PNEILL, NEBRASKA

A green grocer's boy hailed a vessel in dock at Cardiff. The surly mate re-sponded and gruffly asked him what he sponded and gruffly asked him what he wanted. "Tve got some vegetables for the ship," was the reply. "All right, you needn't come aboard; throw 'em up one at a time," said the mate, as he stood in readiness to receive the expected vegetables. "Ahoy, there—look out!" shouted the lad, as he threw a single green pea toward the mate. "Tve got a sack of 'em for the captain!"

Niagara river, in its course from Lake Erie to Lake Ontario, falls a distance of 627 feet. A survey by the United States engineers, who measured the flow of the river below the falls, shows that it discharges 230,000 cubic feet of water a second from the one lake to the other. In its descent of twenty-seven miles from lake to lake Niagara river develops the equivalent of about 9,000,-000 theoretical horsepower.

Harold Begbie, author of "Master Workers," writes of an interview with John Morley: "I asked him what his comfort was, how he supported the burden of all this unintelligible world, how he justified unselfishness and righteous-ness in a purely material world. His comfort is, that the world grows better, that man is happier in doing good than in doing evil, and that life—even as we know it now-is good."

The budget for the Turkish sultan's harem amounts to \$15,000,000 a year. Every one of the women who leave the harem every year to get married receives a dowry of \$37,000. There are usually 300 inmates of the harem, each of whom has ten maids, and a carriage with four hores. The greatest ambiguith four hores. with four horses. The greatest ambi-tion of courtiers and officials is to have their daughters accepted for the harem.

Dan Leno, the English comedian, who died not long ago, said: "When your face wants to slide a smile let it; when it doesn't want to, make it. A merry minded man is a perpetual slab of sunshine and brightens up to the workaday world a sight more than a circus procession or a check suit. A sad eyed sinner is of no use to any one and a nuisance to himself."

A Parisian named Everard made a handsome living by robbing the professional beggars of the city, who were afraid, naturally, to complain. He followed them to their rooms and took what he wanted. A man and a woman resisted him, and he murdered them. "They are the only two I ever killed," he said, plaintively, when sentenced to penal servitude for life.

One of the courts in Paris is occupied with a case against a picture dealer who sold what he asserted was a genuine Raphael for \$16,000. The buyer paid \$2,000 down, then discovered that the dealer had bought the picture for twenty francs. He wants his \$2,000 back. But three experts have propulated the painting genuine. nounced the painting genuine.

A large centrifugal pump at a Brighand an examination revealed the presence in a pipe of a pigeon's nest with two eggs. To reach its nest the bird had to find its way through a six-inch diameter pipe—horizontal for six feet, and bending sharply into a six-feet perpendicular.

A. J. Seaman, an eccentric bond buyer of Omaha, who lives on 9 cents a day, is receiving hundreds of letters from women who wish to marry him. Seaman's story was printed in the Sun-day papers. To those inclosing a stamp Seaman is answering on a postal card, making 1 cent on each applicant.

Oil paints have a marked deterrent effect upon various bacilli of disease, as tests made in Paris have shown. The germs of tuberculosis, especially, are much affected by paints. They do not thrive or live on painted surface as they do where there is no paint to cover wood or metal.

Five men have been arrested at Reno, Nev., for a mail order fraud. Under the title of "Cromwell Simon State University of Reno, Nev.," they put advertisements in the papers offering for 10 cents to furnish all information necessary to obtain any degree in the gift of the university.

Some low water alarms for boilers are made dependent for operation upon are made dependent for operation upon the melting of a fusible alloy exposed the melting of the steam. When the to the heat of the steam. When the water falls and the temperature rises the melting of the alloy releases a weight actuated circuit closer and rings

The great planet Jupiter is farther north now than at any time for the last seven or eight years and is visible this nonth throughout the night. rtunities for studying the largest planets are better, therefore, than ever are, except at long inter-

A little lad was asked the other day what he intended to do when he grew up. He pondered over it for a while. "I won't be a sailor," he said, "because I might be drowned. And I won't be a soldier, because I might be shot. I think I'll be a skeleton in a museum."

Several years ago in Cripple Creek, T. W. Woodbridge, incurred the displeasure of the union miners. Recently he and his wife arrived in Goldfield, Nev. They were at once notified by the miners to leave the town, and eff on the first train. eft on the first train.

A pot hunter has confessed to selling o San Francisco restaurant keepers as uail a large number of ground (bur-owing) owls, which were duly served n toast, the epicures not noting any lifference, or the restaurant

Oregon refuses to maintain United states prisoners in her state prison for ess than \$8 a week. Uncle Sam reuses to pay more than \$4. So the pregonians have turned over the pris-ners—fourteen in number—to the So the

Inited States marshal. The greatest depth to which a sub-parine boat is known to have de-cended, under full control and without

nade in experiments in Europe, by a essel designed by the American inentor, Simon Lake.

Out in Kansas "They Are Happy low" is frequently used by the weekly apers as a heading over wedding an-ouncements. The Lindsbor News, hich is edited by a bachelor girl has anged it to "They Are Happy-Now."

According to German scientists fish estroy many annoying insects, es-ecially mosquitoes. In Germany the ommon carp, the crucian carp and the d eye are considered the best insect stroying fish.

During the recent yellow fever epid-nic in New Orleans not one case ade its appearance among the sol-ers of Jackson barracks, only 150, at from the nearest infected point.

# THE O'NEILL FRONTIER RIVER IS BORN IN **NEBRASKA PLAINS**

Since Late Spring New Stream Has Traveled 150 Miles.

IT SEEKS THE MISSOURI

Expected to Transform Short Grass Grazing Land Into Fertile Farms -Source Is Underground Mountain Stream.

Valentine, Neb., Dec. 6 .- A wonderful geological event has recently taken place in the sand hills of Nebraska; a great new river of clear water, rivaling the Niobrara, the Elkhorn and the Platte rivers, has suddenly sprung into existence, and is even now working its way southeastward to the Missouri river. Already the new river is more than 150 miles long, and its waters are slowly going forward to an outlet to the gulf. In some places New River, as it is called, is half a mile wide, while in others it is only a few rods; its depth varies from a few feet to 50 feet.

The water by which the stream is fed is supposed to come from the great underground flow of water from the Rocky mountains eastward to the Missouri. The phenomenon has attracted a great deal of attention from scientific men in the state and the University of Nebraska is preparing to make a thorough and exhaustive search into the reasons which led the un-derground stream to burst forth.

New River takes its rise in the eastern part of Cherry county and flows toward toward the southeast, passing through Brown, Rock, Holt and portions of Wheeler and Antelope counties. At present it has reached a point in northwestern Boone county and is slowly creeping eastward

toward the Missouri river.

Very little rain falls in the sand hills except during the spring, and the cattle which roam over the hills must be driven far to water unless there happens to be an artesian well nearby. It is the great cattle range of Nebraska. So, when James Wil-son, one of the great cattle kings of Cherry county, made the discovery last summer that the spring rains had almost filled a deep depression on the range where his cattle roamed, he saw prospects of fresh water all the summer and fall. The depression was deeper than any other on the

But the next week, when Wilson again rode onto the range, he noticed that there was more water in the pool than had been there the week previous. Then next he saw the miniature lake it had increased to a large lake and had overflowed the original depression and in addition had filled several others. This was about the middle

of September of this year.

And from that start the stream has worked its way forward. It seemed that the coming of the water had some mysterious effect upon the underflow mentioned, for each additional depression, as soon as the river reached it, was immediately fed by underground springs, and the entire surface of the river is covered with bubbles, which break as they reach the surface. The water is clear and cool and is not muddy like the Platte, the Elkhorn and the Missouri.

#### KILLS WIFE AND HIMSELF.

B. A. McCarthy at Wymore Acts in Jealous Rage.

Wymore, Neb., Dec. 5.—A shocking trag-edy was enacted in which B. A. McCarthy fatally wounded his wife with an ax, and

then shot himself.

McCarthy received word from some source that his wife was intimate with a young man of the town. The news threw him into a transport of rage and he finally

fell in a faint. This performance was re-peated several times.

Later McCarthy had another fainting spell in the house and his wife paid no at-tention to him. When he revived he went went home to kill his wife. He snapped the revolver at her but the cartridge failed to explode.

The crazed man then secured an ax and struck his wife just above the ear cutting horrible gash and felling her to the Taking it for granted that she was dead he ran into a bedroom and placing the re-volver to his mouth, killed himself in-

Mrs. McCarthy was unconscious until

### NOT LOST IN TYPHOON.

Lieutenant Mapes and Wife Escapeo with Their Lives.

Norfolk, Neb., Dec. 5.—Mr. and Mrs. C. A. Blakely, of this city, have received indirect information regarding the welfare of their daughter, Mrs. W. S. Mapes, and her army husband, Captain Mapes, who, it had been feared, had perished in the ori-ental typoon which swept the Philippines. The information comes from St. Louis as result of newspaper publicity.

Mrs. E. Schottsmueller, of St. Louis, read of the anxiety of the parents here, brought on by lack of a letter since September 4. and the news that five unidentified Ame icans had been washed ashore after the storm, Mrs. Schootsmueller has a sister, Mrs. Lieutenant Moelley, in the Philip-pines, whose home is next door to that of Captain Mapes. Mrs. Schottsmueller received a letter written by here sister October 4, in which the sister says that Captain and Mrs. Mapes survived the storm, although their home, the best on the island, was badly damaged. She adds that they were all too thankful to get out with their lives, to worry over a home loss Mrs. Schottsmueller hastened to write to the Norfolk parents, to whom the mes-sage brought relief. No letter has been received yet from Mrs. Mapes, but it is

### NEBRASKA ELOPERS MARRIED.

thought the letter was shipwrecked.

Couple from Fairbury Fail to Keep Secret from Friends in Cincinnati.

Cincinnati, O., Dec. 4-Carl C. Ayers and Athea Stratton, elopers from Fairbury, Neb., were married here. Both are 21 years of age, according to the affidavit made to the marriage license clerk.

An effort was made to keep the elopment secret, but Cincinnati friends of the bride thought the secret too good to keep.

#### BOYCOTT TAX-SHIRKING ROADS Business Men Direct Their Shipments

to Those Which Pay. York, Neb., Dec. 4.—The word is industriously and quietly being passed along the lines of the Burlington at competing points to order shipments over the Northwestern and other roads which has paid taxes in full. There is no regular boycott, but it is being made plain that if the business men continue to take the interest in having goods ordered shipped over other lines it means thousands of dollars of freight diverted from railroads which refuse to pay

#### WEDDING ILLEGAL

Mrs. Ed Cudahy, et al., Excommunicated for Attending Marriage of Congressman Kennedy.

Omaha, Neb., Dec. 2—Rt. Rev. Bishop Richard Scannell, of the Omaha dio-cese of the Catholic church, has de-clared excommunicated ipso facto all members of the Catholic church who participated in the wedding of Con-gressman Kennedy and Miss Margaret Pritchett Monday. There were a number of prominent Catholics present, including Mrs. Edward A. Cudahy, wife of the packing house magnate. Miss of the packing house magnate. Miss Mae Hamilton, whose individual for-tune is rated at over a million, was one

of the bridesmaids.

Congressman Kennedy has a divorced Congressman Kennedy has a divorced wife living, and for that reason the bishop issued last Sunday a pastoral forbidding all Catholics to participate in the ceremony. The bishop declared excommunicated all members of his church who attended the wedding. The ceremony was conducted by Rev. Dr. E. H. Jenks, pastor of the First Presbytarion church of which Congressman

terian church, of which Congressman Kennedy is a prominent member. The bride of Congressman Kennedy, who is a daughter of Mr. and Mrs. George E. Pritchett, prominent members of Omaha society, is a member of the Episcopal church. None of the members of either Mr. Kennedy's or Miss Pritchett's family is a Catholic. Mr. Kennedy's divorced wife is a Christian Scientist.

Bishop Scannell today talked freely of his action. He said that he would take no steps in the matter, declaring that the Catholics who participated in the wedding ceremony and also those who attended the reception following were equally culpable, and said that they had excommunicated themselves by their action in the face of the warn-ing issued by himself last Sunday ing issued by himself last Sunday.

The pastoral of Bishop Scannell re-cited the laws of the Catholic church in the matter, and closed with a paragraph, evidently directed at the forthcoming Pritchett-Kennedy wedding, at which it had been announced that several prominent Catholics would be present and participate, which explained the reason for the issuance of the pas-It recited that any co-operation of Catholics in an act known to be un-lawful was an act of sin, and that any attempt to question it on the grounds of modern usage could not stand, be-cause the law of morals never becomes antiquated, and that "the divine prohibition to put asunder whom God has joined together is as binding today as it was twenty centuries ago."

### **GIVES NEBRASKA HOPE**

Decision in Favor of Iowa's Anti-In-surance Combine Law, May Validate Another.

Lincoln, Neb., Dec. 2.—Insurance Deputy Pierce, of the state auditor's department, announced today that he will appeal to Attorney General Brown in an effort to secure action from the United States supreme court validating the Nebraska law against insurance. the Nebraska law against insurance combinations and trusts. He hopes that the statute which was held invalid by Judge McPherson in 1901 on the same grounds as the Iowa act will be held valid by the supreme court, which has just been decided in favor of the Iowa enactment, which was also held invalid by Judge McPherson.

The Nebraska statute forbids rate

combinations, agreements as to methods of transacting business and regu-lates agents' commissions. A suit against the fire insurance combination is foreshadowed by the insurance deputy's announcement

# NO THIRD TERM FOR MICKEY.

Nebraska Executive Will Not Accept the Position Again.

Lincoln. Neb., Nov. 29.—Governor Mickey will not be a candidate for a third term, and talk to the contrary is unauthorized. The governor is satisfied with two terms as chief executive of the state and will not accept a third term pomination even if it is tendered term nomination even if it is tendered

him.
When Governor Mickey has concluded his present term of office he will have rounded out a period of seventeen years in public life, sixteen as an elective officer and one as an appointive of-

more than \$600,000 during the administration of state affairs by Governor Mickey is a foregone conclusion. If the state wins the present tax suits brought by the Burlington and Union Pacific railroads the reduction will exceed \$800,-000, or more than 50 per cent. of the outstanding obligations. Whether or not the state wins the tax cases, the record before equaled or even closely approached. of the administration will be one never

#### \*\*\*\*\*\*\* NOVELTIES OF THE NEWS. \*\*\*\*\*\*\*\*

Los Angeles, Cal.-The death of Mrs. Liore Thompson, an aged and eccentric woman, has revealed a ghastly secret in her little cottage in Boyle Heights. In a store room of the cottage, covered with rubbish, was found a hermetically sealed box containing the corpse of her daughter, who died twenty-seven years ago. body of the young woman had been dis-membered. The body had been shipped here from the east.

Winnipeg, Man.-To take medicine and supplies to ice-imprisoned American whalers in the Arctic Sea, Sergeant Fitzgerald and Constable Walker of the Royal Northwest police will make a journey of 6,000 miles. They will leave Regina, Saskatchewan, this week for Dawson City, and will set out from there December 10, when the long trip over the mountains in the darkness of the arctic winter will be commenced in dog sleighs.

New York-Just as Nan Patterson, with her husband, Leon G. Martin, stepped ashore from the steamship Once, on their return here from San Juan, Porto Rico, yesterday, a man threw up his arms, cried out and dropped dead before her startled gaze. The utmost confusion took place, and Miss Patterson became hysterical and had to be cared for.

Los Angeles, Cal.-T. E. Jefferson, wealthy Chicagoan, who, with his wife, is occupying a cottage at Pasadena, must pay \$7,500 to the widow of Christian Shearer, who was run down and killed by Jef-ferson's automobile a year ago. At the time of the accident Mrs. Jefferson was driving the machine, it is said, at a high

San Francisco, Cal.—A slight but sharp earthquake shock was felt in this city early yesterday, followed a moment later by another, apparently coming from an opposite direction. This peculiar feature is said by Chief McAdie of the weather bureau to be an apparent indication of reflex

Frankfort, Ind .- The Frankfort Minsiterial association unanimously has passed resolutions against Sunday funerals and will decline to officiate at such. They claim there is no legitimate demand for holding obsequies on the Sabbath, and that they greatly inconvenience them in their pastoral duties.

# MINISTER CHARGED WITH COMPLICITY

Federal Grand Jury at Omaha Indicts South Dakota Rector.

FOR ILLEGAL FENCING

Charge of Securing 125,000 Acres of Land by Fraud-Two Others Arrested and Made Joint

Defendants.

Omaha, Neb., Dec. 1.—Rev. George G. Ware, rector of the Episcopal church of Lead, S. D., has been indicted by the of Lead, S. D., has been indicted by the federal grand jury, charged with com-plicity in defrauding the government out of 125,000 acres of land in Hooker and Thomas counties, Nebraska. Frank Lambert and Harry Welch are made joint defendants with Ware. Each of the men is held to the federal court in \$5,000 bonds. Ware has qualified for

the men is held to the federal court in \$5,000 bonds. Ware has qualified for that amount and secured his release.

Cases are also pending against Rev.
Mr. Ware for alleged illegal fencing.
He is one of the wealthiest men in the west, and has been general manager of the I. B. U. ranch, which has several thousand head of cattle on the range of western Nebraska

of western Nebraska.

Lambert was returned to Nebraska
by the United States authorities from Oregon, where he was employed in a restaurant. It is said that Lambert turned state's evidence, and that it was on his testimony that Ware and Welch were indicated. were indicted.

It is charged in the indictment that he defendants defrauded the government by securing title to soldiers' home-

ment by securing title to soldiers' home-steads in an unlawful manner.

This, it is said, consisted of having old soldiers file on land, proving up by residence of employer of Ware, and giv-ing the I. B. U. ranch title to the land in consideration of sums ranging from \$50 to \$250. Lambert and Welch are charged with being parties to the al-'eged fraud.

#### LINCOLN MEN WITH LAWSON. Number at Nebraska Capital Send in

Their Policies. Lincoln, Neb., Dec. 1.—Believing that Thomas W. Lawson is on the right track and that much good will result in

his campaign against the New York Life and the Mutual Life Insurance companies, a number of local men have sent in their policies to the great finan-cier, complying with his request for them upon the announcement that he can now control the next meetings of the societies.

The policyholders who have responded to the call of the "Frenzied Finance" individual are not exactly posted on the plans mapped out by Mr. Lawson, but they have unbounded faith in his ability to cope with the situation and will result in a great good to the great number of people inter-

The state insurance department in all cases declined to advise the sending in of the proxies to Mr. Lawson.

# CROWS SPREAD DISEASE.

Cholera Harasses the Farmers Near Louisville.

Louisville, Neb., Dec. 1.—The farmers southeast of this place are fearing an epidemic of hog cholera. Several farmers say they have lost quite a number of hogs. They are doing all in their power to check the disease. They also say their worst enemy is

the black crow. The crows visit their hog yards, alight on hogs and in the yard, and leave the germs of disease that they have carried from afflicted yards. Those who lose their hogs by yards. Those who lose their hogs by this disease, are burning them so that the crows may not carry the germs to their neighbors.

Sheffield, Eng., Man Crosses Ocean to Find Sweetheart Wed. Omaha, Neb., Dec. 1.—After crossing the ocean to wed an Omaha woman,

Henry Dawson, of Sheffield, England, found that his bride-to-be had jilted him and married another man. He has since disappeared and the police fear that he has taken his own life.

Last Wednesday Dawson left a steamer trunk at 923 South Thirteenth street, declaring he would return for it in a few hours.

After waiting, Mr. Neuman notified the police of the presence of the trunk

in his store. Neuman stated that Dawson, when he entered his store, seemed very much agitated and was evidently in a hurry

After Neuman granted permission for the trunk to be left in his place, Dawson told him that he came all the way from Sheffield to marry a young woman in Omaha whom he had been corre sponding with for two years, but when he called at the address given him he found that she had, several months ago married another man and gone to Chi-

cago to live. At police headquarters the trunk was opened and found to contain several suits of fine clothing, silk underwear and a number of articles in fine cut glass and silverware, the latter pretumably bridal presents.

## SLASH NEBRASKA MAN.

He Suffers Seven Inch Cut While Wrestling with Pittsburg Footpads. Pittsburg, Pa., Dec. 1.-In a desperstruggle, H. J. Cook, of Lincoln. Neb., was severely wounded, receiving a cut seven inches long on his right

arm, and was badly beaten about the head and face. Cook was walking along Hamilton avenue, Pittsburg, when two men demanded his money. Cook jumped into the street, but the men grappled and a fight ensued. He knocked one man down, but the other attacked him with

a knife, cutting his arm.

Pedestrians heard Cook's cries and came to his assistance, the highwaymen fleeing across the Pennsylvania. tracks. The physician put six stitches in the wounded arm. Cook says he can identify his assailants.

## DEATH OF PIONEER.

H. D. Hathaway Helpcel to Found the State Journal.

Lincoln, Neb., Dec. 1.-A dispatch this morning from Denver announced the death there last night of H. D. Hathaway, aged 70, a pioneer Nebraska citizen and a newspaper publisher. He was one of the founders of the Nebraska State Journal. Hathaway was a native of Trumbull county, Ohio, emigrating to Nebraska in 1858.

Shoots Native Filipino Dead for Ordering Him to Light Lamps on His Vehicle.

Cebu, P. I., Dec. 6.—Lieutenant Charles Pendleton, of the constabulary, ordered four native soldiers into a vehicle in which he was driving. A native policeman stopped him, ordered him to light the lamps on the vehicle, whereupon Pendleton shot him dead. He delivered the body to the police, claiming he had found the man dead on the road. Soldiers accompanying him confirmed his story until today when they broke down. Pendleton had been drinking. Pendleton's family live at Atlanta, Ga. He was formerly sergeant in the Seventy-first regiment of New York. He has been held for murder.

#### BIG FLURRY IN COTTON

Government Report, Showing Shortage, Causes Cotton Prices to Advance Quickly.

Washington, Dec. 6.—The cotton crop bulletin issued today by the department of agriculture estimates the total yield

of agriculture estimates the total yield at 10,167,818 bales.
Dallas, Tex., Dec. 4.—The report of the National Ginners' association of this year's cotton crop today gives 9,623,000 bales as the season's yield.

New Orleans, La., Dec. 4.—Cotton jumped up 35 to 41 points on reading the government report.

New York, Dec. 4.—Upon announcement of the government cotton report.

ment of the government cotton report prices on the cotton exchange ad-vanced 76 points or 34 cents per pound, amidst much excitement.

## TO FIND BOTH GUILTY.

Lucien Young and Charles L. Wade Will Be Reprimanded.

Washington, Dec. 6.—Judge Advocate General Diehl of the navy has completed his review of the courtmartial of Commander Lucien Young and Ensign Charles L. Wade and submitted the cases to the secretary of the navy for final action. These officers were tried at San Francisco on charges in-volving neglect of duty in connection with the explosion on the gunboat Bennington at San Diego, Cal The finding of the courtmartial in these cases has not been officially announced, but it is understood in naval circles that both officers were found guilty on certain counts not involving criminal negli-gence, and were sentenced to be repri-

manded. Owing to the importance of the cases Secretary Bonaparte will confer with the president before deciding as to what shall be done in the matter. It is expected that an official announcement will be made next week after Secretary Bonaparte has had opportunity to read the records and reviews.

#### OFFICIALS TAKE ACTION

Will Break Up Practice of Throwing Missiles at Trains-Investigation in Progress.

Philadelphia, Pa., Dec. 6.—As the result of the casting of a plum bob into President Roosevelt's special train Saturday night, the Pennsylvania road officials and the Philadelphia police authorities have united in a determined effort to break up the practice of throwing missiles at trains. A thorough investigation of the incident is ough investigation of the incident is

in progress.
"We have been persistently annoyed," said a Pennsylvania railroad official today, "by the throwing of stones and bricks through car windows by miscreants. They occur usually in outlying parts of the city. The only thing that will break up the practice is a heavy fine and imprisonment for the offenders."

# RAILROADS WIN FIGHT.

Federal Judge at Kansas City Decides He Hasn't Jurisdiction in Rebate Cases.

in the United States district court today delivered an opinion holding his court was without jurisdiction in cases brought here by the federal government charging the Missouri Pacific, Santa F and other railways with giving rebates on shipments of products in violation of the Elkins act. The motion of rail-ways to quash the proceedings was

### HER HEART FAILS HER.

Cassie Chadwick Fails to Make Goos Her Promised Expose and Almost Collapses.

Cleveland, Dec. 4.—Mrs. Cassie L. Chadwick was taken into the federal bankruptcy court today upon her own request for the purpose of completing her testimony as to some of her finan-cial dealings. Although she recently stated she could reveal certain facts of importance, nothing of that nature was brought out. The hearing ended with Mrs. Chadwick in a condition bordering on collapse from heart trouble.

## "FADS AND FANCIES."

New York Judge Is Said to Own Most

of Stock in Town Topics. New York, Dec. 6 .- "Fads and Fancies," the book of American social cele-brities, which came into prominence several months ago through the an-" the book of American social celenouncement that some of those who figured in the book had paid many thousand dollars for the privilege, was owned by Justice Joseph M. Deul of the court of special sessions of this city, according to a letter read in the rolice court foday.

police court today. Other letters purporting to show that Justice Deuel was interested in the suc-cess of "Fads and Fancies" were read by the attorney for the defense. Among them was one alleged to have been written by Justice Deuel and addressed to Mr. Wooster, an agent for "Fads and Fancies," who was at Palm Beach, Fla. The letter expressed a hope that Wooster would meet nice people in Florida, and continued: "All of them are like Davy Crockett's coon, so that all you will have to do is to point your gun and every high-toned citizen of Palm Beach will instantly tumble into your basket."

#### HER FATHER SHOT FIRST An Oklahoma Doctor's Alleged Plan to

Kill His Wife Failed. Shawnee, Okla., Dec. 4.—The coroner and sheriff exonerated today P. O. Sullivan, a money lender at Cloud, who was charged with shooting his son-in-law, Dr. E. N. Hillman. Dr. Hillman had separated from his wife. Thanksgiving day he went to her home with the alleged intention of killing her, but her father shot first. An autopsy showed that Dr. Hillman had taken a large dose of poison before going to his wife's home.

# ACT OF DRUNK OFFICER MOODY NEEDS POWER TO PROSECUTE THEM

Annual Report of Attorney General Shows Difficulty of Enforcing Elkins' Act.

CAN'T PREVENT REBATES

Railroads and Shippers, Alike Guilty, Hesitate to Betray Each Other-Present Law Needs Im-Important Additions.

Washington, Dec. 6.-The report of Attorney General Moody to congress was made public at noon today. In part, it follows:

I have the honor to invite the atten-tion of the congress to the condition in which the department of justice finds itself from the lack of adequate or even decent accommodations.

Six years ago the department build-ing on Pennsylvania avenue was condemned as unsafe, and the attorney general and all of his subordinates were driven to the street to find refuge where they could. The department now is occupying seven rented buildings, situated in different parts of the city, at

an annual rental of \$25,800.

This condition is inconvenient, uneconomical and humiliating. Even if, soon after the convening of the next congress, authority to secure a site for a building and to prepare plans for submission to converge war given secure. mision to congress were given, several years would elapse before the remedy would become effective.

The public interests urgently demand

the appointment of another judge for the southern district of New York, which includes within its territory the city of New York.

#### Misconduct in Office.

After experience in pending cases, and notably the "cotton leak" case, and after careful reflection, I am convinced that the federal statutory law should make misconduct in office an offense throughout the United States. Its present local meaning and applica-tion should be enlarged for purposes of punishment substantively and for pur-poses of removal for trial in general between all the districts of the United states. The scope of the crime under the common law should be reduced to precise specification. It is true, as a mere possibility, as the matter stands at present, that irregularities and misbehavior, which are blamable but trifling, may be included in the defini-tion of the offense; but the most serious and essentially criminal matters which now escape definition and punishment in the criminal code are also included.

Difficulty of Suppressing Discrimination Several cases, in which it is alleged there have been violations of the Elkins act, have been prepared, placed in the hands of the district attorneys in three different states, and will soon be submitted to the grand juries for their action.

In all cases in which the evidence has been furnished to the department of violations of the Elkins act appropriate action has been taken. It is impossible for the department to proceed upon rumor or upon any basis ex-cept evidence. The department of jus-tice is not equipped with any force whose duties are to obtain evidence of violations of law, and relies to a considerable extent upon the information obtained by the Interstate Commerce commission. Rebates, discriminations, and departures from published rates are secret crimes, usually known only to the shippers concerned and the officials of the railroad, and ordinarily can be proved only by the confession of some one of the persons implicated in

the wrongdoing. the wrongdoing.

Officials of railroads have in general terms assured me of their willingness to aid the department in every way in enforcing the provisions of the law against rebates, discriminations, and departures from published rates, but have declined to render the only ashave declined to render the only assistance that would be of the slightest value, namely, the furnishing of evi-

dence proving the offense. Will Not Turn State's Evidence. To every case of this kind there are two guilty parties. The department has been, and is, willing to accept the evidence either of the shipper or of the railroad official, giving him the immunity from prosecution which would result from the use of the evidence, and to proceed by indictment against the other guilty party. But, for reasons which will not be appreciated by all, men have shrunk from betraying their confeder-ates. The cases, therefore, in which evidence has been or will be obtained are occasional and exceptional, and unless we are content to allow the evil of the discriminatory practice by common carriers to continue, with now and then the punishment of a detected crime, some remedy which reaches deeper than any law now upon the

tatute book must be found. The Interstate Commerce sion and the department of justice, by the exercise of the utmost diligence, can discover and prohibit or punish only small percentage of the discriminaa small percentage of the discrimina-tory practices which actually exist. It-seems probable that the direct pay-ment of rebates in money has largely diminished. It is alleged to be true, and the evidence before this department, so far as it goes, tends to support the allegation, that, though clothed and disguised by verious devices, the practice of giving one shipper preferential treat-ment over another in like situation, in substance, still continues.

# MANY VESSELS ASHORE.

Mist Over English Channel and North

Sea Causes Great Damage. London, Dec. 4.-There was a dense fog in the English channel and the North sea Saturday and Sunday. It is reported that many vessels have gone

The Red Star line steamer Vaderland from Antwerp and Dover for New York was fourteen hours late in reaching Dover, being compelled to anchor all last night off Flushing. The Ham-burg-American line steamer Pretoria, from Hamburg for Dover, Cologne and New York was unable to leave Cux-haven and will be twenty-four hours

# LANE SUCCEEDS FIFER.

Ban Francisco Man Named by President for Place on Interstate Commerce Commission.

ate in reaching Dover.

Washington, Dec. 6 .- Announcement is made that the president will appoint Franklin Lane, of San Francisco, tothe vacancy on the Interstate Commerce commission, created by the resignation of Former Governor Fifer, of Illinois which to seffect January 1.