

CONGER'S WORK DONE

Our Minister to Peking Given a Vacation.

COMMISSIONER ROCKHILL IN CHARGE

Negotiations Practically Complete. Diplomats and Correspondents Will Soon Leave—No Further Trouble Expected.

PEKING, Feb. 26.—Yesterday Mr. Conger turned over the affairs of the United States legation to Mr. W. W. Rockhill, particularly the conduct of the negotiations with the Chinese plenipotentiaries, and he will shortly return to the United States for a six months' vacation.

Americans here feel that this arrangement is a confirmation of the report that everything is practically settled, for Mr. Conger felt it his duty to finish the negotiations satisfactorily. The Pei-ho river will open next week, and then the exodus of diplomats, correspondents and others will begin.

Li Hung Chang says he expects that the imperial court will return to Peking



W. W. ROCKHILL.

as soon as notification is given that the troops of the allies are evacuating the capital. He also asserts that no further difficulty in the negotiations is possible.

Some old residents here think there may be difficulty in connection with the removal of receiving the ministers of the powers by the court, but the ministers themselves do not anticipate any.

The German and Russian barracks for the guards of their respective legations will be ready in a month.

Mr. Rockhill attended for the first time a meeting of the foreign envoys in an independent capacity. No business of importance was transacted.

All Demands Met.

PEKING, Feb. 25.—The full text of the imperial edict regarding punishments has been sent to the ministers of the powers. It is identical with the unofficial report of the contents of the edict cabled earlier. The ministers say that there is little confusion with reference to strangulation and suicide, but that this is not important.

Li Hung Chang received a bulletin announcing the sentences which could be best carried into effect by the board of punishment, and he requested the Japanese to deliver Ying Nien and Chao Shin Chiao in order that the sentences in their cases might be executed in conformity with the edict, but the Japanese considered the matter too short and have delayed the enforcement of the penalties till tomorrow in order that the ministers of the powers might send representatives, as they desire. It is also intended to regard the men at the place of execution, so as to prevent suicide or escape.

When official confirmation duly certified by high officers of state of the sentences of death upon the others shall have been received and these two have been executed China will have practically complied with the terms demanded by the powers, as she has already agreed to issue edicts prepared by the ministers of the powers for the cessation of examinations and regarding the responsibility of viceroys and governors.

Prince Tuan and Duke Lan are to be banished, General Ping Fu Hsing is to be deprived of his honors, Yu Hsien, Hsu Chang Yu and Kih Sin are to be banished and Prince Chwang, Chao Hsu Kuo and Ying Lio are to commit suicide. The other three of the 12 men indicted by the ministers are already dead.

Russians Eriated Alive.

LONDON, Feb. 25.—Mailed news from St. Petersburg reports that a search at Tospol revealed the bodies of 28 persons who have been buried alive. They apparently belonged to the self-immolation sect which caused a sensation throughout the civilized world in 1887. Kovaleff, the chief of the sect, who was then sentenced to perpetual confinement in a monastery, will be re-arrested in connection with the present discovery.

A Sword For "Fighting Bob."

WASHINGTON, Feb. 25.—The presentation of a sword to Captain Robby D. Evans of the navy was the occasion of a speech by Speaker Henderson of the house of representatives, paying a glowing tribute to "Fighting Bob" and to the American flag in general. The sword was presented by the people of Iowa in recognition of his command of the battleship Iowa during the battle of Santiago Bay.

Billy Brown, Aged 110, Is Dead. MOBILE, Feb. 25.—Billy Brown, the oldest negro of this neighborhood, is dead. Billy was 110 years old and carried papers to prove it. He had been very active until a few days ago, when he took a cold, contracted pneumonia and died. He came from Virginia and had been married three times. He had a very large funeral.

Big House in Atlanta.

ATLANTA, Feb. 22.—Fire yesterday destroyed almost an entire block in the wholesale district of Atlanta, entailing a loss of \$500,000, on which there is insurance amounting to nearly \$450,000.

Cuban Constitution Signed.

HAVANA, Feb. 22.—The Cuban constitution, first submitted by the central committee to the convention at the public session of Jan. 21, was signed yesterday

GREAT TRIUMPH

FOR REFORM.

Flinn Ring Beaten in the State Legislature.

COL. QUAY LED THE FIGHT.

Citizens of Pittsburgh Who Have Secured Their Desired New Charter Strongly Commend the Action of Regular Republican Leadership.

(Special Correspondence.)

Harrisburg, March 5.—Citizens of Allegheny county are already at work in a campaign to get for the taxpayers of that county the full benefit of the passage of the reform charter bill by the legislature last week.

There is reason to believe that the ring which has been dominating the official life of Pittsburgh, under the leadership of Insurgent Chief William Flinn, is about to be broken and that the demand for a reform administration of public affairs in that municipality will be complied with through the efforts of the leaders of the Republican organization of the state.

After a most remarkable battle, a struggle lasting several weeks, the Flinn contingent and their Democratic allies and a few recruits from the ranks of those who started out as stalwarts in the senatorial campaign, were finally beaten in the house on Thursday morning last, when the so-called "ripper" or charter reform bill, was passed finally exactly as it came from the senate, by a vote of 106 to 93. Under the provisions of the constitution 103 votes were required to pass this measure, so that there was but a small margin over this in the final vote.

INSURGENTS WERE SURPRISED.

Flinn and a full hundred of his lieutenants from Pittsburgh were on hand lobbying against the bill, and they had counted upon 12 majority against it when they on Wednesday night, called for a vote upon a motion to indefinitely postpone consideration of the bill. They demanded the yeas and nays, and were given a terrible shock when they found that 102 members voted against postponement and only 92 in favor of sidetracking the measure.

From that moment the stalwarts became stronger and the Flinn men weaker and weaker although the

Flinn lobby remained at work all night, many of them not going to bed at all, and they still hoped when the vote for final passage was taken that there would be one or two votes, or less than the constitutional majority, for the bill.

RING METHODS INTRODUCED.

In their desperate efforts to prevent a vote on the bill the Flinn henchmen resorted to filibustering tactics of the most drastic character. One of the Flinn supporters, Representative Hosack, in defiance of the rulings of the speaker of the house and in violation of parliamentary law, refused to take his seat and continued to interrupt the clerk while he was calling the roll. When an assistant sergeant-at-arms, in pursuance of instructions from the chair, went to Hosack and requested him to be seated, he still refused, and then he was firmly pressed down into his place. A small sized riot followed, with partisans of the disorderly insurgents rushing at the assistant sergeant-at-arms and roughly handling him. The speaker finally obtained order, but the actions of Hosack and those who attempted to break up the session had called forth very severe criticism from every section of the state. This conduct was in line with the action of the insurgents who organized a rump house during the last session of the legislature, when they were working against Col. Quay for senator, but it quite surpassed in the desperate character of the work anything attempted two years ago.

Col. Quay, who arrived from Florida to personally direct the forces in favor of the reform charter bill, expressed great satisfaction over the victory of the regulars.

The people of Pittsburgh fully appreciate his services.

COL. QUAY PRAISED.

These resolutions, after referring to the passage of the reform charter bill, set forth:

"That it is the duty of all friends of good government, without party distinction, to lend their hearty co-operation to the work which has been so splendidly begun.

"That the earnest thanks of the whole people of Pennsylvania are due to the legislature and to the Republican state organization for the adoption of the above act for the better administration of second class cities; and particularly should popular congratulations be extended to the Hon. Matthew Stanley Quay for the aid he gave in this timely victory of upright civic principle, the assertion of which at this juncture and in this manner is, as he reminds us, merely the redemption of pledges made by the Republican party of this commonwealth; and

"Whereas, it is publicly announced by those whose interest it has been to antagonize those pledges that the fight against the fulfillment of the Republican party's obligation to the people has only been opened, and whereas it is beyond doubt that they will continue their opposition with all the means and all the energy at their command.

WILL FIGHT FOR REFORM.

"Resolved, That the Republicans of this assemblage pledge themselves to use every honorable means to complete the political regeneration for which the act of the legislature has opened the door; that we promise to inaugurate our part of the task by perfecting at once the organization of our respective districts and renewing our campaign for the bringing of the city and county government into closer relation with the interests of the taxpayer and the private citizens, where we left off after the unavailing but inspiring fight of 1896; and that we stand ready to join with the leaders of the reform

movement in any and all steps necessary for the consummation of the work in Pittsburgh and Allegheny county that the legislature at Harrisburg has begun. We accept the implied challenge of the champions of the ring government contained in the declaration that the battle is only in its preliminary stages, and we confidently appeal to the people of our districts to note well the issues upon which that battle has been joined and upon which it will finally have to be determined.

"Resolved further, That the chairman of this meeting be authorized hereby to appoint a committee of seven, of whom he shall be one, to confer with and co-operate with any similar committees that may be appointed to carry on the fight for good government in other parts of the city and the county."

FLINN RING DESPERATE.

The Flinn ring has, as above indicated, already started in to fight for their political existence in the last ditch. They propose to interpose all manner of legal and other obstacles to the enforcement of the new charter, which provides that within 30 days of the date upon which the governor attaches his signature to it, the governor shall appoint a recorder for each of the three cities affected—Pittsburgh, Scranton and Allegheny. The present mayors of Pittsburgh and Allegheny intend to resist the enforcement of the law, which legislates them out of office, and a hot struggle in the courts will result.

Scranton Mayor Moir seems to be willing to accept the pledges of the party leaders that the interests of reform demand shall change be made. He was one of the most active supporters of the bill when it was up before the legislature. He says the citizens of Scranton desired the passage of the bill, and he joined with them in advocating it.

Amount of an Appropriation by the Legislature the Governor Followed Constitutional Authority and Precedent in Protecting the Honor and Credit of the Commonwealth.

(Special Correspondence.)

Philadelphia, Feb. 5.—A complete endorsement of Governor Stone's action in vetoing part of the appropriation for the schools, when, in his opinion, the revenues of the commonwealth would not justify the full appropriation made by the legislature, was given last week in a decision by the court of common pleas of Centre county, Judge Lore on the bench. Governor Stone's action was based upon the estimated revenues as furnished by the state officials, and it was done to preserve the credit and honor of the state. There was absolutely no political interest to serve. In fact, had the governor been actuated by a desire to "play politics" he would probably have approved the entire appropriation.

The insurgent newspapers, with political axes to grind, have been assailing Governor Stone from the moment he cut down this appropriation. The people have, however, become familiar with the purposes of these attacks, and they have done him no harm. Politicians have sought to stir up strife in the school boards and have caused suits to be instituted against the state authorities with a view to continuing the agitation.

An amicable arrangement was reached by which the matter came up as a test case before the Centre county court.

This was on an application for a peremptory writ of mandamus upon James E. Barnett, state treasurer, to compel him to pay to the school districts of Patton township its proportionate share of the money appropriated by the act of May 13, 1899, for the support of the public schools of the commonwealth for two years, commencing June 1, 1899, upon the basis of the whole appropriation named in the bill, namely, \$11,000,000, an alternative writ having been granted and issued and service waived.

The petition of the plaintiff set forth that the 13th day of May, A. D. 1899, the governor approved the general appropriation act for that session, with such exceptions as are therein designated. The section 8 of the said bill contains the appropriation for the support of the public schools of this commonwealth for the two years commencing on the first day of June, 1899, the sum of \$11,000,000, to be paid on warrants of the superintendent of public instruction, in favor of the several school districts of the commonwealth.

The act was passed by both branches of the legislature, making an appropriation in a total sum of \$11,000,000 for two years. The governor, when the same was presented to him for his approval or disapproval, because of the depleted condition of the treasury, approved the appropriation to the extent of \$10,000,000, and disapproved of \$1,000,000 thereof. The school district of Patton township, believing that it was entitled to its proportionate share of the one million dollars disapproved by the governor, applied to the state treasurer to have him notify the superintendent of public instruction that there were sufficient funds in the treasury to pay the amount claimed by them under said appropriation.

The state treasurer declined to do so, on the ground that, the governor having disapproved one million of the total appropriation, there was no warrant in law authorizing the payment of the same. The said school district had complied with the provisions of the school laws; that it was entitled to receive the appropriation. The plaintiff school district presented its petition to the attorney general of the commonwealth, asking leave to use the name of the commonwealth in its proceedings for mandamus, and that it might be instituted in the court of common pleas of Centre county. It was granted, and the state treasurer notified of the presentation of the application, and he consented that the proceedings should be had before the court of Centre county. The answer filed admitted the material facts set forth in the petition. An agreement was filed in the case that the cause should be heard on bill and answer

and that all questions as to jurisdiction or other technical defenses be waived.

THE GOVERNOR'S POWER.

The only question raised was as to the power and authority of the governor to disapprove of one million dollars of said appropriation of eleven millions.

After reviewing the circumstances of the case Judge Lore, in his opinion, commented at length upon the provisions of the constitution bearing upon the powers of the governor and the legislature, all of which, he stated, went to show the intent and purpose of the framers of the constitution to "carefully guard and protect the treasury of the state as well as its credit." After further quotations from the constitution and references to the veto power of the president of the United States, Judge Lore continuing said:

TO PREVENT ENCROACHMENT.

"In our form of government the fundamental purpose of the veto power was to enable the executive, by the exercise thereof, to prevent the legislative department from encroaching upon the constitutional rights and power of the executive department of the government. Second, to enable the executive as a member of the legislative department to prevent legislation or the improvident and extravagant legislation in the appropriation of public moneys. The said section of article 4 of the constitution was inserted more expressly to enable the governor to intervene and prevent an extravagant appropriation of public moneys, and to aid in keeping the appropriations practically within the revenues of the state and preserve the solvency of the treasury. That this was the intent and purpose of the framers of the constitution seems to us clear.

"To hold that the power given is only that of disapproving a single item or paragraph or section of the bill in its entirety would defeat the very purpose for which the power was given. It was the purpose of the constitution to further the cause of education and to aid charitable and benevolent institutions, so far as the revenues of the state will reasonably warrant. And all appropriation bills, except the general appropriation bill, shall embrace but one subject—and the general bill is limited to appropriations for ordinary expenses of the executive, legislative and judicial departments of the commonwealth, interest on public debt and for public schools. Now, if the power of disapproval in the said section is to be limited to a single item in its entirety, then, if the legislature make extravagant appropriations to state hospitals, to educational institutions, in a lump sum and not itemized, and which may not be necessary for their efficiently accomplishing their work or purpose, and that the appropriations in the aggregate far exceed the revenue of the state, and would cause current indebtedness largely in excess of one million dollars, the executive is helpless, unless he strike down the whole appropriation made to some of the institutions and thus cripple or practically destroy their purpose and usefulness, while others no more deserving may receive more than is necessary for the efficient purpose. The executive is placed in the dilemma of either crippling institutions of charity, hospitals and institutions of learning or violating the constitution by creating a current indebtedness of the state in excess of one million dollars.

"It is manifest that the construction above given to the 16th section of article 4 of the constitution is the only one that is consistent with the purpose and intent of the constitution, in view of its other provisions," adds the learned judge. "It gives proper effect to all involving this subject and does violence to none. It then enables the governor to perform his constitutional obligations relative thereto. It enables the successful execution of the policy and purpose of the constitution and state, to foster and aid the educational, charitable, benevolent and state institution, intelligently and in accord with the purpose and intent of the constitution without injuring or destroying the efficiency or work or purpose of any, and also to preserve the solvency of the treasury and the credit of the state, so that the state may be able to meet its legitimate current obligations. We are, therefore, of the opinion that the governor, under said section, has the power to approve a part or parts of an appropriation to any object or subject, and to the extent it is approved it shall be the law, and that any item or items or part disapproved are void unless passed over his veto in the manner provided by law.

THE GOVERNOR'S REASONS.

"In vetoing in part the general appropriation to the public schools the governor, in his reasons for vetoing the same, along with other reasons, sets forth: 'In 1893, however, a bill was introduced into the legislature which authorized and required directors to furnish free text books to the pupils of our common schools. At that time a very large number of the districts throughout the state did not provide free text books for the pupils. The introduction of free text books necessarily involved the expenditure of large sums of money, and the friends of this measure succeeded in securing an additional \$500,000 for this purpose.' If this be so, and the governor, as legislator, upon investigation found that said item was continuous in the subsequent appropriations for said purpose, deemed it unwise, owing to the practically insolvent condition of the treasury, to veto said item, why did he not have ample authority, under said 16th section of article 4, to do so, although the item for that purpose was not distinctly set forth in the bill making the general appropriation?"

"Nor was the governor in this instance without precedent for the exercise of the power in this manner. His distinguished predecessors in office for 19 years past exercised the power of veto upon appropriation bills in practically the same way. It was so exercised in a number of instances by Governors Pattison, Beaver and Hastings. The fact of its having been thus exercised for so long a period by the said chief executives of the state is entitled to due and respectful consideration in determining a proper and wise interpretation of the said power conferred upon the governor under said section 16 of the constitution."

With this the court refused the writ for peremptory mandamus and placed the costs upon the plaintiffs.

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The Wisconsin Agricultural Experiment Station.
In conducting our Dairy School, we have had occasion to use the various sizes of Improved U. S. Separators for dairy instruction during several winters past. Our students have always been pleased with the operation of these Separators, and we find the milk very clean indeed from fat, and that they are generally very satisfactory.
W. A. HENRY, Dean College of Agriculture.

Cornell University Experiment Station.
We have used the U. S. Separators for the past four or five years, and have found them at all times efficient and reliable. They are easily cleaned and kept in order, and can be depended upon for satisfactory work.
H. H. WING, Prof. Dairy Husbandry.

Massachusetts Agricultural College.
We regard the Improved United States Separator as one of the very best all round machines. In cleanliness of skimming it surpassed all the others. It compares favorably with the rest in capacity. Our man calls it the smoothest running machine we have, although it has been in use nearly three years—a good comment on its wearing qualities.
F. S. COOLEY, Prof. of Ag't.

Michigan Experiment Station.
Your No. 5 Separator was received, set up, and has been operated daily since the 4th of January. Each of our dairy boys has now had a turn at it, setting it up, running it, washing it, and testing the skim-milk. They all like the machine, or account for it very simply. We are running through milk 12 to 24 hours old, warmed to over 80 and usually about 90 degrees. The per cent. of fat in the skim-milk, so far as reported, will not reach on the average a tenth of a per cent., and often is too small to read, in the skim-milk bottle. We are pleased with the machine every possible way, as far as we have been able to observe it in a month's use.
CLINTON D. SMITH, Director Michigan Experiment Station.

1898 Record Equally as Good.
I do not know that I have anything to add to what I wrote you in January, 1897, or any changes to make in the statements therein made (see above).
C. D. SMITH, Director.

Vermont Experiment Station.
UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE, 1 BURLINGTON, VT., JUNE 25, 1897.
It has been the uniform custom of the officers of the Vermont Station to decline to issue letters of a testimonial nature. I may say, however, that I can and do refer parties inquiring regarding the merits of the Improved United States Separator to the records of the running of the same as published in our report for 1894.
(The tests referred to are as follows):
Aug. 14, 1894.....0.05
Aug. 19, 1894.....0.06
1895.....0.05
1896.....0.05
The results obtained by the use of these machines at our Dairy Schools of the past two years are full better, so far as the character of the skimming is concerned, than those given in the report.
JOSEPH L. HILLS (Director Vt. Experiment Station).

Iowa Experiment Station.
AMES, IOWA, Jan. 25, 1897.
Your two machines have been here in use for some time and are doing excellent work.
We have succeeded in skimming over 2,500 pounds per hour, and as close as 0.07 of one per cent. of fat left in skim-milk, with the larger machine. This we consider excellent work for the winter. The small machine also does good work.
G. L. MCKAY, State Dairy Instructor, Iowa Ag'l College.

Again in June; Iowa Experiment Station.
AMES, IOWA, June 25, 1897.
Your large size factory machine has been doing excellent work. We have used it six days per week for the past two months, and it skims to a trace right along, skimming 2,500 to 2,700 pounds per hour.
G. L. MCKAY, State Dairy Instructor.

Ohio State University.
COLUMBUS, OHIO, June 25, 1897.
Enclosed you will find statement of the several runs made with your various Separators.
(Tests from the runs referred to show the following):
January 15.....0.02 February 2.....0.00 February 13.....0.02
18 tests show not over 0.05 of one per cent. of fat.
Of course, you will understand that these runs were made by students who at the beginning had no knowledge of separator work. The same efficiency can hardly be expected under such circumstances as where operated by an expert.
THOMAS F. HUNT (Professor of Agriculture).

Idaho Experiment Station.
MOSCOW, IDAHO, March 27, 1897.
Our Dairy School has just closed, having had a very successful career. We have used daily one of your No. 5 Improved U. S. Separators. It has given perfect satisfaction, and is the favorite with all the boys.
CHAS. F. FOX, Professor of Agriculture.

Connecticut Experiment Station.
NEW HAVEN, CONN., AUG. 5, 1897.
The Improved U. S. Steam Turbine is running every day, and has been since April. It is an easy-running and thorough skimming machine. In two recent tests, made on different days, running a trial over 700 lbs. of milk per hour, the skim-milk showed:
No. 1.....0.07 1 per cent. butter fat.
No. 2.....0.07
This is as close as any one could ask for.
A. W. OGDEN, Chemist, Conn. Ag'l Experiment Station.

Missouri Experiment Station.
COLUMBIA, MO., MARCH 25, 1897.
The Improved U. S. Hand Separator was used in our Dairy School during the winter term to the entire satisfaction of instructors, students, and did most excellent work.
J. H. WATERS, Dean and Director.

The Improved United States Separator are now not almost but altogether universal. The number in use is 125,000, more or less. Their sale is eleven to one of all imitating machines combined. The latest improvements carry them still further to the front. Send for new Dairy catalogue No. 201 or new Creamery catalogue No. 199.

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