

RAIL CASE HINGES ON MOOTED POINT

Nebraska Railway Commission Telegraphs Lawyers in Washington to Refer to Brief.

JUSTICE WHITE RAISES ISSUE

Question Whether Double Charge in Operating Account.

NOT URGED BY MINNESOTA MEN

Freely Set Forth in Brief Filed by Friends of Court.

NEW SYSTEM OF ACCOUNTING

Testimony of Presidents of Great Northern and Northern Pacific Railroads Cited in Support of Contentious.

(From a Staff Correspondent.)
LINCOLN, Neb., April 11.—(Special Telegram)—Telegraph reports today quote Justice White of the supreme court of the United States as raising the point of Attorney Young, who was arguing the Minnesota rate cases, that the railroads were not to have made double charges of items to the extent of almost \$200,000 in the operating expense account, that if such a showing had been made in the court below it would have been determining. The court was said to have asked for the proof and argument thereon.

While these facts are not set out in the brief of the Minnesota attorneys, they are made much of in the brief filed by the railway commissioners of other states as friends of the court. For fear the Minnesota attorney had not noted the concise discussion of the point in this brief, the Nebraska commissioners wired him, calling attention to the pages devoted to this subject in the brief.

Testimony of the presidents of the Great Northern and Northern Pacific roads was cited in support of the contention, and also to prove the fact this system of accounting was not adopted until the year taken as the basis for the present suits to knock out the Minnesota rates.

These same Minnesota attorneys who now find this argument the apparent turning point in the case and who must rely on the intervening brief or it, are the ones who told the commissioners of other states they could file a brief if they wanted to, but Minnesota was amply able to take care of itself without any outside assistance.

Strike Committees Report Progress

PHILADELPHIA, April 11.—The subcommittee of miners and operators appointed at the conference yesterday to take up the work of trying to reach an agreement on a new working arrangement for the anthracite mine workers held a three hour session here today and at its conclusion gave out a brief statement that progress had been made. The committee will go into session again tomorrow and will probably hold an all-day meeting. No statement as to the result of the committee's labor will be made until a report is ready to present to the full committee of miners and operators.

Members of the miners tonight expressed themselves as satisfied with the progress made. One of the members of the committee said:

"There was a general discussion of the differences between us. It was a wide range, but we touched on almost every point of difference and we cannot tell when we will get through."

MAN CRUSHED BY BIG BELT DIES OF INJURIES

MASON CITY, Ia., April 11.—(Special.)—Philip Saick is dead as a result of attempting to make a thirty-inch drive belt a bed on which to repose. The accident occurred on Sunday at the Lehigh cement plant. The wide belt was in front of a fired man and he stretched over full length but before he awakened the big machine started and he was pulled under the wheel. His body was terribly torn, but he lived for three days, and at one time it was thought that he might recover.

The Weather

For Nebraska—Unsettled, with probably local showers; warmer southwest portion.

For Iowa—Unsettled, with probably local showers; no important change in temperature.

Temperature at Omaha Yesterday.

Time	Temp.
6 a. m.	52
7 a. m.	52
8 a. m.	52
9 a. m.	52
10 a. m.	52
11 a. m.	52
12 m.	52
1 p. m.	52
2 p. m.	52
3 p. m.	52
4 p. m.	52
5 p. m.	52
6 p. m.	52
7 p. m.	52
8 p. m.	52
9 p. m.	52
10 p. m.	52
11 p. m.	52
12 m.	52

Comparative Local Record.

Highest yesterday	1912	1911	1910
Lowest yesterday	32	45	32
Mean yesterday	52	57	52
Precipitation	0.0	1.1	0.2
Excess for the day	1.1	0.0	0.0
Deficiency since March 1	0.0	0.0	0.0
Normal precipitation	10.0	10.0	10.0
Deficiency for the day	0.0	0.0	0.0
Total rainfall since March 1	1.1	0.0	0.0
Excess since March 1	1.1	0.0	0.0
Deficiency for cor. period, 1911	0.0	0.0	0.0
Deficiency for cor. period, 1910	0.0	0.0	0.0
Reports from Stations at 7 P. M.			
Station and State	Temp.	High	Low
Chicago, Ill.	68	71	56
Omaha, Neb.	52	55	32
St. Louis, Mo.	52	55	32
Denver, Colo.	52	55	32
Des Moines, Ia.	52	55	32
Dodge City, Kan.	52	55	32
Fort Worth, Tex.	52	55	32
San Antonio, Tex.	52	55	32
Galveston, Tex.	52	55	32
San Diego, Cal.	52	55	32
San Francisco, Cal.	52	55	32
Portland, Ore.	52	55	32
Seattle, Wash.	52	55	32
Portland, Me.	52	55	32
Boston, Mass.	52	55	32
New York, N. Y.	52	55	32
Washington, D. C.	52	55	32
Richmond, Va.	52	55	32
Memphis, Tenn.	52	55	32
Indianapolis, Ind.	52	55	32
Cincinnati, Ohio	52	55	32
Cleveland, Ohio	52	55	32
Pittsburgh, Pa.	52	55	32
Philadelphia, Pa.	52	55	32
Wilmington, Del.	52	55	32
Baltimore, Md.	52	55	32
Washington, D. C.	52	55	32
N. A. WELSH, Local Forecaster.			

Former Red Cloud Man Kills Wife and Self in Arkansas

COFFEYVILLE, Kan., April 11.—(Special.)—M. R. Bentley, last night shot and killed his wife and shot himself, at Sloan Springs, Ark. He died today. Mr. Bentley went there several years ago from Red Cloud, Neb., and was accounted one of the wealthiest men in North Arkansas. Mr. and Mrs. Bentley lived happily together a quarter of a century and then came trouble over the division of the estate. He had advanced \$50,000 to her relatives and wished this amount to come out of her dowry interest in his estate. Strained relations followed her refusal. He made a will last week, ordered a steel vault constructed and arranged for the funeral. He recently lost \$12,000 in the Sloan bank failure.

Irish Home Rule Bill Introduced

LONDON, April 11.—The Irish home rule bill, the third effort made by liberal governments of the United Kingdom in a quarter of a century to settle the quarrel between Great Britain and Ireland, was introduced in the House of Commons this afternoon by Premier Asquith.

The cardinal principle of the present home rule bill is, said the premier, the supreme authority of the imperial parliament, while at the same time real autonomy is conferred on Ireland in regard to Irish concerns.

The bill provides for the establishment of an Irish parliament consisting of a senate of forty members and a house of commons of 101 (later to have fifty-nine), with power to make laws for peace, order and good government in Ireland. Provision is made for the protection of political equality.

The Irish parliament is to have power to reduce or to discontinue the imperial taxes, excepting the income tax and the stamp and estate duties. The Irish representation at Westminster is to be forty-two members, one for every 100,000 of the population.

Soft Coal Miners Approve New Scale

INDIANAPOLIS, April 11.—"Ninety per cent of the soft coal miners have approved the proposed two-year wage contract," said Edwin Perry, secretary-treasurer of the United Mine Workers of America today, after he had received telegrams from representative local unions throughout the country reporting results of yesterday's referendum election.

Though perhaps 25 per cent of the miners of Indiana and the southwest voted in the negative because of certain local conditions, western Pennsylvania, Illinois and other districts were practically unanimous in endorsing the new agreement, Mr. Perry said.

The ballots are being returned to the miners' headquarters here and the tallies will begin counting them next Monday.

The result probably will be announced officially Monday night. The miners' national officers expect with the wage question settled district differences between the men and operators speedily will be bridged over and all the bituminous miners will be back in the pits on May 1.

Locomotive Falls Into Cone's Lake

MUSCATINE, Ia., April 11.—Engineer John Adams of Ottumwa, Ia., was buried underneath his engine in twenty-eight feet of water in Cone's lake near here today and his fireman, John Moriarty, was fatally injured. The accident occurred on a Chicago, Milwaukee & St. Paul railroad switch engine while crossing a bridge which had been weakened by the recent flood at that point.

The engine was sent over the bridge to test it. When near the middle the timbers beneath gave way, carrying the engine and its crew with the structure into the water.

Fireman Moriarty attempted to jump as the locomotive went through the bridge and had his right leg cut off. He is not expected to live. The body of Engineer Adams had not been recovered late this afternoon. Moriarty was rescued and taken to Conesville.

ROOSEVELT AND LA FOLLETTE MEN ARE STILL FAR APART

(From a Staff Correspondent.)
LINCOLN, April 11.—(Special.)—A movement has been on foot to induce the opponents of Mr. Taft to combine on either Roosevelt or La Follette, but absolutely no headway has been made and there is no prospect of the effort resulting in anything. The Roosevelt men insist they are the stronger, not only in the state, but in the nation and therefore La Follette should leave the field clear for the colonel.

The La Follette men take exactly the same view of their favorite, and there you are. In speaking of the matter today, F. P. Corrick, secretary of the La Follette league, said that if the plan ever was practicable, it was too late now. No effort is made to conceal the fact that the La Follette men are perfectly willing to measure strength with Roosevelt and that they do not care very much whether Roosevelt gets any votes at all.

DR. HOUSTON ELECTED MAYOR OF NEBRASKA CITY

NEBRASKA CITY, APRIL 11.—(Special.)—Dr. J. D. Houston, James A. Richardson and Robert E. Hawley, the newly elected commissioners have taken over the affairs of the city and will look after them in the future in place of the mayor and council as in the past, this city, being under a commission form of government. Dr. Houston was elected mayor, and James A. Richardson, vice mayor, while Robert E. Hawley will look after the streets and alleys of the city. Each one has his work laid out. Mayor Houston will deliver his inaugural address next Monday evening and all appointees will then be announced.

RUMOR OF POPE'S DEATH UNTRUE

Report Originating at Madrid that Pontiff is Dead Published Throughout World.

FLAT DENIAL COMES FROM ROME

His Holiness is in Usual Health and Continues Audiences.

SEVERAL DIGNITARIES RECEIVED

Minister from Argentina is Among Callers at Vatican.

CABLES SILENT THREE HOURS

Inability to Get Information Direct from Rome Seemed to Lead Currency to the Story from Spain.

ROME, April 11.—4:27 p. m.—There is no truth in the report circulating through the world based on a telegram from Madrid that the pope is dead.

The pope continues his daily audiences. He received today Cardinal Della Voipe, Prince Borghese, Senor de Estrada, the Argentine minister at the Vatican, and his family and Count and Countess Junge.

Afterwards the pontiff greeted a number of Italians and foreign personalities.

Report Due to Error in Message.

MADRID, April 11.—The official Spanish news agency explains that its statement that the pope was dead was due to an error in a message received from Rome at the papal nunciature here. It is believed that the error occurred in the deciphering of a code message.

The cable dispatch from Rome sent at 4:27 p. m. and received in this country shortly before noon disposed of the alarming report sent from Madrid and circulated throughout the world early in the day that Pope Pius X was dead.

The first report stated that the papal nunciature at Madrid had confirmed a private dispatch received there announcing the pope's death. A similar dispatch was received in London from Madrid.

Meanwhile the cable from Rome was silent and for nearly three hours no direct communication could be had from that city. Urgent efforts from the different capitals of Europe, by telegraph and long distance telephone, were made to secure direct information from the Italian capital. Paris secured a long distance telephone connection shortly before noon and was informed that the Madrid report was untrue. Immediately following this, telegraph and cable dispatches direct from Rome gave the same information that the Madrid report of the pontiff's death was untrue.

Pope Pius has been in rather poor health for some weeks, but at no time has his condition reached a critical stage or one giving serious cause for apprehension of those about him.

On March 25 he was compelled to suspend his audiences for a few days owing to a slight cough, accompanied by catarrh. On March 27 he was sufficiently improved to resume his audiences. Among those greeted on that day were some 30 Americans. They noted a slight pallor and some hoarseness in the pontiff's speech, but beyond that there was no evidence of serious physical disability.

MURDER OF DEATH NOT BELIEVED

Bishops and Priests at Consecration Are Not Disturbed.

When the report that Pope Pius X was dead reached Creighton university where hundreds of priests, bishops and laity of the Catholic church were awaiting the procession into St. John's church for the consecration, a commotion was started.

Priests and bishops ran around through the halls talking of the report until everyone knew of it. Then it spread to the thousand or more spectators in the streets.

Later words of doubt appeared about the report and the excitement of its first announcement subsided. It was not mentioned during the consecration ceremony.

Bishop Ward of Kansas City, Kan., and Bishop Cunningham of Concordia refused to be bothered by the rumor. They said it was merely a rumor and they did not believe it. Other bishops were disturbed only temporarily and after questioning newspaper men whether or not the report had been authenticated, declared it could not be true and the ceremonies would not be interrupted nor postponed by it.

Sixty-Six Hundred For Two Fingers

MINNEAPOLIS, April 11.—The sum of \$6,600 was awarded to E. P. Cole, a brakeman, by a federal jury here today for injuries alleged to have been resulted while in the employ of the Omaha Railway company in 1910. Cole alleged that through the company's negligence he was thrown from a moving train and lost two fingers and received other injuries.

NEW RULING EXTENDS USE OF MILEAGE TICKETS

WASHINGTON, April 11.—The Interstate Commerce commission today announced its interpretation of the law governing the use of mileage, excursion or commutation tickets for through passenger business over connecting lines. It was held that regularly established excursion, mileage and commutation rates in accordance with tariff lawfully filed with the commission may be used in making fares for the transportation of both passengers and their baggage the same as if the passengers held their tickets over the entire route of their journey.

Passengers, however, must procure either through tickets over the two or more lines involved or present to the initial line separate tickets covering the entire journey. Railroads then would be permitted to accord through accommodations, including all conveniences, such as through sleepers in the same manner as is accorded on through tickets over the entire physical line.

RT. REV. PATRICK ALOYSIUS MCGOVERN Bishop of Cheyenne



FIGHT IN CONVENTION HALL

Taft and Roosevelt Delegates Clash at Bay City, Mich.

SOLDIERS TRY TO KEEP ORDER

Trouble Begins When Two Men Attempt to Precede Roosevelt Adherent Starts to Make a Speech.

BAY CITY, Mich., April 11.—Michigan republicans split today in a convention featured by fist fights and the calling out of state troops. The Roosevelt leaders and delegates after electing a national delegation withdrew to carry the question of disputed delegates before the national convention at Chicago. The Taft forces claimed the regular convention and began their organization. They also will elect six delegates to the national convention.

While troops held the front door to the army camp and a crowd of 1,800 delegates and contested delegates to the Michigan state republican convention today, Taft members of the state central committee were admitted to the building through a small side entrance and Taft forces thus secured the first strategic advantage over the Roosevelt men over the fight for control of the convention.

The Taft members, who were headed by Acting Committee Chairman Robert H. Shields of Houghton, were followed into the room by Chairman Knox and former United States Senator Albert J. Beveridge of Indiana, who also came through the side entrance. Knox at once voiced emphatic protests against the action of his committee members, but despite his protests he was voted down.

The committee then elected Shields temporary chairman and went ahead with seating arrangements for the delegates who waited impatiently in the street.

Roosevelt leaders meanwhile conferred at a downtown hotel several squares distant and prepared to go to the convention and seat their temporary chairman, Newberry Secretary of the Navy Truman Newberry of Detroit.

Fight Starts on Stage.

The opposing chairmen attempted at the same moment to open the convention. W. D. Gordon of Midland, a Roosevelt committee member, sprang to the stage and attempted to address the convention. He was hurled from the stage by J. F. Cremer of Marquette, a Taft man. Police and militia at the juncture forced back a hundred men who sought to engage in the fight precipitated by Gordon and Cremer. All attempts to quiet the excited delegates seemed useless.

Despite great disorder both the Taft and Roosevelt committees were enabled to meet.

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The National Capital

Thursday, April 11, 1912.

The Senate.

In session at 2 p. m.

Best sugar interests protested to finance committee against house free sugar bill.

Free tolls for American vessels on Panama canal were advocated before inter-oceanic canal committee.

The House.

Met at noon.

Considered District of Columbia legislation.

Steel trust investigating committee held hearing three ore experts. Its last witnesses before close of inquiry.

Banking and currency committee decided to begin "money trust" investigation April 17.

Ruling Asked on Proper Number for Electoral College

WASHINGTON, April 11.—A ruling from the Department of Justice as to whether the electoral college that will choose the next president of the United States shall consist of 69 or 51 members has been asked for by members of the house committee on judiciary.

Political activity in both parties has proceeded on the assumption that the larger number was correct, but this now is questioned on the ground that the reapportionment of congress does not become effective until March 4 next. The question has created considerable confusion, but it will not affect the convention, as the national committee fixed the number of delegates arbitrarily in accordance with the new apportionment.

Ashland Levee Out; Vast Area Flooded

NATCHEZ, Miss., April 11.—The levee at Ashland, Miss., broke today. Thirty-six hundred acres in Jefferson county will be flooded.

VICKSBURG, Miss., April 11.—Dikes at the most menaced points in the Mississippi flood zone were holding strong against the rapidly descending tide today.

MEMPHIS, Tenn., April 11.—With the upper rivers falling today optimistic reports come from all except one of the flooded points along the Mississippi river north of Memphis. At Luxuria, the situation is desperate. The base of the levee is weakening, and those who know the waterway, say the chances for holding the embankment are discouraging.

CAIRO, Ill., April 11.—The Ohio river subsided one-tenth of a foot here in the last twenty-four hours, and today stood at 31.7 feet. Merchants reopened their stores and the levees, which are holding the water out of the city, are being patrolled constantly.

Woman Who Shot Husband is Released

DES MOINES, Iowa, April 11.—Mrs. Wylam Pratt, who last Monday killed her former husband by firing five bullets into his body was today released by the police upon advice of the coroner's jury which held that she committed the deed in self defense. Witnesses testified that Pratt several times had threatened to kill his wife.

NEW BRIDGE TO BE BUILT ACROSS THE NORTH PLATTE

SUTHERLAND, Neb., April 11.—(Special.)—The proposition to build another bridge across the North Platte river north of Sutherland, at an approximate cost of \$20,000 was voted on here at a special bond election. Tuesday. The bonds carried, the vote being 122 for and 32 against. One hundred and thirty-eight votes favored the continued use of the old bridge while twenty-nine were against. The two bridges will be about one mile apart. The northwest part of Lincoln county was included in the voting district and Kinkaid by-seaters were in town to cast their votes.

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ELEVATE PRIEST TO EPISCOPATE

Patrick Aloysius McGovern, Native Son of Omaha, Now Bishop of Cheyenne.

HIGH DIGNITARIES ARE PRESENT

Acolytes, Priests and Bishops Participate in Ceremony.

CLERICS BRILLIANTLY ROBED

Archbishop Keane is Surrounded by High Ecclesiastics.

SERVICE CONDUCTED IN LATIN

One of Most Striking and Dramatic Incidents Occurs When Bishop-Elect Prostrates Himself Before Consecrator.

It was a representative and a very sympathetic gathering, that witnessed the consecration of Patrick Aloysius McGovern as bishop of the Roman Catholic church Thursday morning. St. John's, the Collegiate church of Creighton university, was filled by ticket holders half an hour before the procession of acolytes, priests and bishops arrived from the university halls. Clergymen were present from all parts of the west to do honor to the first native son of Omaha to be elevated to the episcopate; and in the audience within the church were citizens of many different religious affiliations, a large number being prominent in social and welfare work with which Father McGovern has been connected for years.

Ready for Ceremony.

When the procession of clergymen had been seated in the center aisle and the bishop and consecrator, with their chaplains and assistants arrived within the altar rail, Fathers Stenson and Gleason, the master of ceremonies and his assistant, immediately began preparation for the solemn ceremony. Robes were donned by the high ecclesiastics who were to take part in the ceremony, which commenced some little time. It was 9:30 a. m. when Archbishop John J. Keane of Dubuque, arose from his canopied seat to approach the high altar. He was surrounded by a brilliantly arrayed concourse of clerics, each of whom had been assigned some particular part in the impressive ceremony. Archbishop Keane was attended by two chaplains and the assisting bishops each had one chaplain to assist him. The assistants to Archbishop Keane were Bishops Scannell of Omaha and Garrigan of Sioux City.

Priest is Elevated.

When the archbishop had taken his position before the altar, seated facing the audience, the elevation of the Omaha priest who is to rule the Cheyenne diocese proceeded with all the pomp and deliberate dignity that characterizes the great ceremonies of the Catholic church. The words used were Latin, but the reading and the action of the participants were expressive and intelligible to the deeply interested watchers. Those who desired to follow the ceremony closely had provided themselves with little books carrying an English translation on the opposite page from the Latin original, and thus kept in close touch with the proceedings within the altar rail.

"The imposition of hands with prayer is the essential rite by which episcopal power is conferred," one explanatory footnote, and to this consummation everybody looked forward with keen interest. One of the most striking and dramatic incidents of the whole ceremony was that when the bishop-elect prostrated himself at full length before the consecrator, and was elevated.

While Bishop McGovern was thus prostrated the church aisles echoed with the resounding and melodious chant of the litany by the men's choir of the university. It was a splendid music, accentuating the crux of a great ceremony, and the audience sat entranced under the spell of the moment.

Archbishop Keane and Bishop McGovern celebrated the mass together, as prescribed by the church rules for such an occasion, and both were in fine voice for the solemn intonations. There was no delay after the work of consecration had started and neither was there any undue hurry, but a most dignified and soul-stirring progress to the vital moment when the beloved parish priest rose wearing the miter of a bishop.

Ceremony Most Impressive.

The contrasting costumes of the acolytes, priests, bishops and archbishop combined to make a gorgeous picture of ecclesiastical ritual in motion, with the individuals continually shifting and changing places. The figure of the consecrator held the eyes of all watchers as he moved from his throne to the high altar and back again, and it was most interesting to Catholics and non-Catholics alike to note the bishop carrying out of all the details of this ancient rite.

At one point the shoes of the bishop-elect were removed and white sandals were placed on his feet, over which were drawn broadcloth coverings reaching to the knee. At another part of the ceremony six acolytes

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MANY WITNESS PROCESSION

Richly Robed Dignitaries March to St. John's Church.

SCHOOL CHILDREN DISMISSED

With Others They Line Way Between Church and University—March is Led by Cross Bearer, Father Groups.

Priests dressed in surplices of black and white, and bishop robed in cassocks, rochetts and mantletts of black, white and purple composed the most imposing procession of Catholic dignitaries ever seen in Omaha, a procession which required fifteen minutes, beginning shortly after 9 o'clock yesterday morning to march from Creighton university to St. John's church a few hundred feet away.

Leading the procession was the cross-bearer, Father M. J. Grupa of the St. Francis church, South Omaha, who was immediately followed by nine acolytes with hands pressed together as in prayer and heads bowed reverently.

Many Dignitaries March.

Then the 115 priests walked slowly down the east entrance steps of the university and out to the walk, each with hands folded upon a prayer book and the ritual of the consecration.

What was the most imposing sight of the entire procession from a spectacular viewpoint were the purple robed bishops, the bishop-elect and the consecrating prelate.

Bishop-elect McGovern and his chaplains, the Rev. Father S. L. Dowd of St. Peter's church, and the Rev. Father John McNamara, followed behind the procession of priests.

At the end of the long procession came the beautiful processional cross, borne directly in front of Archbishop Keane, whose chaplains were Father Jeanette and Father Cassidy.

Students as Acolytes.

The following students of Creighton university were the acolytes: H. L. Sullivan, O. P. Sullivan, E. La Porte, H. Chevalier, T. Martin, D. Kelley, J. Polak, T. John and P. T. McAvoy.

In front of Creighton university were 1,500 spectators. Several cars passing at the time stopped for a few moments while the passengers crowded to the windows to watch the slowly moving procession. Several hundred pupils of St. John's school, which is directly across the street south of the church, were relieved from their studies while the church dignitaries marched by. Those students bowed reverently as the bishop-elect and the consecrator passed. They stood lined along the sidewalk for a block and eagerly watched the body of robed men disappear into the church.

Stars and Stripes.

The exterior of the university building and St. John's church were beautifully decorated in huge American flags and flags of the papal colors. In the middle of each side of the buildings hung the Stars and Stripes and the papal colors, some of which were large enough to cover 200 square feet of space.

St. John's church was packed to the doors, many who had invitation cards being required to go into the choir balcony to fill up the extra corners left around the forty young men singers. There were more than 200 persons who tried to crowd through the doors after the ceremonies had begun. These were held back, however, by police officers

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Everybody dislikes to move, The dread of it is a real nightmare. But you do not need to be worried about moving. The finest flats, houses and apartments for rent in Omaha are advertised in the classified columns of The Bee. Read these ads and you will get the pick of the best in the city.

The quickest business getters in the west are these little Bee want ads. Try them for everything.

Tyler 1000