FAULTS OF THE REVENUE LAW

Weak Spots in the Nebraska Statute and Probable Remedies Suggested.

AMBIGUITY THE CHIEF DIFFICULTY

New Measure Should Be So Framed as to Clearly Express Its Intent on All Points—Exemptions That Might Be Made.

OMAHA, Dec. 16.—To the Editor of The Bee: The revenue system of the State of Nebraska seems to have been framed on the theory that all men were strictly honest, assuming that on account of the patriotic interest each had in the general welfare and prosperity of the community no individual would shirk a just responsibility by seeking to evade the payment of his proportion of the public dues. Such a sentiment may have been suited to the time of our fathers, in the early days of statehood, but it is not in accord with the advanced idea entertained by the average taxpayer of the present time. Men do not pay taxes in these days because they are inspired by any moral obligation to do so. The power which compels them to contribute to the public purse is strictly a legal one, and in order that the tax may be collected they insist that every provision of the law relating to its levy and collection must be strictly and literally complied with. Many a business man has endorsed a note or become surety on some obligation to accommodate a friend in whom he had confidence. The friend fails to meet the payment, and while in many instances payment by the guarantor might be avoided, yet in the majority of cases his default is made good because of a moral obligation between the signor and the lender; but in the payment of taxes no such obligation obtains. Only the slightest deviation in the proceedings is necessary to furnish technical grounds upon which to base an action to annul the tax. Therefore it is essential that our revenue system should receive a thorough revision in order that it may be reconstructed upon a plan which is in harmony with the advanced stand which the taxpayer of our time has taken. In addition to what I have already said on this subject I may be permitted to offer a few suggestions relative to certain specific changes which seem to me especially advisable. In calling attention to these necessary amendments I have endeavored in each instance to give my reasons therefor, supported as far as possible with extracts drawn from the actual practice of other states in similar cases.

Basis in Nebraska.

In the present revenue act of this state it is provided that "real property shall be valued at its fair value, estimated at the price it will bring at a voluntary sale, where public notice has been given and a payment of one-third cash and the balance secured by mortgage." At a first glance this would seem to be a fair basis of valuation, but in the actual administration of the law much contention has arisen and the construction placed upon this section varies greatly in different quarters of the state. The word "fair" in the connection in which it is used is susceptible of various meanings, and by reason of the great difference in opinion as to the real meaning intended, much of the variation in valuation occurs. The intention of the statute was that each piece of property should be valued independently of all others at its real value, and at the time this act was passed no better standard of value suggested itself than that of a sale under the terms at which real estate at that time was ordinarily transferred. But in this, as in regard to many other sections of this act, we are now confronted with a condition which did not exist at the time that the act was passed. The legislatures of various states have endeavored at different times to set forth more clearly the real intention of the statute with reference to the valuing of property for taxation; in Missouri this value is defined as "cash price;" in Ohio the usual "selling price," leaving it to the judgment of the assessor as to what methods will be employed to ascertain these valuations. In Michigan the assessor is directed to assess property at its "usual selling price," and in Wisconsin at the "full value." In both these states the law directs the assessor to consider the advantages and disadvantages of location, accessibility, quality of soil, deposits and any other special condition which may affect the value of the land in ascertaining its taxable value. In Iowa it is directed that property shall be listed at its "actual value," and of this amount when properly arrived at, 25 per cent shall be taken for taxation.

Efforts to Define Value.

In several other states an attempt has been made to give a more explicit definition of the terms "value" and "full cash value," etc. Among those states whose laws have come under my observation none seem to have expressed the intention more clearly than that of California. In this statute the "full cash value" is defined to be "the amount at which the property would be taken in payment of a just debt due from a solvent debtor," which is to say, that it is a price at which a creditor would accept the property in lieu of money had he the option of taking either the property or the money. Such an estimate of value would undoubtedly be somewhat under the average figure estimated as a fair selling price, but if this rule were applied to all classes of property no extreme variation could occur in the assessor's estimates as compared with the probable selling price. Property often sells for more than its actual value and in nearly every instance at which property is taken at a forced sale it sells for less than it is actually worth, for in such cases it is usually purchased by a speculator with the express intention of profiting by a future transfer. It is not possible to value all personal property upon this basis, but such of it as does not possess a value which may be estimated in this manner does not possess a value which ought in my judgment to be accepted for taxation.

I regard this section as the keynote of the whole revenue act and for that reason it should express its meaning with the utmost clearness. In this same connection I would suggest that we have fallen into a great error as to whose duty it is to determine the value of property for assessment purposes. It has come to be the custom to such an extent that it is generally believed to be the law for taxpayers themselves to affix the value to such personal property at least as they return for assessment. Such is not the intention of the statute and no equitable assessment can be so made. It is the duty of the assessor to determine all values and in doing so he should apply the same rule in all cases to the end that all valuations may be equitable. This fact is fully set out in the statute at present, but through a general misunderstanding of the matter upon the part of the public it is universally ignored.

Statutory Provisions Outgrown.

The provisions of our revenue act which direct how personal property shall be listed, where it shall be listed and prescribing the form of blank upon which it shall be listed most certainly need a general overhauling in order to make them conform to the demands of our time. Like many other provisions of this act these sections were in a measure suitable to the time when the bill was passed, but with the growth and development of the last few years in all lines of business they have now become in many respects wholly unsuited to the purpose for which they were originally enacted. These, like many other provisions of this act, contain a number of explicit instructions which can neither be complied with literally nor can the assessor legally perform his duties without at least attempting to carry out the instructions which they contain. Since the adoption of this section of the statute many amendments have been made to other laws, which in themselves had no direct bearing upon the question of taxation, but which in a good many instances operated to affect the provisions of the revenue act, and I might suggest in this connection that this is one of the greatest errors into which the legislature is likely to fall. Amendments are offered and passed which in themselves, when considered independently of every other provision in the statute, seem to be directly to the purpose for which they were designed, but no consideration is given as to the effect that these amendments may have upon some amendments of the statute entirely remote to that under consideration at the time of their adoption, consequently it happens as it has done in this case that changes in other laws have materially affected a portion of the revenue law. An illustration of how this operates is suggested in the provision which requires that personal property may be listed in the county, precinct, township, city or village where the owner resides. A literal construction of this section would make it possible for a merchant who owns a $100,000 stock of goods in the city of Omaha and resides in the city of South Omaha to return for assessment his entire stock at the place of residence, thus depriving the city of Omaha of the tax which should rightfully be paid in return for the fire and police protection and other privileges which the city guarantees to that stock of goods. This operates on a similar basis in a smaller way in the rural districts of the state with reference to school districts, in which bonds have been issued. A resident of an adjoining district may own valuable personal property in a school district in which he does not reside. He makes his return under this statute for all his personal property at his residence, and by that means the school district in which the property is actually located gets no tax on this property. I admit that this may not work a great injustice when the matter of revenue is considered as a whole in the state, but it is certain that it at least affords an opportunity for taxpayers to take advantage of the public, by removing their residence especially from large cities into adjoining villages, for the express purpose of evading taxation.

Blank Form is Obsolete.

The blank form prescribed in the statute upon which personal property is intended to be returned for taxation has long since become unsuited to the purpose. Thirty-six different items are enumerated in this blank, with the intention that this number comprises the entire list of all taxable personal property. It is quite likkely that in the mind of the author of the act this was the case, but even if this were true at the present time, the use of this blank involves an unnecessary amount of additional labor, all of which the public must pay for, and from which it obtains no benefit whatever. In the state of Missouri this class of property is all listed and returned upon a blank which apparently serves the purpose fairly well under seven different heads, and my judgment is that even in their case the classification might be confined to not more than four different divisions. In Colorado the return for personal property has been condensed equally as much as in Missouri. In Pennsylvania personal property is listed under ten different heads, and in each of these cases I am satisfied that the return is fully as satisfactory, if not more so, than that obtained under the explicit provisions of the statute in Nebraska. Furthermore the blank in use in this state contemplates a return for an assessment upon property which cannot properly be listed and assessed as personal property, and to this extent should certainly be changed. This section, like many others in this act and also in other sections of the statute, is drawn in such a manner that it does not state its meaning clearly and consequently the assessor oftentimes fails to obtain the very information that is desired through his inability to determine what the statute means. My judgment is that a much more satisfactory result will be obtained in this respect if the details designed to be covered by this section were left to be promulgated in the instructions which should accompany the revenue act for the guidance of the assessor.

Suggestions for the New Law.

I would urge upon the legislature the wisdom of making our revenue laws as clear and concise as possible, and at the same time as brief as will permit of a clear understanding of their intention. In addition to this I would suggest the adoption of a system which has been put in practice in several states, and notably in California, of providing for a code of instructions or rules to be prepared by the state board, or other competent authority, and sent out for the guidance and direction not only of the assessors but of all other officers who are in any manner charged with the duties relating to the making of assessments. By this means these rules and regulations may be changed from year to year to meet changed conditions, whereas specific and mandatory directions contained in the statute, are not subject to any modification whatever on account of any new condition which may and often does arise. Another very important condition which may be taken advantage of by means of this system, is that the construction placed upon various sections of the law by the courts may be incorporated into these rules from time to time, thus giving the assessor and the officials charged with its execution immediate benefit of the decisions of the highest courts. Oftentimes the intention of an official may be unquestionably of the highest order, but through the lack of a proper understanding of the real intention of the law under which he operates he fails to accomplish the purpose for which he was elected. This applies to no position with as much force as to that of the office of assessor, and much benefit would, in my judgment, acrue to the public generally by the adoption of the system suggested.

Section Can Be Briefly Framed.

In line with the suggestion that our revenue laws, above all things, should be so explicit in their terms that there will be no controversy as to their meaning, I would invite the attention of the legislature to the sections specifying what shall and what shall not be taxed. Section 1 of the present act is designed to enumerate the various classes of property upon which taxes may be levied.

In view of the fact that all property, except such as may be by law exempted, is taxable I would substitute for this section the brief and concise statement contained in the statute of Wisconsin, which is as follows: "Taxes shall be levied upon all property in this state, except such as is exempted therefrom." This provision is in strict conformity with the constitution of the state and permits of no controversy as to its meaning.

No superfluous words should be incorporated in the statute, as these serve only to bewilder the ordinary reader and furnish grounds for contention; notwithstanding this I would advocate that the exemptions contemplated by our law should be set out with more clearness. In the statute of this state this section embraces eight lines; in the revenue law of the state of Wisconsin it occupies ten pages. While it might not be necessary to elaborate to this extent, it occurs to me that this section ought to convey its meaning very clearly. Among other provisions of this section is the following: "Second. Such other property as may be used exclusively for agricultural and horticultural societies for school, religious, cemetery and charitable purposes." This clause is intended to embrace all the property exempt except that belonging to cities, counties and the state. Doubtless it served the purpose for which it was intended when the act was passed, but under the changed conditions of our time, when technicalities count for more in the construction of a statute than they formerly did, no opportunity should be offered whereby private enterprises may profit at the public expense. With the increased value which has attached to real estate, especially in our large cities, it is an unwise provision to permit religious, educational and agricultural societies to hold an unlimited amount of land on the pretext that it is necessary to the purposes of the institution. These are all worthy institutions and deserve cordial support from the public, but the public is entitled to a reasonable protection from the abuse of these privileges.

How the Privilege is Abused.

The most glaring abuse of this privilege is in the case of institutions of this character occupying real estate as tenants, and while the public is in a measure under obligation to every worthy educational and charitable institution, yet it occurs to me that in granting them immunity from taxation, which is but one method of contributing to their support, the condition of these grants should be so guarded that no private property owner may escape taxation by hiding behind a provision which is intended to apply only to institutions which are deemed to be public benefactors. I believe that no institution of this kind should be exempt from taxation upon anything except its actual interest. In the case of leased premises this must be construed to be a lease hold interest. Such a construction of the statute will undoubtedly work an injury in execptional cases, but it is far better that one worthy institution of this kind should suffer to a limited extent than that the entire public be imposed upon by the many.

I would increase the list of exemptions by adding thereto the ordinary personal and household effects of all persons engaged in the regular army, for the reason that by a long established custom this has been the practice. I would also include in this list all pensions receivable from the United States and personal property to the amount of $500 belonging to every honorably discharged soldier.

Another exemption which I should recommend on the grounds of economy is the necessary and ordinary household furniture of private families not exceeding in value the sum of $200, together with the provisions and fuel provided by the head of the family to sustain its members for not to exceed six months. The reason for this can best be illustrated by referring to assessments in the city of Omaha. Of the 14,000 assessments made on personal property, 12,000 or more are made on a valuation of from $50 to $100, making in the aggregate a total assessment of about $600,000, which produces a tax of $14,400 to the city, 60 per cent of which is never paid, thus netting the city about $5,700. The cost of making the assessment and tax list in the city of Omaha is about $9,500, fully 60 per cent of which is absorbed in making the thousands of small assessments, which yield only $5,700 in return. It is therefore a losing investment for the city to make this assessment, and what is true in Omaha's case is equally true in every city in the state of 1,000 population or more.

Above all I would suggest that this section be enlarged and made to set out specifically the exemptions contemplated by the law. Such an amendment will save our state and county treasuries a large sum now paid out annually for costs in contesting cases arising out of the construction placed upon this section.

Under the Head of Credits.

Another section which expresses its meaning so indefinitely as to cause a great divergence of opinion in construing it is that which relates to the listing and assessment of that class of property included under the head of credits. Under the revenue law in force in this state this class of property embraces everything in the nature of an obligation, for the payment of money, except stocks and bonds and the shares of capital stock of incorporated companies. The same section also provides that in listing this class of property the taxpayer shall be entitled to deduct from the amount subject to taxation the amount of all bona fide debts represented by similar obligations owing by him to other persons or corporations and the result of the construction placed upon this section as a whole is that practically nothing is listed under this head. A provision somewhat similar to this is incorporated in the laws of nearly every state, with the exception that the items which are to be taxed as credits and the items which may be deducted from the amount listed as such are set forth with more or less clearness in the several statutes. In the state of Iowa deductions are not permitted for any debt incurred on account of any obligation or unpaid subscription made to any corporation or society whose personal property is exempt from taxation, nor any indebtedness contracted for the purchase of any non-taxable property. In Wisconsin the statute provides that only so much of the debts due to him shall be exempted as equal the amount of like debts by him owing. In Michigan a somewhat similar provision is made covering the deduction to which a taxpayer is entitled in listing property of this character, but it is provided that such deduction is only to be made upon an itemized detailed statement showing in full the name and residence of each person to whom such obligations are owing. In Ohio a provision somewhat similar to that of Iowa is in force. In California, in listing this class of property, the taxpayer is entitled to deduct the amount of debts owed by him to bona fide residents of the state and no such reduction is permitted except upon a sworn statement showing the nature of these obligations.

Favors the Large Debtor.

The method of assessing this class of property is subject to the same criticism which may be made with reference to the assessment of mortgaged real estate, with the exception that the fortunate man in this respect is the man who owes more than the amount of claims which he holds against other parties, and following this construction of the statute to its extreme conclusion a condition might be arrived at whereby the state could not legally collect one dollar of tax upon obligations of this nature. If every resident in the state was the owner of $100,000 worth of loans of this kind, made to him by residents of the state, and if at the same time he owed to non-residents of the state a like amount, no tax could be levied or collected under the provision of the law now in force except in the state of California. Viewing this question from some standpoints it would seem that the only equitable basis upon which loans and obligations of this character can be assessed is to assess their full value without reference to deductions. Such an assessment would be absolutely equitable, providing both the debtor and creditor are residents of the state, because what is a debt owed by one individual is a credit in the hands of another and the intention of the statute is that all creditors shall pay tax. It is probably safe to say that comparatively few residents of the state of Nebraska could make a showing of their financial affairs which would indicate a very large sum of assets on the credit side of the sheet. Most men, in business especially, are under obligations for the payment of money in various ways, either secured or unsecured, and if the basis of assessment were made to be the net worth, in my judgment the taxable valuation of this state would be even less than the small amount now returned. The more the question of assessing this class of securities is investigated the more intricate the problem becomes and it leads directly up to a proposition with reference to the assessment of all classes of property having an earning value, which I should very much like to discuss and submit, but owing to the length of this article I shall be compelled to reserve the consideration of that phase of the question to some future time.

FRED J. SACKETT.

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A Continuation of our great December Clearing Sale. This sale includes the newest and most desirable things made by the best manufacturers in this country. Our styles are exclusive and our assortment is larger than all other stores combined and includes Ladies' Desks, Music Stands, Book Cases, Hall Trees, Rocking and Easy Chairs, Chiffoniers, Cheval Glasses, Dressing or Shaving Tables, Couches, Bedroom and Parlor Suits, etc.

Hundreds of bargains still left in all descriptions and designs of useful and ornamental Furniture. Sample pieces at your own price. A nice assortment of Palm Stands, Stools, Scrap Baskets, etc. All make useful and ornamental presents---and the prices we quote distance all competition. Don't fail to take advantage of this sale.

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BUYING CHRISTMAS PRESENTS.

Margaret E. Sangster.

I've been buying Christmas presents,
Roving from shop to shop;
I've a troop of friends to plan for,
And I never know where to stop.
I begin to save for December
Before the first of May,
And I'm bankrupt till the spring returns,
After each Christmas day.

I take my dearest dear ones
First on my Christmas list—
My rosy, dimpled darlings,
With faces made to be kissed.
And the lovely bright-eyed mother,
Wherever she sets her chair,
In the nursery or the parlor,
The center of home is there.

For her should be spoils of jewels,
Velvet and lace galore,
Raiment to trail its splendors
Over our homely floor.
But her frown of grave discretion
Still holds my zeal in check,
And her gentle "Dear, be careful!"
Is strong as a monarch's beck.

And Tom, my sturdy first born,
And my roguish, manly Fred,
'Tis little to think of skates for one,
And the other must have a sled,
And my dainty baby Margaret,
And my winsome maiden Ruth,
I'll see that their Christmas stockings
Are full to the brim, in sooth.

Next comes a host of cousins—
We are rich in kith and kin,
Their numbers muster bravely,
With the babies counted in.
Beyond these are the needy
Our Christmas feast to share,
And the worn and heavy hearted,
Who are ever in our care.

In flock the joyous children,
Laden with fir and pine,
And the scarlet holly berries,
Their stars and wreaths to twine,
I sit and watch and listen
Till I almost fall asleep,
And over my weary senses
The drifting odors sweep.

And somehow, this Christmas fading,
I am back in the long ago,
When I was a jolly youngster
Trudging to school in the snow.
The dear old farm house kitchen
And the old brown district school
Come back like an angel's vision,
Though stern I thought their rule.

I have lost the sweet old mother,
And the father strict and kind,
Whose word was law to the children—
A law they loved to mind.
They are not on the earth for loving;
They left the weary road,
And they hear the Christmas music
On the golden hills of God.

But I'm better for their teachings,
And on to the very end
I will try to walk as they did,
With the Christ for my blessed friend.
I will try to teach the children
That love is the best of creeds,
And that he who cares for his neighbor
His own cause ever pleads.

Yes, dear, it is "Merry Christmas!"
And you really should not scold
If a man forgets at Christmas
That he is not made of gold.
Why, I've saved for my Christmas presents
Quite since the first of May,
And I like to be bankrupt for a while
After the Christmas day.

Discovered by a Woman.

Another great discovery has been made, and that, too, by a lady in this country. "Disease fastened its clutches upon her and for seven years she withstood its severest tests, but her vital organs were undermined and death seemed imminent. For three months she coughed incessantly and could not sleep. She finally discovered a way to recovery by purchasing of us a bottle of Dr. King's New Discovery for Consumption, and was so much relieved on taking first dose that she slept all night, and with two bottles has been absolutely cured. Her name is Mrs. Luther Lutz." Thus writes W. C. Hamnick & Co. of Shelby, N. C. Trial bottles free at Kuhn & Co.'s drug store. Regular size 50c and $1.00. Every bottle guaranteed.

MODEST HERO OF EL CANEY

Captain Harry Haskell, Who Led the Assault on the Blockhouse.

TALK WITH VETERAN OF TWELFTH FOOT

Gallant Conduct of the Regulars at the Time of Danger Affords Him a Theme—His Own Work Told of Elsewhere.

Captain Harry Haskell, Company H, Twelfth infantry, U. S. A., accompanied by Mrs. Haskell, was in the city during the week for a few hours. The captain is just returning from his sick leave, and hurrying to St. Louis to rejoin his regiment in time to go with it to the Philippines. Captan and Mrs. Haskell were at Fort Niobrara for three years, and unite in saying that their residence there is one of the most pleasant periods of their lives. In fact, they have a kindly feeling for the whole of Nebraska, and look upon the state as almost their home.

The captain is a mild-mannered man, well preserved notwithstanding his thirty-five years' service in the army, with a clear complexion, and gray hair and long flowing beard of the same color. From his speech, the softness of his voice, and general action, he might more readily be accepted for a tutor of large classes of small children rather than a veteran of two wars, and a leader of a battalion of three regiments of regular troops in the charge on the blockhouse at El Caney. But such he is, and it will not be necessary for his valor to be recounted by his friends that the world may know of it, for it is incorporated in the official reports of the War department, where rewards are to come if they ever come.

Moreover, the captain is a modest man and refuses to tell of any experience in Cuba which directly concerns himself, and would only talk of the battle of El Caney that his regiment might have all the credit to which it is justly entitled, and the officers who were with him honored as they deserve. Mrs. Haskell, however, is exceedingly proud of her husband and his career, and takes pleasure in telling of it even to the extent of forcing the old warrior to retreat to another room with protestations that the kindly words are cruel exaggerations. Yet the captain is a soldier, and he is going back to his command, which is slated for the Philippines, with as much enthusiasm and eagerness as a fresh graduate from West Point going to his first station.

Breckinridge's Words of Praise.

General John C. Breckinridge, inspector general, U. S. A., in his official report of the battles before Santiago, in one place, speaks highly of the bravery of Captain Haskell at El Caney, and in another part of the report says: "Among the telling features frequently remarked upon by those present were the conspicuous gallantry of the gray-haired officers, General Hawkins at San Juan and Captain Haskell at El Caney, when they led their commands to the final assaults." In detailing the story of the battles to a correspondent of a New York paper General Breckinridge again found occasion to commend the captain, specially referring to his white beard, "which seemed to envelop his face like a fog," and which made a target for the enemy. After the battle it was learned that the Spaniards took the captain, from his appearance, to be at least a colonel, and they turned volley after volley in his direction, as the result of the battles down there showed that the officers were the chief targets for the Spanish marksmen. But the captain escaped without a scratch.

Captain Haskell commanded a battalion of the Twelfth infantry in the El Caney fight, which was composed of Company F, Captain Clark; Company A, Captain Wood, and Company D, Lieutenant Wilde. This battalion led the assault upon the blockhouse and captured it. The commanders of the three companies, as well as the men under them, distinguished themselves in the fight for bravery and daring, and never took a backward step until the blockhouse was in their hands, with a large number of prisoners. It was while leading this assault that Captain Haskell and his beard caused the enemy to waste so much of its ammunition.

Other Companies in It.

The captain says that Company E, Captain Evans, and Company G, Lieutenant Baker, also made a record for themselves in the assault upon the town of El Caney. They charged into the city without knowing how many of the enemy might be entrenched there, and carried everything before them. They surrounded a detachment of the Spaniards, among whom were several officers, and called upon them to surrender. This the Spaniards refused to do, when the Americans fired a volley into them. It was this volley which killed General Vera del Rey and three members of his staff, after which the others surrendered. The American officers further distinguished themselves by their humane treatment of the wounded Spaniards, and the care for the prisoners. Lieutenant Baker was put in charge of 131 prisoners, kept them over night, and the next day marched them to the rear and turned them over to General Shafter.

Captain Haskell mentioned a fact, which to him seems remarkable, and which has been heretofore recited in the accounts of those battles, that not an American officer or man was taken prisoner by the enemy in the three days 'engagements.

Among the sad events connected with the campaign of the Twelfth infantry in Cuba was the loss of Lieutenant Elliott and Lieutenant Wood from fever. Captain Haskell says both men were well thought of by everybody at Fort Niobrara, and Lieutenant Elliott was particularly popular there and in Valentine, as he was a great lover of horses and dogs, and took an active interest in all outdoor sports. Lieutenant Wood's father was captain of Company A.

Another incident he mentioned to show the temper of the men composing the Twelfth infantry, was the wire cutters. Volunteers were called for from the regiment to cut the barbed wire, which had been stretched across the way leading to El Caney. From among those offering their services, two were selected from the captain's own company. They were young men, without experience under fire before, but they went at those wires like veterans. The captain said they seemed to be the target for every gun the enemy had all the time they were engaged in the work, but escaped without a wound, and are now with their company at Jefferson Barracks. This incident was described by Captain Lee, the English army attache, in an account published in the Century Magazine, and he called it one of the most daring feats of the campaign.

Too Much for the Spaniard.

After the battles the captain had conversations with several Spanish officers and numerous amusing incidents were told. He said one of these prisoners accused the Americans of not fighting fair because they fired and then moved forward. They had been accustomed to fighting from ambush and retreating. Another officer said they would shoot one Americano and four would take his place; then they knocked those down and twenty would put in an appearance, whereupon the dons found business elsewhere.

After the surrender of Santiago Captain Haskell was taken with fever and was ill for some time after landing at Montauk. At one time his life was despaired of and Mrs. Haskell says when she reached Montauk to care for her husband the first information she received of his condition was that the chances were against his recovery. But he pulled through and after gaining sufficient strength to travel the captain was granted a leave of absence, and, accompanied by his wife, went to San Francisco, where they both report having had a pleasant time. The captain said he read the order about his regiment being slated for the Philippines in The Bee while coming east Tuesday evening and so he lost no time in getting to his regiment, to which he has been attached for thirty-two years, taking the train from Omaha Wednesday afternoon.

The Hair

The Hair Is a Product of the Scalp

produced and nourished by the nutrient juices of the scalp. That portion of the hair which projects beyond the skin is a hollow shaft, containing a marrow-like substance and coloring matter. The outer layer or cortex of the hair-shaft consists of thin, flat plates which overlap each other like tiles on a roof.

That portion of the hair which is imbedded beneath the skin consists of a bulb or root contained in a flask-like depression, "the hair follicle." The root consists of a nipple-like projection, "the hair papilla," which is a part of the true skin, or corum, and contains the vessel and nerves by means of which the nutriment fluid is conveyed to the root of the hair. A nutrient artery and its accompanying nerve enters the bulb at its extremity while two glands, secreting oily matter, open into the hair sac above. The vascular papilla at the bottom of each hair-bulb is similar to the conic projections on the surface of the skin, and the root of the hair rests upon it. It consists of cells, each having a nucleus of germinal spot, which enlarge as they are pushed upward into the soft bulb; and surrounding these nucleated cells are pigment cells which contain coloring matter that gives color to the hair as it is being formed in the hair follicle.

From the nutrient matter supplied to the hair follicle the future hair is formed, gradually growing out from the skin. In order that this shall be accomplished and the hair remain healthy it is necessary that the surface of the scalp be kept clean, in order that the excrementitious matters may have free vent; and also that those microbes, or bacteria, which live upon the nutrent juices in the hair folicle should not be allowed to enter.

It has been demonstrated that those diseases of the hair follicle which eventually cause scurf or dandruff, itching and baldness are of bacterial origin, and the only step necessary pursuant to the restoration of the hair is to remove the cause of the affection—"the microbes." Our Danderine will destroy microbes in every case; neither do they remain in the scalp after the Danderine has killed them. They are then thrown off or forced to the surface the same as any other foreign or waste matter.. A microscopic examination of the exfoliated matter that oozes to the surface of the scalp after the Danderine has been used for sometime, will bring plainly to your view thousands of their dead carcasses. While on the other hand of dandruff, the root of a fallen hair, or similar matter of a diseased scalp be examined, it will much resemble a working mass of insects. If you have access to a microscope that magnifies 1 to 2 thousand diameters, you should avail yourself of this most interesting sight. If it is convenient for you to call at our office we will take great pleasure in showing them to you, for which we make no charge whatever.

Boston Store Drug Dept., Omaha distributors. Trial size 25c; large size, $1. Knowlton Danderine Co., Chicago, Ill.