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George B. Tzschuck, secretary of THE BER ublishing company, does solemnly swear that he actual circulation of THE DAILY BER for he week ending February 25, 1893, was as follows:
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Monday, February 20
Tuesday, February 21.
Wednesday, February 22.
Thursday, February 24
Saturday, February 24
Saturday, February 25. GEORGE B. TZSCHUCK.

Average Circulation for January, 24,247

Church Howe is beginning to realize that the senate is not the house

YESTERDAY was railroad day at Lincoln. The opponents of a 2-cent mileage rate were out in full force.

THE action of the house yesterday upon the beet sugar bounty bill will meet the approval of the people. Who will now go before the railroad

committee of the senate and argue the

other side of the railroad question? THIS is the 1st day of March and the very date on which an everlasting quietus should be put upon any and all

efforts of the legislature to count the constitutional amendments in. THE Kansas populist house has acquiesced in the decision of the state supreme court, and proposes to join the

republican house and put a stop to all

nonsense. And the nation will applaud. IT HAS not yet been determined whether the bondsmen of ex-Treasurer Hill or Treasurer Bartley are responsible for the loss sustained by the state through the failure of the Capital National bank.

NEW ORLEANS forced the lottery fraud to emigrate to the South Sea islands. It should now dump the prize fighters into the gulf. A citizenship that is strong enough to stamp out the Mafia is certainly able to free itself of

WHEN the Commercial club of Kansas City speaks out the railroad managers harken. Its members present a solid front and will not suffer that city to be imposed on by the railroads. But it is dishonest. Nearly every wrecked nadifferent in Omaha. Very much dif- tional bank owes its failure to the mis-

IT is quite possible that some of the members of the senate committee on railroads know less about how the great corporations are operated than they did before the special committee of managers and general solicitors made its visit to the capital.

AND now it transpires that there is a defect in the title of that remarkable amendment recount bill that may prove fatal to it. THE BEE ventures the opinion that the biggest hole in that skimmer has not yet been made public and won't be possibly until the legislature has adjourned.

IT IS to be hoped that the legislature will provide an ample appropriation for the maintenance of the Institute for the Deaf in this city. There has been a disposition to cut the appropriation down far below that made two years ago. Such action is ill-advised and will not subserve the best interests of the state.

A CITY electrician in Chicago says that the Bell telephone is by its nature a monopoly, and hence must be tolerated by the people to the end of time. The Bell people are of the same opinion. Happily, however, there are high authorities who differ with them. There is a decided movement all over this country toward breaking down the telephone monopoly, and there can be little doubt of final success.

THE announcement that the Waldenses have decided to leave their home in the Alps, where for centuries they have withstood the fiercest storms of religious persecution, to make a new home in America, again brings to mind that this 18 essentially the land of those persecuted for conscience sake. Everything is as free in America today as it was when the wilderness proved more attractive to the Puritans, the Quakers and the Huguenots than the intolerance of civilization. The Waldenses will gain a home where they may worship God as they choose; America will gain another element of good citizenship, and both will be blessed.

GOVERNOR MCKINLEY has shown that above all things else he is a man. Whether his misfortunes financially were such as an ordinarily prudential business man need incur amounts to nothing. The reverses came, his modest fortune was swept away and he is compelled to face the fact that his salary as governor is his sole source of income at present. In the meantime many well meaning persons have made offers of material assistance. To these the governor replies with true American independence that, although "broke," he is no beggar and will not shrink from facing the world again in the battle for bread. The energy which placed him in the governor's chair at Columbus will not see him in want long.

THE GOLD OUTFLOW CHECKED. The announcement is made that the gold exports this week will be light, so that the treasury will be able to meet whatever demand there is without endangering its reserve held for the redemption of legal tender notes. The supply of gold in the treasury available for shipment has dwindled to small proportions, but if, as appears, the outflow has been checked it will require but a short time for the treasury to accumulate a supply that will be ample for its protection. At this time of the year the movement of gold into the treasury is generally active, and while it is not likely to be as large this year as usual, there is reason to expect a steady gain

for a time. The sudden falling off in the demand for export seems to clearly show the accuracy of the president's judgment that the movement was largely the work of speculators who conspired to force the government to issue bonds in order to protect its gold reserve and maintain its credit. It may never be definitely known whether such is the case, but appearances strongly indicate it. It required extraordinary firmness on the part of President Harrison to combat this movement, which threatened to at any time deplete the treasury of its free gold, and it will be remembered as one of the most creditable acts of his administration that he refused to allow the government to be placed at the mercy of what he believed to be an utterly unscrupulous conspiracy. He was prepared to maintain resumption and protect the credit of the government by an issue of bonds if the emergency had become imperative, but he proposed to exhaust every other resource before using this one, and the stand he took defeated, at any rate for the pressent, the designs upon the treasury. The president showed good financial judgment in this matter and at the same time manifested his usual firmness in

financial interests of the country. It is impossible to say whether the new administration will be immediately confronted by another organized effort to deplete the treasury of its free gold, but the question of fortifying the reserve will undoubtedly command its early attention. European countries that have been locking up gold tria-are not expected to abandon with itself. that policy, and so long as they continue it the United States is likely to go on losing gold. What appears to be a present check to the outflow may, therefore, be only temporary, and before the Cleveland administration is a month old it may have to take definite action in this matter. Doubtless it will be prepared to do this whenever the emergency shall arise to make it necessary, there being no question as to the authority of the secretary of the treasury to issue bonds under the resumption act.

doing what he believed to be best for the

THE FAILED BANKS.

The committee of the United States senate which investigated the affairs of certain failed national banks has made its report, and it is curious and interesting to note that the causes of disaster in every case investigated were essentially the same. It was found that gen erally the officers of the banks were negligent or incompetent, and in some cases application of funds by the officers It is a very interesting fact that with all the crookedness of bank officers the loss to creditors of national banks annually for thirty years has been only onetwelfth of 1 per cent. Of course note holdovers have lost nothing.

The committee submitted the outlines of a bill for the correction of abuses, the main features of which are limitation of the total liabilities to any bank, corporation, firm or person to one-tenth of the capital stock and surplus of the association; no loan greater than \$1,000 at any one time to stockholders or officers of a bank to be made except on the authority of the president and threefourths of the directors in writing duly signed, or by a majority vote of the directors at a legal meeting; the liabilities of stockholders and officers to recorded in a book kept for that sole purpose, and false entries in such book is made a crime. The bill further provides for two general examiners to supervise the local examiners, and the law as it stands is otherwise amended in the direction of greater safety.

The report brings us face to face, says the Philadelphia North American, with the fact that with honest administration of the affairs of a national bank within the law failure is as nearly an impossible happening as may be in mundane affairs. The system needs emendation, but even as it stands honest and intelligent methods will secure creditors from loss. Legislation is needed to prevent manipulation of the funds of a bank, which are in the nature of a trust, in the special interest of stockholders and officers. It would perhaps not be true to say that this is generally done. but there is opportunity to do it and this should be removed. This would be accomplished by such an amendment to the law as that proposed in the bill of the senate committee relating to loans to bank stockholders or officers. It has been urged, also, that bank directors should be required to give closer attention to their duties, but it is questionable whether legislation can do anything to materially improve careless or incompetent men. If such men cannot find in their personal interests an ample incentive to vigilance and a faithful discharge of duty legislation will have no effect on them. One of the most important requirements is more rigid bank examination, the loose and careless methods too common making it an easy matter for oank officers to manipulate the funds as they please. It is undoubtedly a fact that some of the most disastrous bank failures that have taken place under the national system might have Dbeen averted if bank examiners had looked more closely and carefully into the affairs of banks instead of taking the the representations made to them by the officers. The senate committee found

that in some cases the examiners were

ness. Supervising examiners paid by the government to look after the local examiners and see that they properly and faithfully performed their duties would probably provide a sufficient remedy for carelessness and inefficient bank examinations. All these suggestions have before been made to congress, but while the necessity for the proposed changes in the law is fully admitted there seems to be a general indifference about supplying them. Of course there will be nothing done in the matter by the present congress.

DEMOCRATIC RESPONSIBILITY.

The senate of the United States will organize as a democratic body on March 4. Since 1860 the senate has chosen a democratic presiding officer only twice-Allen G. Thurman, 1879 to 1881, and Thomas F. Bayard in 1881. David Davis, who presided over the senate from 1881 to 1883, was a compromise. It will thus be seen that the republican party has had control of the national senate twenty-eight out of the last thirty-two years, and only once during this period has the democratic party had control of both branches of congress at the same time. After March 4 that party will for the first time since 1861 assume the full responsibility for the administration of the government.

The democratic party will come into power pledged to certain radical changes from the policies that have prevailed during the last thirty years. It is committed to the doctrine that a tariff for anything but revenue, that is, a protective tariff, is not constitutional, and it has promised to so revise the tariff as to bring it to a strictly revenue basis, IIt is pledged to the repeal of the silver purchase act and to the revival of state bank issues. It was upon these cardinal principles enunciated the democratic national platform that Mr. Cleveland was elected to the presidency and the democracy retained control of the house of representatives and secured a majority in the senate. Four days hence the party will take up the momentous task to which the people have called it, and the question as to how it will discharge the duty assigned to it is of paramount interest. For the next two years, at least, the democracy will have no excuse for not carrying out its pledges. With everything in its -France, Germany, Russia and Aus- hands if it fails the fault will be wholly

The indications are that the extreme

policies announced in the national plat-

form will not all be carried out. Mr. Cleveland has given sufficient intimation that he does not accept the doctrine that protection is unconstitutional. He will undoubtedly arge a thorough revision of the tariff, but not such a revision as would destroy the protective system. The president-elect, it will be remembered, in accepting the nomination said that the democratic party was not a party of destruction, and the idea he obviously intended to convey by this remark he may be expected to illustrate in his recommendations regarding tariff revision. The free traders will not be permitted to dictate the character of the tariff that Mr. Cleveland will approve. As to silver it is evident that nothing can be done until some sort of compromise is agreed upon, and this will be found very difficult. The incoming administration will 'unquestionably insist upon the repeal of the silver purchase law as the one thing necessary to enable it to maintain the credit of the government, but it must offer some very liberal concessions to silver in order to have this done. The number of free silver democrats in the next congress will not be less than in the present one, and, as has been clearly demonstrated, they will not consent to a stoppage of the purchase of silver without some arrangement in behalf of that metal which shall be as favorable to it as the existing conditions are. The party is so badly divided on this question that it is not easy to see how it can be brought together. As to restoring the state bank currency Mr. Cleveland will very likely be with the eastern wing of the party, which is opposed to a return of the ante-bellum bank note. It is the impression that the foreign policy of the next administration will be favorable to the acquisition of additional territory, and it is said that Mr. Cleveland will not frown upon Canada because of her annexation desires. In this direction the administration will doubtless have no trouble in securing the support of the party, for

this is in line with its traditional policy. The democratic party will come into power at a time when the country is prosperous and growing. It will have a great opportunity to advance the general prosperity and promote national progress. It remains to be seen whether it has the wisdom and the patriotism to make the best use of its opportunity.

HEALTH COMMISSIONER SOMERS sub mits a report to the Board of Health which makes a most gratifying showing for Omaha. In 1891 the total number of deaths from contagious diseases was 287, against 264 in 1892. In the figures are included deaths from consumption, which were eighty-five in 1891 and 109 in 1892, an increase in the number of fatal cases of this disease of twenty-four. This shows a decrease of forty-seven in the total number of deaths from other diseases, which are really dreaded because of their epidemic nature, or a percentage of decrease equal to 23,26 per cent. There are several sources to which this result may be attributed, but much of the credit is undoubtedly due to the efforts made to clean the city last fall, when the danger of cholera seemed imminent. The showing should encourage citizens to greater things and make them ready to respond more cheerfully to the demand of the sanitary inspector. And it may be remarked in passing that it is none too early to commence clean-

IT is said that Mr. Cleveland's inaugural address will contain some very plain talk regarding the disposition of the offices. Positive notice will be served that marit will be the only thing considered, and the hewers of wood and drawers of water in the service of the party may as well make up their minds now to the cold fact that long indebted to the failed banks, which was years of party loyalty will not in itself sufficient explanation for their careless- count in the distribution of the loaves

and fishes. It is also said that Mr. Clave and will urge the extension of the civil service rules to that they will cover pretty nearly all of the offices that do not have to be appointed by him direct. He is understood to be in favor of bringing the consular service under these rules and will endeavor to have this done. Expectant democrats who are calculating on a "clean sweep" of republican officials are going to be disappointed, if what appear to be trustworthy reports correctly represent the intentions of the president-elect. He appears to have been sincere in declaring that democratic success should signify something else than a redistribution of partisan spoils. Criticism of the new administration by old-line democrats will probably become very earnest before the ides of March have passed.

IMMIGRATION during the month of January of this year fell off materially from that of the corresponding month of last year, and for seven months including January the falling off, as compared with the corresponding period a year before, was nearly 80,000. It is noted that the decrease in January was mainly in Russians and Hungarians, while increase appeared in Austrians, Germans and Italians, with a small decrease from Great Britain. It is suggested that the obstacle which has been raised to assisted or forced immigration of the more undesirable classes may account for much of the decrease. The figures are calculated to relieve the anxiety of those who profess to believe that there is something to be feared from a large inflow of immigrants, and of that other class who from wholly selfish motives would close our ports altogether to the people of other lands. At the rate of immigration for January we should increase our population from European sources less than 200,000 during the year 1893, and he is a very unreasonable man who can see in such an addition anything to excite apprehen-

proceedings of the present legislature when the vote on the constitutional amendments was canvassed and they were declared lost. Mr. Webster holds that to adopt an amendment to the constitution it must receive a majority vote of the electors voting at an election wherein such amendment is submitted to the people. There has been an attempt to prove that the two amendments must be declared carried if they received a majority of the votes cast for members of the present legislature. It is alleged that the recount farce was instigated for the purpose of developing the fact that they did receive such majority. But in view of the letter and spirit of the constitution and the undoubted legality of the canvass made on the amendment vote at the opening of

WE PRINT the opinion of Hon. John L.

Webster relating to the validity of the

man will contend that the amendments can be counted in at this late day. SAN FRANCISCO has submitted and there will be no more prize fighting in that city. It is evident that the manly art of slugging an opponent till he drops senseless has reached its period of decadence. So long as "mills" are carried on in the conversational style now prevalent among the bright particular stars of the ring, the only ear that 'suffers is the public's. But there is a vast difference between dinning your prowess into the auricular orifice of an unwilling audience and having a husky bruiser bang you with a hard glove. This fact is known to the bruisers better probably than any other, and so long as they can live without working or fighting, gaining a livelihood by merely talking, they'll do it. But one by one the cities of the United States are closing down on them, and soon a prize fight of any sort will be as nearly impossible as a meeting between Sullivan and Mitchell.

MR. CLEVELAND is said to have a very hearty admiration of President Harrison. He is quoted as saying that he regarded General Harrison as one of the ablest presidents in the history of the country, and that he admired his strong will power and his independence of action. There is reason to believe that these two distinguished citizens have a warm mutual respect for each other, both having points of character alike. It is evident that Mr. Cleveland has been giving close attention to the Harrison administration, particularly with reference to its business methods, and it is very likely that he will endeavor to emulate its example in this respect. That will be a good thing for the country, which during the last three years has learned the value of a high standard of efficiency in the public service and wants it maintained.

THE action of the New Jersey legislature in passing a bill to legalize modern horse racing-which is one of the worst forms of modern gambling-in that state and then adjourning, is a sample of what an alleged law making body may do when it sets its misd to it. The popular protest that is now sweeping in a wave over the state is Maotless. That indignation should be bottled until time to elect another legislature. It would be effective then It's all in the way it's done, after all.

The medical statents of Drake university at Des Mones needed subjects for dissection, sauge of the faculty went forth to "snatch" them by lantern light, He was caught, and is now a fugitive. The medical students of the State university at Iowa City wanted a subject, so they sent over to Des Moines and bought one, almost at the doors of Drake. There's no moral in this, only

They're All Kicking.

And now Norfolk is kicking over the misstatements contained in an alleged write-up of the town which appeared in a recent issue of the World-Herald. It would appear that they got even a worse dose than Chadron.

Dakota's Divorce Mill.

New York Wor'd. The South Dakota legislature has passed bill to require a residence of at least six boths in the state before bringing suit here for divorce. This slight extension of time will probably not interfere seriously grinding duty.

with the operations of the divorce mill, and it will compel suitors for divorce to "leave a little more money in the state."

MAJORITY OF ALL REQUIRED

One View of Sam Elder. Kenrney Hub. Sam Elder's opposition toward the corpora-tions—'first endured, then pitied, then em-braced."

Just a Common Nebraska Wonder. Nebraska City News. It is announced that the population of Ne-braska is increasing at the rate of 1,000 per day. That is indeed a wonderful growth, but Nebraska is noted for wonderful things.

> Talks as One Experienced. Washington News.

Gentlemen who contemplate attending the nauguration will hall with delight the information that a piece of lemon, judiciously eaten on the morning after the festivities, will neutralise the breath, while a towel, carefully filled with broken ice, will impart a delightful coolness to the head.

The Pops Plugged Up. Globe-Democrat

The Kansas populists will abide the de-ision of the state supreme court, which delares that the republican house is legal lisband their own house and join the repub-'Tis well. War smooths its wrinkled front again. Once more peace reigns along the Kaw. The Kansas rebellion is ended.

Patronize Home Industry.

Norfolk News.

The Columbus Telegram's sensible remarks about the action of the state banking board in refusing admission to Nebraska of oreign building and loan associations are hereby cordially approved. Thousands of our people have been robbed by these wildcat institutions. The home associations are

A Plutocrat Defined.

Portland Oregonian. "Who is a plutocrat? What does the word mean?" These are questions addressed to the Oregonian by one of its readers. A pluto-crat, in the modern meaning, is one who thinks the property and business of a country should have some influence or consideration in its legislation and government. The opposite term is ochlocracy, which means government under the direction of the multil tude who have neither property nor busines interests, but want to live by preying on the industry, business and property of a country.

NEBRASKA AND NEBRASKANS.

The Kearney Methodist Episcopai church elebrated its twenty-first anniversary on Sunday.

Nebraska City business men have begun the organization of a club. It is proposed to incorporate with a capital of \$5,000. An Anselmo butcher has been forced to leave town because a rival meat peddler dis-covered the head of a lumpy-jawed steer in his slaughter house and exhibited it to his

A 3-year-old child of some German immigrants who recently arrived at Talmage died last week of a disease supposed to be smallpox. The physicians have no fear of the spread of the contagion.

A meeting will be held at Plainview March 28 for the purpose of deciding where the next Grand Army of the Republic re-union shall be held for the district comprising the counties of Pierce, Knox, Antelope, Cedar, Wayne, Dixon, Dakota, Wheeler and In trying to stop a runaway team at Bur-

chard, N. Piper had his leg broken between the knee and hip and J. S. Harrod had his ankle badly sprained. The horses were finally caught, but not until they had caused another team to break loose and run into a Two Burlington freight cars jumped the the present legislature, no intelligent

track near Juniata and burst open. One was loaded with wheat and the other with broom corn, and they rolled down an embankment about twenty-five feet. The accident was caused by the rim on a wheel breaking. There was no other damage done Two Bohemians direct from the old coun-

ry, landed in Howells the other day penni-ess and starving. They had not eaten a mouthful since leaving Chicago and they had been on the road three days. They were cared for by Howells people, who discovered that their destination was Odell, where they had relatives, but that by an error their tickets had been made to read Howells in-

Kearney has secured a broom factory. Heretofore the nearest large broom factory has been in Grand Island, and the raising of broom corn has not received much attention by the farmers of Buffalo county, but it is quite probable a large quantity will be raised in that county the coming season. The corn is worth in the fall from \$40 to \$50 per ton, and those who have had experience say there is good money in it at those figures, as it grows quite heavy, especially on new break-

SOME NOTED MEN.

J. Sterling Morton weighs 195 pounds, M. Hoke Smith 265 pounds and W. S. Bissell 300

Governor Flower of New York and J. Sterling Morton spent their boyhood days in chool together. It can never be said of the Hon. Hoke th, at all events, that he spells his name

Smyth or Smythe, W. S. Caine, M. P., presided at a recent temperance meeting in London and W. E. Abel made the address. There was no disturbance.

The movement for a monument to Com modore M. F. Maury, the famous writer on navigation and meteorology, meets with much favor all through the south.

President Harrison has placed in the hands of a local real estate agency a thirteen-acre farm near Harrison, O. The farm is for sale. It is said to include a part of the old Harrison homestead.

Mr. Olney, who is to be Mr. Clevclatd's attorney general, is a six footer and weighs over 200 pounds. He was attorney for several railroads, and his practice is said to have been worth \$50,000 a year.

David H. Smith, son of the Mormon prophet, Joseph Smith, has been an inmate of the asylum for the insane at Elgin for seventeen years. He was a brilliant man, and has written a book of poems and one of psalms, the latter being now in use. Prof. Francis William Newman, brother

of the late Cardinal Newman, now verging on four score and ten, enjoys fairly good health, and although comparatively a ecluse in his home at Weston-super-Mare, agland, maintains an interest in ali that occurs in the theological world. General Raeliff Brinkerhoff of Mansfield.

will succeed General R. B. Hayes a president of the National Prisoners' Aid association. He was a volunteer in the nion army and rose to the rank of brigadier general. He has for several years been first vice president of the National Prisoners' Aid sociation

General Beauregard was, almost from the irst, the victim of Jeff Davis' spite and Jeal-usy. Beauregard always held the president of the confederacy in contempt, and after the war had closed and he was free to speak he was not backward about expressing his views of Davis' ability. He characterized him as "narrow and timid."

General Abram Dally, one of the few survivors of the war of 1812, died in Brooklyn last week of old age, being half way along in his 67th year. For many years he and another fine old fellow had raised the flag in New York City on Evacuation day, but about a year ago the other veteran died, and on the last anniversary the old general was not able to be present.

Major "Lige" Halford, President Harri-son's private secretary, has qualified as a paymaster in the United States army. He has purchased his uniform, and will sail for Europe on Saturday, when he will begin the onerous duty of paying off the United States commissioners, Harian, Morgan and Phelps, tho are to settle the Bering sea controversy Besides these three commissioners Major Haiford will also have to pay three gentle-men who have been provided with soft places men who have been provided with sort places in Paris at the expense of the United States government for a period of six months or more. These are J. Stanley Brown, son-in-law of the late President Garfield, and Hub-T Smith and Francois Jones, three clerks in the State department. Besides paying these six people and seeing that they are properly provided for Major Lige Halford will be required to draw his own salary. He will thus have seven people to pay off, and will probably be absent from his home and fellows. friends for six months at least upon this

What is Necessary to Secure the Adoption of a Constitutional Amendment.

VOTE ON LEGISLATURE WILL NOT DO

John L. Webster Construes the Law Governing the Case in Point-The Jensen Bill is Not Good and Must Be Void.

A Ber man called upon Hon. John L. Webster at his law office in this city yesterday and asked him for an opinion as to the legality of the proceedings by which the legislature declared lost the two constitutional amendments submitted to the people of Nebraska at the November election. Mr. Webster graciously granted the request, and his opinion fully affirms the position THE BEE has all along held, to-wit: That the process by which the legislature is attempting to recount" the votes on these amendments is rregular and all to no purpose.

Mr. Webster said: "In reply to your inquiry touching the right of the legislature to cause a recount of the ballots cast for and against the amendments to the state constitution, which were submitted to the people at the last general election, and to take as a criterion for computation the votes cast for senators and representatives at said election, I state the following as the result of my brief investigation:

Section 1 of the article of the constitu-

tion relating to amendments provides among other things, as follows: "Said proposed amendments shall be en-tered on the journals with the yeas and nays and published once each week in at least one newspaper in each county where a newspaper is published for three months immediately preceding the next election for senators and representatives, at which election the same shall be submitted to the electors for approval or rejection, and if a majority of the electors voting at such election adopt such amendments the same shall become a part of this constitution.

"It is quite clear that the constitution re-quires 'a majority of the electors voting at such election' to adopt such amendments. This is precisely what the constitution savs.
"Again it will be seen that, if the framers of the constitution intended to say that a majority of the votes cast for senators and representatives were all that should be required to adopt the amendments, the article could have said so, by inserting after the word 'voting four words (for senators and representatives). The representatives.) Then the phrase would have read 'and if a majority of the electors voting for senators and representatives at such election adopt such amendments, the same shall become a part of the constitu-

The fact that the constitution does not so read is a strong argument that it was not so

The reference in the section above quoted to the elections of senators and representa-tives is only used in the constitution as desgnating the election at which amendments

shall be submitted to the people.

'To ascertain, therefore, whether amendments are adopted, it is necessary first to know the whole number of votes which were cast at a general election, and unless the amendments receive such a vote as would be a majority of all the votes cast at such election, they would not be adopted, and if not adopted there is no power, legis-lative or judicial, that can properly make them a part of the constitution.
"The election at which senators and rep-

resentatives are elected is the same election under our present laws at which we elect general state officers. At that time but one ballot is cast, on which are found the names of all officers to be elected, including the governor and general state officers, as well as senators and representatives. The ticket goes into one ballot box. There is but one set of poll books. In short, it is one elec-tion. Now the language of the constitution is 'a majority of the electors voting at such election. Who are the voters voting at such election? They are all the electors who appear there and put a ballot in that box for purpose, and whose names go upon the books as persons having voted. It sems to me that this is the common sense

"It was proper to designate a time at to the people, hence it was declared that amendments should be submitted at elections for senators and representatives.
"The framers of the constitution might

have designated the time for the election of members of the supreme court, but they saw fit to fix a different time. It does not follow that because the election of senators and representatives was fixed, as the time when amendments should be voted upon that it was intended to take the number of votes cast for senators and representatives as being the number of votes cast at such election. "This question was not decided by the supreme court of Nebraska in State vs. Babcock, 17 Nebraska, 188 According to the facts in that case at a general election there were 134,000 votes cast for governor and other state officers. There were 132,000 votes cast for senators and representatives, and there were cast in behalf of constitutional adments 51,959 votes "It will be seen that in this case the

amendments did not have a sufficient number of votes to equal a majority of the votes cast either for governor or for senators and repre sentatives. It was not necessary for the court to determine whether in that case it would have required a majority of the votes cast for governor or

almply a majority of the votes cast for sen-ators and representatives. As I read the opinion of a majority of the court, however, in that case I can draw but one conclusion, from the language of the opinion, and that goes to the extent of showing that it re-quires a majority of all the votes cast at the election to adopt amendments. It is true that there are found in that case

It is true that there are found in that case

one or more sentences which might be held to convey a different meaning. to convey a different meaning.

"This question was incidentally referred to in the case of State vs Anderson, 26 Nebraska, 517, but only as illustrating another case entirely different, so that it does not apply to the question in hand.

"Those who believe that it only requires a majority of the votes cast for senators and representatives."

representatives to adopt amendments to the constitution argue that the words "such election" refer to elections of senators and representatives by way of limitation upon the number of votes to be east.

There are two answers to this sugges-

"First-Such a construction would seem to separate the election of senators and repre-sentatives from the election of state officers, and treat the same as distinct and separate elections, although both are held at one and the same time, and constitute, in fact, but one election. Or, in other words, it would be to say that we can speak of the election of governor as distinct and separate from the election of senators and representatives; whereas, this is not true, in fact, and there is no propriety in attempting to make it so for the sake of argument.

for the sake of argument.

"Second—If the framers of the constitution had intended to put such a limitation upon the number of voters, why did they not do so, as we have heretofore shown how that could have been done understandingly and

We avoid all difficulty in the construction by accepting the natural conclusion to be drawn from the whole context, which is that the election of senators and representatives is referred to only as designating the time when constitutional amendments shall e voted upon.

"It is my opinion, therefore, in the language of the constitution, that it requires "a majority of the electors voting at such election" to adopt amendments."

Wostul Thinks About Office Hunters. Washington Post.

It may not be true that Mr. Cleveland said e didn't give a tinker's boom-ta-ra-ra for the democratic politicians, but upon that subject it is safe to wager that he is doing his thinking in a deep, sulphurous-blue

Among the members of the lower house of the legislature who have gained a reputation for being level-headed and painstaking is Dr. M. O. Ricketts, the colored member from Douglas county. He is recognized as a gentleman of ability and his colleagues regard him as a good fellow.

Omaha's Colored Representative,

Grand Island Times.

TERSE AND TOPICAL

Somerville Journal: If all the clocks should strike successfully for an eight hour day they wouldn't have to strike so much Yonkers Statesman: The cross-eyed man as curvative of the spyin'.

Lowell Courier: A train may be stalled, but be passengers are often left out in the cold. Cleveland Plain Dealer: It is wrong to hold spite." That is why so many men huri t at the other fellow.

Detroit Free Press: Customer—Why do you refer to this folding bed as "she?"

Clork—Because, sir, there is no danger of it's shutting up. Philadelphia Record: The donkey is generally regarded as the most stupid of animals, which is odd in view of the fact that it has the most brayin' power.

Atlanta Constitution: "I see Jones has applied for the Chinese mission." "What are his qualifications?" "Been patronizing a Chinese laundry six years."

Troy Press: The successful gambier is necssarfly a winsome chap Utica Observer: We are willing to endure the crinoline if the girls will agree not to use

barbed wire. Cleveland Plain Dealer: When the legislator "calls for a division" he doesn't always refer to the vote.

Washington Star: "I know why so many of our girls are unhappy when they are married to foreigners," said Maud. "Why?" asked Mamie. "They can't get well enough acquainted with their husbands to pronounce their names."

AN APOSTROPHE

Get thee gone, Thou frump of months-

bruary! ou'st fickle and shabby and unkempt. Thou'st fickle and shabby and unkempt.
Thou'st fickle and shabby and thy weather is
Seven different kinds at once.
I've got a large, massive and bunged-up
Cold from thee. Not to mention
La grippe, tonsilitis, neuralgla, rheumatism
And that tired feeling.
Thou hast demanded

aloches worn in thine honor and mine let hence then, thou metercological sloven!

BESIDE THE STAIR.

Detroit Free Press. Said Polly—ah! how sweet she was As all alone, beside the stair We stood a moment, while I held Her hand and told her she was fair)—

ald Polly—(ah! I'll ne'er forget Her rose-red cheeks, her drooping eyes And tempting lips; I see them yet, As well her pretty, sweet surprise)—

Said Polly—(we were all alone, The hour was late, and dim the light)— Said Polly, and in earnest, too: "Stop that! How dare you, sir? Good night?"

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styles-styles that suit the kid-Starwaists, we're talking about. We never had such a beautiful assortment. Novelties in caps and hats for boys are our latest production-novelties. You know what hat means when we say it. And do you realize that our children's depart-

ment covers asmuch floor space as does the men's department. Doesn't it seem reasonable to suppose that we offer a larger variety than anybody else who devote one or two counters to the boys. Everything that is rich and tasty is brought to us; that's why you see some styles somewhere, and others styles otherwhere and every style in our children's department.

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