. Clifton. The bodies were buried in a shallow grave in the manure of a sheep corral, where Clifton, in his confession, said they would be found.

Church was killed by being struck on the head with a club or other blunt instrument, while Mrs. Church was shot through the head, the bullet entering behind the right ear. The bodies were partly decomposed, but were easily recognized. The remains will be taken to Newcastle in the morning. Mrs. Church of Council Bluffs, mother of the man, is here and is prostrated with grief.

"Slim" Clifton, the murderer, is under double guard at the Weston county jail in Newcastle. The people are greatly excited over the affair and a lynching is threatened, but the officers believe they can preserve order. Clifton has broken down completely and is crying for mercy.

SETTLE RANGE DIFFICULTY

Sheriff Arranges a Truce Between the Cattle and Sheep Men.

LANDER, Wyo., April 20.—(Special Telegram.)—Sheriff Charles Stough of Fremont county returned this evening from the Sweetwater country and reports everything quiet when he left early this morning. William O'Brien, a sheepman, will move over the dead line the latter part of the week, but the sheriff says he has adjusted matters so that there should be no clash at present. He says the signers of the letters warning the sheepmen were thoroughly in earnest, but listened to the advice of influential friends who by careful maneuvering may avoid future difficulties notwithstanding the signs of trouble. The injustice of the warnings is being discussed and roundly denounced by many persons.

The consensus of opinion is that the differences of the sheepmen and cattlemen should be settled amicably without resorting to force of arms, which would result in unnecessary bloodshed and the disgrace of this section and every one that engaged in the outlawry. While the clash may have been avoided for the present it is feared hostilities may occur at any time.

IOWA MAN IS FEVER VICTIM

Typhoid Ravages Stanford University, Striking Vinton Student Down.

STANFORD UNIVERSITY, Cal., April 20.—Twenty additional cases of typhoid fever have broken out yesterday and today. Thirteen of these are reported from Palo and seven on the university campus. The total number attacked up to date is now close to 100.

A majority of the new cases are students in the university. Among those critically ill are E. E. Miller of Vinton, Ia., and R. D. Barrett of Herman, Minn. There has been much talk about the university closing, but Dr. Jordan states that while conditions are as they are and while the physicians are of the opinion that the trouble is almost checked no action in this direction will be taken.

PARK TOUR IS ALMOST OVER

President Will Resume His Trip on Friday After Holiday at Yellowstone.

CINNABAR, Mont., April 20.—President Roosevelt has about completed his tour of the Yellowstone park. Today he was at Fire Hole Geyser basin. Tomorrow he will return to the Norris Geyser basin and go from there to the Grand canyon, where the upper and lower falls are situated. He expects to return to the post headquarters on Wednesday and will remain in that vicinity until Friday afternoon when he will resume his trip.

The members of his party who have been living on the train at Cinnabar since April 8, will probably join him in the park on Thursday morning.

TORNADO OBLITERATES HOUSE

Wipes Out More Than Half the Buildings of Little Missouri Resort.

FREDERICKTOWN, Mo., April 20.—A tornado, accompanied by hail and rain, passed over this section yesterday, nearly destroying White Springs, a summer resort, seven miles from here. Seventeen of the thirty houses were wrecked, one so completely that no traces of it could be found.

The large hotel of Stubblefield & Mathews is a wreck.

MAN'S LIFE VALUED HIGH

Jury Awards $75,000 to Heirs of Victim of New York Tunnel Disaster.

NEW YORK, April 20.—The New York Central was today ordered to pay $75,000 by the supreme court to the heirs of Alfred M. Perrin of New Rochelle, former president of the United States Paper Bag company, who was killed in the Park avenue tunnel accident.

MAY INDICT TEN SENATORS

Cole County Grand Jury Has Evidence of Bribery and Perjury.

SENATOR STONE DEFENDS HIMSELF

Scores Newspapers for Attacking Him in Connection with Alum Bill, Declaring All His Actions Perfectly Proper.

ST. LOUIS, April 20.—Attorney General Crow was present today during the session of the St. Louis grand jury and assisted Circuit Attorney Folk with the investigation of this end of the legislative boodle deal.

The Cole county grand jury has taken a recess until April 27, and this leaves the attorney general free to come here for a time. It is hinted that at least ten state senators will be indicted for either perjury or bribery before the inquiry is concluded here and in Jefferson City.

During the day an emissary from Lieutenant Governor Lee called upon Mr. Folk and suggested that Mr. Lee would obey his subpoena if certain questions were not asked. Mr. Folk promptly refused and the conference terminated.

Robert E. Lee, brother of the absent official, received another letter from him today and afterwards said:

"He will remain away until I think it advisable for him to come back. One reason that he is away is that he does not want to assist the St. Louis grand jury in indicting for perjury certain members of the legislature who have testified before it. My brother is not vindictive, and though these men have proved themselves his bitter enemies he does not want to assist in indicting them.

Mr. Lee concluded by saying that his brother does not fear indictment himself.

KANSAS CITY, Mo., April 20.—Senator Stone, addressing the annual convention of the Missouri Democratic Press association today made an elaborate explanation of his connection with baking powder legislation and enforcement of the state pure food laws. He bitterly denounced the daily newspapers of the state, which, he declared, had "hounded" him outrageously.

He denied various reports that he had been in conference with Colonel William H. Phelps and Lieutenant Governor Lee since the legislative examination had been begun.

He declared he had no part in the passage of the anti-alum law of 1899 and did not know for nearly a year that it had been enacted. As a private attorney he had assisted in the enforcement of the state pure food laws and in 1901, when it was proposed to repeal the anti-alum law, he wrote an argument against repeal.

"I swear to you I have never spoke nor written to any member of either house of the legislature concerning this matter but what I have told you," he declared. "I hope every guilty man will be uncovered."

Senators Give Bond.

JEFFERSON CITY, Mo., April 20.—Senators B. L. Matthews and Charles A. Smith, who were indicted by the grand jury for accepting bribes in connection with baking powder legislation, today gave bonds in the sum of $3,000 each for appearance before the circuit court in the July term. They each say they are innocent of the charges.

The indictments charge them with receiving bribes from D. J. Kelley of $5,000 each to vote against the alum baking powder bill as members of the criminal jurisprudence committee of the senate of the forty-first general assembly two years ago.

Word was received today that Senator Farris was at his home at Steeleville ready to accept service of the capias issued for him. Sheriff Smith accordingly departed for Steeleville.

BOODLERS DENIED NEW TRIAL

St. Louis Convicts Appeal from Judge's Decision Affirming Penitentiary Sentences.

ST. LOUIS, April 20.—Judge Ryan today refused to grant new trials to the following members of the St. Louis house of delegates, who were tried and convicted of bribery and notice of appeal to the supreme court was given:

Charles Gutke, convicted on January 10 and sentenced to five years in the penitentiary; John A. Sheridan, Edmund Bersch, Charles Denny and T. F. Albright, all sentenced to five years in the penitentiary on January 15.

Perjury cases that will soon come up are pending against the defendants.

BRYAN AND HITCHCOCK TALK

Address Missouri Democratic Press Association at Kansas City.

KANSAS CITY, April 20.—William J. Bryan, addressing the Missouri Democratic Press association today, spoke as "A Country Editor to Country Editors." He declared that throughout the country he found deep and growing dissatisfaction among the republican voters with the policy of the national administration and exhorted his hearers not to make the democratic party so much like the republican party that it would be easy for republicans to get into it, but to keep it different, so that in time of stress the people would turn to the democracy for deliverance.

Congressman Gilbert M. Hitchcock of Omaha also spoke.

LIVES HOURS UNDER GROUND

Wisconsin Man Buried by Caving Well Breathes Through Hose.

LA CROSSE, Wis., April 20.—H. Straitz of this city was buried at the bottom of a well for four hours today and when dug out was smiling and unhurt. He wat at the bottom repairing the pump when the curbing caved in and dirt covered him up to his shoulders.

J. Wolfe secured a garden hose, which he let down to Straitz, who got it to his mouth just as the second cavein covered him six feet deep in sand. On account of the peculiar condition of the soil it took four hours to get him out, with the assistance of the fire department. The hose saved his life.

FLOODS AGAIN INVADE HOMES

Illinois Citizens Forced to Flee Waters for Third Time This Year.

VINCENNES, Ind., April 20.—The Wabash river reached 18.6 feet this morning and continues to rise. It is expected the flood will be the greatest in the history of the valley.

Thousands of acres of land are under water, and for the third time this year many people have been forced to move from the lowlands on the Illinois side.

CONDITION OF THE WEATHER

Forecast for Nebraska—Fair in East, Partly Cloudy in West Portion Tuesday; Showers at Night or Wednesday in West Portion; Fair in East.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	48	1 p. m.	59
6 a. m.	48	2 p. m.	61
7 a. m.	48	3 p. m.	68
8 a. m.	48	4 p. m.	63
9 a. m.	49	5 p. m.	63
10 a. m.	51	6 p. m.	64
11 a. m.	53	7 p. m.	63
12 m.	56	8 p. m.	60
		9 p. m.	58

GIVE OMAHA LOW GRAIN RATE

Western Lines Will Carry Wheat to the Gulf for Twenty Cents.

CHICAGO, April 20.—After considerable opposition western traffic men today consented to allow Omaha a differential of 4 cents above Kansas City on a proportional through rate from that city to the Gulf, to apply on grain.

The rate, it is said, will be taken out on May 15 and permits wheat to move from Omaha to the gulf for 21 cents and corn for 20. Lines that were promoting the rate insisted that it had become necessary to clear out Omaha, which is said to be glutted with grain. The Nebraska lines were against the proposition, presumably because they preferred to carry the grain east to Chicago.

D. W. HITCHCOCK TO RETIRE

Veteran Western Agent of Union Pacific Goes on the Pension Roll.

An important change in the passenger department affairs of the Union Pacific will be made May 15, which will serve to call attention to the pension system recently adopted by the Harriman lines. Daniel W. Hitchcock retires as general western agent at San Francisco and will be succeeded on that date by S. F. Booth. Mr. Hitchcock's retirement is upon his own application. He is one of the oldest employes in the service of the company, having passed his threescore and ten milepost. Since 1888 he has held the position from which he now retires and has been a positive factor in his line of railroading on the Pacific coast. His position is one of great importance.

Daniel Webster Hitchcock was born October 31, 1831, at Granville, Washington county, N. Y. He entered railroad service in 1854 and has been continuously engaged in the business ever since. He started at the bottom. From 1854 to 1855 he was a brakeman on the Cleveland Columbus & Cincinnati railroad; in 1856 was foreman of a gravelpit; from 1858 to 1861 was foreman of construction on the Mississippi & Missouri railroad; from 1861 to 1869 was passenger agent of the Hannibal & St. Joseph and St. Joseph, Council Bluffs & Kansas City; from 1869 to 1881 was in the passenger service of the Chicago, Burlington & Quincy; from 1881 to October, 1887, general western passenger agent for the Union Pacific; from October, 1887, to the time of retirement, May 15, 1903, general agent of the Union Pacific at San Francisco.

Prior to entering Mr. Stubbs' office, Mr. Booth was division freight and passenger agent of the Southern Pacific at Fresno, Cal., and has held other responsible positions in the traffic department of that company. Mr. Booth is said to be a man of marked ability and pleasing personality and has a wide experience and acquaintance in California, which is counted on as rendering him especially well adapted to his new position.

This change is one that creates a great deal of interest in the passenger departments of the west, not only on the Union Pacific, but all the roads, owing to the wide acquaintance of Mr. Hitchcock. Yet it is not unexpected. When the pension system was first published early last winter The Bee named Mr. Hitchcock as one of the veterans who would soon retire under it.

BALLOTS TO HAVE BRACKETS

City Clerk Elbourn Reverses His First Ruling on Form of Ballots.

City Clerk Elbourn, after hearing the law propounded by numerous attorneys, has reversed the ruling he made on the makeup of the ballots for the spring election. Instead of permitting the name of "people's independent party" to follow the names of only E. A. Benson and George W. Miles, as at first decided, he has concluded that it should be printed in brackets together with the names of the parties that nominated the men whom the populists indorsed. Therefore every candidate who received the populist nomination no matter what other party chose him first, will get the benefit of the latter action.

City Clerk Elbourn said: "I have no desire other than to be fair, and according to the way I at first interpreted the law, the party affiliations could not be separated. It appears, however, that in justice to all, each man should be accredited with all the nominations he receives regardless of the legal order of the parties. Therefore he will get them. The picking out of nominees of both the republican and democratic parties made the question a hard one to settle to everyone's satisfaction."

City Marshal is Dead.

BAKERSFIELD, Cal., April 20.—City Marshal T. J. Packard, who was shot in yesterday's battle with Outlaw McKinney, died this morning.

Movements of Ocean Vessels April 20.

At New York—Arrived—Auguste Victoria, from Genoa. Astoria from Glasgow. Manitou from London. Finland from Antwerp.

At Capetown—Arrived—Ontarian from St. John, N. B. via St. Vincent.

At Naples—Sailed—Victoria for New York.

At Gibraltar—Passed—Lombardia from Genoa for New York; Koenig Albert from Naples for New York; Commonwealth from Naples for Boston.

At London—Arrived—Minneapolis from New York. Sailed—Menominee for New York.

At Plymouth—Sailed—Pretoria from Hamburg for New York.

At Philadelphia — Arrived — Belgenland from Liverpool.

At Antwerp—Arrived—Kroonland, from New York.

At Yokohama — Arrived—(previously)—America Maru from San Francisco, via Honolulu for Hong Kong.

At Glasgow—Arrived—Arcadian from Boston.

At The Lizard—Passed—Southwark from New York for Antwerp.

At Inastrahull—Arrived — Carthagenian from Philadelphia for Glasgow; Arcadian from Boston for Glasgow; Buenos Ayrean from Glasgow for Boston.

At Butt of Lewis—Passed Norge from Copenhagen for New York.

At Leghorn—Arrived—Sicilian Prince from New York via Naples.

At Liverpool—Arrived—Maria De Larrinaga from New York.

DIVIDENDS ALLOWED

Judge Grants Permission to Distribute Merged Railroad Earnings.

SECURITIES SHAREHOLDERS TO GET CASH

Injunction is Modified Pending the Decision of the Supreme Court.

SAME PEOPLE WILL GET THE MONEY

Bench Sees No Reason for Imposing Hardship on Innocent Persons.

ANY RESULTANT DAMAGES TO BE PAID

Defendants Are Ordered to Deposit Bond and Make Good Any Loss Sustained by United States Before Appeal Judgment.

ST. PAUL, April 20.—Circuit Judge Sanborn today decided to allow the Great Northern and Northern Pacific dividends to be paid to the Northern Securities company.

After rehearsing the positions of the case and mentioning that an appeal to the supreme court is pending, his honor said:

The appeal in this case will probably be determined by the supreme court about November.

It is not perceived how the payment or retaining of these dividends during the pendency of this appeal can injuriously affect any right of the United States, and the only question is whether these dividends shall be piled up in the treasuries of the railway companies or paid to the stockholders to whom they legally belong and who must ultimately receive them whichever way the final decision in the case may be. These dividends will ultimately go to the stockholders of the Northern Securities company, whether paid as they are earned or after the final decision.

Money Goes to Stockholders.

If the railroad companies are permitted to pay their dividends to the Securities company that company will pay them over to its stockholders. The decree permits the stockholders of the Securities company to exchange stock for stock of the railroad companies for which it is issued. If the supreme court affirms this decree, the stockholders of the Northern Securities company can exchange their stock for the stock of the railroad companies and can draw these dividends upon the latter. If the supreme court reverses the decree, the same parties can draw these dividends on their Northern Securities stock.

The order of the court will, accordingly, be that the operation of that portion of the decree which enjoins the railway companies from paying the dividends upon their stock which is held by the Northern Securities company be suspended during the pendency of the appeal upon the giving of approved bond in the sum of $50,000 by or in behalf of the defendants, conditioned that they will prosecute their appeal with effect and will pay all damages that shall result to the United States by reason of the order.

All other portions of the decree and of the injunction it contains remain in force and are unaffected by the order.

After the reading of the decision the appeal was perfected and the bond was filed this afternoon.

NEW YORK, April 20.—Northern Securities stock sold off to 94⅝ early in the day, but just before official news of the decision reached this city the market turned and the stock sold up to 98⅝. Representatives of the Securities company expressed much pleasure over the news.

Colonel Clough, general counsel of the company, said that the modification of the decree removes all obstacles to the carrying out of the company's regular business, including the payment of dividends. J. P. Morgan would not comment upon the order of the court.

MERGER APPEAL CASE DRAWN

Denies Everything Court Found True and Requests Dismissal of Suit.

ST. PAUL, April 20.—Thirty-four points of error are alleged in the appeal of the Northern Securities company and the other parties to the merger suit from the decision of the circuit court of appeals. Exceptions are noted to every paragraph in the decree and the court is declared to be in error in rendering any decree save one for a dismissal of the petition and proceedings.

At the commencement the appellants deny the formation of the Securities company for the purpose of holding a majority of the Great Northern and Northern Pacific stock and proceed to allege that the court erred:

(1) In its decision that the founders of the Securities company persuaded others to sell their stock.

(2) In holding that the merger destroyed any motive for competition by pooling the earnings of both railroads.

(3) In deciding that combinations which only tend to restrain interstate commerce are illegal.

(4) In finding that the power to restrain trade is illegal.

(5) In deciding that all combinations giving power to suppress competition between two parallel lines, whether exercised or not, is illegal.

(6) In its decision that it would have been contrary to law for an individual to have purchased a majority holding in the two roads.

(7) In finding that the shareholders and not the directors control the interstate commerce of railways.

(8) In holding that the Northern Securities company controls the commerce of both the railways, though by the charter of each company the management of its business is vested in its board of directors and the companies have separate boards.

(9) In deciding that the ownership of a majority of shares of each of two competing railways gives the owner a control over each of the companies and its commerce.

(10) In deciding that the constitution and competition of railways chartered by states which carry on interstate commerce are themselves matters of interstate commerce, and that under the constitution congress has power to prescribe who may and who shall not be shareholders, and how much stock any combination of stockholders may own, and to authorize or forbid the consolidation of such corporations; and in holding that all such matters are for the states incorporating such companies exclusively to regulate.

(11) In holding that consolidations of competing railways created under state laws are effectual restraints upon interstate commerce, and though expressly authorized by state charter violations of the anti-trust act.

(12) In holding that the two shares of the two railways held by the Securities company have merely been placed in its name by the former holders and that it is not the absolute owner in its sole right.

(13) In its decision that the merger gives a few people absolute control over the two railroads.

(14) In holding the anti-trust law, as construed in this case, constitutional.

(15) In disregarding as immaterial the evidence showing that the combination was not in restraint of commerce, but that its effect has been to largely build up and protect the interstate and foreign commerce of the two railways.

Injunction is Denied.

TOPEKA, Kan., April 20.—An important decision was rendered by the district court here today denying an injunction against fifty-six fire insurance companies doing business in Kansas, on the ground that they were violating the anti-trust act. Recently the state brought action under the anti-trust law, against these companies, charging that they had combined and were parties to a trust to control the cost of rates of insurance.