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WEST VIRGINIAN BECAUSE
THE PEOPLE DO.

The Fairmont West Virginian.

THERE IS ONLY ONE PA-
PER IN FAIRMONT THAT
PROVES ITS CIRCULATION.

VOLUME III.

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WEDNESDAY IS DAY SET FOR FIRST REGULAR SCHEDULE RUN OF TROLLEY CARS TO CLARKSBURG

BAD WEATHER HAS DETAINED THE COMPANY GETTING CARS STARTED

Motormen Are Learning the Road

Unless bad weather again interferes with the work so as to prohibit the company from putting the finishing touches on the line and making it absolutely safe in every particular, the regular schedule on the interurban road from Fairmont to Clarksburg will go into effect on next Wednesday, December 26th, the day after Christmas.

General Manager Purinton has been working very hard to get everything in readiness, but the bad weather has delayed the work until it will not be possible to start regular cars before Wednesday, and it might be Thursday, although the plans are set for Wednesday. During the past two or three weeks there has been so much rain that the men had to use umbrellas while doing the wiring and soldering. But that work is nearly completed now and the last of the ballasting will soon be in condition for regular service. But one very important factor in the getting ready has yet to be done and that is, the motormen have to learn the road thoroughly before they begin to carry passengers on the regular runs. Manager Purinton is very careful on this point and of course it is a very wise action. He has a bunch of conductors out to-day going over the line from Shinnston to Gypsy and points above and by Wednesday the men will know all the "crooks and turns," bridges, grades and cuts, and be ready to carry the people safely through. It would be a great mistake to start the regular service before the line was entirely ready and before the motormen had thoroughly learned the road. Especially is this true in view of the fact that this is the holiday season and many people will be going over the road. The traffic will undoubtedly be very great for the first few days. It is for these reasons that Manager Purinton will not start until everything is in readiness.

Clarksburg is understood to be very anxious for the cars to begin the regular run, but the people there are no more anxious than we are at Fairmont and the company is especially concerned about it, for it wants to see some returns as soon as possible for the great expense incurred in building and equipping the road. But if we all possess ourselves in patience, in a very few days everything will be working smoothly and the cars be running regularly every hour between the twin cities of the Monongahela valley.

COLORED MEN

IN SOUTHERN CITIES FORM OR GANIZATION FOR THE ALLAYING OF RACE HATRED.

WASHINGTON, D. C., Dec. 22.—The leading colored men in a number of larger southern cities are said to be behind a recently formed organization of negroes having for its object the allaying of race hatred. They plan to deal summary punishment to rapists and degenerates of their own race and thus win the respect of the whites. Negroes in northern cities refuse to countenance the movement.

Shaffer's Studio is independent of weather conditions. First class work guaranteed. 200-12t

Toilet sets in Sterling at A. B. Scott & Co.

MARCH FIRST IS DATE SET

FOR TRAINS FROM MORGANTOWN TO ROWLESBURG—COMPLETION OF M. & K.

MORGANTOWN, Dec. 22.—If the winter which now is nearing the close of its first month is no worse than this season usually is in this State, it may be predicted that on the first day of next March trains will run from Morgantown to Rowlesburg over the M. & K. railroad. At any rate Superintendent F. K. Bretz believes that such will be the case.

The grading is now nearing its completion. A few gaps remain to be closed and a little trimming to be done here and there.

The principal work on hand is track laying. The gap between the river at Trowbridge and Kingwood is eight miles, and little is in the way of proceeding with this at once. The construction gangs can put down about one-third of a mile a day, and if no time were lost and no unexpected hindrances interposed, the track laying can be completed in a month. It is not to be expected, however, that the men can work every day, so a little extra time will be allowed. The ballasting cannot quite keep up with the track laying, but it can be pushed nearly as fast. Thus there is no visible reason why the gap cannot be closed between Kingwood and Trowbridge before March 1.

The construction of the bridge across Cheat river must be completed before trains can run to Rowlesburg. That work is now progressing in a satisfactory manner. The steel is on the ground and one span has been set in place. There has been considerable delay heretofore, but all troubles now seem to be in the past, and the speedy completion of the bridge is expected.

The completion of the road to Rowlesburg will be a great convenience to people of Morgantown who go east over the B. & O. It will be a much quicker and shorter route than that by Grafton or Connellsville. Rowlesburg will be nearer Morgantown than Grafton is now, and it can be reached without change of cars or delay, whereas the trip to Rowlesburg by the way of Grafton requires one or two changes, more or less delay, besides being about 20 miles farther. If a schedule can be arranged by which quick and easy connection can be made with B. & O. trains at Rowlesburg, the M. & K. will be a popular route. It will also be a fine scenic route. The narrows of Cheat will always be worth seeing, and in time of flood the spectacle is one of the grandest in the State. The railroad follows the bank of the river five miles through the narrows.

EXTRA PAY ROLLS.

In Pittsburg District Make Grand Total of \$10,000,000 For Distribution To-Day.

PITTSBURG, Dec. 22.—Extra pay rolls in the Pittsburg district to-day aggregate ten millions of dollars. All the great mills, furnaces and factories deliver to their employees to-day all that is due them and many employers give additional Christmas presents.

The New Bijou Theatre opens to-night at the old Postoffice building admission, 5 cents.

Why pay a big price for cab work? McCray Livery will do it cheap. Always ready.

Fashionable bracelets at A. B. Scott & Co.

Lawyer Patrick Disappointed at Not Receiving His Freedom Will Petition Incoming Governor Hughes

OSSINING, N. Y., Dec. 22.—Albert T. Patrick, convicted of the murder of William Marsh Rice, was officially notified yesterday by Warden Johnson, of William Marsh Rice, was officially notified to imprisonment for life by Governor Higgins and was taken from the death house, where he has been confined for four years and eight months, and placed in a cell in the main prison.

The official notice arrived from Albany at noon. Patrick was at once taken from the cell to the clerk's office where he was treated as a newly arrived prisoner. He was measured and weighed, tipping the beam at 175 pounds, which was a gain in weight since his arrival at the prison. After he had had a bath, he was taken to the prison barber, who shaved him and cut his hair. He was then given a suit of gray prison clothes, such as are worn by first term men.

After Patrick had donned the prison suit he was conducted by the warden to the door and sash factory, where he was put to work to-day.

Patrick gave to the warden a letter addressed to Mrs. Patrick, which he desired to have made public. In it he says:

"Miscarriage of Justice." "It is needless to say that I am bitterly disappointed at the miscarriage of my hope for freedom, but I am not discouraged.

"I feel sure that the United States Supreme Court would eventually declare that my conviction had been secured without any proper proof, by unfair and dishonest methods. I am so tired of delay and so moved by this strain of my separation from my loved ones, that I listened to the suggestion that the governor would use his power of pardon to rectify a miscarriage of justice. And so, against the advice of my attorneys I dismissed my appeal and applied to the governor for a free pardon.

"The governor in commuting finds in effect my conviction illegal and proof of guilt insufficient, or, in other words, that I am presumably innocent. I shall forthwith petition the incoming governor to right this wrong, and I believe that his knowledge of the law, keen judgment of facts and love of justice and personal courage will enable me to prevail, and that he will soon set me free.

"My health is good except that I am worn out and tire very easily, but my mind is clear."

BRING BRIDES FROM ITALY

THREE ITALIANS WENT FROM BENWOOD AND SOUGHT WIVES ACROSS THE SEA.

WHEELING, Dec. 22.—At midnight Friday, Mike Mifano, Angelo Renzolo and Tobio Trubiano arrived at Benwood Junction over the Baltimore & Ohio railroad, bringing with them three young brides from Italy. The men have been absent from Benwood only a month and during that time they have gone to Italy fancy free, fell in love, were married and returned to the mill town.

All three Italians are well known in Benwood. They work on the section gang of the Baltimore & Ohio railroad located at the Junction. They secured a leave of absence and went to Naples for a "time" as they expressed it.

At 5 o'clock Friday afternoon, Lawrence Wit, the broker and steamship agent, located at Fifth and Main streets, Benwood, received a telegram from New York City, stating that the party had left for Benwood. A large crowd of the Benwood colony turned out to welcome the party and arrangements have been made for a triple wedding celebration Saturday evening.

GRANT DISTRICT

TEACHERS HAD AN INTERESTING INSTITUTE AT MONONGAH YESTERDAY.

The Grant district teachers' institute met yesterday in Monongah and was attended by about twenty teachers of the district, which is about three-fourths of the number enrolled from that district. Prof. J. N. Deahl, of the University, was present and delivered an interesting address to the teachers, which was full of helpful suggestions. Others assisting in the institute work were County Superintendent Carter L. Faust, C. A. McIntire, F. B. Lee, and Miss Stella Hutson. Several important topics were discussed, all of the teachers taking part in the discussions. The institute was one of the best held in this district in a long time.

See the Magic Clown and his family at opening Bijou theater, old Postoffice building to-night. Admission, 5 cents.

Twenty-four Photos for 25 cents at the Novelty Photo Gallery. Come and have your smites recorded at 312 Main street. 20-6t

Why pay a big price for cab work? McCray Livery will do it cheap. Always ready.

Special prices on watches at W. A. Fisher's.

Talk diamond with A. B. Scott & Co.

MAN ATTACKED BY VICIOUS BOAR

OHIO COUNTY MAN HAD NARROW ESCAPE FROM SERIOUS INJURY.

WHEELING, Dec. 22.—A battle between a man and an infuriated boar hog occurred on Mozart hill last night. In it the man, Joseph Long, had a narrow escape with his life, and in fact his rescue was due to the daring of his pet dog that attacked the infuriated porker and held its attention till Long, torn and bleeding, could drag himself to a place of safety.

Mr. Long, who is thirty-eight years of age and employed at Hoffman's tannery, resides at the Koonks farm on Mozart hill, and in addition to his work looks after a small truck garden in season and also raises a few swine. His pen held some choice specimens and among them was a large sow. This he determined to sell and had driven it out and was showing it to the prospective purchaser. The boar, an unusually large animal with long tusks, after watching the proceedings for a time charged at the pen and making a line for the two men gave every evidence of an attack. The prospective purchaser fled to safety, but Mr. Long was not quite quick enough and was thrown to the earth. He protected himself as best he could from the onslaught of the vicious animal, which was severely injuring him when the dog made its attack. The moment the boar was diverted Mr. Long dragged himself to safety, where he was rendered assistance by friends who had been drawn to the scene.

One long gash had been inflicted in the hip, which extended to the lower portion of the abdomen, exposing the twelfth rib, while two bites had been inflicted in the arms. Dr. Gaydosh was called and rendered the necessary medical attention. It took five stitches to close the one wound.

The attack of the boar cannot be explained, it having not previously shown any particularly vicious traits, and the only supposition is that the taking of the sow away maddened it.

SAD CHRISTMAS

WILL BE SPENT BY FOND FATHER WHOSE WIFE AND CHILDREN WERE BURNED TO DEATH.

PATTERSON, N. J., Dec. 22.—Mrs. Alice McWithey, and two daughters, 7 and 6, were burned to death in their home at Pompton Lake early to-day. The father, Louis McWithey, works at night in New York. He returned home this morning laden with Christmas presents for his wife and children, to find the family cremated and his home in ashes.

Sit now for that Christmas Photo, Shaffer Studio. 200-12t

Pocket books and card cases at A. B. Scott & Co.

JUDGE MASON DECIDES NICE POINT IN SUIT

Important Decision Handed Down

Judge Mason has just handed down a very important decision concerning wholesale liquor dealers. The decision may catch a large number of wholesale dealers that sell to saloon men in this city. The facts in the case are as follows:

Bock & Griewe, wholesale liquor dealers in Cincinnati, Ohio, contracted to sell to John S. Smith, a retail liquor dealer of this city, 61 cases of whiskey—about five barrels. The Cincinnati firm bought the whiskey at a distillery in West Brownsville, Pa., and had it shipped by railroad to themselves at Fairmont, by the distilling company. They assigned the bill of lading to Smith and sent it to him by mail. There was some controversy arising out of the delay in the shipment, shortage, etc., and Smith declined to take the whiskey. Suit was brought by the Cincinnati people for the price of the whiskey. They were not wholesale liquor dealers at Fairmont, at the time the transactions were had. The 61 cases contained more than five gallons and hence the contract was to sell at wholesale.

Judge Mason holds that the contract if executed at all, was completed in Fairmont when the plaintiffs offered to deliver the whiskey, and that it was a sale or offer to sell at Fairmont, and the sale or offer having been made without a State license was unlawful, and the plaintiffs cannot recover. He holds that a contract for the sale of liquor in violation of law is void, and cannot be enforced. Judge Mason distinguishes this kind of sale from a purchase made C. O. D. in a purchase made C. O. D. the goods are, by direction of the purchaser, delivered to the carrier for the purchaser, and the possession and property in the goods pass at the seller's place of business when delivered to the carrier. They are then no longer the seller's goods. In the present case the Cincinnati liquor dealers held on to the property until after it came to the depot in Fairmont. Smith had no title whatever to it until it arrived in Fairmont, and not then, until after the assignment of the bill of lading. These wholesale dealers not only cannot collect the price of the whiskey, but may be prosecuted in this county for selling or offering to sell intoxicating liquors without a State license. In addition to this, Uncle Sam may want to know why they did not arm themselves with a government license before leaving their place of business in Ohio and invading the State of West Virginia; and then, the City of Fairmont may have something to say. The only person who seems to be absolutely safe is George Lilly, who has the whiskey safely packed in his storage house, where it is stored awaiting the result of the suit.

The case was tried by a jury and the verdict set aside. It is fair to the jury to say that the questions of law upon which the verdict was set aside were not raised until after the jury had passed upon the case. The decision of the court does not overrule any fact decided by the jury.

SOCIETY LADY

WAS BANGED ON THE NOSE BY COLORED MAID AS RESULT OF A QUARREL.

CADIZ, Ohio, Dec. 22.—Mrs. Mary Hanna, a well known society lady of this place, had her nose badly broken by Ada Jackson, a colored house maid, yesterday morning. No arrests have been made, as it is said Mrs. Hanna made the first assault. A quarrel about washing clothes became heated, and the girl, who is a muscular little body, resented certain thrusts made by the woman. Mrs. Hanna figured in a sensational shooting affair in Cleveland a few years ago, in which she was shot in the hip by a jealous lover.

The nose breaking affair created quite a little sensation. Mrs. Hanna is under the care of Drs. S. B. McGavran and O. H. Finaical.

See the Bell Ringers Daughter at Bijou Theater to-night. Old Postoffice building.

Pocket books and card cases at A. B. Scott & Co.

Plan for Keeping Tab On The American Citizens Living Abroad Is Reported to Congress

SPECIAL PROVISION FOR WIDOWS AND DIVORCES TO REGAIN PLACE UNDER THE AMERICAN FLAG

WASHINGTON, Dec. 22.—Expatriated women have received a large share of the attention of the special commission on naturalization, expatriation and passports which has reported to Congress. A revolution in the present code of laws under these headings is proposed, and ample means are provided for the American widow or divorcee to regain a place under the American flag.

Under no circumstances would the commission put a hardship on such women as Mrs. Gould or the Duchess of Marlborough, to prevent them from regaining their American citizenship, if they make application within one year after they have parted from their foreign husbands.

The same privileges are to be extended to widows. Such a renaturalization will have the effect of naturalizing minor children born under other flags, and in the case of the Castellane boys would bring about an interesting situation should the former Anna Gould decide to come to America to live, and take up allegiance to Uncle Sam.

Members of Commission. The special commission included Dr. David Jayne Hill, Minister to the Netherlands; James B. Scott, solicitor of the State Department, and Gallard Hunt, chief of the passport bureau of the State Department.

If the recommendations of the commission are followed, it will also have a discouraging effect upon rich Americans living abroad and enjoying the protection of the United States while spending their American-made money in European capitals. Nor will such types of ex-Americans as William Waldorf Astor be put to the trouble of declaring the United States is a "bloomin' blasted country, don'tcher know," and renouncing their citizenship. All they will have to do is to slip away for four years and Uncle Sam will expiate them.

Check on Immigration.

In a way, the proposed new system of keeping tab on wandering citizens will act as a check on the immigration of foreigners to the United States, who come over here and stay only long enough to get under the wing of the American eagle and then go back to their native land and demand special privileges because of the fact that they are American citizens. The Armenians, Germans, and Poles have caused the State Department no end of trouble in demanding protection.

A plan for keeping an accurate record of Americans living abroad is provided for. All Americans living outside of this country are to be required to register with an American consular officer at least once a year.

Passports for Near-citizens. The commission suggests that the Secretary of State should be authorized to extend protection and grant passports to persons who have declared their intention of becoming American citizens, but that such passports should not be effective in the country from which the persons emigrated to the United States.

It is recommended that the expatriation of American citizens be assumed when they obtain naturalization in another country; when they engage in the service of another power, or when they remain domiciled in a foreign country for five years without taking steps to maintain their American citizenship.

The commission would have passports issued for only two years, with permission to extend them an additional two years. In conclusion the report recommends that all diplomatic officers of the United States be instructed to open negotiations with the foreign governments to which they are accredited preparatory to perfecting treaty relations in harmony with the legislation suggested by the commission.

ANOTHER BIG STRIKE

HUNDRED AND FIFTY BARREL WELL CAME IN ON GEORGE BRENNAMAN FARM LAST NIGHT.

CHESTER, W. Va., Dec. 22.—The northern part of Hancock county, W. Va., was thrown into great excitement last night when E. A. Freshwater struck a 150-barrel oil well on the George Brenneman farm, at Arroya, across the Ohio river from Wells-ville. Of the four wells already drilled not a dry hole has come in and leases are being gobbled rapidly. Brenneman has been made one of the wealthiest men in Hancock county by the strikes on his farm.

EXTREME MERCY

RECOMMENDED BY JURY IN CASE OF JOHN MCKEE AND JAMES MAHONEY.

PITTSBURG, Dec. 22.—After an all night session the jury in the conspiracy cases against John McKee and James Mahoney, tried for jury fixing attempts during the trial of "Diamond Bill" Walker, rendered a verdict this morning of guilty as indicted, but added a recommendation for the extreme mercy of the court. The verdict was received with general satisfaction by the county officials.

Largest stock of watches in the city at Fisher's.

Diamonds at any price at A. B. Scott & Co.

BIJOU THEATRE AT OLD P. O.

NEW AND ATTRACTIVE PLACE OF AMUSEMENT WILL OPEN THIS EVENING.

What is going to be done in the old postoffice building, has often been asked since the removal of the office and now Messrs. McTigue and Aldinger, of Pittsburg, are able to answer that question as they will to-night open up a new Bijou Theater there, having been busy for the past few days getting the building in shape and will conduct a first class 5 cent family theater.

Their opening will be to-night and they are expecting either of two plays here for this occasion, one the "Bell Ringers Daughter," a thrilling sentimental piece or "Dr. Dippy's Sanitarium," a very humorous production. In addition to these will be seen the Magic Clown and his family, a side splitting piece that will make the most dyspeptic enjoy a good jolly laugh.

These gentlemen are now conducting similar theaters at Pittsburg as well as at Morgantown, and expect to make Fairmont one of their permanent locations.

With all the familiar antics and some new ones, Eva Tanguay will be at the Grand.

BAZAAR AND EXCHANGE. The ladies of the Central Christian Church will hold a Bazaar and Exchange at the Fairmont Tea Store, Saturday, December 22.

Diamond Brooches at A. B. Scott & Co.

DR. LEON ARRESTED IN WASHINGTON FOR ALLEGED OPERATION ON WIDOW-BRIDE.

WASHINGTON, D. C., Dec. 22.—Dr. Leon was arrested early to-day on the charge of having performed an illegal operation upon Mrs. Viola Strother Bywaters, of Culpeper, Va., the widow-bride who saw her husband killed by her two brothers within half an hour after the wedding ceremony. The woman in her testimony told how three operations were performed upon her in Washington.

Detectives have been in Culpeper several days gathering evidence against Dr. Thompson, generally known as "Dr. Leon." Thompson has been in trouble with the authorities several times before on similar charges.