

AXE FALLSON BAXTER

President Removes the United States District Attorney for Nebraska.

PROMPT ANSWER TO REFUSAL TO RESIGN

Senators to Be Notified at Once of the
Vacancy in the Office.

Arrangement by Which He Will Name
Baxter's Successor.

TWO DISTRICTS TO BE MADE OF NEBRASKA

**This Will Leave Burkett a Full Set
of Federal Court Officials to
Name and He Waives
Omaha Place.**

(From a Staff Correspondent.)

WASHINGTON, Dec. 24.—(Special Telegram.)—President Roosevelt has removed District Attorney Baxter of Nebraska and Senators Milard and Burdett will be notified at once of the vacancy.

District Attorney Baxter, on advice of his friends, refused to resign. It is understood Mr. Baxter, in reply to the request of the attorney general for his

declines to resign, as it would be an admission on his part that the prosecution of Richards and Constock was a farce. This, he says, was not the case, and having accepted the position, he will perform his full duty while district attorney, leaving the matter with the president.

Just when the successor to Baxter will be named is problematical. Senator Millard is expected to resign Tuesday, to remain a week and he hopes to have action on the Baxter succession postponed until his return to Washington.

Senator Burkett, ever since Baxter's resignation was made public, has been saying that the next district attorney should come from the South Platte. It is now thought that Senator Millard has pledged his support to the creation of a new federal district in the South Platte. If this is done, the district has the right to name an entire new force of United States district judge, district attorney and marshal, and with this understanding Burkett has tacitly agreed that Senator Millard will be the first to name a man who will be a South Platte man, but not a Republican.

Gurley Not a Candidate.

William F. Gurley, who, with Mrs. Gurley, is visiting the home of his family relatives in Georgetown, said to Senator Milard yesterday that he was not a candidate for district attorney nor could he accept if the position was tendered him. As a number of Omaha people believe that Mr. Gurley is in Washington at this time, which he says is not the case, in place, the above statement is interesting.

Mr. Gurley, who has been retained by a number of large cattle raisers of Nebraska, is here for the purpose of conferring with Secretary of Agriculture Wilson and Chief Forester Gifford Pinchot.

Thompson Nominations Soon.

ambassador to Mexico will go to the senate immediately after the holiday recess. Secretary Root informed Senator Miller yesterday of the determination to send Mr. Thompson's nomination to the senate once. The statement of Secretary Root was accentuated by the president's statement to Senator Burkett yesterday that Thompson would go to Mexico early in the new year. Friends in Washington have been wiring their congratulations. Mr. Thompson over the vacation he has had at the hands of the president at the Secretary Root.

PRESIDENT TO ELECT MR. BAXTER

District Attorney Must Inevitably Walk the Plank.

President Roosevelt, tiring of United States District Attorney I. F. Baxter's delay in tendering his resignation, has taken the matter in his own hands and has summarily dismissed Judge Baxter from office.

Judge Baxter had nothing to say Saturday relative to the matter of his resignation, but his friends asserted that he would steadfastly refuse to resign, which would

"I glory in Judge Baxter's spunk, and would not resign either under fire. If

Mr. Baxter last evening gave out the following letter, which was in reply to one received the previous day requesting his resignation:

Having faithfully and honestly performed the duties of the office to which I was appointed in April, 1904, for a four-year term, I respectfully request that my resignation be accepted.

While I am mindful of the president's power to summarily remove me, I cannot, under the circumstances, recognize the justice of such an act by tendering my resignation. Very respectfully:

When seen last night by a Bee reporter regarding the report from Washington that his removal had been ordered by President Roosevelt, Judge Baxter said that he had heard nothing until told by newspaper men but he said that he had rather expected it.

SUES ESTATE FOR PEW RENT
Church at Hartford Secures Judgment for Fifty Dollars.
SIOUX FALLS, S. D., Dec. 24.—(Special

ford, west of Sioux Falls, where he represented Charles Harnish and W. B. Knoe, executors of the estate of Frances Kampf in a suit of unusual character. The suit was instituted by St. George Catholic church of Hartford for the purpose of

dead woman a sum of money claimed
be due for pew rent, church dues and
funeral expenses. The executors, at the
request of the husband of deceased, re-
fused to allow the amount and the suit
was commenced. As the result of an

is interest of the people of Hartford and the surrounding country, the plaintiff was granted a judgment for \$50 and costs.
