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12 PAGES—LAST EDITION

## LEAS IN BEHALF OF MRS. BRADLEY

Judge Powers Makes One of Most Eloquent Ever Heard in District of Columbia.

MADE PROFOUND IMPRESSION.

Attorneys Paid Wrapt Attention, Absorbing Every Word That Was Uttered.

Expected Case Will Go to Jury Late This Afternoon and Verdict Be Rendered An Hour Afterwards.

(Special to the "News.")

Washington, Dec. 2.—The argument of Judge Powers in behalf of Mrs. Bradley was concluded shortly before the noon recess and in the opinion of attorneys who crowded the gallery to hear it, the argument was one of the most powerful and eloquent ever heard in a criminal case in the District of Columbia. Every word was literally absorbed by the jury and that a profound impression was created was evident from the murmurs of the 12 men. At this stage it is the belief that Judge Powers will have concluded his summing up by the prosecution and that the jury will be expected within an hour after the noon recess. Mrs. Bradley appeared to be unusually fresh when she entered the courtroom this morning, and it was feared that she might collapse under the strain of the last hours of the trial, but she appeared well and appeared refreshed after the noon recess.

## DOOVER MAKES STRONG PLEA FOR DEFENDANT

(By Associated Press.)

Washington, Dec. 2.—Both the defense and the prosecution made their closing arguments today before the jury in the trial of Mrs. Annie M. Bradley, charged with the murder of Senator Brown of Utah, at a hotel last winter. Judge Powers presided. At Lake Tahoe, and Attorney Doover, for the defense, occupied the afternoon. Dist. Atty. Baker followed during the afternoon. His argument was extended nearly two hours, and the court was prepared to render the charge and hand the case to the jury.

The defense had special stress upon evidence regarding insanity and contended that it was former Senator Brown and not Mrs. Bradley who had been the victim of the shooting.

Washington, Dec. 2.—Geo. A. Hoover today, upon the opening of court in the trial of Mrs. Annie M. Bradley, charged with the murder of former Senator Arthur Brown of Utah, his argument for the defense. He will be followed by Judge Powers, also for the defense. The Atty. General will conclude for the prosecution this afternoon, and it is expected that the jury will be expected to render the verdict before 4 o'clock.

The defendant, as she came into court today, wore a look of anxiety and was pale as usual.

Mr. Hoover, in opening his argument, referring to the prisoner's credibility and that she could have been easier than he to say Brown had attacked her and that she shot in self-defense. He said that through physical disease the mind of the defendant was unable to distinguish between right and wrong, and that she was unable to distinguish between the right and the wrong.

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Washington, Dec. 2.—In a report to the attorney general concerning his findings relating to peonage in the south, Atty. Gen. Charles W. Russell makes a strong recommendation that the federal statute relating to slavery be amended in a manner which will destroy all doubt as to the meaning of "involuntary servitude" as set forth therein. He also suggests changes in state laws.

"It is hoped," said Mr. Russell, "that an enlightened self-interest and the demand for labor made necessary by the expansion of old industries and the introduction of new will lead to the amendment or the repeal of the state laws which are the chief support of peonage practices."

"These state laws take various forms and are used in various ways to uphold peonage and other kinds of involuntary servitude. Some of them are vagrancy laws, some contract labor or employment laws, some fraudulent promise or false promise laws, and there are many others. Some of them are in question, such as absconding debtor laws, labor enticement, and board bill laws, were not originally passed to enforce workmen, but in view of the way in which they are put, need amendment in order that they cannot be so abused."

"These laws are used to threaten workmen who, having been defrauded into going to an employer by false reports as to the conditions of employment and the surroundings, naturally become dissatisfied as soon as they find how they have been defrauded. They are used to keep them in the hands of the public to hold the peons up as law-breakers and dishonest persons seeking to avoid their 'just obligations'."

"The constitutional or unconstitutional, they should all be wiped out or so amended as to be harmless for the purpose of enslaving workmen."

## BIDDING OR BONDS.

Clerk Who Made \$10,000 on First Issue Now Bids for \$20,000,000.

New York, Dec. 2.—Samuel Byerly, the man, who although unknown to the financial world, secured an allotment of \$3,500,000 of the first issue of Panama bonds while a clerk in a local express office and made \$10,000 on the investment of a 2 cent stamp, has been bidding for the issue of Panama bonds, thought to be the largest bid, with the exception of the National City bank, which bid for the entire issue of \$3,500,000.

Byerly's bid, which is the average price offered being 103.5, which calls for a premium of \$730,750 on the total amount bid for. Mr. Byerly says he took all his money and made it to be the bid for the entire amount bid for in the case of the bonds are allotted to him.

## NAOMI MINE EXPLOSION.

Of Thirty or Forty Men Caught but One Has Escaped.

Pittsburg, Dec. 2.—At 8 o'clock today neither the exact number of men entombed in the Naomi mine explosion, was known. Between 30 and 40 men are still said to have been caught by the explosion last night, but so far only one escaped. This man, who is a local boy, was found by the rescue party and dropped dead almost immediately as the result of inhaling gas fumes.

By noon today it is thought an entrance into the mine through the tunnel of destroyed concrete walls and earth at the entrance, but it will not be safe to risk entering the gaseous hole until hours later.

Nearly all the men entrapped are foreigners and worked under numbers. "Not more than 30 men were working in the mine at the time of the explosion, so far as is estimated," said Sgt. J. D. O'Neil, of the Naomi mine today.

The Naomi mine is owned by the United Coal company of this city. Officials say the regular Sunday night shift is 30 men. Machine Boss Hopwood, of the mine, is positive there are at least 30 men in the mine with the probability of more.

## GOOD VOICES WANTED.

Mary Garden Commissioned to Secure Them for Paris Opera Comique.

New York, Dec. 2.—Miss Mary Garden, the American prima donna, is making her first New York appearance at the Manhattan Opera House this season, has been commissioned by the manager of the Opera Comique in Paris, to find for him good voices in America. While she is here, with several other roles, she will sing and with her performances, she will devote all the time possible to hearing good voices. The manager of the Opera Comique, Miss Garden says that America is rich in good voices, but that in America only can be found. She says that she has found a number of young women studying in New York who she is to hear with her today.

"Of course, I shall not be able to hear all the voices," she said, "but I shall be compelled to limit my engagements of that sort," said Miss Garden in discussing her plans.

"Furthermore, I shall not be likely to go outside certain well defined paths in finding those whom I wish to hear. Perhaps there will be many who will wish the opportunity that must be disappointed, because my time is limited, but I shall do my best to find the best that are to be found in my way."

## FOR NEW YORK JOCKEY CLUB.

Lexington, Ky., Dec. 2.—Leading breeders of Kentucky met here today to take steps toward forming a new jockey club to govern racing in the west. It is intended that the new organization shall eventually supplant both the western jockey club and the Eastern Turf association. It is hoped that reciprocal relations with the eastern jockey club and the Pacific jockey club may be established.

## NAT'L RED CROSS SOCIETY.

New York, Dec. 2.—The National Red Cross society has begun an active campaign for new members. Circulars and application blanks are being sent out in large numbers. The national body now possesses more than 10,000 members, but it is hoped to greatly enlarge this membership.

"We are encouraged to believe," said Cleveland H. Dodge, chairman of the executive committee, "that the society, which we can overtake the German society with its half million members, and even the powerful Japanese society of a million and a quarter, and parallel their wonderful efficiency."

## BROTHER KILLS HIS BROTHER

One Came Near Drowning the Father While All Were Out Fishing.

WRANGLE FROM THE START.

Younger Son Shoved Old Man Out of Boat When Elder One Struck Other With Oar.

Chicago, Dec. 2.—A dispatch to the Inter-Ocean from Carmi, Ill., says:

Brother killed brother because one nearly drowned the father here yesterday. John Goodman, accompanied by his two grown sons, Hugh and Thomas, started on a fishing trip.

While pushing the boat off shore a wrangle started, and high words were passed before the party got under way. In reaching the middle of the river, they faced for an hour in silence.

Suddenly the father shifted his seat, luring the boat slightly. This roused the younger brother, Hugh, to such a pitch of anger that he grabbed the old man by the shoulders and shoved him over the gunwale of the boat. With a loud cry, John Goodman, clutching desperately at empty air, fell backward into the river.

When he came to the surface it was nearly beneath the boat, and he had to battle hard with the current before he could pull away from his dangerous locality and make shore.

As the father went overboard the elder son grabbed an oar and struck Hugh over the head. Without a sound the young man spun around and dropped face-downward into the bow of the boat, dead.

The tragedy was witnessed from the bank and a party rushed to Thomas Goodman's boat. He surrendered and is now in jail.

## CALL FOR POPULIST NATIONAL CONVENTION.

Joliet, Ills., Dec. 2.—James H. Ferris, chairman of the Populist national committee, issued a call today for a Populist national convention to be held in St. Louis, April 2, 1908, for the purpose of nominating candidates for president and vice president of the United States and transacting such other business as may come before the convention.

The basis of representation will be two delegates for each congressional district and four delegates at large for each 1,000 votes or majority fraction thereof cast for the People's party national ticket at the election of 1906.

All citizens of the United States who favor action independent of the two old parties and who endorse the principles of the People's party promulgated in the Omaha platform, at the birth of the party are invited to affiliate in the choice of delegates and nomination of candidates.

The call says:

"Hope cannot be placed in the promises of either of the two old parties. Both have, by cunningly allied with the enemies of the government and cannot make substantial progress for reform in this generation."

"Thus, an independent party, free from predatory affiliations, becomes necessary. If the power of monopoly and privilege is to be taken from the banks and stock jobbers; if the rule of the people is to be restored, in our time."

"The People's party opposes any system permitting any class of citizens to paralyze the industries and bankrupt the industrious millions. To this end the convention has been called."

## LIFE IN THE ARMY.

Moving Pictures to Be Used to Show Young Men How Attractive It Is.

New York, Dec. 2.—Although it is not possible to say the military post about the country for the purpose of showing to possible recruits the actual work of the army, the recruiting service is determined not to be outdone by the navy, which has been using moving pictures to show to young men who may be induced to enlist, all about life in the army. A large number of films have been made and these will be sent through the country and turned over to moving picture shows. The proprietors of such shows will be asked to use as many of these pictures as possible and after they have been shown for a few days a recruiting party will move into the town. It is expected that many recruits will be obtained in this manner. The pictures show the life of the soldier in garrison, in camp and in field, and exhibit him at play as well as at work. Recruiting in New York is proving unusually successful. Just now, at one station 180 men were enlisted in a month.

## THORNLESS CACTUS.

Effort Being Made to Prove It Is Good Article of Food.

Los Angeles, Cal., Dec. 2.—In an effort to prove that thornless cactus, as an article of diet, contains properties sufficient to enable a man to consume it in his diet, a scientific lecturer, has been since Friday last, subsisting exclusively upon cactus, supplemented by a few nuts and a small quantity of celery. The leaves of the plant are eaten as green, or fried, and the fruit is raw or cooked.

A stenographer and secretary, with Dr. Leonard, constitute a "cactus squad," which will continue on this novel diet for a period of two weeks. Because of the scarcity of thornless cactus, the common species of the plant will be largely employed in the test.

## HARTJE'S PETITION DENIED.

Philadelphia, Dec. 2.—The superior court today refused the petition of Augustus Hartje of Pittsburg for a restraining order in his suit for divorce from his wife, Mary Scott Hartje.

The court recently affirmed a decision of the Allegheny county court which refused Hartje a divorce.

Hartje sought to have the case reopened, alleging new evidence. The case will probably be appealed to the supreme court of Pennsylvania.

## MANAGING EDITOR KILLED BY WRITER

H. J. Groves of Kansas City Post Succumbs to Wounds Inflicted by Gen. Horne.

PRESIDENT WAS ALSO SHOT.

Trouble Was Over Request of Management That Horne Tender Resignation.

Kansas City, Dec. 2.—H. J. Groves, managing editor of the Kansas City Post, who was wounded Nov. 23 by Gen. Richard Horne in the editorial rooms of that paper, died here this morning. Mr. Groves' condition was reported favorable up to a day or two ago. Mr. Groves was 56 years old.

O. D. Woodward, president of the Post company, who was shot at the same time as Groves, is still in his bed, but it is expected that he will recover. Gen. Horne is out on bond and is at his home in Marshall, Mo. He will be arrested and returned to Kansas City and a charge of murder preferred against him.

Gen. Richard Horne is one of the oldest and best known newspaper men in Missouri. He is a man of high standing and at the time of his arrest prominent editor from all parts of the state offered to furnish his bond.

Gen. Horne had been connected with the Post since its organization, 18 months ago. He acted as chief editorial writer and as a stockholder in the company. His salary as editorial writer was \$35 a week and a few days previous to the shooting he had been asked to resign as the management had found it necessary to curtail expenses. After the shooting Gen. Horne asserted he had not been treated fairly in the matter of his salary and that the matter had preyed upon his mind. He had, he said, put all his money into the paper, and being unable to withdraw any of it, he was left penniless.

## HORNE GETS NEWS.

Marshall, Mo., Dec. 2.—A representative of the Associated Press carried the news of Editor Groves' death to Gen. Horne at his home in Marshall this morning. He displayed much emotion.

"I am sorry to learn this," said he. Gen. Horne said he would take the first train for Kansas City when notified that he was wanted.

## BALLOON IDENTIFIED.

London, Dec. 2.—The balloon which passed over the northeast coast of county Antrim, Ireland, at 4 o'clock yesterday afternoon, has been identified as the balloon of the French government dirigible, the Patric, which is in the charge of the Lloyds Signal station at Loughhead.

Previous statements that the dirigible was manned and under control are not corroborated by the trained observers, who on the other hand, say that the balloon was going northward, blowing at the rate of six miles an hour. The weather was cloudy and the aerostat soon disappeared in the mist.

## WALSH TRIAL POSTPONED.

Chicago, Dec. 2.—The trial of John R. Walsh, on the charge of having misappropriated funds of the Rock Island national bank, was today postponed until Dec. 9, because of the illness of Juror J. J. Watkins.

## SENATOR SMOOT GIVES HIS VIEWS

Says One of Causes of Present Panic is That Americans Will Not Work.

From Washington, comes word of an interview with a local paper there, in which Senator Reed Smoot gives his version of the causes for the present panic, as follows:

"The American people won't work. They are too busy speculating and living off each other. This is one of the causes of the panic we are passing through, and I hope it will bring about the return to old conditions. We have got to have a change of conditions. We must get back to work. We must get back to the old conditions. We must get back to the old conditions. We must get back to the old conditions."

Throughout our state all labor is done by foreigners, mostly Greeks. Every day they gather together every cent they can spare outside of their bare living expenses and ship it home. That means more Greeks. I am hopeful that the present panic will result in a return to old conditions under which the "American wasn't too good to work."

## 30,000 Copies of the Christmas News

Will be issued. The order has been placed with the Paper company for sufficient paper to print that number of copies.

This forms a guarantee of 180,000 Readers.

Advertisers who order their announcements in the Semi-Weekly News, as well as the Christmas News, are guaranteed an additional circulation of 25,500, making in all, 300,000 readers.

The Christmas News will be issued two weeks from today. Price, 15 cents; in magazine form 35c. Foreign postage extra.

## FIRST SESSION OF SIXTIETH CONGRESS

Meeting Resembled a Social Function More Than Anything Else.

ADJOURNMENT SOON TAKEN.

This Out of Respect to Memory of Members of Both Houses Who Died Since March Last.

Washington, Dec. 2.—The meeting of the Sixtieth Congress today resembled a social function rather than the gathering for the transaction of important business of the country. So great was the demand for an opportunity to see the national legislature started in its work, that the galleries were reserved for the families of the members with very few places left for the general public unprovided with tickets.

In the senate the same condition prevailed except that a larger space was kept for those who came without tickets. Early in the day the capital was filled with spectators, and in all the corridors leading to the gallery entrances there were long lines of men and women, most of whom stood a good couple of hours in a vain hope of gaining admission.

In each of the houses the session was sounded by the gavel, the adoption of formal resolutions notifying the president that Congress had assembled, swearing in new senators and representatives and other acts. Both houses adjourned in respect to members who died since the close of last Congress. Senators Morgan and Pettus of Alabama and Representatives Slemmons of Virginia and Smith of Illinois, having passed away during the recess.

## THE SENATE.

The senate convened promptly at noon. After Vice President Fairbanks had opened the proceedings were opened with prayer by the Rev. Edward Everett Hale, chaplain.

Senator Lufkinette was the first senator to be recognized and presented the credentials of Isaac Stephenson of Wisconsin.

The vice president ordered the roll of senators-elect be called alphabetically and they were sworn in and escorted to their desks.

All of the senators-elect were present except Senator Bankhead of Alabama, who is ill.

Under the form observed by the senate neither Senator Bankhead nor Senator Johnson will be sworn in until the deaths of Senators Morgan and Pettus have been acknowledged in the senate and adjourned in their honor.

## THE HOUSE.

In the house these members who had expected that the president's message would be read were disappointed. The fact that the senate adjourned immediately after receiving the message to the memory of Senators Pettus and Morgan of Alabama, who died during the recess, precluded the presentation of the message.

The house, too, was mourning the loss of two of its members. Representative Smith of Illinois, the latter having died only Saturday.

With the completion of the organization of the house, the swearing in of the members and the passing of the appointment of a committee to study the president that the house was in session and ready to receive any communication that he may see fit to send, an adjournment was taken until tomorrow.

## HARD TO SECURE JURY IN PETTIBONE CASE.

Boley, Idaho, Dec. 2.—When the trial of George A. Pettibone, charged with complicity in the assassination of ex-Gov. Stuenkel, was resumed today in the district court today, 100 talesmen charged by Judge Wood, A. P. Dillon, the first talesman examined, stated that he had no unqualified opinion as to Pettibone's guilt or innocence, that he was not opposed to a jury trial, but he could not give a fixed opinion which he could not lay aside.

Michael Holley, member of the regular venire, testified that he had formed no opinion, and was passed by the state. Making the ninth passed for the prosecution, Charles Stewart, bank teller, stated he had an unqualified opinion that Pettibone was guilty and that he was not opposed to a jury trial, but he could not give a fixed opinion which he could not lay aside.

William Havel, a sheep ranchman, was also passed by the state for cause. He said he was somewhat opposed to a circumstantial evidence, but would be willing to find a verdict of guilty if the evidence was conclusive. With the appearance of F. A. Brown the jury was passed for cause by the state.

## CZAR READS DOUMA'S ADDRESS.

St. Petersburg, Dec. 2.—Emperor Nicholas received and perused a copy of the address of the douma in reply to the speech from the throne at the opening of the parliament last week. On the margin of the document he wrote the following note:

"I am ready to believe the expressed sentiments. I await productive work."

## EXCITING AFTERNOON IN THE BRONX ZOO

New York, Dec. 2.—One of the most exciting afternoons the Bronx zoo has ever known closed yesterday with the death of the great Arabian lion, dead, and the beautiful American jaguar in the hospital with a fractured hip. Senior Lopez is a half mad beast who has killed one mate and drove several others away. Yesterday he became incensed and attempted to break through the steel bars of his cage, roaring with rage. Unable to break the bars, he gnawed at the collar in the roof of the cage, which is covered with steel netting. He mis-calculated one of his jumps and fell heavily on his back. Senior Lopez's cage had information that he was confined in the next cage, and he tried his hand at getting out. Rushing the

## BLACK HAND THREAT.

Bank President Threatened With Death if Depositors Not Paid.

New York, Dec. 2.—William R. Montgomery, who was elected president of the Hamilton bank on the resignation of E. R. Thomas, three days before the bank closed, has been threatened by the Black Hand society. He has received a letter which reads as follows: "If you don't pay the claims of the depositors of the Hamilton bank, you will meet death."

The threat is spelled out with letters out of a newspaper, and is not signed. The original is now in the hands of the police.

## BRYAN CONGRESSIONAL DEMOCRATIC CHOICE.

New York, Dec. 2.—Out of 76 Democratic senators and representatives called in Washington by the New York World, 44 declared unequivocally that the recent statement of William J. Bryan that he is a candidate for the presidency eliminates all other candidates. Practically all of them believe that he should run on a conservative platform, although there is a wide difference in opinion as to what that platform should be. Of those who do not consider that Bryan is the only man, one, Senator Stanford of Louisiana, is definite in naming a candidate. He comes out flat-footed for Gov. Johnson of Minnesota.

## MAJ. JACOB DOWNING DEAD.

Denver, Dec. 2.—Maj. Jacob Downing, a noted Indian fighter, died at his home in this city yesterday, aged 77 years. A general breakdown, the result of old age, caused his death. At the outbreak of the Civil war, Maj. Downing organized Company D, First Colorado cavalry, and was commissioned captain. He was with his company in New Mexico and participated in the engagements in that section, later being breveted major for bravery in battles with Indians. Maj. Downing was a lawyer by profession and at the close of the war practiced law in New York for a year or two, returning to Colorado again, where he became well known in his professional career. He received a ranch west of this city, and raised here as a breeder of race horses and fancy cattle.

## CHAS. SIMONSEN ACQUITTED.

Greeley, Col., Dec. 2.—Charles Simonsen, who has been on trial here, charged with the murder, August 24, of C. R. Lewis, editor of the Greeley Enterprise, was yesterday acquitted by a jury in the district court.

The defense claimed that the act was justifiable on the ground of self-defense. It was proved that Simonsen had been in terror of Lewis for several weeks previous to the shooting.

## NO PRIZEFIGHTS IN IOWA.

Chicago, Dec. 2.—A dispatch to the Tribune from Davenport, Iowa, says: At a mass meeting, which filled the Davenport chamber of commerce, Gov. Cummins last night emphatically declared there would be no prize fights in Iowa as long as he was governor. He further stated he would use every power in his hands to remove county officials who either failed or refused to enforce the liquor laws of the state.

## OKLAHOMA'S FIRST LEGISLATURE CONVENES

Guthrie, Okla., Dec. 2.—Oklahoma's first legislature convened here today. Great interest was displayed in the event and every available seat in the limited space allotted to spectators was filled. The day was taken up in organizing both houses. Gov. Charles N. Haskell was not present, but he will arrive tomorrow. This evening the Democrats, who are in control, will hold a caucus and decide upon a definite program of procedure.

## THREE PASSENGERS KILLED IN A B. & O. WRECK.

Baltimore, Md., Dec. 2.—In a wreck on the Baltimore & Ohio railroad at Shennado Junction this morning three passengers were killed and a dozen were injured. The dead:

W. L. F. Hoffman and his daughter, Nellie, of Baltimore.

An unidentified white man. It is not believed that any of the injured were fatally hurt. Those seriously injured were taken to the hospital.

Antonio Resio, Pittsburg, Md., hurt about the body and legs.

Robert Endart, Brooklyn, soup wound.

The accident occurred in the east-bound St. Louis and New York express which was "side-swiped" by the derailed cars of a freight train that was run into by another freight just as the express was passing at a high rate of speed. The passenger car and first three cars of the freight train escaped with a scraping of their sides but the fourth car, a day coach, was crushed in. The track and ties were over with the resulting wreckage.

Mr. Hoffman and his daughter whom he was accompanying were employed in the cashier's department of the Baltimore & Ohio at Camden station, this city.

## WEARY OF BEING SHOT AT.

Chicago, Dec. 2.—A dispatch to the Tribune from Clippewa Falls, Wis., says:

Fearful of being shot for a deer, William Minkish, who is a farmer near here, appealed to the authorities yesterday for protection. He says he is weary of being shot at by hunters, and that it is not safe for him to leave his own doorstep.

## "WOMAN IN CASE."

Police Think They Have Line on Hand Of Crooks.

This morning the police department received information which is likely to lead to the arrest of some of the gang of clever crooks, parish clunkers, now operating in this city. That there is a "woman in the case," there is little doubt, and the police have a good description of two men and their female assistant.

The woman was seen on Center street between Third and Fourth north streets yesterday talking to two men. Shortly after 10 o'clock she was seen in the "day of the land" or in other words, learn the latest way to enter the house, and