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ESTABLISHED JUNE 19, 1871. OMAHA, FRIDAY MORNING, JUNE 23, 1905—TEN PAGES. SINGLE COPY THREE CENTS.

NINETEEN ARE DEAD

Revised List of the Victims of Wreck of the Twentieth Century Limited.

TWO BODIES ARE NOT YET IDENTIFIED

Victims Are Nearly All Men, Most of Them Prominent in Business Affairs.

SAY BOY CAUSED THE SMASHUP

Story that Youth Opened Switch When He Thought He Was Closing It.

OLD SCHEDULE WILL BE RESUMED

Inquest Will Begin Monday Morning at Painesville—Sale of Tickets for Train Not Affected.

CLEVELAND, O., June 22.—The list of fatalities in last night's wreck of the Twentieth Century flyer on the Lake Shore railway at Mentor, O., is one of the largest in the history of that road, numbering nineteen persons. All the victims were prominent in the business and professional world in New York, Chicago, Cleveland and other cities.

The list of dead and injured as compiled by the officials of the Lake Shore company is as follows:

The dead passengers:

JOHN R. BENNETT, attorney, 31 Nassau street, New York.

JOHN A. BRADLEY of the law firm of Rowley, Rogers, Bradley & Rockwell, Akron, O.

T. R. MORGAN, second vice president of the Wellman, Seavers-Morgan company, Cleveland.

C. H. WELLMAN of the Wellman, Seavers-Morgan company, Cleveland, died in hospital.

A. L. ROGERS of New York City, representative of the Platt Iron works of Dayton, O., died in hospital.

S. C. BECKWITH, No. 115, One Hundred and Seventy-fourth street, New York.

A. H. HEAD, London, England, representative of the Otis Steel company of Cleveland, died in hospital.

H. H. WRIGHT, secretary Featherstone Foundry company, Chicago, died in hospital.

D. E. ARTHUR, traveling man, Milwaukee, died in hospital.

J. H. GIBSON, Chicago, traveling man, died in hospital, Cleveland.

H. C. MECHLING, New York, with the Wheeling Corrugated Iron company.

L. M. EIRICK, manager Keith's theater, Cleveland, killed in wreck.

E. E. NAUGLE, Chicago, proprietor of a railway supply house, killed in wreck.

Two as yet unidentified dead, supposed to be L. A. Johnson of the millinery firm of Comey & Johnson, Cleveland, and Henry Trinz, the barber on the train.

Employes:

ALLEN TYLER, engineer, Collinwood, O., died in hospital.

F. J. BRANT, head brakeman, 2012 Ash street, Erie, Pa., died in hospital.

N. B. WALTERS, baggageman, Hamburg, N. Y., died in hospital.

W. D. MICKEY, porter on Pullman car, Chicago, died at scene of wreck.

Injured passengers:

J. H. Langdon, Chicago.

R. C. Cordeaugh, Day cottage, Highlands, N. J.

M. J. Kennedy, San Francisco, slightly hurt; leaves for Europe Tuesday.

Kate Trott, Chicago.

Mrs. H. D. Turner, nervous shock.

Theodore Keuhl, 1511 Wolfram street, Chicago, severe shock.

W. H. Colvin, Chicago, thought not to be serious.

George Murray, 1018 George street, St. Louis, thought not to be seriously hurt.

A. Dickinson, 645 Marquette building, Chicago, knee wrenched.

Nathan Allen, Kenosha, Wis., back slightly injured.

S. T. Katy, 5022 Paulina street, Chicago, pain in chest and back.

Injured employe:

A. P. Gorham, fireman, Collinwood, O., side injured.

As to who is responsible for the open switch which was the cause of the wreck the railroad officials are still uncertain. They believe that the wreck is the result of either a maniac who wanted to see a wreck of such a fast train or some person bent upon revenge. A careful examination of the switch today showed that it was in perfect condition.

Detectives Are at Work.

Detectives are working on the case. Trainmen are of the opinion that the crew of the Twentieth Century was deceived by a second white light 100 feet beyond the switch which was open, but while traveling at such fast speed were unable to gauge the distance and mistook the second light for the first one.

W. H. Marshall, general manager of the Lake Shore, believes the speed of the train was not a contributory cause to the wreck. He said that other Lake Shore trains travel through Mentor at a speed equal to that attained by the Twentieth Century last night, which was not, Mr. Marshall said, above the rate of sixty miles an hour. The schedule for the train called for a speed of fifty-seven miles an hour at that point.

The wreck had no effect on the sale of tickets for the same train tonight, the full quota allotted to this city having been sold long before the time for the train's departure.

Coroner York of Lake county announced this evening that the inquest would begin next Monday morning at 9 o'clock at the courthouse in Painesville. He says he will summon officials of the railroad company to testify.

Boy Probably to Blame.

It is probable that investigation tomorrow will develop that a boy 14 years old meddled with the switch at the Mentor station last night and caused the wreck of the Twentieth Century flyer. William Usher, ticket agent of the Nickle Plate, and James Barnes of Willoughby were on the scene of the wreck twenty minutes after the wreck happened. On the way they met a boy carrying a lantern. They questioned him and he said that he had been down to shut a switch. The men went to the scene of the wreck and found the switch open, but locked. The men are of the opinion that the boy thought that there was a freight ahead of the Twentieth Century and opened the switch to let it through and take a siding, and that he meant to open the switch instead of closing it.

H. S. Storrs, general superintendent of the Lake Shore, said that the matter would be investigated tomorrow, although he is inclined to doubt the story that a boy had possession of a key and could turn the switch.

Traveling at a rate of more than a mile a minute, the heavy train was hurled to its doom with a momentum that was appalling. The scene of the wreck was at the Mentor depot. The switch that caused the trouble is located about 130 yards west of the depot. As the heavy engine struck the switch the engine left the main track and swung violently to the left.

For a distance of twenty yards the engine ran on the rails and then, leaping from the track, turned on its side just to the east of the depot. The momentum was such that the heavy tender was hurled entirely over the engine and was buried in the depot.

The combination car was hurled with ter-

(Continued on Second Page.)

CORPUS CHRISTI AT VIENNA

Emperor Takes Part in Great Religious Festival and Reviews Troops.

VIENNA, June 22.—Amid accompaniments of martial pomp and circumstance, the aged emperor of Austria, king of Hungary and Bohemia, etc., Francis Joseph, took part in the yearly corpus christi procession in Vienna today. His majesty was greeted enthusiastically by his people as he was driven through the streets of the inner city, but it was the universal dictum of the Viennese that their emperor had aged greatly since they last saw him participate in this ceremony two years ago, and the appearance of his majesty, who will, if he lives, celebrate the sixtieth anniversary of his ascension to the throne in 1908, suggested to many minds that this may be the last time the venerable monarch will appear before his people as a participant in this beautiful festival of the Catholic church.

Beginning with the earliest morning hours, the streets of the inner city of Vienna were filled with movement and life in expectation of the coming procession and by 7 o'clock windows, balconies and stands along the line of march were crowded with people. The streets were decorated with flags, boughs of trees and many colored hangings and at convenient places temporary open-air altars had been erected.

The procession started from the Hofburg, proceeded to the cathedral on the Stefans platz, where the religious ceremonies were held and then returned to the Hofburg.

Gorgeous colors, crimson, gold and silver, magnificent uniforms and trappings, glowing tunics, the clanking march of soldiers and the silent tread of the clergy in strange contrast, the flashing of jewels and the glare in the sunlight of the white robes of priests, barbaric and brilliant splendor and silent prayers marked the progress of the sacred and military procession in honor of the consecrated host. The lesser clergy came first, then equerries, pages and others of the imperial household. Kettle drummers in gala uniform, the court chamberlains, many high personages of state, generals and other high military officers followed. The host was born by the archbishop of Vienna, surrounded by prelates of the church, and after him came the emperor. In former years it was the custom of his majesty to walk, but now because of his age he rides. Today he appeared in a gala coach, drawn by eight of the royal white horses, and accompanied by Archduke Franz Ferdinand, the successor to the throne. The other archdukes, all in magnificent uniforms, were in royal carriages and came after his majesty.

The procession marched to the main entrance of the cathedral and went in through the broad doors facing on the Stefans platz. After the religious ceremonies it took its way back to the Hofburg over another line of march in order to give the people of the city increased opportunities to witness its glittering pageantry. From one of the balconies of the palace the procession was witnessed by the archduchesses and their children.

The ceremonies came to an end with the review, by his majesty, of the troops which had taken part therein.

LORD KITCHNER FEARS RUSSIA

General Says Great Britain Will Have to Fight for Possession of India.

LONDON, June 22.—General Lord Kitchener, commander-in-chief of the British forces in India, seems to regard as inevitable a great struggle with Russia for the possession of India, and to believe that the existing arrangements for the defense of the Indian empire are altogether obsolete and ineffective. These views form the striking and central points of interest in a blue book issued tonight, dealing with the recent conflict of opinion between Viceroy Curzon, the Indian council and Lord Kitchener, which the government has just settled by a compromise giving the latter extended powers in the direction he desired.

Lord Kitchener, in an important minute addressed to the home government, speaks in the plainest possible terms in denouncing the faulty system prevailing in India, which he points out has not changed since the time of the mutiny, and which was framed to meet peace requirements instead of the possibility of a great war. He describes the situation as one entailing endless discussion and delay, as well as great expenditure with poor results.

The viceroy and the council strongly criticized Lord Kitchener's views, but in the end the home government, overriding the views of the Indian government, decided in favor of Lord Kitchener's reorganization plans in all essentials.

FRENCH PEOPLE ARE ALARMED

Feeling Along the Border Grows as Negotiations Over Morocco Progress Slowly.

PARIS, June 22.—3:30 p. m.—Reports from the front continue to show marked military activity and a feeling of unrest among the people living along the border. The influential press, evidently in accordance with the wishes of the government, refrains from discussing the military aspect, asserting that the negotiations, while in a delicate stage, continue normal.

Gloomy sentiment increased during the afternoon. On the Bourse rentes suffered an unusual decline of over 40 centimes.

Much excitement accompanied the trading. One of the alarmist reports was that Prince Radolin, the German ambassador, had left Paris for Berlin, the intimation being that his departure was due to the unsatisfactory nature of the French note.

A diplomat who lunched with Prince Radolin at noon today informed the Associated Press that the report was absurd, as not the slightest word had yet been received concerning the attitude which the German government intended to take.

The evening papers sought to allay public uneasiness and the semi-official Temps expressed the government view that the exchange of notes would serve to remove false impressions and produce a durable agreement if Germany was prepared to prosecute the conciliatory advances of M. Rouvier.

BALFOUR WILL PROBE SCANDAL

British Government to Appoint Committee to Investigate Charges of Grafting in Army.

LONDON, June 22.—Under pressure from all sides, Premier Balfour today announced in the House of Commons that the government would immediately introduce a bill creating a statutory committee to inquire into the army stores scandal.

Chinese Talk of Boycott.

ISLAND OF PENANG, Straits Settlements, June 22.—The Chinese are convening a meeting here to discuss the adoption of a boycott of American manufactures until the Chinese exclusion act is repealed. It is said that the Chinese of the Malay states probably will follow.

PROGRESS OF NEGOTIATIONS

President Expected to Give Out Important Information Today.

CASSINI TAKES NO PART IN CONFERENCE

Russian Ambassador at Washington Will Not Be One of the Plenipotentiaries to Talk of Ending War.

WASHINGTON, June 22.—In official and diplomatic circles the return of the president is awaited with great interest because of the understanding that in case there has been any new definite step in the peace negotiations it would be announced in a statement from the White House.

Secretary Hay has a number of cablegrams from Tokio and St. Petersburg which he will take to the White House tomorrow, and a conference on the general situation and the outlook for an armistice will follow. In the absence of the president, Secretary Hay has been in charge of the negotiations, but all information on the subject has been withheld at the State department.

Despite their strong belief that it would greatly further the cause of peace if the belligerents would avoid a clash between their armies, pending the Washington conference, the president and Secretary Hay are aware of the wish of the Japanese that before assenting to an armistice, it receive more definite assurances regarding Russia's intentions.

Mr. Takahira, the Japenese minister, is expected to return to Washington tomorrow, and Sir Mortimer Durand, the British ambassador, will be in Washington by the end of the week.

No assistance is expected in Washington from the London government in whatever efforts the president may initiate to bring about an immediate armistice or to prevent a clash before the convening of the Washington conference. While the London government as an ally of Japan has shown itself in hearty sympathy with the president's policy to bring the belligerents together, it feels that it cannot undertake to suggest an armistice at this time.

Rumors from the Front.

ST. PETERSBURG, June 23.—2:10 a. m.—News from the battlefield is exceedingly meagre. A press telegram of Tuesday's date speaks of a "rear guard action," and there are rumors in the city that the Russian army is retreating; but the latest dispatches received from Lieutenant General Linevitch bearing the same date declared briefly that the Japanese advance had paused. A dispatch from Gunshu pass of Wednesday's date says that the operations of the Japanese apparently ended after the last fight and they appeared to be merely clearing their immediate front.

It is probable that the Russian advanced lines are crossing the railroad and will continue their retirement more or less hurriedly in order to avoid being flanked and pocketed until the positions at Sipinghai are reached. The main forces seemingly are not yet in collision.

Colonel Todygensky, one of the correspondents of the Associated Press, died at Harbin of blood poisoning.

Cassini Takes No Part.

The Russ says it is authorized to say that Count Cassini, the retiring Russian ambassador at Washington, will not participate in the peace negotiations, but will leave the United States immediately upon the arrival of Baron Rosen, his successor.

From independent sources the Associated Press confirms the statement of the Russ that Count Cassini will have no part in the peace negotiations.

Foreign Minister Lamsdorff is indisposed. It is understood his condition is not serious, but his physician was called in last night and ordered the minister not to leave his bedroom today. There is no intimation, however, that this will appreciably delay the pending negotiations. The question of a temporary suspension of hostilities seems to rest with Japan. In the meantime the chancelleries of St. Petersburg and Tokio are occupied with the selection of the plenipotentiaries. As stated in these dispatches late last night, it can now be regarded as settled that they will number three on each side. An important consideration requiring adjustment is the desire of each country to appoint negotiators of equal rank, and this increases the probability that M. Witte, president of the committee of ministers, may be one of the Russian plenipotentiaries if Japan names Marquis Ito, president of the privy council. It is possible that M. Nelidoff, the Russian ambassador at Paris, may not go to Washington. As dean of the Russian diplomatic corps he was the first choice of the Foreign office, but he is of advanced age and his health is not robust. Besides, M. Nelidoff is an exceedingly bad sailor, and it is still an open question whether he may not ask to be relieved of his mission. In such an event it is considered certain that Baron Rosen will be appointed.

Emperor Nicholas has definitely appointed Grand Duke Nicholas Nicholasievitch, second cousin to his majesty, to be president of the council of national defense.

KILLING CONTINUES IN POLAND

Twenty-Two Die in Attack by Soldiers and Cossack is Shot.

LODZ, Russian Poland, June 22.—Twenty-two persons were killed as the result of yesterday's firing by Dragoons and Cossacks on a procession of 50,000 workmen, which had been organized as a demonstration against the government. Ten of the 100 wounded are dying. Two women were crushed to death in the rush of the panic-stricken crowds after the firing began.

This morning some workmen, in revenge for last night's shooting, shot and killed a Cossack and two policemen.

ST. PETERSBURG, June 22.—Bands of insurgents in the district of Scharonkhau, province of Erivan, Trans-Caucasia, recently sacked and burned four Armenian villages. Subsequently the insurgents surrounded and attacked Owlianorasahau. The inhabitants of the town repulsed the besiegers, killing a hundred of them. Cossacks and other troops stationed at the village of Khouloundian also repulsed an attack of the insurgents on that place, inflicting enormous losses on them and capturing 870 prisoners, a quantity of arms and a black standard. Insurgent chiefs and mullahs were executed. Proclamations were found exhorting neighboring villages to join in a war against the common enemy.

The agitation is spreading. A number of Armenian villages containing about seven thousand inhabitants have been surrounded and skirmishes between Tartans and Kurds and the Russian troops are frequent. The villages of Ouschi and Kischlshken have been burned. Five thousand Cossacks are expected from Baku to aid suppressing the rising.

The insurgents are estimated to number 27,000 men.

TANNER STILL ON THE STAND

Mitchell's Law Partner Tells of Contract with Krebs and of Division of Firm's Earnings.

PORTLAND, Ore., June 22.—The examination of Judge Albert H. Tanner was continued by the prosecution today in the trial of United States Senator John H. Mitchell. Tanner identified checks paid by Frederick A. Krebs to Tanner and letters that passed between himself and Senator Mitchell relative to their practices before the land department. Letters showing that Mitchell received each month his share of the firm's earnings, which was one-half of the net receipts, and that the money paid by Krebs to Tanner entered into the funds divided at the end of each month was offered in evidence. A letter from Mitchell to Tanner showing that he received upon his own request a copy of the firm's books, showing all receipts and how secured during the senator's stay in Washington, was an exhibit offered today.

District Attorney Heney questioned Judge Tanner as to his trip to meet Senator Mitchell in December last, when the senator was returning to Portland a short time prior to his first indictment.

Judge Tanner told of having received a telegram from the senator asking him to come as far as Kalama, Wash., to meet him. The judge had taken the trip and had met the senator on the train with Binger Hermann and Frank C. Baker, chairman of the republican state central committee. The senator, he said, was very eager for land fraud news, and asked if there was any danger of the government agents having had access to the books of the firm. Mr. Mitchell expressed, said the witness, deep concern about the entries and transactions the firm had had with Krebs, and wanted to see the books. The following day Judge Tanner testified, the senator went to the office and in company with him (Tanner) looked over the books, page by page. According to the testimony of the judge Mitchell expressed surprise at the way the entries had been made and demanded that the old books be destroyed, saying the entries in regard to Krebs' transactions would not only indict, but would convict him if they fell into the hands of the government.

Judge Tanner testified that he had told the senator that though it would necessitate perjury, and that he had never done such a thing in his life, he would stand by his partner and do what he could to help him. He had agreed to destroy the books if necessary and had called the senator's attention to the clause in the partnership agreements by which the senator was to receive all the fees for work done before the departments. He had changed them and the new agreements had been dated back to March 1, 1901, the same as the original, and had been signed by both. The subsequent letters passing between the two men were also offered in evidence as tending to show still further the knowledge of the defendant that he had been violating the law.

OIL HEARING IN ST. LOUIS

More Testimony in Regard to Division of Territory by Friendly Companies.

ST. LOUIS, June 22.—J. H. Cohn, a former employe of the Waters-Pierce Oil company, against which concern, together with the Standard Oil company and the Republic Oil company, Attorney General Hadley of Missouri has instituted suit to revoke their charters, was recalled today at the hearing of the case before Special Commissioner Anthony, for the purpose of cross-examination by Judge Priest, attorney for the defendant corporations.

Mr. Cohn yesterday testified for the state regarding the methods of the Waters-Pierce company. When asked today questions relative to the business of his present employers, he refused to answer on the ground that it would violate "trade secrets."

Judge Priest then asked Mr. Cohn why he was not equally scrupulous about the "trade secrets" of the Waters-Pierce company and the witness replied that after he had left the employ of the Waters-Pierce company the latter had tried to ruin his reputation and deprive him of the means of making a living.

While a spectator of the proceedings, President Andrew M. Finlay of the Waters-Pierce Oil company was noticed by Attorney General Hadley and was quickly subpoenaed as a state's witness. He was not brought in today's proceedings, however.

Maywood Maxon of Decatur, Ill., formerly an employe of the Standard Oil company, was a witness. He said he was ordered to come to St. Louis to confer with President Finlay of the Waters-Pierce Oil company in regard to territorial lines between the two companies in Illinois. He said to President Finlay: "I can't understand why the Republic company, a friendly interest, should name the prices they had in Illinois, antagonistic to the interests of the Standard Oil company."

At this reply J. D. Johnson, one of the attorneys for the Waters-Pierce company, objected to the investigation being conducted for what he termed the "benefit of public opinion."

Attorney General Hadley was on his feet instantly and exclaimed: "I want to resent that statement as absolutely false."

Commissioner Anthony overruled the objection and the examination resumed.

WESTERN MATTERS AT CAPITAL

Postmasters and Rural Carriers Appointed by the Postoffice Department.

(From a Staff Correspondent.)

WASHINGTON, June 22.—(Special Telegram.)—Postmasters appointed: Iowa—Thompson, Winnebago county, James Ellickson, vice John Ellickson, resigned. South Dakota—Piedmont, Meade county, Harry G. Nash, vice Edward J. Huddleston, removed.

Rural routes ordered established September 1: Iowa—Attica, Marion county, route 1; population, 425; houses, 87. South Dakota—Geddes, Charles Mix county, routes 2, 3 and 4; population, 1,505; houses, 302.

Rural carriers appointed for Nebraska routes: Bethany, route 1, William J. Brunell carrier, Benjamin Liveiy substitute; Brock, route 2, Cornelius Haley carrier, Dewitt Haley substitute; Lyons, route 2, Carl McDowell carrier, Ray McDowell substitute; Rolleby, route 1, Loren D. Angelo carrier, Gordon Angelo substitute.

WRECK ON THE RIO GRANDE

Five Coaches Off Track and Officials Say No One Was Killed.

DENVER, June 22.—Westbound passenger train No. 5 of the Denver & Rio Grande railroad was wrecked today at Pinto, a small station sixty miles west of Grand Junction, Colo. No fatalities resulted. The accident was caused by a broken bolt in a frog at a switch. Three coaches were derailed and twenty-nine passengers were slightly injured.

PRESIDENT IN NEW ENGLAND

Chief Executive Receives Degree of L. D. H. from Williams' College.

TALKS OF REGULATING CORPORATIONS

Outlines Plan of the Government in Investigating Oil and Beef Combines — Supervision of Railroads.

WILLIAMSTOWN, Mass., June 22.—The zigzag journey of President Roosevelt among the colleges of western Massachusetts ended today with his departure from Williamstown after he had received from Williams college the honorary degree of L.H.D. His stay in this state, which was of scarcely thirty-two hours' duration, was a busy one. He attended three college commencements, at two of which he received high honorary degrees; traveled several hundred miles, and besides delivering significant addresses at each commencement, made a number of speeches from the platform of his car to citizens who had gathered at the stations along the route.

The president arose early today and leaned from a window enjoying the superb view of the Berkshire country. After breakfast the president devoted a few minutes to meeting the classmates of Federal Commissioner James R. Garfield, who is a trustee of Williams, and then made a quick inspection of the new memorial chapel dedicated yesterday.

After a short walk the president accepted the invitation of his host for a drive, which ended just before the commencement exercises began. He spoke twice here, once upon receiving the degree and again from the steps of the church where the commencement exercises were held to the people who could not get into the auditorium. Then came luncheon, and by 2 o'clock the president was on his way to Washington. The train made stops at North Adams and Pittsfield, where the citizens joined in demonstrations and were addressed briefly by Mr. Roosevelt.

The President's Speech.

The president in his speech here, after referring to the work of Williams college, the situation in Santo Domingo and the need of a strong navy, said:

Another question of which I wish to speak is that of a closer supervision by the government of great industrial combinations. I think that it has been a great mistake to act on the theory which has shaped most of our legislation, national and state, for the last thirty years that it is possible to turn back the hands of the clock, to forbid combinations and to restore business according to and under conditions which have absolutely passed away. That cannot be done. What we can have done is to put an efficient supervision over the owner of the combination. I do not believe that such supervision can come effectively through the state, not that it can effectively come through the municipality, but ultimately in the great majority of cases to be effective it must be exercised by the national government. As the first step to that I hope to see the passage of legislation which will give, as an executive, not as the judicial function to the national government, the supervision of the railways of the United States which are engaged in interstate commerce, with the power when a rate is complained of as improper and unjust to examine that rate, and if they think the rate should be changed to change it to a given rate, and to have that given rate take practically immediate effect. It can only come if the officers entrusted with the administration of the law remember that it is exactly as much their duty to protect the railroad from the public as to protect the public from the railroad.

I am going to illustrate what I mean by some work now being done in the Department of Justice and in the bureau of corporations, at the head of which stands your fellow alumnus, James R. Garfield. Resolutions have been passed by very important bodies demanding the investigation which is called the Beef trust and of the Standard Oil company. The Beef trust had to be investigated partly by the Department of Justice, acting through the district attorney at Chicago. The commissioner of corporations was to report upon the facts of the case and the district attorney was to act on the legal evidence he could obtain. If the district attorney can collect legal evidence which will show that there had been willful and intentional violation of the law by any man, no matter how high he stands socially and financially, he will be indicted and, if possible, convicted. If he does not secure such legal evidence no amount of popular feeling is to be allowed to be substituted for the legal evidence. So in investigating the Beef trust and the Standard Oil company I have been content to leave it absolutely in the hands of Mr. Garfield, because I know that he was as incapable of being swayed by popular demand on the one hand as by any sympathy on the other. The same spirit must be shown in applying the laws dealing with all corporations is, as I hope, we get the scope of those laws sufficiently lodged.

Ovations in New England.

NEW YORK, June 22.—After a two days' sojourn in Massachussetts President Roosevelt left Jersey City tonight at 8:15 for Washington. The president's train arrived at the Mott Haven yards of the New York, New Haven & Hartford railroad at 6:45 and was switched to the transfer boat Maryland, which started in a few moments for Jersey City. At Jersey City a great crowd cheered the chief executive and he bowed his acknowledgments as the train pulled out for the national capital.

Despite the enormous electrical storm which swept over Massachussetts and Connecticut this afternoon the president's journey from Williamstown to Jersey City was a prolonged ovation. After leaving Williamstown the special train stopped at North Adams, Adams, Pittsfield, Brookfield Junction, Danbury and South Norwalk. The crowds assembled at the six places aggregated many thousands, those at North Adaks, Pittsfield and Danbury being notably large. At North Adams, the home of Congressman Lawrence, the president left the train for a few minutes and addressed a great crowd of people from a stand erected near the station.

The president's train is scheduled to reach the national capital at 2 a. m. The president expects on arrival in Washington to go directly to the White House. During the past two days President Roosevelt has been free, temporarily from the cares of state. When he left Washington he gave into the keeping of Secretary Hay the negotiations for peace in the far east during his absence. Since he left the White House he had received no news of importance bearing upon the pending negotiations.

COMMITTEE SEES FARWELL

Chicago Teamsters Outline Another Basis of Settlement—A Further Conference to Be Held Today.

CHICAGO, June 22.—A subcommittee of the striking teamsters' peace committee called on John V. Farwell, representative of the Employers' association, today and outlined a basis of settlement. One of the requests of the labor men was that the teamsters should be allowed to wear the union button if they agreed to accept the terms of settlement proposed by the employers. Mr. Farwell informed the committee that the employers could never agree to this proposal and would insist on the men either dispensing with union emblems, or if wearing the button at all to keep it out of sight. Another conference with Mr. Farwell was arranged for tomorrow, when the final decision of the committee on the point will be submitted to him.

NEBRASKA WEATHER FORECAST

Showers Friday and Cooler in Southeast Portion. Saturday Fair and Warmer.

Temperature at Omaha:

Hour.	Degree	Hour.	Degree.
5 a. m.	51	1 p. m.	70
6 a. m.	53	2 p. m.	70
7 a. m.	55	3 p. m.	72
8 a. m.	58	4 p. m.	74
9 a. m.	62	5 p. m.	73
10 a. m.	64	6 p. m.	73
11 a. m.	66	7 p. m.	72
12 m.	68	8 p. m.	70
		9 p. m.	67

REPRIEVE FOR MRS. ROGERS

Woman Sentenced to Hang Granted Stay of Sentence that Supreme Court May Pass on Case.

BRATTLEBORO, Vt., June 22.—A reprieve until December 8 for Mrs. Mary M. Rogers, the condemned murderess, was signed this afternoon by Governor Charles Bell, and for the third time the woman, who was to have been hanged at Windsor tomorrow for killing her husband, has been saved through the operation of the governor's power of staying the execution. Today's reprieve was granted in order that the case may be carried to the supreme court of the United States on constitutional questions, raised at a hearing before Judge Hoyt H. Wheeler. Mrs. Rogers' attorneys petitioned for her release on a writ of habeas corpus. The court declined to grant the petition, but suggested that the points of law raised by the petitioner were such as should be passed upon by the supreme court of the United States. The refusal of the judge to grant the writ was at once followed by the filing of an appeal. Judge Wheeler thereupon announced that he would render his decision on the question of appeal late in the afternoon, in order to give Governor Bell a chance to reprieve Mrs. Rogers.

This afternoon Judge Wheeler received a message from Governor Bell at White River Junction, announcing that Mrs. Rogers had been reprieved. The judge at once signed the paper which gave to Mrs. Rogers the legal right to have her case heard by the supreme court of the United States.

SPRINGFIELD, Ill., June 22.—Governor Deneen this afternoon granted Johann Hoch a reprieve until July 28 in order that the case may be taken to the supreme court justice for a writ of supersedeas.

METHODS OF CATTLE BUYERS

Witnesses Tell Chicago Grand Jury that Prices Are Fixed by Employes of Packers.

CHICAGO, June 22.—The work of the federal grand jury investigating the beef industries today showed that the members of the inquisitorial body have been playing the part of detectives in finding witnesses who may enlighten them on certain points concerning the buying of cattle by the packers. As a result of this detective work by the jurors Frederick Wood of Hampshire, Ill., Christopher Barnhardt of Wilmington, Ill., and E. C. Sholes, a cattle feeder from Burlington, Ill., testified before the jury today and explained the troubles a cattle shipper has selling his live stock in the Chicago market. J. A. Rodgley, general freight agent of the Louisville & Nashville railroad, was another witness this afternoon, together with two traffic men whose identity was closely guarded by the federal officials. After leaving the jury-room Sholes said: "I told the jurors that the buyers in the Chicago market on live stock seem to have off and on days for bidding. They generally bid Wednesdays and Saturdays at the yards and generally the prices are uniform."

Sholes intimated that on one day one of the buyers would bid and if the shipper was dissatisfied he would wait until the next day, only to be confronted with a similar bid, and so on until he was finally forced to sell his cattle or have the profits eaten up by feeding charges at the yards.

PRESIDENT OF OHIO WESLEYAN

Dr. Herbert Welch, New Executive, Installed—Vice President Fairbanks Speaks for the Alumni.

DELAWARE, O., June 22.—Rev. Dr. Herbert Welch, until recently pastor of the Methodist Episcopal church at Mount Vernon, N. Y., and widely known in the east, was today formally installed as president of the Ohio Wesleyan university at this place.

The ceremonies were simple and included brief addresses by distinguished guests, the presentation of the keys of the university to the new president and his inaugural address. The speakers included Vice President C. W. Fairbanks, who graduated here in 1872 and who spoke for the alumni.

Mrs. Cornelia Cole Fairbanks of the class of 1872, wife of Vice President Fairbanks, was given the honorary degree of master of arts, the same degree being also conferred on Miss Mariana Young of Japan.

BURLINGTON ANNUAL MEETING

Stockholders Elect Directors for Both Owning and Operating Companies.

CHICAGO, June 22.—At the annual meeting of the Chicago, Burlington & Quincy Railroad company held here today the following directors were elected: Robert Bacon, George F. Baker, George C. Clark, William P. Clough, Norman B. Ream, Samuel Thorne, New York; James J. Hill, James N. Hill, St. Paul; John J. Mitchell, George B. Harris, Chicago; Charles E. Perkins, Burlington, Ia.

Chicago, Burlington & Quincy Railroad company which operates the physical property owned by the railroad company: George C. Clark, William P. Clough, A. T. French, George W. Perkins, Samuel Thorne, James H. Hill, James N. Hill, John S. Kennedy, New York; George B. Harris, Darius Miller, Chicago; Charles E. Perkins, Burlington, Ia.

Woman Prohibitionists Adjourn.

CHICAGO, June 22.—The first general council of the Woman's Prohibition Club of America, which has been in session here, adjourned today after the election of the following: President, Anna Sloan Walker, Decatur, Ill.; secretary, Mary E. Balch, Louisville.

Movements of Ocean Vessels June 22.

At New York—Arrived: Koenigin Louise, from Genoa; Pretoria, from Hamburg; Carpathia, from Liverpool (Nantucket). Sailed: Deutschland, for Hamburg; La Bretagne, for Havre; Numidian, for Glasgow.

At Palermo—Sailed: Calabria, for New York.

At Hamburg—Arrived: Pennsylvania, from New York.

At Glasgow—Arrived: Carthagenian, from Philadelphia.

At Queenstown—Sailed: Oceanic, for New York; Marion, for Philadelphia.

At Havre—Arrived: La Savoie, from New York.

At Ponta Del Gada—Arrived: Cretic, from New York.

At Liverpool—Sailed: Southwark, for Montreal; Victoria, for Montreal.

ELECTION LAW VOID

Supreme Court Decides Against Bill for Biennial Elections.

THREE JUDGES CONCUR IN THE OPINION

Clearly Violates Provisions of Constitution Providing for Annual Election.

EFFECTS ALL CONSTITUTIONAL OFFICES

Those Created by Statute Can Be Chosen When Legislature Wills.

OPINION OF THE COURT IS LENGTHY

Renders Election this Fall Imperative for All Except Officials Specially Exempt Under Court's Opinion.

(From a Staff Correspondent.)

LINCOLN, June 22.—(Special.)—The biennial elections law enacted by the late legislature was declared unconstitutional this morning by the supreme court in an opinion written by Chief Justice Holcomb, which was concurred in by the entire court. While the court does not doubt the authority of the legislature to fix the time of the election of county officers not specified in the constitution, the entire act is declared invalid and the officers mentioned will not have their terms extended by the passage of the bill. Four other special acts, however, were passed by the legislature which are not affected by this decision and there will be no election in those cases this fall. These are H. R. 315, providing for the election of registers of deeds in 1906; H. R. 316, providing for the election of county commissioners in 1906; H. R. 317, providing for the election of county supervisors in 1906; H. R. 318, providing for the election of county assessors in 1906.

The result of the decision will be the election this fall of the following officers: One supreme judge, two regents of the State university, county clerk, county treasurer, county sheriff, county judge, county coroner, county superintendent and county surveyor. In fact, elections will be held as though this particular biennial elections law had never been conceived and enacted.

Syllabus of the Opinion.

The syllabus in the case is as follows:

When it is obvious that portions of an act of the legislature where the principal, if not the sole, inducement for the passage of the act, and such parts are held to be unconstitutional because in conflict with the paramount law, the act will be declared void in toto.

The provisions of section 13, article xviii, of the constitution, wherein it is provided, "The general election of this state shall be held on Tuesday succeeding the first Monday of November of each year, except the first general election, which shall be held on the second Tuesday of October, 1854," construed and held that it is not of itself an imperative command that general elections shall be held annually at the time stated. Whether annual elections are required depends upon the offices created by the fundamental law and the time, as therein provided, at which an election must be held to fill such offices.

By the provisions of the constitutional sections 4, 10, 15, 20 and 21 of article vi, and sections 13 and 26 of article xviii judges of the supreme court, district and county courts and regents of the university, whose offices are created thereby, it is declared shall be elected at the next general election held in 1875. The terms of these several officers are fixed at six, four and two years, respectively, and the terms of the office begin on the first Thursday after the first Tuesday in January next succeeding their election. Their successors in office, it is provided, shall thereafter be elected at the general election next preceding the time of the termination of their respective terms of office. Held, that these provisions when construed together fix the terms of office and the time of the beginning and termination of such terms and the time of the first election, and that thereafter the general election next preceding the time of the termination of each and every subsequent term of office, as they shall follow each other in succession, as successors shall be elected, and that these several sections provide for a regular succession of, and continuity in, such terms of office, the force and effect of which are to make it mandatory that a general election shall be held in each of the odd numbered years.

Ordinarily the word or words, "term" or "term of office," when used in reference to a tenure of office, means a fixed and definite period of time. Section 10 of article vi of the constitution declares: "All officers provided for in this article shall hold their offices until their successor shall be qualified." Held, that this provision cannot properly be construed to mean that the legal terms of office of the officers provided for in said article in the sense in which, used in reference to the tenure of office, shall consist of a fixed and definite period therein mentioned and in addition thereto the indeterminate period which an incumbent may hold after the expiration of his fixed term and until a successor shall be qualified.

Where Legislature is Powerless.

Where, by the fundamental law, certain offices are created, the terms of office which are fixed at certain definite periods of time and a beginning and termination thereof prescribed, as well as the time for the election of a successor, the legislature is without authority to postpone the election of such successors until the succeeding general election held in the next year and to extend the term of office of the incumbents during the intervening time, and to provide for an election in a different year in which to elect such successors and a different time for the beginning of such term of office.

Provisions found in the schedules of the constitution are not in all instances to be construed as of a temporary character. The language used should be given its ordinary meaning, and whether it is intended to be of a temporary or permanent character must be determined from the purpose of the enactment and the object sought to be accomplished thereby. The true meaning of the law is discovered by considering the reason and spirit of it or the cause which moved the law making body to enact it.

Courts will give weighty consideration to the legislative construction when legislation is had regarding subjects of a political nature, but when such construction clearly appears to be unwarranted it will not be followed.

The provisions of the biennial election law, House Roll 230, session laws 1905, the act under consideration, are found to be in conflict with the paramount law relative to the election of judicial officers and regents of the university, and the time thereof, and of their terms of office, and for such reasons is held to be inoperative and void.

Chief Justice Holcomb, in discussing the argument that the legislature has a right to interpret the constitution when it bears on subjects of a political nature and that the rule contended for seems reasonable, but that it cannot be given the weight urged because the provisions of the constitution will not bear a construction permitting the legislature to change the time of holding elections for judicial offices and extending their terms one year.

Conflict is Palpable.

"The conflict is so palpable," he says, "that the legislative enactment must give way."

The action of the legislative branch of the government is entitled to and should receive from the judicial department the greatest of respect and deference. This has been freely accorded and ever kept in mind in the consideration and discussion of the case at bar. The court struggle and does approach a conclusion resulting