

GOVERNOR'S MESSAGE A VERY LONG AND ABLE DOCUMENT.

The Nebraska Executive Dismisses State Affairs Thoroughly and With Becoming Dignity—Defends the State and Makes a Number of Recommendations.

SECTION TWO.

A SMALL DEBT.

In considering the indebtedness of the state it is to be borne in mind that a very considerable part will probably never be paid into the state treasury. While these conditions are not what we would like to have them, and realizing that they have been brought about by extravagance and needless expenditures, and by excessive appropriations covering a series of years, it is yet quite apparent that the indebtedness of the state of Nebraska is comparatively light. It is no greater than that of many other states whose opportunities for creating a large bonded indebtedness are not restricted by the fundamental law as ours. It is interesting in this connection to study the grand assessment roll of the property of the state returned for taxation, showing the total assessed valuation thereof, for several years, as follows:

Table with 2 columns: Year and Assessed Valuation. Rows include 1890, 1891, 1892, 1893, 1894, 1895, 1896.

The census of 1890 discloses that the value of property of the citizens of this state is estimated to be \$1,170,000,000, and the actual value of the assessed property in the state at this time must be considerably more, and yet, as shown by the assessed valuation of all taxable property for the year 1896 the valuation is placed at but little over one-third of the actual value based on the census returns of 1890.

THE GENERAL FUND.

The large amount accumulated in the general fund mentioned above, \$599,770.29, is one of the features, and one of the things for some comment. It is difficult to understand why this large sum should be allowed to accumulate in the state treasury with so great amount of outstanding warrants unsatisfied. It would naturally be expected that the considerable amount of this would have been applied to the reduction of the state's indebtedness as rapidly as it accumulated, as is provided by law, and demand in the exercise of prudent business management in the discharge of public duty. In deducing the amount of the state treasury, the law provides that he is "to disburse the public moneys upon warrants drawn upon the state treasury according to law and not otherwise." It is also provided in section 1, chapter 23, that "all warrants upon the state... shall be paid in the order of their presentation therefor." Section 4 provides that "it shall be the duty of every treasurer to purchase a separate and sealed package the money for the payment of each registered warrant, in the order of its registration. As soon as money sufficient for the payment of such warrant is received to the credit of the particular fund upon which the warrant is drawn, such package shall be indorsed with the number and description of such warrant, and the name and address of the person in whose name the same is registered, and interest upon such warrant, shall thereupon be placed in a separate and sealed package, and immediately notify the person in whose name the same is registered and shall inform upon such sealed package.

It appears to me there are two principal objects to be secured in obtaining public revenues in support of government. The first is that property of every description, except that which is exempt by law, shall be subject to the same burden of taxation according to its value, and this rule should be invoked with absolute uniformity, and with ample provisions to prevent any assessment of property from being made in an unequal manner. Second, these burdens should exist to the extent necessary to support the government administration with honesty and rigid economy. When these two objects have been accomplished, in whatever manner it may be deemed best, there is no just reason for complaint upon the part of any.

Our law provides that personal property shall be assessed at its fair cash value, and real estate, other than leases, at its fair value, estimated at the price it would bring at a voluntary sale... This, as every one knows, is not done, but, on the contrary, the law provides that the property for assessment purposes by the officer having in charge this branch of business, seems to render him much more popular than if he had performed his full duty and assessed the property at its fair value. Just how far this state of affairs can be remedied and what provisions, if any, should be made looking towards a more stringent enforcement of the law as now existing, or a revision thereof, it is for you to determine. If property be assessed at too low a valuation, the rate of the tax levy is correspondingly increased. The system of low valuation and high levies creates an erroneous impression in the minds of many regarding the actual values and the seemingly heavy burdens of taxation in the state.

FAIR ASSESSMENT.

An assessment upon property at its fair valuation would render the tax levy correspondingly small, as well as give the opportunity for undervaluation, because of the more fixed and certain standard obtained, the one and only question being, whether the property has been assessed at its fair value. It is doubtful if there is a constant and continued decrease in assessment values has been caused in order that one community or county might not be compelled to contribute more than its just proportion to the state's needs. Thus a constant struggle is continually going on among assessing officers to value their property as low or lower than the valuations placed by any others. It is also quite apparent that the low assessment of property is some protection to the people in order to prevent extravagance in the conduct of the business of discharging the public revenues. With a low assessment and limits as to the rate of tax, the people have some protection against wanton extravagance by those who are charged with the duties of managing the people's business in different capacities, where the disbursement of revenues forms an important part of their duty. In investigating this subject, I have secured a great deal of valuable information from other states, which I will take pleasure in placing at the disposal of this body or any committees which you may select to consider in connection therewith.

EQUALIZATION.

I also, in this connection, desire to call your attention to the provisions of law respecting the method of levying and equalizing the rate of property taxes for the purpose of raising revenues for state expenditures. The law provides that the governor, state auditor of public accounts and treasurer "shall constitute a state board of equalization, and it shall be the duty of said board to examine the various county assessments, and to decide upon the rate of the state tax, the state school tax, the state sinking fund tax, to be levied for the current year, together with any other general or special taxes required by law to be levied and to equalize and make the levy of such taxes throughout the state; but such equalization shall be made by varying the rate of taxation on the different counties in the valuation of property, and it shall be the duty of the board of equalization to certify to the governor, and to the auditor and treasurer, the rate of taxation to be levied and to equalize, and the rate of the state sinking fund tax shall not be more than three-fourths of a mill on the dollar valuation in any county in the state." It will thus be observed that this board as a board of equalization shall equalize taxes by varying the rate of taxation on the different counties in case inequalities appear in the valuation of property to be returned by such counties. By the limitation of statute preventing a levy of the general fund state tax to exceed five mills on the dollar valuation it has been found necessary by the board of equalization to reduce the appropriations made by the legislature, to levy to the full

limit allowed by law. Even then the revenues raised for a series of years past have not been sufficient to meet the requirements of the board has found itself unable to equalize taxes by varying the rate of the general fund levy and that the equalization of the valuation of property in different counties has been restricted to the extent of the tax levied on the property of the state school taxes, which shall not be less than one-half mill nor more than one and one-half mills, and the sinking fund taxes, which shall not be more than one mill. The margins thus allowed for equalizing these taxes are entirely inadequate and if this method of equalization shall obtain in the future, I urgently recommend that greater latitude shall be given the board by amending the law so that it shall be authorized to increase the levy for general purposes from two to four mills on the dollar valuation. This would give a much better opportunity of equalizing the burdens of taxation by varying the levy in different counties as the different valuations may require and yet enable the board to collect the necessary revenues and meet the appropriations made by the legislature.

DEPOSITORY LAW.

The depository law created by the legislature of 1894 has now been in operation for a period of time sufficient under ordinary circumstances and normal conditions to test its usefulness and advantages, or disadvantages, as the case may be. The wisdom and desirability of such a law have been questioned by many, including those who benefited by the operation of the previous law, permitting the state treasurer to use all funds of the state under his control for private gain and speculation purposes during his term of office. I have been a warm supporter of the depository law and believe in the wisdom of its enactment. It adds a new source of revenue to the state, and renders it more difficult to be remembered for any other purpose than that for which collected. The law itself could be considerably strengthened and I recommend for your consideration the advisability of amending it so as to remedy imperfections which now exist, and to be remembered that its operation has been during a period when the loss of money, both private and public, has been very general throughout the entire country. I can see no good reason why the state treasurer himself must give a good obligation for the return of funds placed in his hands for safe-keeping, that the same may not reasonably be required of the different depositories. Thus is obtained a divided responsibility, as it is not to be remembered that it is far better than a simple obligation for the return of the entire sum. The obligation of each depository should be as strong in proportion to the amount of money secured as can probably be had for the entire sum. I am of the opinion that the law has been abused; that it has been used as a means of assisting banking interests which may have been in need of current funds, and that, in consequence, when the true role should have been to have made depositories of banking institutions of unquestioned standing and of unquestioned security, with the object in view of having the funds at all times subject to the call of the state treasurer in the ordinary course of his business.

AMENDMENT SUGGESTED.

I would recommend the amendment of the law so as to provide that securities on deposit should be held by others than those actively engaged in the management of the depository bank; that a depository bank should not entitle the bank to deposit of state money thereunder for a longer period than two years; that the current funds of the state, when deposited, should have the right at any time they deem necessary to suspend, as a depository, any banking institution and to direct the state treasurer to withdraw all state funds therefrom; that the state treasurer should at all times be under the control of the board of equalization, respecting the amount deposited in any one bank, and that the securities on all deposits should be held by the state, and above their debts and exemptions. The general government has found it desirable to designate banking institutions as depositories for funds which would be subject to the call of the state treasurer, and I can see no good reason why this same rule should not obtain in the different states, such depositories being made not only the means for the convenient and expeditious deposit of state funds, but also a source of income to the state.

THE HILL CASE.

At the beginning of my term of office a suit was pending in the supreme court, the plaintiff being the state treasurer, and the defendant being the Hon. J. E. Hill and his bondsmen. The history of this litigation is familiar to all of you. The money was lost in the failure of the Capital National Bank. This amount of the state's money was the amount of the trust fund for the settlement of Treasurer Bartley with his predecessor, Hill, no person acquainted with the circumstances could believe for a moment. The money had evidently been lost and no attempt made to account for it, except by the Hon. J. E. Hill, term of office, accepted by a transfer of credits on paper in this bank, a bond prepared and approved, making the bank a state depository, and this mythical account was the basis of the suit of the state under the depository bond.

THE FIRST TRIAL.

The first trial of the case in the supreme court resulted in a disagreement of the jury. The case was again tried and the jury found in favor of the defendant. The matter was then argued before the supreme court at length upon questions of law, when it was finally decided in favor of the defendant. I am not entirely familiar with the details and intricate matters of this case, but I do not doubt in the least but that this money has been lost as a result of mismanagement by those having been entrusted with the collection and disbursement, and it would seem that the responsibility which certainly exists should be located so that the people might regain what has been unlawfully taken from them. It is to be regretted that persons of great paying power and misappropriation of funds belonging to the people of the state are suffered to escape legal responsibility. Whether any further effort should be made to recover this money lost to the tax payers of the state, I leave it to you to determine.

THE LEGISLATURE.

The legislature made an appropriation for the expense of carrying on this and other suits. There remained after the trial of the first case the sum of \$7,702.9. Upon an opinion from the court, and after conference with the attorneys representing the state, in order to prevent this appropriation from lapsing, a warrant was issued for the balance of the state auditor, and a properly certified voucher presented to him for that purpose. The warrants thus drawn were disposed of by me from time to time required in this case. After paying the legitimate claims there was covered into the state treasury the sum of \$4,497.15 yet remaining unexpended of the appropriation. An itemized statement of the expenditures in this case is presented with this message.

PERMANENT SCHOOL FUND.

The constitution and the statutes require that the board of educational lands, consisting of the governor, attorney-general, treasurer, auditor of state and commissioner of public lands and buildings, shall at their regular meetings make necessary orders for the investment of the permanent school funds; but that none of these funds shall be invested or loaned except on United States or state securities or registered county bonds. At the beginning of the present

Table with 2 columns: Item and Amount. Rows include Permanent school fund, Permanent university, Agricultural endowment, Making the total sum of.

COUNTY BONDS SAUCE.

These several funds, and a decision of the supreme court, not within the provisions of the depository law, and were therefore under the control and disposition of the state treasurer when not invested as above provided, and these were chiefly refunding bonds to take up other outstanding indebtedness. Hence, it has been extremely difficult to secure for the state enough county bonds to absorb the accumulation of such different funds, and yet nothing of the large amount of bonds at the beginning of the biennial period. During the year 1896, the board of educational lands and funds obtained only the sum of \$60,000, being Ohio county refunding bonds, being the only county bonds secured. These bonds were obtained at 5 per cent. During this time a large amount of state warrants, drawing 5 per cent interest, were being issued from time to time. I regarded these warrants as desirable investments were these funds to be used as it would provide a ready means for the investment of the entire sum, strengthen the credit of the state and bring its warrants, which were below par, to par value, and, in effect, put the state's cash back into the treasury.

WARRANTS AS SECURITIES.

In a decision of the supreme court, concurred in by all of the judges, and found in the 25th Nebraska, at page 69, it was decided that state warrants were state securities within the meaning of the constitutional provision referred to. In addition to this, a precedent had been established by the purchase of these warrants under the administration of my predecessor, Governor Crouse. The supreme court also, in a more recent case, referred to the first decision above quoted in the following affirmative language: "We must not, however, be understood as holding that state warrants are not state securities within the meaning of the constitution. Although that question is not presented by this record, following in re state warrants, 25 Nebraska, 69, and State vs. Bartley, supra, we assume that the legitimate investments for the permanent school fund; but if the state, as trustee for said fund, desires to invest in that class of securities, it is required to do so on terms of equality with other investments."

ATTORNEY-GENERAL'S OPINION.

Assuming, therefore, that warrants of this character were legitimate investments for this large fund, and as they were in every other respect a very desirable investment, I caused a resolution to be passed before the board of educational lands and funds, at a regular meeting in January, providing for investment of \$60,000 of this idle fund in warrants already issued and those that might be issued in the future, as expressed by some of the other members of the board respecting the legality of an investment of this kind, and, at their request, the resolution was referred to the attorney-general for an opinion, which was given at the regular meeting in April following. This opinion was, in effect, adverse to the decisions of the supreme court cited above, as well as to the precedent established during the administration of Governor Crouse. The attorney-general held that state warrants were not state securities and were not a legitimate investment under the provisions of the constitution. The opinion was concurred in by a majority of the board, and a resolution was then introduced by me looking towards the investment of the unemployed school and fund money in a possible investment after we were prevented from purchasing state warrants as depositories for funds which would be subject to the call of the state treasurer, and I can see no good reason why this same rule should not obtain in the different states, such depositories being made not only the means for the convenient and expeditious deposit of state funds, but also a source of income to the state.

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PERMANENT SCHOOL FUND.

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It will thus be seen that of the total appropriations over one-third are for the

Table with 2 columns: Item and Amount. Rows include Maintenance of state institutions, Deducting appropriations for repairs and permanent improvements, and the net appropriation for the maintenance of these institutions for 1893 and 1894, and the net appropriation for 1895 and 1896.

maintenance of state institutions. After deducting appropriations for repairs and permanent improvements the net appropriations for the maintenance of these institutions for 1893 and 1894 were \$54,439, and the net appropriation for 1895 and 1896 were \$56,234. The total number of inmates during the period of 1893-4 was 2,341, showing a per capita expense for this period of \$23.16; the total number of inmates for the period 1895-6 had increased to 2,528, and the per capita expense decreased to \$22.32. The great bulk of these savings was made in only a portion of the state institutions, and had the same general decrease prevailed in all the state institutions the savings would have been much greater. I am of the opinion that still further savings can be made in the expenditures of these different institutions, and for the purpose of giving you all information possible, I present herewith a tabulated statement showing the total appropriations for the two preceding biennial periods, and the manner in which they were expended, together with the average per capita cost in each of these institutions. This contains also other information which may be of interest to you in determining the needs of these institutions for the time for which you shall make appropriations.

SOLDIERS' HOME AT GRAND ISLAND.

The soldiers' home at Grand Island has assumed large proportions by the erection of new buildings, cottages and provision for increased capacity in caring for worthy union soldiers, for whom it was constructed. Large sums of money are appropriated by each recurring session of the legislature for its maintenance. It now has 205 inmates, a larger number than it has ever had heretofore. The last legislature appropriated \$12,000 for a new addition, together with numerous other sums for permanent repairs and increased facilities in its management. It is now a well equipped and cheerful place, and makes suitable provisions for the support of all worthy and useful survivors of the union armies in the civil war. I but speak the sentiments of the patriotic people of Nebraska when I say that it is a den in whose walls more willingly or dutifully performed with greater alacrity than that which is required in making ample provisions for the maintenance in comfort of these worthy veterans who were the defenders of the union.

The management of the institution for the past two years has been the most economical during its history. The kind treatment and ample provisions for the comfort and pleasure of the inmates have been all that could be desired. The members of the visiting and examining board, assisted by the commandant, have been tireless in their efforts to conduct the institution so as to fully accomplish the purpose for which it was established.

BRANCH SOLDIERS' HOME AT MILFORD.

The last session of the legislature passed an act providing for the establishment of a branch soldiers' home at Milford by the leasing of land and buildings already constructed. Eight thousand dollars was appropriated to carry into effect this act. It was provided in the act that the land and buildings referred to should within thirty days after its passage be leased to the state, and that the lease should be for two years, with the privilege of extending additional years for a sum not exceeding \$800 per annum. Under the direction of the board of public lands and buildings alterations and repairs have been made for the comfort and pleasure of the inmates. Capt. J. H. Culver was, by this board, appointed commandant. A full and detailed report for the period ending November 30 has been made by the commandant, and is presented for your consideration. There were forty-five inmates in this institution at the time the report was made and a deficiency for its maintenance created up to that time in the sum of \$1,321.50. It is also asked that \$12,500 be appropriated for the purchase of this property.

The maintenance of two institutions for the support of disabled and indigent soldiers when the objects sought can be accomplished in one institution, is an additional and unnecessary expense on the taxpayers of the state. It is true that the general government has provided means for assisting the different states in caring for the veterans of the war by contributing from the general treasury \$100 per annum for each inmate of the homes established, but this in no wise changes the rule or the principle just announced. The revenue derived from the general government for the support of these veterans whether one or two institutions are maintained and it is our duty to keep within reasonable bounds these different expenditures involving a taxation of the citizens of our state. While I do not recommend unreservedly the discontinuance of the home at Milford, I ask of you a careful and thorough study and investigation as to the probable demands which will have to be met by our people in providing for these worthy citizens. If the conclusion is reached that all the necessary comforts and conveniences can be as well provided for in the home already established with reasonable expenditures for increasing its capacity, it is a serious question whether this course should be pursued rather than to incur additional expense by maintaining two different institutions. The latter course necessitates the employment of two sets of officers and the consequent demands for expenditures which might be greatly reduced by concentration of population and the utilization of fixed conveniences which are of sufficient capacity to answer the demands of a much larger population would make upon them than exists at the institution at present.

It is true that the location at Milford is beautiful, attractive, and the surroundings very pleasant. The water, I have no doubt, is very healthful and there are, perhaps, some advantages which do not exist at any other institution in the state. These are inducements which appeal for the continuance of this institution, yet it is to be borne in mind that the surroundings and environments can be made very pleasant and are so in fact in every institution in the state. Such institutions have been located only in places where the people generally have found it very pleasant to establish their homes and rear their children and enjoy the pleasures of happiness allotted to mankind generally.

POOR NAPOLEON.

What a proud world this would be if every man lived up to his little son's estimate of him. There is a small boy in this city in whose eyes his unworthy father is the greatest man in all the world. His mother, who is a great student of history, whose admiration for Napoleon Bonaparte is almost equal to her son's admiration for his father, delights in telling the boy the wonderful stories of the great emperor's achievements. There was great sorrow in the child's face when he heard the story of Moscow, and his eyes suffused with tears when he said: "Wapsn't it too bad... Oh, if papa had only been here!"—New York Sun.

FIFTEEN DROWNED AT SEA.

News comes of the horrible death of George Bryan of Elm Springs, Ark. He had set fire to a fuse in a well, and before he reached the top of the well the blast was discharged, blowing his body to pieces.

CONFUSION WILL RESULT.

Decimal Time Reckoning to Be Adopted in France.

The confusion and annoyance that the American undergoes in mastering the British system of coinage will be nothing compared to that which the new arrival in France will experience after the decimal time reckoning is adopted, says an exchange. This movement is part of the general one to reduce all measurements to a decimal system. Such a system, every one admits, is much simpler than any other after it has been mastered, but the confusion that would result immediately upon its adoption has been a great objection to its universal acceptance. The metric system of weights and measure, as is well known, has been adopted by the principal nations of continental Europe. Decimal coinage is used in the Latin Union as well as the United States and Canada. The division of the quadrant of the circle into 100 degrees has so many advantages in lessening the length of calculations two-thirds and the chances of error three-fourths that its employment is sure to spread beyond the French army, where it is now exclusively used. The measurement of time is the only one that remains to be considered. The subject has recently been discussed in La Nature and a practical method will soon be before the public. It is proposed to divide the day of twenty-four hours into 100 units called ces. As will readily be seen a ce is practically a quarter of an hour, actually 14 minutes, 24 seconds. This is very fortunate and for practical purposes will greatly reduce the difficulty of transposing from the old system to the new. Midnight will be 0 ce, 6 a. m. 25 ces, noon 50 ces, and 6 p. m. 75 ces. Therefore 5 a. m. will be 25 ces minus 1 hour (4 ces) or 21 ces; 1:54 p. m., 60 ces plus 1 1/2 hours (7 ces), or 57 ces. The ce is divided into decimils and millesims.

THE CROSS MOTHER.

Sows Bitter Feeling and Repels Loving Attention. At no time in her busy days is an intelligent mother so apt to fold the arms and close the eyes of maternal justice as when she is cross, says Housewife. The crossness is chiefly caused by fatigue—weariness of mind and body and sometimes of soul. With tired nerves and weary body she cannot endure the common demands made upon her and ill temper follows. She sows bitter feelings and repels loving attentions with her irritable, hasty words. Broadly speaking, no mother has any right to get so tired. She cannot afford it. It takes too much out of her life and too much out of her children's lives. Such a condition can more frequently be prevented than is generally believed. The remedy lies near at hand. Let a mother find out what makes her cross and then let her avoid the cause if possible. If social pleasures weary her, let them be decidedly lessened. If there is too much sewing, too much cooking, or too many household cares, lessen them. If economical efforts cause the severe strain, stop economizing at such a cost. That is the worst of wastes. Let the first economy be of that precious commodity, a mother's strength. Even the extent of one's religious and philanthropic work should be carefully examined, and if the trouble lies there, calmly and wisely dismiss some or all of it from the list of duties, for "what doth it profit a man if he gain the whole world and lose his own soul?" It is surprising how easily seeming interests or needs can be spared without injury to the home life whenever the thoughtful woman seeks to find them and surely one of the worst of household influences is crossness.

A Thirty-Four Year Old Stop-Over.

A short time ago A. R. King, a conductor on the Falls branch of the New York Central railroad, was surprised to have a stopover pass handed to him, which was entirely different from any he had ever seen. Thinking the passenger had made a mistake he was about to return the ticket, but on examination found that it had been issued thirty-four years ago by George Wait, once a well-known Central conductor and contemporary of the Hon. Fred Cook, Dan Bromley, Nat Tamblington and other conductors who have since attained wealth and political fame. The pass was older by several years than Mr. King, but as it was stamped "Fare paid and collected" and appeared perfectly correct, he accepted it, regardless of the long stop. The passenger who presented the ticket was Jonathan Osman of Ogden Center. He is 93 years old and enjoys the distinction of having traveled on the oldest ticket on record in the United States.—San Francisco Examiner.

A Genuine Kleptomaniac.

A case of genuine kleptomaniac. A woman named Bide has stolen 2,600 pipes because she happened to have a mania therefor. She is herself very fond of smoking, and has a passion for coloring meerschaum pipes. When the police descended upon the flat where she lives they found 2,600 pipes, all neatly arranged on racks. She had succeeded in coloring thirty-nine of them. The French court, however, was as sceptical as Recorder Goff on the subject of kleptomaniac and sent the unfortunate woman to prison for eight months.

Blown to Pieces in a Well.

News comes of the horrible death of George Bryan of Elm Springs, Ark. He had set fire to a fuse in a well, and before he reached the top of the well the blast was discharged, blowing his body to pieces.