



CHRISTMAS The Best of all X-mas Magazines Splendidly Illustrated in Two, Three and Four Colors

THE CHRISTMAS METROPOLITAN will carry enough cheer for any home. It is a big, happy number, full of good things for old and young to read. Sombre things have been kept out—even the pictures are full of life and color.

THE ILLUSTRATIONS are by Maxfield Parrish, John Cecil Cloy, J. M. Condé, Charles Livingston Bull, Louis Rhead, Edward Penfield, Ernest Haskell, Oliver Herford, Malcolm Strauss and Jules Guérin

THE CONTRIBUTORS No more distinguished company of Contributors has ever appeared in a Christmas magazine than those in the DECEMBER METROPOLITAN

- W. A. Fraser contributes a story so strong, and so remarkable for its originality and interest, that it was voted the \$500 prize in a story-contest open to all writers. Richard Le Gallienne writes a Christmas story which he calls, in memory of youthful days, "Once upon a Time."

Other short stories and special articles are by Carolyn Wells, Oliver Herford, Broughton Brandenburg, Charles G. D. Roberts, Theodosia Garrison and Clinton Scollard. These articles complete a magazine brimming with interest and Christmas cheer

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MAN DIES FROM EXPOSURE Unidentified Man in New York Rescued from Drowning Exposure While Insane.

NEW YORK, Dec. 5.—Pinned between two piles of a pier at the foot of West Twenty-third street so tightly that the combined efforts of a score of firemen and policemen only released him, after long and frantic effort and with the rising tide threatening death by drowning, a man supposed to be George Fahey became a raving maniac and died today after having been removed from the perilous position.

MRS. WINSLOW'S SOOTHING SYRUP has been used by millions of mothers for their children while teething for over fifty years. It soothes the child, relieves the pain, cures colic, cures wind colic, and is the best remedy for diarrhoea.

passed under the man's arms and five men attempted to pull Fahey out of his plight, but only wedged his body more tightly in his prison. The rising tide was at the level of the frightened man's chest and his screams urged the rescuers to greater haste. Four more policemen were summoned, but the man could not be released. An urgent call for more help brought a fireboat and three members of a nearby hook and ladder company with axes and hooks. Ferry hands and passengers joined the rescuers. The water had risen to Fahey's chin. One man held his head above the water and poured whiskey down his throat while the firemen chopped with all their might at the piles which held him prisoner. When it was nip and tuck whether the tide or the rescuers would win the piles gave way and Fahey was taken out, a raving maniac and resisting efforts to revive him. Shortly afterward he died in a hospital. No one knows how he came to be in such a plight nor anything about him.

Cotton Market is Weak. NEW YORK, Dec. 5.—The cotton market showed continued weakness today. The decline was at a decline of from 20 to 40 points. The near months sold down to about 75 cents a pound during the first few minutes of trading, and a decline of practically 30 cents a pound since the termination of the bull campaign last winter.

DEFECTS IN FEDERAL LAW

Attorney General Calls Attention to One Important Matter Regarding Practice. TOO MUCH DELAY IN MAKING ARRESTS

WASHINGTON, Dec. 5.—Attorney General W. H. Moody, in his annual report to congress, recommends the enactment of a law that will provide, in substance, that where an indictment is duly returned to a court of the United States the judge of that court may, in his discretion, issue a bench warrant for the arrest of the defendants wherever they may be found within the territorial limits of the United States, and that it shall be the duty of all persons authorized to serve such process to arrest the person or persons indicted, and if they fail after reasonable opportunity to furnish bail for their appearance to bring them to the court in which the indictment has been found.

The attorney general explains that much embarrassment in the administration of the law has arisen from the inability of the place and the court where by the constitution and laws the accusation against him must be tried. By the constitution the trial of all crimes must be held in "the state and district wherein they shall have been committed." It frequently happens that persons accused are not found within the limits of the district where the offenses alleged against them are triable. The frequency of such absence increases with the gravity of the accusation, and where it consists in a conspiracy almost invariably one or more of the alleged offenders are without the jurisdiction of the district. That at some time injustice might result to individuals, says the attorney general, cannot be denied.

Indictments Generally Good. The occasional abuse of power is inseparable from its existence. That innocent men now and then are indicted for crime must be confessed, but the indictment of a grand jury, granted in such a body usually is by the instruction of the judge and the counsel of the district attorney, affords assurances that such instances of oppression will be rare indeed. On the other hand, the possibility of delays and defeats of justice which the present system affords renders the present system of indictment ridiculous and brings contempt upon the administration of the law. In support of his views Mr. Moody cites a number of cases under the present law in which justice has been defeated or greatly delayed and large expenses incurred by the government. Among these cases is that of the co-defendants with Captain Oberlin M. Carter in the Savannah harbor improvement frauds. Mr. Moody outlines the proceedings and says that only after a delay of twenty months did the United States reach the point where, under the law, it was permitted to take men charged with a grave crime to the place provided by the constitution for their trial. Then the two defendants whose presence were most desired fled the country, and although persistent and continued effort for their recovery has been made, they are still at large. Until they shall be apprehended it has been deemed undesirable to proceed with the trial of the other defendants upon the indictment.

Cases in Point. Another case he says, is that of George W. Beavers, under indictment in connection with the Postoffice department frauds. In relation to this case the attorney general says: When Beavers can be obtained for trial no one can predict with certainty how much further immunity from trial the intricacies of legal procedure, the delays of the courts and the ingenuity of counsel may serve to procure for him no one can forecast. It can be said that some time before the witnesses are dead or have forgotten the circumstances the power of the United States may be proved to be insufficient to bring the accused to justice at the place appointed by the constitution for his trial. Another case is that of Hyde, Benson, Diamond and Schneider, indicted in February last in the District of Columbia for defrauding the government of large tracts of public lands. Only one of these defendants thus far has been placed under bail for trial, and yet the case, says the report, has cost the government \$20,000. The attorney general renews the recommendations of his predecessor for a new Department of Justice building, for laws adequate for the protection of government officials, agents and employes while engaged in their official duties.

NEW AIRSHIP MAKES GOOD

HEATON'S "California Messenger" Demonstrates Ability to Move Regardless of Air Currents. ALAMEDA, Calif., Dec. 5.—George E. Heaton, the inventor and designer of the airship "California Messenger," has demonstrated not only that his flying machine will fly, but likewise that it will go where it is hidden, regardless of conditions of winds.

FORECAST OF THE WEATHER

Fair Today and Tomorrow in Nebraska, Kansas, Wyoming and the Dakotas.

WASHINGTON, Dec. 5.—Forecast of the weather for Tuesday and Wednesday: For Nebraska, Colorado, Missouri, Wyoming, North Dakota, Montana and Kansas—Fair Tuesday and Wednesday. For Iowa—Fair Tuesday; warmer in northeast portion; Wednesday, fair.

Table with 3 columns: Station, State, and Temperature. Lists various cities and their weather conditions and temperatures.

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BATTING IN AMERICAN LEAGUE

Liberto second, Erne third. Time: 1:47. Sixth inning. Batters: Dan Collins (2 to 1) won. Bath Beach second, Dollie Weithorst third. Time: 1:47.

EVENTS ON THE RUNNING TRACKS

Talent Heavily Back Merry Acrobat, a Losing Favorite, at New Orleans. NEW ORLEANS, Dec. 5.—Ozonia, Kleyn and Joe Lesser, both well backed, made the first race, seven furlongs; Cataline won. Birch Red second, Ogonts third.

Central City Defeats Genoa.

GENOA, Neb., Dec. 5.—(Special.)—The first basketball team of the Central City High school defeated the local high school team of Genoa at the local school in the fastest game ever played on the local field. Superior team work and goal throwing won the game for the victors. Score: 20 to 12. The contest was witnessed by a crowd of 400 people. Lineup: Central City Position Genoa. Rowland... J. F. Sherman. Underwood... F. Perrigo. Elliott... G. L. Anderson. Hanson... E. G. Resler. Central City Position Genoa. Umpire: E. Patterson of Central City. Umpire: C. Hinkle of Genoa.

MARRIAGE FOLLOWS MURDER

Prominent Families of Tennessee Implicated in Sensational Case Near Dandridge. DANDRIDGE, Tenn., Dec. 5.—Thomas Clarke, traveling for a Knoxville house, is under arrest at Rutledge charged with the murder of Charles Mallico, whose sister Clarke married two hours after the tragedy. The principals were among the attendees at a wedding and at its conclusion went to Mallico's home, accompanied by Miss Mallico. After remaining a short time at the Mallico house Clarke and the young woman left in a vehicle. They were followed by Charles Mallico. Soon after the couple's departure Mallico was killed by a shot from the buggy. Clarke and the young woman proceeded to the home of a minister, where they were united in marriage. Gowing to the prominence of the families the affair has created a great sensation.

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