

ESTABLISHED JUNE 19, 1871.

OMAHA, SATURDAY MORNING, DECEMBER 3, 1904—SIXTEEN PAGES.

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LEGISLATION ON TAP

Congress Meets for Short Session with Calendar Full of Bills.

FEW OF THEM LIKELY TO BECOME LAWS

Easy Matter to Talk Them to Death in the Upper House.

NOT LIKELY TO REACH TARIFF REVISION

Necessity for More Revenue Might Possibly Bring It Up.

NO HOPE OF DECISION ON SMOOT CASE

Measures Affecting Philippines, Interstate Commerce and the Trusts Likely to Provoke Discussion.

WASHINGTON, Dec. 2.—On the stroke of 12 Monday, the second session of the fifty-eighth congress will be called to order by President Pro Tem Frye in the senate and by Speaker Cannon in the house. When the gavel of the president is heard, the routine business will be transacted. The chaplains will pray, the rolls will be called, the regular resolutions of notification will be passed, committees to inform the president will be appointed and adjournment will follow.

Plenty of Work. After the opening day, when the message of the president is read, the regular business of the session will begin and the legislative wheels will grind steadily until March 4, 1905. There is plenty to do. The bills of all kinds are loaded with calendars of both houses are loaded with bills of all kinds, hundreds of new bills will be introduced and committees are ready to report enough to keep congress busy for twelve months, but in three months congress probably will do little more than pass the regular annual appropriation bills. There is some talk of a possible extra session. The result of the November election was scarcely known before this talk began. Heretofore extra sessions have been held in abeyance until the holiday recess or at least until after the election returns have been digested, but this year the discussion began before the president knew how many votes he would have in the electoral college. The only reason why such a session should be called is because there is a demand in certain quarters for the revision of the tariff, but many of the incoming congressmen during the last two weeks have made it plain that they do not want tariff revision and, further, that they do not want an extra session.

There is one feature of the tariff revision that has some substance. More revenue must be had or there must be a curtailment of expenditures. With the increasing annual appropriations, a river and harbor bill, increase of the navy, the Panama canal and other features of extraordinary cost, there will be a need of more money than present customs and internal revenues provide. An intimation has been made that curtailment will satisfy many congressional leaders, but the majority may determine otherwise, in which case an extra session would be necessary and an extra session for that purpose may be called. But this is said to be a remote contingency and the probability, according to the leaders who are here, are that there will be neither tariff legislation nor an extra session.

Reciprocal Treaties Buried. Coupled with tariff legislation discussion is the subject of reciprocal treaties and of proposed reciprocity treaties have been and still are reported in the pigeon holes of the senate. During the coming three months there may be some talk about these treaties, but the indications are they will not be taken up before the session ends.

There was considerable talk during the last session of congress concerning tariff revision and the suggestion was made by several prominent leaders that any revision that was necessary could be accomplished during the short session of congress, the idea being that revision would be on the lines of reduction and would meet with little or no opposition. If more revenue is needed and it is found necessary to add some internal revenue taxes, opposition may be more pronounced. Revenue legislation of any kind is sure to create considerable opposition and that means delay. In fact, it has become known that under present conditions legislation during the short session is enacted by practically unanimous consent. Any half dozen senators who determine to defeat a bill have enough strength to get the privilege of unlimited debate. In the house the stringent rules enable the majority to transact all business it desires and so far as that body is concerned there is no difficulty about any legislation that may be attempted, but if the leaders do not want tariff revision or change in the revenue laws nothing will be done.

Senate Calendar. The unfinished business in the senate is a bill passed by the house providing for the construction of railroads in the Philippine islands by a guarantee of 5 per cent income upon the money invested in such roads. The bill also provides for issuing Philippine bonds for the same purpose and improvements in the islands, and in several other particulars amends the Philippine laws passed by congress. The bill met with a great deal of opposition during the last congress, but Senator Lodge, who has in charge, says that he will press it from the beginning of the session and hope to secure its passage. The principal opposition was to the provision which guaranteed an income to the railroads, and little objection was made to other features of the bill. Another bill for the Philippines, which has been urged by Secretary Taft and the president, as well as nearly every one interested in the Philippines, provides for a material reduction of the duty on sugar and tobacco, as well as other Philippine products. In fact, free entry of these products has been recommended. The sugar and tobacco interests were strong enough to prevent a material reduction, but Senator Lodge's law now provides for a duty of 75 per cent of the Dingley rates. A demand for a reduction to 25 per cent has been quite

SERVIAN CABINET RESIGNS

Division on Question of Building Railroads Causes Rupture at Belgrade.

BELGRADE, Serbia, Dec. 2.—The cabinet has resigned. The resignation of the cabinet is a disagreement between the minister of the building of new railroads, which was constituted in February, and Premier Druyes.

Moroccan Tribesmen Make Attack. TANGIER, Morocco, Dec. 2.—The Beni M'Suar tribesmen made a determined attack on the residence of Walter B. Harris, the English writer, last night with a view to capturing him. The tribesmen surrounded the house, stabbed a guard who attempted to raise an alarm and secured others, but finally after some looting the tribesmen left without finding Mr. Harris.

Bank Secures Necessary Funds. LONDON, Dec. 2.—As a result of a meeting held today it was announced that the necessary funds have been secured for the London and Paris exchange, which suspended November 30, to resume business December 5.

Money to Clean Up Cuban Cities. HAVANA, Dec. 2.—The special committee having the subject in charge has submitted to the house of representatives a bill appropriating \$100,000 for the sanitation of Santiago, Cienfuegos, Cardenas and Matanzas.

Admiral Watson in Rome. ROME, Dec. 2.—Rear Admiral John C. Watson, U. S. N. (retired), has arrived here from Paris and is studying the instruction, physical and moral, given in Italy to recruits for the army and navy.

Prince Frederick of Hohenzollern. MUNICH, Bavaria, Dec. 2.—Prince Frederick of Hohenzollern, a member of the non-reigning Sigmaringen branch of the family and a younger brother of King Charles of Roumania is dead.

Emperor Carries Off Honors. TRASKOKE SELO, Russia, Dec. 2.—There was a big imperial shooting party here today, at which Emperor Nicholas carried off the honors, two large all falling to his gun.

SAY STICKNEY LOSES CONTROL

St. Paul Hears that Dutch Investors Have Broken Great Western Pool.

ST. PAUL, Dec. 2.—According to the Dispatch today a prominent railroad official, who is supposed to have accurate information of inside affairs concerning the Chicago Great Western deal says what has for many years been known as the famous "Great Western pool" is broken. If negotiations for the sale of the road to the Harriman-Rockefeller interests is not now an accomplished fact, it is nearing completion. By the breaking of this pool, it is said, that the control of the Chicago Great Western vested in President Stickney, owing to acquisition of the Dutch holders of the common stock, has passed from President Stickney's hands and that more than \$2,000,000 of this stock has passed, or is about to pass, to those anxious to buy the road.

COLD WEATHER IN THE WEST

First Snow of Season Coincident with Cold Wave in Northwest.

DES MOINES, Dec. 2.—Snow began falling here this morning at 9 o'clock and continued until about 11 o'clock. The thermometer registered 21 above. It was the first fall of snow for the season.

ACQUITTED OF ARSON CHARGE

Residents of Peoria Will Now Sue Insurance Companies for Damages.

PEORIA, Ill., Dec. 2.—It took the jury in the case of Benjamin and Carter Jacobs, charged with setting fire to their clothing store in this city December 5, 1903, ten minutes to arrive at a verdict of not guilty. The men have been on trial three times, twice for arson and once, together with their father, John Jacobs of St. Louis, for conspiracy to defraud the insurance companies.

FARRIS SEEKS RELEASE

Missouri Senator Charged with Bribery and Perjury Files a Plea in Bar.

ST. LOUIS, Dec. 2.—When the case of State Senator Frank Farris, under indictment on charges of bribery and perjury in connection with the slum baking powder scandal, was taken up before Judge Foster today, Attorney Jourdan, representing the defendant, filed to correct the court records in the case a plea in bar, which is in effect a request to dismiss the indictment on the ground of non-jurisdiction. Judge Taylor, before whom Farris was originally arraigned, filed to be summoned to testify as to the merits of the controversy at issue.

LOCOMOTIVE BOILER EXPLODES

One Man Killed, One Fatally and Another Slightly Injured.

CHEYENNE, Wyo., Dec. 2.—(Special Telegram.)—Fireman Wallace was killed, brakeman Smithson fatally injured and Engineer Herzog slightly injured by the explosion of the boiler of locomotive 366 at Kemmerer on the Oregon Short Line. A defective crown sheet is said to have caused the accident, but Coroner Curtis is investigating. The 366 is of the compound type and was only recently brought out of the Pocastle shops, where it was rebuilt. The injured men were brought to the state hospital at Rock Springs.

DRAWING THE NET CLOSER

Man Brought Land Conspirators Tells Alleged Affidavits.

SPECTOR IS DIRECTLY IMPLICATED

J. W. Heldecke Says S. A. D. Puter Paid Him Money for Assisting Loomis Fix Up False Reports.

PORTLAND, Ore., Dec. 2.—J. W. Heldecke of Detroit, Ore., was the first witness called in the land fraud trial today. In his opening statement he told of having been through township 11-7 many times with a surveying party, which ran the lines of the township in 1889 or 1890, he could not say which. According to his story there were no signs of habitation on any of the claims.

"While living in this township did you ever see or hear of any of the people purported to have filed on claims there, and who figure in this case as the principals?" asked Prosecutor Henry.

"No, I never did," answered the witness.

"I know Frank H. Wolgamot, but I did not know him until I met him in Portland, where I was summoned to appear before the grand jury."

"Did you know Dan W. Tarpley, S. A. D. Puter and Horace G. McKinley?"

"Yes, I met Tarpley at Detroit in the spring of 1901."

"Tell the court and jury all you know about him and the others," commanded Mr. Henry.

Accepts Bribe from Puter. The witness, holding up a time, told the story of how he was induced to countenance crime by the acceptance of a bribe which he said was paid him by S. A. D. Puter.

"Dan Tarpley introduced me to Puter in the spring of 1901 at Albany, Ore. Puter told me to come to his room and I did so. Then he said that he and his associates had bought land in 11-7 and wanted to know if I knew anything about them. He said some complaints had been made and wanted to know if I had heard anything about them. I replied that I had not. Then he stated that if he and his associates lost the land they would not be able to find any more timber and it was necessary that they should not lose them."

"During the same time I was telling me about the lands, Mr. McKinley came into the room and asked Puter if he was not going to Eugene. Puter said he was not and asked what was going on. McKinley said there was a live corpse up there. That was about all they said, that was the end of the matter."

"Mr. Puter then talked for some time with me, saying he would like to get things straightened out, and at this point McKinley walked out of the room. Later I went to the hotel and went to bed. The next morning Tarpley paid my hotel bill and Puter gave me \$5 to find out who had made the complaints about his land when I got home. I could not find out anything about the lands."

"After I had been in the town a few days I wrote to Puter and got a letter in return saying he wanted to see me at Albany."

"Where is that letter?" asked Prosecutor Henry.

"I burned it up when everything turned out as bad as I know when I burned all the others," was the reply.

Involves Inspector Loomis. "I started for Albany as soon as I received the letter from Puter. Puter told me a special agent was going up to 11-7 and he wanted me to go with him and point out the cabin of the settler and tell who lived there and give the names of those he would give me. He said he would pay me \$100 cash and give me his personal check for \$250 more if I would do it."

"You can have this money," he said, "if you will go with Loomis, the special agent, and get this thing straightened out some way or other."

"Mr. Puter, I can't do that," I said. "There are no improvements on this land."

"He told me that I could not get into trouble because he knew Congressman Herran and United States Senator Charles Fulton and that there was no danger. He said that just as quick as he could get the papers for those claims he would be all right."

"Why," he said, "I know the best attorney in Washington, D. C., and I can get you forest reserve service also if you fix up this matter for me."

"The next morning I went up to the depot to take the train back to Detroit. He walked up the street with me and at the depot just as the train was starting he pulled out five \$20 gold pieces and said for me to do the best I could."

"When Loomis came I met him at the depot and when he asked me what my charges were I told him the same as before and we started off that afternoon. We took the trail next morning and passed the cabins. I told him then they belonged to people I knew and mentioned their names. He did not tell him anything about mining claims, which started all this business."

"When we got to Horn's cabin he was talking about the claims and I said I would do whatever he said. The river was too high and we had to leave our horses and cross on logs across the falls. I went and hurt himself and then returned to get farther. "On the way back I did not talk with Loomis, but after we got in the house he said he wasn't going to examine the claims any further."

"You're kidding Puter, haven't you?" he asked. "Mum's the word. The government won't doubt my report and Ormsby has no knock coming if anything happens to him."

WORKMEN RULE AT THE FAIR

Demolition of Exhibits and Buildings Starts Early After Exposition Ends.

ST. LOUIS, Dec. 2.—From a scene of enjoyment and festivity to the busy turmoil of packing exhibits, demolishing structures and clearing out, the World's fair changed in one night. Puffing switch engines shunted cars throughout the grounds today, conveying packing materials to the different exhibit palaces. The sound of the hammer was heard throughout.

It is estimated that probably three months will intervene before the exposition has been depleted of exhibits and the work of clearing up and restoring that part of Forest park will be begun with the advent of spring.

Large forces of workmen were distributed through the grounds today and every effort will be made to clear away the exposition with dispatch. United States soldiers paraded the grounds today, guarding the exhibit palaces, foreign and state buildings, and assisted the Jefferson guards.

A small crowd of sightseers invaded the grounds, but were lost sight of among the workmen.

The clear and pleasant weather that had prevailed until the close of the exposition gave place to dark and threatening conditions, with prospects of an early cold spell.

Reports at the headquarters of the Jefferson guards at the World's fair indicate that while there was an unusual amount of blizzard on the last day and night of the exposition, the arrests were few. Five men were taken into custody, three for drunkenness and two for disturbing the peace. Officers of the guard state that, compared with the experiences of former years, the destruction of property was meager.

Headed by Chief Gelchick a party of seven Patagonians departed from the World's fair grounds today for New York City, whence they will sail directly for Buenos Ayres. Previous to their departure each member of the party was the recipient of a present from President D. R. Francis, who bade them a formal farewell in his office in the Administration building.

CONGRESSMEN RETURN HOME

Committee Which Visited Panama Will Have Reception at New Orleans.

NEW ORLEANS, Dec. 2.—The United States transport Summer entered port today bearing Congressman Heppner and members of his congressional party, which went to the isthmus of Panama to make a study of the conditions there. The visitors will be entertained at a public reception tomorrow.

Assistant Secretary of the Navy Darling arrived from San Francisco tonight, en route to Washington and met the congressional party at the hotel. Darling, who returned from Panama on the United States transport Summer, in charge of a meeting of the Progressive Union the party tomorrow will make an inspection of the Mississippi levee system, the United States naval drydock and the harbor at New Orleans.

The members of the congressional committee were astonished at the progress and possibilities of the canal at Panama, but believe that it will take more time and money than at first anticipated. Most of them favor a sea-level canal. They said also that all differences with Panama would be amicably adjusted. The party will leave for Washington tomorrow night to be present at the opening of congress.

TO ENJOIN WIFE FROM TALKING

Chicago Carpenter Brings Proceedings Against Better Half Spreading a Scandal.

CHICAGO, Dec. 2.—Injunction to prevent his wife from talking was asked today in the circuit court by Thomas P. Wood, a carpenter. In defending his own name from alleged scandalous disclosures he is also acting for the good of his wife, Margaret Watson. He fears, he says, that his wife will tell things about him to the members of secret societies to which they belong. He also seeks to stop oral utterances of his wife in connection with the "Honey" and "Honey" scandal. Wood declares his wife has conspired certain visionary and absurd scandals. The complainant separated from his wife five years ago, when he says she became possessed of a "certain religious delusion and theological vagaries." In a letter submitted to the court Mrs. Wood threatens her husband with exposure unless he complies with certain demands as to changing his place of residence.

WESTERN MATTERS AT CAPITAL

Postmasters and Rural Carriers Appointed in Several of the States.

(From a Staff Correspondent.) WASHINGTON, Dec. 2.—(Special Telegram.)—Postmasters appointed: Iowa, Truesdale, Duena Vista county; Charles G. Rankin, vice Walter W. Payne, resigned, South Dakota, Ludlow, Butte county; Mrs. Olive M. Clark, vice Cora S. Davis, resigned. Rural carriers appointed: Nebraska, Comstock, route 2; John B. Rush, carrier; James A. Matherson, substitute, Duncan, route 1; Frank Kosch, carrier, Lawrence, route 2; Charles E. Flint, carrier, Cora H. Flint, substitute, Iowa, Whites, route 1; Charles W. Powell, carrier; Minnie A. Powell, substitute. Rural routes ordered established January 2: Nebraska, Amherst, Buffalo county, route 1; population, 250; houses, 22; Hartington, Cedar county, route 5; population, 425; houses, 36.

NEW BANK TO RUN AT NIGHT

New York Financiers Plan Institution for Benefit of Transient Patrons.

NEW YORK, Dec. 2.—Impressed by the need for an institution where money may be obtained at any hour, prominent New York financiers and commercial men have, it is announced, organized the first night and day bank and safe deposit company.

The names of men prominent in the business and social world appear in the organization committee and the capital stock of \$250,000 already has been subscribed. The concern also will have a working surplus of \$250,000. The plight in which many travelers of wealth often find themselves because they are unable to draw cash in cases of emergency suggested the organization of the bank. It is likely that Oakleigh Thorne of the North American Trust company will be president of the new institution.

GRAND JURY WITH SCHELL

Federal Body Vigorously Assails Crime and Corruption on Winnebago Reservation.

RESULT OF INQUIRY ON PRIEST'S LINES

District Attorney Baxter Adds His Denunciation of Lawless System Which Demands Attention of Government Officials.

Confirming Father Schell's startling revelations of crime and corruption on the Winnebago Indian reservation in Nebraska the United States grand jury, in concluding its session for the November term of court yesterday addressed a special report to Judge M'Gill setting forth in plain language and condemning in the most vigorous terms this system of flagrant lawlessness which has resulted in the absolute demoralization of the larger portion of the 1,100 Indians. The grand jury's findings are the result of investigation it made after examining Father Schell and receiving from him the result of his persistent endeavors to uproot this iniquitous system.

The grand jury ascribes the rotten state of affairs to the indiscriminate retail sale of intoxicating liquors to Indians and their general prostitution of the marriage relations. These debauching evils, it declares, are getting worse from year to year. The grand jury urges the necessity for prompt action on the part of the state and national authorities to wipe out the influences which caused this deplorable condition.

Baxter Also Condemns Situation. United States District Attorney Baxter in his final remarks to the grand jury also took occasion to emphasize the immediate need of reform on the reservation.

"The liquor could not be procured by the Indians without collusion of the bootleggers and saloon keepers," said the district attorney, "and, as will be observed, indictments for conspiracy have been found against a number of saloon men and men who make it a business to furnish liquor to the Indians in defiance of the law, and we shall prosecute them with the same vigor which we will prosecute any other wrongdoer."

The session is regarded as one of the most important held since the organization of the United States courts in the Nebraska district. It has been remarkable in the fact that four murder cases have been examined into, number of police office cases, a host of bootlegging cases and two or three counterfeit cases.

Text of Jury's Report. The following is the grand jury's special report in full:

OMAHA, Neb., Dec. 2, 1904.—Hon. W. H. Murray, District Judge: We have the honor in closing our duties as grand jurors for the present term, to submit to you a report which we believe contains some matters of importance which you may not be advised of by the ordinary course of business.

We gave Rev. J. Schell an opportunity to make a full and complete statement as to the conditions on the Winnebago Indian reservation and sent for William Schell, a resident of the reservation, and named by him as having supplied information relative to the reservation, of funds and the administration of affairs on the reservation. We also had a disposition of money for the sale of lands and from leases which are in the control of individual Indians and the jurisdiction of the United States, as we are advised by the superintendent of the reservation of the interior department and seem to be entirely and fully satisfied that the same are being properly administered and that nothing along these lines over which we had jurisdiction that demanded any action on our part.

That a large number of the 1,100 Winnebago Indians are in a deplorable condition is admitted. We believe that this unfortunate condition has been grossly aggravated by the unlawful sale of liquor to Indians and their utter disregard of any marriage ceremony. The "Honey" and "Honey" scandal, and the professional law breakers who have made it impossible to serve justice by a deputy marshal without calling to his assistance an outlawed officer, have been given a thorough investigation and we have reported our findings to the court.

Growing Worse from Year to Year. The other cause of our growing concern is the growing demoralization of the reservation, which from year to year, is the marriage relation. We understand that the jurisdiction of the state, but the state does absolutely nothing to remedy the conditions. The conditions are growing worse; that no legal marriages are celebrated; that most of the Indian children live with an alien man or woman for a few months without any legal ceremony, whatever, and then take up with another, and so on, until it is nothing unusual for one Indian to have been associated with one or two dozen Indian women; that children born under such conditions acknowledge the mother, but the father is usually unknown, and there may be several children of the same family having different fathers. The exception to this rule is said to be among the older Indians, who are usually married to white people.

This unlawful condition is so abhorrent and demoralizing and promises to be worse, that we feel it to be our duty to refer to it in our report, expressing the hope that the attention of both the United States and Nebraska state authorities may be called to the subject and a remedy be found.

From your honor, the district attorney, the clerk, the marshal and their assistants, we have received every courtesy and facility for investigating the matters brought to our attention, and we are particularly indebted to the instructions of the honorable court. Respectfully submitted,

W. H. RHEEY, Foreman. FRANK MYERS, Clerk. CHARLES E. NELSON, CHARLES HELGE, STEPHEN GONSON, GEORGE A. TAYLOR, P. J. HANDLEY, JOSEPH T. LEE, JOE A. HAYS, C. C. JOHNSON, GEORGE E. BRIGHAM, FRANK PULSFER, D. F. MEKLER, J. W. M'GILL.

The report was ordered filed and placed upon the records of the court.

SOME OF IMPORTANT CASES.

Among the more important indictments are four murder cases, namely: Lulu Bell, colored, charged with killing her husband at Fort Robinson, charged with the murder of George Fourcloud, a Winnebago Indian, charged with the murder of Cora Elk; Silas Wood, an Omaha Indian, charged with killing George Phillips, another Omaha Indian, and Henry Guitler, charged with the murder of his father, Stephen Guitler.

Other indictments were against James Hickey, Joseph Kotera, John indictments against Edward Dempsey and James Macopolous and Frank Zellinger, alias Texas Frank, Frank Larson and Louis Butt, strikers, for assaults alleged to have been committed during the South Omaha strike last summer; Joseph Johnson and Walter Morris, for selling liquor to Indians; Preston Brooks, Jr., for assault with intent to kill the postmaster at Fort Robinson, the assault being committed in expectation over the arrest of his son, Preston Brooks, Jr., charged with embezzlement.

(Continued on Second Page.)

THE BEE BULLETIN.

Forecast for Nebraska—Fair Saturday and Sunday; Warmer in North Portion Saturday; Warmer Sunday.

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Temperature at Omaha Yesterday: Hour. Deg. Hour. Deg. 5 a. m. 20 1 p. m. 23 6 a. m. 22 2 p. m. 24 7 a. m. 20 3 p. m. 25 8 a. m. 20 4 p. m. 25 9 a. m. 20 5 p. m. 24 10 a. m. 19 6 p. m. 23 11 a. m. 19 7 p. m. 23 12 m. 21 8 p. m. 23 9 p. m. 23

TWO CHANGES ON THE ALTON

J. N. Fathorn, Vice President, and F. A. Wann, General Freight Agent, Resign.

CHICAGO, Dec. 2.—J. N. Fathorn, vice president of the Chicago & Alton, in charge of the traffic, and Frederick A. Wann, general freight agent of the company, have resigned. Mr. Wann's resignation becomes effective tomorrow and on Monday he will become first vice president of the Pere Marquette and second vice president of the Cincinnati, Hamilton & Dayton roads, with headquarters in Chicago.

Mr. Fathorn's resignation will probably take effect before the first of the year. He has resigned to devote all of his time to the affairs of the Chicago Terminal Transfer Railway company, of which he is president and general manager.

In connection with Mr. Wann's selection to succeed the late C. A. Parker, the announcement is made that the traffic headquarters of the system he represents have been changed from Cincinnati to Chicago.

WRECK ON PENNSYLVANIA LINE

Collision Near Columbus, Indiana, Results in the Death of Three Trainmen.

COLUMBUS, Ind., Dec. 2.—While running fifty miles an hour a passenger train, northbound on the Pennsylvania road, ran into a construction train, instantly killing three trainmen, fatally injuring another trainman and inflicting slight injuries on a score of passengers.

Dead: SAMUEL CROW, engineer. HERMAN JONES, brakeman. E. W. ACHENBACH, fireman cremated. The passenger coaches did not leave the track and none of the passengers was severely injured.

The construction train was entering a siding and nearly all of the train was on the main track when the passenger came along.

WIFE WITHDRAWS CHARGES

Wealthy Mining Man of Idaho Faces Suit for Divorce Only at Chicago.

CHICAGO, Dec. 2.—The charges of alleged abandonment against David MacKenzie, a wealthy mine owner of Idaho, brought by his wife in the criminal court here and culminating in his arrest yesterday, were today dismissed by Judge Chetlain on motion of the state's attorney, after MacKenzie had pleaded not guilty. To-day's action, which was at the request of the complainant, clears MacKenzie of the criminal charge entered against him and releases him from custody. Divorce proceedings are still pending and are being contested.

WANT MEN FOR THE NAVY

Chicago Recruiting Officer Told to Enlist Unlimited Number of All Classes.

CHICAGO, Dec. 2.—Instructions have been received from Washington by Lieutenant Commander Luby, in charge of the United States naval recruiting station here, to enlist an unlimited number of apprentices, landmen, carpenters, firemen, blacksmiths, shipwrights, painters, machinists and every other class of recruits.

To meet the increased demand of the department for men, Lieutenant Commander Luby has decided to open a number of branch recruiting stations in cities in the central states and place members of his staff in charge during the winter months.

FIGHT FOR FAIRBANKS' SEAT

Captain Harry New and Congressman C. B. Landis Withdraw from Contest.

INDIANAPOLIS, Dec. 2.—Congressman Charles B. Landis of Delphi and Captain Harry S. New of Indianapolis tonight withdrew their names from the contest for the seat of United States Senator Fairbanks, vice president-elect. The only remaining candidates are Congressman James A. Hemenway of Booneville, chairman of the house committee on appropriations, and Edgar D. Crumacker of Valparaiso.

CONDITIONS NEAR MUKDEN.

MUKDEN, Dec. 2.—Continuous underground works have been constructed in the vicinity of Sinechpu, two miles west of the Shakuo railroad station, enabling the Russian soldiers to pass from point to point unseen and in safety. At the village of Tsele the Japanese are so close that the eyes of the Chinese can be heard in the Russian trenches.

General Rennenkampf's troops are fighting with slightly increased activity.

PREPARING FOR THE INEVITABLE.

ST. PETERSBURG, Dec. 2.—With the confirmation of the news that the Japanese have occupied Two Hundred and Three Meter hill and the report that the Russians unsuccessfully attempted to recapture it, officials at the War office are beginning to prepare themselves for the worst. It is believed that the Japanese will advance to Golden Hill and Laotli hill are high and dominate Two Hundred and Three Meter hill, but the officials say that if the Japanese succeed in mounting heavy gun upon the latter it probably will be only