

THE OMAHA DAILY BEE

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THE RIGHT TO GO TO WASHINGTON

The second clause of the resolution submitted by Senator Allen to the senate with reference to the current reports that unarmed, law-abiding and peaceably disposed but unemployed citizens of the United States are about to peaceably assemble in Washington to petition the government for a redress of their grievances reads as follows: "That such persons have an undoubted right to visit and assemble in the city of Washington for any and all purposes as in any portion of the territory belonging to the jurisdiction of the United States, at all times being amenable to the law for any violation thereof."

Both press and pulp that have been hurling the epithets "cranks," "vagrants," "vagabonds" and "criminals" upon the members of the various industrial armies that are making their way toward the federal capital seem to have forgotten that the mere lack of employment does not operate to deprive any citizen of the United States of his rights under the constitution. The rights of citizenship do not depend upon wealth or poverty, upon ill-health or steady work or one's occupation. They pertain to every citizen in whatever part of the country he may happen to be. So long as he violates no laws he is entitled to his protection, and statutes intended to deprive him of any constitutional right are themselves illegal and without validity.

The very first of the ten amendments to the federal constitution, amendments which were proposed and adopted in order to incorporate a bill of rights into the fundamental law of the land, provides that congress shall make no law "abridging the right of the people peaceably to assemble to address grievances, and almost every state constitution includes a similar clause with reference to the state legislature. No one will deny the right of citizens, whether employed or unemployed, to assemble for lawful purposes wherever they may be. Many have, however, intimated that this right stops with the first amendment and that there is no right to move on Washington in order to present the petition in person. But the right of assembly would be but a shadow of a right if it did not cover the delivery of the petition to the government to petition the government. Any group of citizens certainly has a constitutional right to send one of their members to Washington to lay their complaints before congress, and if they can send one they can send two or three or go themselves.

But we are not compelled to rest the right of the citizen to go to Washington upon the implication to be drawn from the right of assembly guaranteed by the first amendment to the federal constitution. That right has been expressly affirmed by the supreme court of the United States on more than one occasion. In the famous Slaughterhouse case, 16 Wallace, referring to the prohibition contained in the fourteenth amendment against any state making or enforcing any law which abridges the privileges or immunities of citizens of the United States, Justice Miller, speaking for the court, said: "Least it should be said that no such privileges and immunities are to be found if those we have been considering are excluded, we venture to suggest some which owe their existence to the federal government, its national character, its constitution or its laws. One of these is well described in the case of Crandall against Nevada, 36 Wallace. It is the right of the citizen of this great country, protected by implied guarantees of its constitution, to come to the seat of government to assert any claim he may have upon that government, to transact any business he may have with it, to seek its protection, to share its offices, to engage in administering its functions." And the three justices who dissented from the decision of the court in this famous case did so not because they denied the rights of citizenship enumerated by Justice Miller but because his enumeration did not extend far enough. "One, however, is in this country who is alleged to do violence to person or property or to disobey the laws that have been enacted to preserve peace and good order. But every citizen has a constitutional right to visit his way peaceably toward the seat of government. He may go to Washington by rail, by wagon, or afoot, as he may prefer. He may go to Washington alone or in company with other peaceable citizens. Deprive the fact of the existence of the industrial armies as we may, ridicule the purposes of their march, deny the possibility of their accomplishing any good, their right to go to Washington and demand that their constitution is undoubted and they are entitled to the protection of the laws while exercising that right in peace."

PREPARING FOR THE CONTEST. Notes of preparation for the contest of next November, which is to determine the political complexion of the next house of representatives and possibly of the senate also, are beginning to be heard. The republican congressional campaign committee is getting ready to enter upon the work that devolves on it, and as shown in the recent interview with its chairman, Representative Babcock of Wisconsin, the committee is fully alive to the character of the task it has before it. While the republican victories throughout the north within the last year have tended to raise republican confidence to the highest point, it is said that the leaders of the party do not conceal from themselves the fact that in order to regain control of congress vigorous and persistent work will have to be done.

In the present house the republicans have 128 members—121 from the north and seven from the south. The house consists of 356 members, a majority being 178. In order to secure a majority of the next house the republicans must therefore win fifty-one seats in addition to those they now hold, and these must be won in the north, as there is no certainty that any gain can be made in the republican representation from the south. There are ninety-six congressional districts in the north represented by democrats in the present house, so that the republicans will have to capture more than half of these, assuming that the democrats will hold their own in the south, to obtain control of the next house of representatives. It is quite possible, of course, that the republicans will make gains in the south, but it is not safe to count upon any, and the fight must be made to recover the districts in the north that were lost in 1890 and 1892. There is certainly reason to believe that this can be done and something more. If the popular feeling that now prevails shall continue until November, and the probability is that it will be intensified in the meantime, the republicans ought to regain not only what they lost in the last two congressional elections, but capture districts where the democrats have hitherto been invincible. One obstacle that is to be taken into account is the democratic gerrymandering in several of the northern states, but this may not prove so formidable as it seems. In the present house the states composing the south show 121 democratic representatives. If they retain this representation in the next house they must elect fifty-eight members in the northern states in order to secure a majority, or considerably more than half the present number of democratic representatives from the north. It would seem pretty safe to say that under existing conditions they will not be able to do this.

The democrats evidently do not intend to allow the contest to go by default. The leaders show a determination to make the very best fight they can. The democratic congressional campaign committee is a strong organization and is said to be backed by almost unlimited means for campaign purposes. It is also getting ready for the work it has to do. The National Association of Democratic Clubs, to which Mr. Cleveland a few days ago sent a letter of advice and encouragement and a money contribution, is also preparing to take an active part in the campaign. It is said that the democrats in congress are more anxious now about the possibilities of the elections next November than they are about legislation, and are directing all their energies toward an early adjournment. They want to get back to their constituents and explain to them the democratic policy regarding the tariff and the finances, which they assume the people they represent do not understand. A great many of these representatives will be astonished to find that their constituents have a most intelligent comprehension of that policy.

The situation is undoubtedly very greatly in favor of the republicans securing control of the next house of representatives by a large majority, possibly almost reversing the position of parties, but there are two conditions necessary for this which are the selection of candidates of men of first rate ability and character, and the other is to make the fight for their election aggressive and persistent.

ASSESSORS SHOULD DO THEIR DUTY. Whenever anybody urges the assessors to discharge their sworn duty without fear or favor for the men who have had the benefit of a pull by which they have evaded their just proportion of taxes raise their hands in horror over the danger that the levy for city and county taxes will swamp everybody. "Wait till the levy is limited to 1 per cent on actual values. Wait awhile longer and things will adjust themselves." We have been waiting for years and years, but the same crowd always sings the same old tune. "Just wait a little longer." And the same crowd invariably blocks every effort to get the charter amended so as to provide for a city or county assessor and limit the levy with a view to compelling the raising of the assessment.

If the assessors do not do their duty this year the same juggling and trickery will be resorted to when the legislature meets next winter to prevent a change in the charter that would limit the levy. The only way in which the change can be effected is after the assessors have done their duty and brought the assessment up somewhere near actual value. Just as soon as the assessors have raised the men with a pull get together to induce the legislature to limit the levy to the lowest possible notch. They will not be able to help themselves in any other way. As a matter of fact the biggest kick against raising the assessments comes from parties whose fortunes are chiefly in personal property; the men who own bonds, mortgages and chattels and have money in bank. So long as the real estate assessments continue at extremely low valuations they manage to get off with listing a very small part of their holdings and having them returned at ridiculously low figures on the plea that you cannot rightfully list them except at a mere nominal figure.

The result is that the men who own real estate, and particularly the middle class of home owners, have to carry the bulk of the burden of local taxation. A mere glance at the assessment roll in this city would convince any rational man that the personal property listed is out of all proportion with the real property returned by the assessors. In fact there are millions of personal property in this city owned by capitalists and corporations that does not contribute a penny into the city or county treasury. Everybody admits that this is all wrong, but the beneficiaries of this inequitable system will keep on protesting against any change. "Have patience. Just wait a little longer. Don't! Don't! Don't! or everything will go to smash."

It strikes us that we have been waiting too long already. If the assessors had done their duty years and years ago we should have had the levies cut down and taxation made more uniform and equitable. Let the assessors do their duty now and leave to the commissioners and the council the responsibility of adjusting the levy within the limit of the estimated needs of the county and city during the coming year. There is no very serious danger of a 6 per cent tax after this year if the assessment is increased materially. In any case the legislature will be in session next winter and in order to raise no more by local taxation than we shall actually need. By all means let the assessors do their duty, let consequences be what they may.

TRYING TO GET TOGETHER. There appears to be substantial ground for the statement that the democrats of the senate are trying to effect a compromise on the tariff bill by the making concessions to the conservatives. In order to unite the party in support of the measure. In the course of the debate in the senate on Wednesday upon the question of fixing a date when the bill should go into effect, Senator Aldrich made the point that no one knew the form in which the bill would be presented finally for the vote of the senate, for it was reported that negotiations were in progress on the democratic side for the purpose of catching votes for the passage of the bill. Senator Vest denied the statement, saying that so far as he knew it was absolutely incorrect. Mr. Aldrich adhered to the statement, saying that he knew changes are being made in the bill from day to day to secure votes on the democratic side of the chamber. The announcement of an effort at compromise was made on the authority of Senator Brice of Ohio and verification of it appears in a published letter of the senator to the democratic leader in the lower branch of the Ohio legislature, written a week ago. In this Mr. Brice clearly implies that he has been active in endeavoring to bring about an arrangement by which the full democratic vote in the senate could be secured for the bill. The particular senators to be placated are Hill and Murphy of New York and Smith of New Jersey, all of whom want a number of changes in the tariff bill and are strongly opposed to the income tax proposition.

According to trustworthy reports the senators of the dominant party are seriously concerned over the prevailing discontent throughout the country among working classes, and surely it is time they were if they have really come to a realization of the full significance of the situation, which is doubtful. Instead of trying to pass the pending bill as soon as possible they would either drop it or reamend it with instructions that it be revised throughout to accord with the evident demand of a large majority of the people. The passage of the pending bill would not remove the prevailing discontent among the working classes nor materially relieve the business depression, as the supporters of that measure profess to believe it would. It contains no promise of restoring prosperity to a single American industry, and it would certainly do great injury to many. In its present form its effect would be to foster home industries, but to destroy them. That being the case, how could depression be relieved and the discontent of labor removed by the passage of the bill? The industries of the country, it is assured, would speedily adjust themselves to the new conditions. Doubtless some of them would, but not all, and such as did would be able to do so only by further reducing the wages of labor, thus aggravating and intensifying the discontent of the working classes. As was said by Senator Lodge in his very able speech against the pending bill, "the reductions of wages, that will become law and men seek to adjust themselves to the new conditions," and this must be apparent to everybody whose mind is open to conviction. It is impossible to say with any degree of certainty what will be the result of the effort making by the senate democrats to "get together." Senators Hill and Smith have declared against an income tax in the most unqualified terms and it is not easy to see how they could justify themselves in voting for the tariff bill with that tax included, whatever concessions in the customs schedules may be made to them. Still it is possible that they may be induced to vote for the bill by satisfying their demands other than for the elimination of the income tax. In any event, however, it is highly improbable that the dominant party can pass the bill by the date at which its supporters desire it to go into effect. The republicans seem more determined now than ever to prolong debate, and, as at present indicated, will refuse to enter into any agreement to fix a date for reaching a final vote. They propose to thoroughly discuss every paragraph of the bill, till all its provisions are laid bare, as Senator Hale declared, and no man in the country, what ever may be his party or his employment, will be left without a full knowledge of all its defects and enormities. If that purpose is adhered to it will be impossible for the senate to pass the bill before June 30, though every democrat should be committed to its support.

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When Kelly's contingent landed in Iowa the railroads centering in Council Bluffs spirited away all their empty cars and switch engines, abandoned their trains, both freight and passenger, and bottled up the traffic of Council Bluffs for nearly a week. This caused a great deal of confusion, annoyance and actual loss to the shippers of that city, for which there was in fact no excuse. When Kelly quietly marched away the railroad officials across the river had to invent some sort of justification for their treatment of Council Bluffs shippers. They could not, through it is a powerful feeder. They could not, however, take any responsibility upon Governor Jackson, because he had acted upon their advice. They could not make a seagoat of Kelly, because he had decamped. It finally transpired that Omaha was the arch offender, and as such must suffer the consequences.

Frank G. Carpenter, who is now penetrating the heart of China as the representative of a few leading American newspapers, contributes a letter to The Sunday Bee of great interest to all classes of readers. During his visit to Shanghai he gathered much information in fields hitherto unexplored. His story of a visit to the office of a Chinese newspaper will attract the attention of many American newspaper men generally. He pictures high life in the great Asiatic metropolis in a manner that will cause many to revise their ideas of how the human family exists and moves in the Celestial Kingdom. The manners and customs of the Chinese are treated of entertainingly. Our readers cannot fail to appreciate this valued feature of The Sunday Bee.

Notice has been served upon the city of Omaha, the state of Nebraska and the United States of America that no more Kelly armies will be permitted to invade Council Bluffs from the Nebraska side under penalty of being hanged and quartered. During the Franco-American war, in 1865, late John Gilpin, territorial governor of Colorado, sent a cable message to Emperor Louis Napoleon warning him that no interference with Bohemia should be allowed by Colorado. What the emperor said on that historically memorable occasion has not transpired. It is suspected, however, that he made just such an exclamation as Camborne is credited with when Napoleon's guard was asked to surrender at Waterloo.

A Conceded Condition. Indianapolis Journal. The workmen who are staying at home and holding down jobs are a thousand times as numerous as those who are tramping to Washington.

A Dig at David's Ribs. Globe-Democrat. When Cleveland speaks of "petty and ignoble jealousies" in the democratic party he means to say, of course, that David B. Hill is a very provoking person.

The Popular Demand. Cincinnati Enquirer. The people demand a policy that will develop our natural resources; that will give employment to those who labor; that will furnish opportunities for their energy and enterprise. This explains their determination to release the silver mining industry from the thralldom of the democratic party to the eternal shades.

The Remedy for the Evil. Philadelphia Press. Why not postpone action on the demagogic tariff bill until the beginning of the next session of congress in December? That would give the people of the whole country a chance to record a "yes" and may vote out at the polls in November. Nobody could object to that, but those who are afraid to trust the people.

Cause and Effect. New York Recorder. Strikes, mobs, disorder and rioting are regarded as the inevitable result of tariff changes. They are lamentable, but unavoidable. They are all part of the harvest of tariff written in week by week in the newspapers who are now gathering it in bitterness, sowed the seed of it in the past. They will know better in November, 1894.

The Regeneration of Colorado. Denver Republican. One thing is certain, and that is that Colorado is the possession of many promising gold mines. It is the only state in the west that has any other state in the world that has no silver mining industry. It corresponds to the depression which exists all over the east in nearly every form of business. There is nothing in the east that corresponds in activity to gold mining in the west. The west is being stimulated rather than depressed by the hostility of the administration to silver. It is a mistake to suppose that the west can be made to work many mines that are now idle. It could not have been worked, and it could not be worked in proportion to the value of the gold when extracted.

ASSAULTS LIBERTY'S BULWARK

Decision in the Contempt Case a New It in Tyrannical Procedure. SUBVERSIVE OF INDIVIDUAL RIGHTS. Monstrous Doctrine Enunciated from the Bench Rebutted by the Press of the Country—Editors Express Their Contempt for the Judge.

Chicago Herald: It is a question whether Judge Scott of Omaha is crazy or a case of an insane trying to rule. The public, as well as the bar of his district, are disgusted with his vagaries. He ought to be locked up before he does serious harm. Scott's atrocious persecution of The Bee and Rosewater is his latest eccentricity.

Chicago Dispatch: The whole country is indignant at the arrest and temporary imprisonment yesterday of Editor Rosewater of The Omaha Bee on a charge of contempt of court. The affair is a high-handed outrage and a name of the law, and cannot fail to exert a powerful influence upon the future status of free speech and the liberty of the press. Judge Scott is a disgrace to the bench and should be retired to the obscurity he has earned.

Plattsmouth News: Judge Scott, the Omaha jurist, tried Edward Rosewater for contempt of court for failing to pay \$500, with a thirty-day jail sentence thrown in for good measure. Fortunately the Omaha bar and public generally, Judge Scott's court is not one of last resort, and an appeal will be taken to the supreme court at once. Four years is too long a term of imprisonment for a man of the caliber of a community. The constitution should be amended so that a "rotten" judiciary could be cleaned out in less time.

Chicago Herald: The day has gone by for punishing newspaper proprietors or anybody else for contempt of court in using language verbally or in print, criticizing, censuring or even libeling the judges. Contempt of court proceedings in court while in session, interfering with the court's processes, the jurist or witnesses; conduct in the immediate presence of the court calculated to bring it into disrepute or in resistance of its authority and disobedience to its lawful rules and orders.

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ASSAULTS LIBERTY'S BULWARK

Decision in the Contempt Case a New It in Tyrannical Procedure. SUBVERSIVE OF INDIVIDUAL RIGHTS. Monstrous Doctrine Enunciated from the Bench Rebutted by the Press of the Country—Editors Express Their Contempt for the Judge.

Chicago Herald: It is a question whether Judge Scott of Omaha is crazy or a case of an insane trying to rule. The public, as well as the bar of his district, are disgusted with his vagaries. He ought to be locked up before he does serious harm. Scott's atrocious persecution of The Bee and Rosewater is his latest eccentricity.

Chicago Dispatch: The whole country is indignant at the arrest and temporary imprisonment yesterday of Editor Rosewater of The Omaha Bee on a charge of contempt of court. The affair is a high-handed outrage and a name of the law, and cannot fail to exert a powerful influence upon the future status of free speech and the liberty of the press. Judge Scott is a disgrace to the bench and should be retired to the obscurity he has earned.

Plattsmouth News: Judge Scott, the Omaha jurist, tried Edward Rosewater for contempt of court for failing to pay \$500, with a thirty-day jail sentence thrown in for good measure. Fortunately the Omaha bar and public generally, Judge Scott's court is not one of last resort, and an appeal will be taken to the supreme court at once. Four years is too long a term of imprisonment for a man of the caliber of a community. The constitution should be amended so that a "rotten" judiciary could be cleaned out in less time.

Chicago Herald: The day has gone by for punishing newspaper proprietors or anybody else for contempt of court in using language verbally or in print, criticizing, censuring or even libeling the judges. Contempt of court proceedings in court while in session, interfering with the court's processes, the jurist or witnesses; conduct in the immediate presence of the court calculated to bring it into disrepute or in resistance of its authority and disobedience to its lawful rules and orders.

Chicago Herald: Whatever else Kelly may or may not accomplish he has succeeded in raising a first-class row between Omaha and Council Bluffs. The anger of the latter at its treatment by Omaha is entirely natural. The latter has made a shameful exhibition of itself in the eyes of the latter at its treatment by Omaha is entirely natural.</