RAILROAD TAXATION IN

Full Stenographic Report of Hearing in Mandamus Case by Nebraska Supreme Court -- Part IV.

ties in general terms. I wish you would srty and absolute title to land that they the court what additional terminal didn't have before. facilities the Union Pacific has now that it did not have five years ago, or three years like to have you answer my question if Mr. White: Q .- In assessing the railroad ago, or four years ago? A .- It has a you will. Tell where the property is? You property in this state, did you assess it very large amount of trackage. It has say they grabbed it or took possession of with reference to the fact that it was purrebuilt, resurfaced, regraded and raised & it prior to this treaty. State where the ported to be corporations? A .- Yes sir. large part of its depot ground at Omaha, property is? A .- The best way to find it understood they were corporations. hundreds of acres of it, and changed materially the facilities of both passenger have it all described there minutely, and operated and managed by corporations? and freight business, separated the freight there is no need of my describing it when A .- Yes sir. from the passenger tracks. In the former you have it by metes and bounds and de- Q .- Did you arrive at the assessment depot-we used to call it the cowshedthe freight and everything passed through age. under that shed. Now they have entirely separated and fenced in the new property; they have graded it and improved it and erty. Now I am trying to get you to the right of eminent domain? A .- Yes spent hundreds of thousands of dollars in specify the property because we deny it. sir. construction and in buildings, and further, Now if you will point out the lots I will | Q .- And that they had a right to charge If I recollect, there was a so-called Union be much obliged to you. A .- I am familiar rates and fares for the carriage of freight Depot company, a corporation that owned with the general contour of the grounds and passengers? A .- Yes sir. these facilities before-

O-Now, will you please excuse my interruption, but I would like to have you were exchanged for other lots, but we know tions of railroad corporations who were definitely state how much more trackage, very well that the treaty covered, I think, permitted to do business in this state? A .for instance, and what additional terminal facilities the Union Pacific has now, outside of the new passenger depot, over five. have before, and never had any right to, and fact that the rights and privileges of the four, three or two years ago? A.—They that property is described among the other corporations heretofore named were nechave filled in and spent-I don't know how much, as I am not an engineer-

Q .- What are you speaking of, grading? A .- Yes, air. They have regraded and raised the entire ground, or a very large had some doubts about its right, otherwise portion of it, and laid entirely new track, it wouldn't have made that treaty. and resurfaced it with Wyoming granite, and I think they have a double track now The company insisted it had, didn't it? A .- | sir; I don't think so. toward the bridge, where I think they had Oh, yes; they always insist when they take only a single one, and there is a great anything that it is theirs. deal more trackage there now all around in connection with the Union Pacific facilities than what there formerly was. Q.-Wasn't the raising or filling and

the people of Omaha? A .- Oh, yes. grades build a viaduct and subways at for thirty years. I wenty-fourth street and Sixteenth street and the boulevard, at an expense of hun- length of time, say twenty years? A .- I crty and was doing business. dreds of thousands of dollars? A .- Build think they kept increasing the ground here the viaduct for the benefit of the city? and there by graft or grab, or I don't know the right of the Union Pacific to exercise They are for the protection of the rail- how, but it was taken and retaken and they the right of eminent domain? A .- Used the having damage suits than they are for the take some of it, and finally they fenced it a right-of-way through the state and under benefit of the city.

Q .- Then you think it was simply a the settlement was made. commercial matter with the railroad and -Assuming, then, it is for a commer-

ratiroads-the Burlington and the Union structing new shops? A .- Yes, sir. Pacific-in raising the track and grading expended hundreds of thousands of dollars in the last two or three years, didn't they? A.—They have.

Q—Did they build a fine new viaduct at

Sixteenth street? A-They were compelled, of course.

building it. I think the city built it, and they contributed towards it. Q-What I mean is, the railroad built it and paid for it, didn't they? A-The rail-

-The city didn't pay anything for it?

1-I think the city paid part, or for part of the approaches at any rate.

Q-Well, Mr. Rosewater, is that your knowledge and familiarity of the subject matter in controversy? Do you say the city built any part or paid for any part of the construction of that viaduct? A-I have not been to the trouble of going into the city treasurer's reports to find out exactly how much they paid or whether they paid it all; I know the city expended some noney. I am speaking of the viaduct and the approaches thereto, because you cannot build a viaduct and leave it in the nir, and there was considerable money spent on the approaches; I don't know whether the city paid for that, but I think

Q-Now you spoke of the terminal facilities of the Union Pacific and its lands north of its depot. I wish you would tell the court if you know how much additional property the Union Pacific has got or purchased or obtained in any way, shape, manner or form where its shop grounds are and north of its headquarters? A-They made a treaty or deal with the city of Omaha this spring, before the assessment was or last winter, by which they acquired title to a very large amount of property in the city of Omaha. I considered

it worth a million dollars at least. Q-Now will you please answer my question? You say they got it by treaty, as you phrase it? A-Yes sir, in addition to

what they had. Q-Now what lots had it acquired, what other property, what other lands or what other lots? A-I can't tell; they are con-

stantly enlarging their facilities and increasing their area. Q-Do you know of any other; if you do I wish you would tell the court? A-I told you they got over a million dollars worth.

I can't tell you just how many lots now. Q-Isn't it a fact that all of the lots or streets and alleys that they got by this treaty as you so denominate it, were streets and alleys contained in the shop grounds on the river bottoms and in every case that the company had owned them prior thereto for years, owned the property on both sides of the streets and both sides of the alley, and if that is not so will you tell one single lot that wasn't so? A-The company have grabbed or got control of a good deal of property there, but they

Q.-Your honor, I insist that the witness shall answer the question. A.—They had taken possession, I will put it in a little milder form, they had taken possession and have gotten possession of a great deal of land that belonged to the city of Omaha and held it, and finally by treaty stipulation, ceding part of the property that they

Tired, Tired

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good bargain by that treaty and got pos- terial. Q.-You speak of these terminal facili- session of about \$1,000,000 worth of prop-

> out is right here in this lot of papers, you | Q .- You understood that they were scription of lots right there in that pack- consideration that these corporations had

> Q .- You have made this statement here Yes sir. there, I have no familiarity with the numseveral hundred lots, and that they got a Yes sir, title to that properly that the company didn't | Q .- Did you take into consideration the property right here.

Q.-Now you say it had no right. The company, on the other hand, insisted it had, didn't it? A .- Well, evidently the company Q.-Will you please answer my question?

Q .- And it had possession under this color

least? A .- Yes, elr. Q -For over thirty years? A .- I never grading for the convenience and safety kept a description of the lots in my mind. Q .- Answer the question. It had posses-

Q.-Now you speak of this treaty. In ex- Q.-What do you mean by "eminent donot, so far as the city is concerned, for change for this did the Union Pacific con- main?" A .- Well, I think it is the rightthe benefit of the city? A .- They were struct a new shop? A .- No, sir; they didn't of-way, as I understand the right of absolutely for the benefit of the railroads. in exchange for this-that would be absurd. eminent domain. I don't know. Q.-Now let us not argue this. I will ask cial and venal purpose, I will ask you this you this question: Didn't the Union Paquestion: It is a fact, is it not, that the cific, or is it not now in process of con-

Q .- Wasn't it a part of this treaty that used by the traveling public of Omaha, year in new shops? A .- I don't remember Q.-Den't you know then, when you are

speaking of the treaty, that it is very near \$1,000,000? A.-I would like to explain-Q -Answer the question. A .- I don't know elled, of course.

Q-Ar.swer the question. A-They paid ment that the company should maintain its shops—the existing shops—the terminal facilities, etc., at Omaha, and improve them, I don't remember how much.

> Q.-Now that is not answering my ques-A .- I don't know how much the Q .- Are they not now building new shops there? A .- They are.

Q .- Is there not one going up there 450 feet long, 250 feet wide and 60 feet high? A .- I have read about it; I haven't seen it. Q .- Then you don't know? A .- I do not. Q-Do you swear to this court you have not seen in the course of construction there

the building I have just described? A-I will awear I have not seen one brick of the whole thing. Q-And that has been going on all spring and summer? A-Yes sir.

Q-And you can't see it now. It is 450 feet long, 250 feet wide and 60 feet high? A-It is not visible from my house. Q-You haven't been down to see it? A-

No sir, I have not. Q-And that is only one of the buildings in process of construction? A-I don't know; I haven't seen any of them.

Q-You know it was purposed by the treaty that it build a new shop and buildings at an expenditure of two or three millions and it is work at them and this building is in course of construction? Adon't know anything about two or three millions. I understand it was to be somewhere in the neighborhood of a million.

Q-Now don't you know all of these Union Pacific shops and this machinery in the new building, the headquarters, the terminal lines and the lots you spoke of are emine assessed locally? A-I don't even know know. that. I only know they are supposed to be assessed locally.

have to asy you. A-I mean I have no knowledge of it. Examined by Mr. Kelby: Q-West of the Eleventh street viaduct the Burlington has but one track to South Omaha, has it not? has one track so far as I know, running out, but it has spurs leading to the dif-

ferent establishments. Q .- Where are those spurs? A .- In South Omaha Q .- I am inquiring concerning Omaha and South Omaha. A.—They are along the west of the viaduct and they connect with some of those lumber yards, coal yards and dif-

ferent concerns in the neighborhood. Q.-Do you know whether they do or not? A .- I can't see how they could do business without it. I can't testify strictly because I haven't made an especial examination of that, but I feel sure they have spurs running into all of those yards at all of those

places. Q .- But you do know that all the terminals, all the tracks, all the depot grounds of the Burlington railroad are used in the

successful operation of the property? A .-Yes sir. Q .- And necessary to its use? A .- Yes sir,

Mr. Howe-If the court please, there is an know tem of testimony, viz., the letter written Mr. Harrington to the State Board Equalization, which was transmitted records are here. the governor, and which the testimony shows was read by the governor to the about what the amount of the net earnings 94. board, which we desire to offer in evidence, but owing to the absence of the sir; that was only on the main line—the net governor we are unable to get the criginal. We haven't a copy here in court; I have at home myself, and we desire to offer the letter with leave to supply a copy Mr. Harrington argued fully and explicitly the question of the valuation of certain of these railroad properties for the information of the board, marked "Exhibit

Mr. Prout-You say you haven't the letter here, or a copy of it?

Mr. Howe-No. I think perhaps we can get a copy in the city from the newspapers. or we might be able to find it published in tells one single word about the earnings the World-Herald, and I think there is a of the main line? A .- It doesn't say anyfile of that paper kept in the library, and thing about the main line possibly we can find the letter in there.

Mr. Edward Rosewater, which was con- as possible, off by the river, they made a it as incompetent, irrelevant and imma-

Overruled. The relators rest.

William Stuefer was then recalled by the Q .- Now after this dissertation, I would defense for further cross-examination by

a right to do business in the state? A .under oath that they have gotten new prop- | Q .- That they had the right to exercise

Q .- Did you consider that it was their bers of the lots and places in which lots duty under the law to perform the func-

> essarily being exercised in using this property belonging to them? A .- Yes sir. Q.-If you had assessed the railroad property in this state without reference to the right and privileges which they enjoyed under the law would your assess-

ment have been as high as it was? A .- No, Q .- If you had assessed the property of the railroads of this state as dead property unused and unoperated your assessment of title for many years, didn't it, to say the would not have been so high? A .- No, sir. Q.-Would it have been considerable

lower. A .- I think so. When you say you did not assess it as dead volved in the assessment of the Union posts in the United States. As the esti-Cross-examination by Mr. Harrington-Q .- Didn't the Union Pacific, together sion of it for over thirty years, didn't it? property you simply mean valuing the with the Burlington, for the purpose of A -- Well, yes; I suppose it had-I don't physical property? You considered the fact convenience and safety, in raising these know how long-I don't believe they had it that it was valuable because the physical Q .- Did they have it for any particular for that reason? A .- That it was live prop-

Q.-When did you consider the value of road a great deal more to prevent them fought with other railroads that wanted to power of eminent domain because they had in, but they didn't have a clear title until the law they were authorized to do busi-

Q .- That is your opinion of the power of

eminent domain, is it? Mr. White-I must protest. This is being treated as a joke. Now, we are in earnest here, and we put this witness upon the buildings, subways and viaducts, which are they should expend at least \$1,000,000 this stand for the purpose of proving facts. Now, I consider this should not be treated as a joke and I insist that opposing counsel should not try to laugh us out of court. Q.-Now, as a matter of fact, you don't

know what eminent domain is, do you? A.-Not exactly the real definition of it. Q.-Did you in considering the value of any of these railroads consider that they had the right to exercise the powers of sovereignty, that of the state itself? A .-The right of sovereignty? I wish that would be put in a little different way. Mr. Baldwin-You needn't be surprised can and we would like to make an offer

that way in the brief. Q .- Your idea of eminent domain is the fact that they have a right-of-way in the state? A .- And had a charter in the state and were authorized under the charter to do business in the state and through the state.

Q .- Did you know as a matter of fact the Union Pacific has not the right of eminent domain in the state at all? Mr. Baldwin-I object as incompetent

A .- Well, no. I didn't know that. Q .- Did you know that for the very reason that they didn't have it that it had organized a Nebraska corporation to exercise that power?

Mr. Baldwin-I object, as incompetent, irrelevant and immaterial and not bearing upon the issues; argumentative and asking for a legal conclusion. (Overruled.) A .- I think so.

Q .- What corporation had it organized to exercise the power of eminent doman? A .-Well, that is something that I don't really

Q .- Well, what kind of a corporation was of the Union Pacific. Q .- The Union Pacific, you think?

Q.-Did you know that the C., B. & Q

Q.-What do you consider to be the value

say that. Q .- You never did know, did you? A .-The value, you say?

-But it has a lot of spurs you know. It do business, and it is live property and it had carnings. Q .- I was asking you what you thought was the value of the right of the Elkhorn

railroad to exercise the power of eminent domain? A .- Under their charter I suppose they had a right. Q .- What do you consider was the value of that? A .- Of the charter?

Q .- No, sir; the value of the right to exercise the power of eminent domain? A .-Well, that I don't know. I don't know what the value of that is. Q.-How much did you value the Union Pacific without reference to the earnings?

A .- As being dead property, do you mean? Q.-No, sir; I mean as it is, without ref-

Q -Can you tell us now,or with this entire mass of testimony can you tell us, what ers the net earnings of Union Pacific are in the could without looking at it. I think it was wide and I think this is clearly within the somewhere about \$6,000 a mile-I don't ordinary rule and the evidence will be re-

Q.—The Union Pacific? A.—Yes, sir; I think that is it-I am not sure of that; the

per mile were, as you thought? A .- No. earnings. Q.-Do you mean to say there is any

thing in any of the reports before you that tell what the earnings were on the think there is in the reports there from the railroad companies. Q-Now will you find it? A .- The Union Pacific is there.

Q .- All right, we will see if there anything there about the main line, just take that report and see. A .- There is the statement, it will show for itself. Q .- Do you mean to say that statement

Q .- How then did it happen when you Mr. Prout-Waiving objections to a copy didn't have a single statement showing.

Following is the cross-examination of had claimed that is worth about as little of the letter being offered, we object to and when the company itself had refused to separate in its earnings or in its capital stock, or to apportion between the main line and branch lines, how did you happen o assess the main line at one figure and the branch lines at a different figure? A .- Well, we took the blennial report of the former auditor and kind of went according to the former board's assessments. Q .- Now that is really the truth about it, isn't it, you fellows simply followed along through the old beaten path? A .- The same as all the auditors did in the state of Nebraska-well, I don't want to say

> cording to the best of my judgment. Q .- Now do you know what the earnings per mile of the Union Pacific were in 1899? .-Well, by referring to the auditor's re-

> that, I think I assessed this property ac-

Q .- Well, did you ever know it? Do you know whether they were decreased or increased? A .- What is that? Q .- Do you know whether their earnings

have decreased or increased? A .- Well, now I will not be sure of that, I think they decreased, but I am not so sure about it. Q.-How does it happen you have assensed this road at a lower rate now in the face of these earnings than it was assessed for when it was in the hands of

the receivers and was a bankrupt concern?

A .- Well, let us see. When did it get out of the receivers' hands? Q .- I am going back to the time when t was in the hands of the receivers in 1895 or 1896. You haven't assessed it for a dollar more now with its immense earning capacity than when it was in the

say that. the interests of the state that were in- Dakota, and only excelled by two army Pacific railroad that you don't know mates called for by the War department whether you assessed it for more or less are based upon the contemplated occuthan when it was a bankrupt road? A .- pancy of the post for the ensuing year property was being used and was not dead I couldn't answer that question, and I this call for forage and grain is most sugwouldn't. Witness excused

Omaha. By permission of counsel I wish ters assume a very satisfactory aspect. to put in the evidence the aggregate amount of taxes paid by the Elkhorn road for the years 1891 to 1901, inclusive;

1897 \$ 151,701.67 1898 152,719.15 1899 154,852.27 1900 152,029.78 1901 151,232.64 \$ 194,557.02 203,890,70 184,714.60 190,105.30 152,402.06 150,309.50 .\$1,838,510.25 Total Mr. Baldwin-With the permission of the attorney general, the respondents desire to offer in evidence the annual reports of the auditor of the State of Nebraska for the years, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900 and 1901. The respondents offer in evidence the grand assessments for the years 1890 to 1901, inclusive, marked Exhibit "B-1." There was a statement which was filed or prepared by the representative of the Elkhorn showing the assessment of lands and sales in certain counties in this state and it was referred to by Mr. Weston in his testimony and he says it has disappeared from his desk. We will try to find that if we

statement of a certain number of countles Mr. Harrington-I object as incompetent irrelevant and immaterial. Overruled. Mr. Baldwin-I offer in evidence the amount of taxes paid by the Union Pacific railroad company for the years 1899, 1900 and 1901, marked Exhibits "B-2" and "B-3." Mr. Harrington-I object as incompetent

of it now in evidence. It is i

and immaterial. Overruled. Mr. Baldwin-The respondents offer in evidence the census bulletins of the United States for the state of Nebraska for agriculture and manufacture. These are the advance bulletins issued by the depart-

Mr. Howe-I would like to ask counse for what purpose he offers that testimony Mr. Baldwin-Under the suggestion of the court it has been receiving evidence with reference to the charge of fraud. The contention of the relators being that the board acted fraudulently in the matter, 'grossly," as they term it, and that, therefore, it is a subject of review by this court and a large amount of testimony has been admitted. It is always the rule where a it that it organized? A .- The corporation fraud is charged extreme latitude is allowed by the court in the admission of testimony, to which we bow. We desire to offer this evidence to show that the result of the action of the board was fair, was has not the right to exercise the power of right and was just, as compared with any eminent domain in Nebraska? A .- I do not standard or criterion that the court may fix or that the counsel in their vivid imagination can present to the court; that river country. of the right of the Elkhorn to exercise the it was fair and just relative to all of the Q-If you don't know that, that is all I power of eminent domain? A.-I couldn't property in this state; that it was just and fair as compared with other states surrounding Nebraska similarly situated with like industries of like character and like Q .- The value of that privilege? A .- Well, people. That there is no striking disparity because it had the right under a charter to in the assessment such as would warrant the inference or the intimation that it was fraudulent. This is offered for the purpose of allowing the court to consider it on this charge of fraud. There are many, many reasons that I could assign other than

what I have indicated. Mr. Howe-I am aware that a great deal of latitude has been allowed here, and we Young Woman Suddenly Remembers. have not made any objection, that is no captious objection, and do not want to now. We will object to the testimony as incompetent and immaterial, and for the especial reason that the laws of this state create boards of assessors or officers to assess the properties in this state and that the return of those officers and their assessments cannot be impeached in these erence to the carnings. A.—I don't know sessments cannot be impeached in these whether we have put a value on it without proceedings; that they must be accepted as sound and just and right, as well by these railroad companies as by all other taxpay-

Chief Justice Sullivan-On the issue of state of Nebraska? A .- I don't think I actual fraud the range of evidence is very

Mr. Baldwin-I offer in evidence the proceedings of the State Board of Equalization of the state of Illinois for 1891, which may Q .- So you put the assessed value at be marked "B-4," particularly pages 6 and

Chief Justice Sullivan-This was before the board? Mr. Baldwin-No, it was not before the board, but that would make no difference,

we think. Mr. Howe-Objects as incompetent, irhereafter, the purpose being to show that main line of the Union Pacific? A .- I relevant, immaterial for the reason heretofore stated in reference to the last offer and I desire to say that because we have consented to such liberality in the mat-

think that the line should be drawn some-

Chief Justice Sullivan-Couldn't it be disposed of this way? Personally, I think the evidence is not admissible, but without stopping to consult in regard to it we will receive it subject to your ob-

Mr. White-I offer in evidence exhibit "B-5," being a schedule showing the sales of property in different counties and the selling price and also the assessed valuation of the property.

Mr. Baldwin-The offer I made with reference to the taxes paid by the Union Pacific and the testimony of Mr. Scribner I find I am in error as to the years, the years are for 1898 and 1899, and I offer in evidence the taxes paid by the Union Pacific in the state of Nebraska for the years 1898 and 1899, which is \$209,701.88 and \$297,983.87 respectively.

Mr. Kelby-The respondents now offer to show the total taxes paid to the state of Nebraska by the Chicago, Burlington & Quincy Railroad company and its pro prictory lines for the year 1900 and 1901, being the taxes paid for all purposes. Mr. Baldwin-Mr. Scribner advises me that that tax paid does not include the tax paid to the state on our lands outside, that is on our land grant lands.

Respondents rest. In Rebuttal-Mr. Simeral offered the re ports of the State Board of Equalization for the states of Kansas, Indiana and Missouri for the purpose of rebutting the testimony contained in the report offered by Mr. Baldwin in regard to Illinois. (To Be Continued.)

BIDS FOR SUPPLIES AT MEADE Amount Contracted for Would Indi-

eate Increase in Force at Post.

STURGIS. S. D., July 13 .- (Special.)-There was quite a crowd of interested bidhands of a receiver and was a bankrupt ders at the quartermaster's office, Fort concern? A .- Well, I don't know as we Meade, this week to witness the opening of bids for grain and forage. It is a some-Q .- Well, as a matter of fact you know what pleasant fact to contemplate that that you didn't, don't you? A .- I will not the estimates made and on which bids were called for were larger than those of Q .- Do you mean to say that with all any military post in the Department of gestive. Such a requisition would seem to indicate that the War department in-Mr. White-It is admitted that the Fre- tends to fill the post up this summer, and mont, Elkhorn & Missouri Valley Railroad with the \$100,000 appropriated by congress company has no terminals in the city of for new buildings and improvements mat-

SCANDINAVIAN EDITORS MEET Association is Composed of Editors in

All of the Northwestern

States. SIOUX FALLS, S. D., July 13 .- (Special Telegram.)-At the annual meeting in this city of the Norwegian-Danish Press Association of the Northwest, which includes the Danish and Norwegian editors of Wisconsin, Minnesota, Illinois, Nebraska, North and South Dakota, the following officers were elected for the ensuing year: President, Charles Brandt, editor Nordvestern, St. Paul; vice presidents, S. S. Sorenson, editor Tedende, Minneapolis, and J. F. Straas, editor of Fremad, Sloux Falls; secretary, M. S. Rasmussen, editor Ugenbladet, Minnespolis; treasurer, L. Staven heim, editor Nye Nodmanden, Minneapolis.

St. Paul or Minneapolis upon a date to

The next annual meeting of the associa-

tion, it was decided, will be held either in

Railroad Surveyors Busy. SARATOGA, Wyo., July 13 .- (Special.) -A torps of Union Pacific surveyors that has been running lines from Walcott south, arrived here a few days ago and is running surveys on into the mountains. The engineers will say nothing about their work, but it is presumed that the railroad company is selecting the best route and will be in readiness to push a road into the Grand Encampment country as soon as the business from that section will justify or as soon as a move is made by a competitor to enter the section.

Girl Dies from Exposure. HANNA, Wyo., July 13 .- (Special.) -A sad death occurred near here last week. The little daughters of David Griffith had been visiting at a ranch fifteen miles from here and started home without saying a word to any one. It was some time before they were missed. A searching party found the elder girl dead in the sage brush. She had lost her way and laid out all night, dying from exposure and hunger.

Old Man Dies of Injuries. SARATOGA, Wyo., July 13 .- (Special.)-Grant Smith, the old man who was frightfully injured by a vicious horse a week ago, died from the effects of his injuries. Deceased was an old resident of the Snake

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TERRELL. Tex.. July 13.—The young woman, Miss Ada Barker, who was brought to the state insane asylum here by the sheriff of El Paso county a week ago in a supposedly demented condition, has so far recovered that she remembers having left her home in New York during the latter part of May for the Galveston carnival. After reaching Galveston Miss Barker's mind is a blank until within the last few days. The young woman was well supplied with money on leaving New York and still retains a portion of it. She has written relatives in New York apprising them of her whereabouts and condition. Physicians pronounce her case one of double consciousness, or recurrent deconsciousness, or recurrent de-

Hahn Gets Rehearing.

MANSFIELD, O., July 13.—Another hearing will be given William M. Hahn, former state insurance commissioner in the circuit court, this week. Following the circuit court decision the case will be taken to the Ohio supreme court for a final rendering on the priority of Governor Nash's warrant for extradition to New York over the local warant on which the defendant is under arrest here. While he has been at his suburban home near the city since his release from the county jail Mr. Hahn has been under the surveillance of the sheriff.

Grand Army Will Reinstate Ware. FORT SCOTT, Kan., July 13.—Eugene F. Ware, commissioner of pensions, who years ago was a member of William H. Lytle post, Grand Army of the Republic, of this city and who allowed his membership to lapse, will be reinstated at the next meeting of the post at his request.

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