

THE OMAHA SUNDAY BEE. PUBLISHED EVERY MORNING. TERMS OF SUBSCRIPTION. Daily Bee (without Sunday) One Year, \$1.50...

A NEW CONSTITUTION.

From Lexington, the home of Jack MacCall, comes a proposition to the people of Nebraska for the adoption of a new organic act which is to be substituted for the constitution of this commonwealth.

Article 1. The state of Nebraska shall, from and after this date, comprise all of that territory lying south of the Platte river and east of the line of Hall, Adams and Franklin counties.

Article 2. All of that territory lying north and west of the aforesaid state of Nebraska, that formerly comprised the said state, is hereby declared to be a suburb of the said state of Nebraska proper, and is attached to the said state for the purpose of being governed as a part thereof.

Article 3. It shall be the duty of the residents of the said suburb to send delegates to annual conventions to be called by the said state in order that they may be pooled into the ground and taught their proper place.

Article 4. If at any time any part of the said suburb shall have the audacity to send a candidate for any state office to any state convention the said candidate shall be immediately expelled, as an example to all who may be inclined to hanker after things which by divine right belong to the state proper.

Article 5. Whereas it has been discovered that one Thomas J. Majors of the said state of Nebraska did, by the bravery and patriotism, of which he held exclusive control, save the country from disruption and disintegration during the years 1861 to 1865, and that he has at all times since then had the people under his paternal care, and that he has, as a result, through all the trials and vicissitudes of political life, serving them in any and all capacities in which he has been called upon to serve, it is hereby ordered and decreed that he, the said Thomas J. Majors, his heirs and assigns, forever be exempted from all taxes for high office, so that future generations may enjoy the privileges long enjoyed by the present generation, that if existing their votes for said Thomas J. Majors, his heirs or assigns.

Article 6. The voters of the said suburb of the state of Nebraska are hereby authorized to elect a board of three or five members, with the name of Majors inscribed thereon. Provided, however, that if at any election for state office any voter in said suburb shall neglect or refuse to cast his vote for the said Majors or his assigns, then he, the said voter, shall be deprived of the privilege of wearing said collar forever thereafter.

The Bee ventures to suggest a few amendments to this document: 1. All legislative, executive and judicial powers are hereby vested in the general manager of the B. & M. railroad, to be known as the railroad czar, and such other railroad managers as may co-operate with him. All officers of the state shall be commissioned by the railroad czar and exercise such functions as may be allotted to them.

2. All elections shall be free and open to the people, but no candidate, from constant up to governor, shall be eligible until he has procured a permit for his nomination from the railroad czar, or, in his absence, from his man Friday, Capt. J. H. Palmer, special railroad commissioner and partner extraordinary. In case of disability, absence from the state or preoccupation of the czar and his man Friday (man Friday), the powers, duties and responsibilities of selecting public officers and passing upon the availability of candidates shall be exercised by General Solicitor Marquette, assistant, Attorney Dewese and Treasurer Taylor (not the abscinded).

3. All bills for raising revenue shall originate with the czar, J. H. Ager and Wait M. Seely, and the amounts raised shall be apportioned among the boodle politicians of the state, regardless of party, according to their wants and necessities.

decisions of the supreme court of the United States which declare that any law which is in the nature of a legislative contract cannot be repealed. The legislative contract consists, first, of the passage of an act requiring or permitting private parties to do certain specified things and the government agreeing in the event that these things are done to give to the parties receiving the offer and performing the required acts certain emoluments named; and second, the acceptance by the private parties of the terms offered by the government. The contract is thus complete. This exactly describes the relation established between the government and the sugar producers under the McKinley law. That act provided that any person entering into the business of producing sugar should, upon compliance with the requirements of the act, receive a specified bounty on sugars of a certain grade, and this bounty was to be paid for fourteen consecutive years.

Numerous persons accepted the offer and entered into the business of producing sugar, while those already engaged in the industry enlarged the scope of their operations. They went to a large expenditure in full faith that the government would carry out its part of the contract. Can there be a reasonable doubt that these people have a just and equitable claim against the government?

The sugar producers propose to test their rights in this matter in the courts and it is to be hoped they will adhere to this purpose. The best legal opinion is to the effect that they have a good case, and if they cannot secure the whole of the bounty for the year's production they may, at any rate, get what was earned at the date of the passage of the new law. The issue is one that ought to be judicially decided.

INITIATIVE AND REFERENDUM. We have been asked by several correspondents to explain clearly and briefly as possible exactly what is indicated by the terms "initiative" and "referendum." In reply we may say that these terms refer to particular devices that are being advocated in some quarters in order to make the legislation of the country conform more nearly to the precise will of the majority of the people. There are really three forms of legislation—direct legislation, representative legislation and imposed legislation. In the first, the people who are to obey the laws themselves make the laws; in the second, they choose representatives to make the laws; in the third, the laws are made by others and imposed upon them. The initiative and referendum are devices intended to secure to the people the chief benefits of the first two forms at once and the same time.

Initiative and referendum are said to be Swiss institutions, and whether they in fact originated there or not, they have attained their greatest popularity in the cantons of Switzerland. We are told that in some of the cantons the only legislative function of the councils is to formulate laws that the people may pass. Swiss constitutions, like our own, give to the people a certain right of initiative in the rights of petition—generally coupled with a duty—on the part of the body petitioned to give the prayers of all petitioners full and careful consideration. But they also go much further, and in many cases confer an imperative initiative by petition. Any petition which is supported by a certain number of signatures and which demands action upon a specified matter must be heeded by the council. The council must take a stand upon it, and then to make it effective it must be submitted to the popular vote for approval, even if the action of the council upon it has been unfavorable.

The last part of this process, namely, the submission of a law to popular vote, is known as the referendum. The referendum is now widely adopted in Switzerland than the initiative. At stated intervals every year, in almost every canton, all important acts agreed upon by the councils are submitted to the people for their approval, in some cases regularly, whether demanded or not, in others only upon petition of a prescribed number of citizens. In either case it operates to give the people a direct veto upon legislation of importance.

Initiative and referendum are thus not necessarily complementary. We have both of them in isolated instances in this country and right here in Nebraska, chiefly with reference to questions of local government. No local authority, for example, can issue bonds for any purpose of public improvement without having the assent of a two-thirds majority of the voters at a special or regular election. A similar proceeding is required for every amendment to the state constitution. On the other hand, in our cities a petition of a certain number of property owners is necessary to give a council jurisdiction in order that they may assess the cost of any street improvement against the benefited property, and in particular details the wishes of the property owners are mandatory. The advisability of introducing the initiative and referendum into American legislation, both together or either separately, is a question outside of the present inquiry.

PACIFIC COAST FRUIT. This year, more than any previous year, will develop the importance of the California and Oregon fruit industry to the American people. Everybody remembers the alarms that were sent out early in the season that the peach crop was almost totally ruined by late frosts, and although those reports have proven to have been considerably exaggerated, the peaches derived from those sections to which we are accustomed to look for them have not been up to the average in ordinary years. Now we have the information in addition to this that the apple yield, which at the beginning of the season was said to be quite promising, is not going to average up. Men who claim to be speaking with full knowledge of the situation do not hesitate to put themselves forward as authority that the American apple crop will not be much more than a third of the fair average crop. There has always been a considerable export trade in this line to Europe, particularly to England, and this year, on account of the almost total European apple failure, the demand for American exports has already become quite brisk. The consequence is that the supply for home consumption is to be cut down even below the limits of a partial crop.

This being the fruit situation, it becomes necessary for the people who require cheap fruit to look to the Pacific coast and to the tropics as the sources of their supply. Fortunately both of these places are sending to our markets more and better fruit than have ever before found their way there. Bananas, pineapples and other South American fruits reach the tables of the ordinary people where not many years ago they were luxuries of the rich alone. The products of California and Oregon orchards, shipped by special fruit trains to all quarters of the country, are by reason of their improving qualities and decreasing prices forcing a strong competition with the home-grown products. It is plain that the field for these fruits is only beginning to be cultivated. If the consumption of fruit by the American people continues to grow in the next decade in the same ratio that it has in the last, the fruit industry of the coast will be one of the most important in the country. Eastern fruits, cut out of the market in time of poor crops, will have a hard time to regain their former place. The results are cheaper fruit, better fruit, more abundant fruit—in other words, better living for the masses.

THE EMPEROR AND THE FARMERS. The remarkable address of Emperor William at the banquet following the recent military maneuvers, which appears to have made a profound impression in Germany, is chiefly interesting for the evidence it furnishes of the great agricultural depression in that empire. "The past four years of grievous crops have weighed upon the farmer," said the emperor, and all through his address there was a tone of sympathy and solicitude for the condition of the tillers of the soil. William realizes the necessity for a contented and prosperous peasantry. He understands the value to his government of promoting the welfare of the large agricultural class. If that element of the population can be kept satisfied and insured a fair measure of prosperity it can be counted upon for an unquestioning loyalty to the throne and a sure bulwark against any movement that might menace the authority or the security of the government. It is obviously the conviction of Emperor William that it is much more important to conserve the interests and welfare of the agricultural producers than it is to concern himself or the government with the wishes of the nobility, and he plainly manifested this sentiment when he excluded from the banquet two members of the nobility who are not in sympathy with his policy on the agrarian question. Undoubtedly in this respect the emperor shows sound statesmanship. He of course desires the loyalty of the nobility and wants its support of his policy and measures, but he can do without this much better than he could do without the hearty and earnest loyalty of the great body of German farmers.

Probably agricultural depression in Germany is not more severe than in most of the other countries of Europe. The British farmer has long been having a hard-mouth existence, and the outlook for a worse condition, owing chiefly to the great price of wheat. The agricultural producers of Austria are even worse off, distress among them being well nigh universal, while those of Austria and Hungary are represented to be in a very unfortunate condition. Even the French farmers, though better off than those of other portions of Europe, are far from prosperous. The situation to which the Emperor William calls attention is, therefore, not peculiar to Germany, and it presents a problem the momentous character of which is not exaggerated by the interest in it which the kaiser has manifested. How is the problem to be solved? So far as Germany is concerned, what can the government do to relieve the distress of the agricultural classes? This was the great question that confronted the foremost statesman of Germany, Bismarck, and while for a time he seemed to have met it, the present evidence is that his solution was not conclusive. For a time the policy of the great chancellor brought exceptional prosperity to the farmers of Germany, but while that policy has been maintained by his successor it is seen not to have maintained its first success. Whether the present emperor and his advisers shall prove to be wiser and more far-seeing than their predecessors, time will develop.

In the meanwhile the whole agricultural system of the world presents a most interesting subject of study. The farmer of no country are at this time so prosperous, and in nearly every country the agricultural product is the most important factor in national prosperity. It follows that so long as this great interest is depressed there can be no general revival of prosperity. In other words, a renewal of profitable business activity is contingent upon profitable farming, and the latter does not exist anywhere in the world at this time. How shall it be brought about is one of the commanding questions of the time.

The intimation by Judge Woods during the hearing of the strike injunction contempt cases that street railways can be considered as engaged in interstate commerce, because they are used to transport persons en route to railway stations to take trains for distant points in other states, opens another vista into the possible extent to which the present act set in the recent railway strike may lead to federal government interference in local troubles. Let this view be adopted and it at once becomes the duty of the federal authorities to prevent the interruption of street railway traffic in every city in the country. Every controversy between a street railway company threatens to interfere with interstate commerce and comes under federal jurisdiction. By similar analogy every express company, every public carriage, every public dray, every public messenger, is engaged in the work of interstate commerce because it is habitually employed to transport persons or things on their way to points outside the state. Once accept the doctrine that the federal government is to protect interstate commerce in all its forms and the logical outcome is the practical annihilation of the states.

The Philadelphia Record, which professes to voice the principles of the democratic party, suggests that forest fires that leap from state to state, regardless of boundary lines, have become a national visitation, and that sooner or later the federal government will have to take its hand in the problem. Shades of Thomas Jefferson and Andrew Jackson! What are we coming to next? Has the democratic party repudiated its states' rights traditions so far as to now stand ready to organize a federal fire department and divide the states to prevent the spread of fire? Materialism in its worst form may be always in sight.

The Iowa state fair closes again this year with a big deficit which the taxpayers will be expected to make good. The Nebraska State Board of Agriculture has decided to hold its annual meeting despite the discouragement of hard times. It is to be hoped that the Nebraska legislature will at least come out somewhere near even financially, as the taxpayers have all the way to care for in defraying the necessary expenses of their state and local governments for the present.

Dr. James C. Welling, former president of the Columbian university at Washington, who died on Tuesday, was at the time of the outbreak of the war of the rebellion one of the most influential newspaper writers in the country, occupying as he did the position of political editorial writer on the National Intelligencer. Dr. Welling left collegiate work to go into journalism and retired from the latter to re-enter the educational field. He was successively connected with St. John's college, with Princeton and with the Columbian university, from the presidency

of which he resigned only a few months ago. He was a frequent contributor to scientific literature on the subjects of constitutional and international law and intended to devote the closing years of his life to the completion of an extensive work on the civil history of the late war. His sudden death will deprive historical students of what was promised to be a most valuable contribution to American history.

The county fair has not been a howling success. Omaha has outgrown pumpkin and cabbage shows like every other large city. The only thing that could be made to draw an interstate exposition, gotten up on a scale that would make it a world's fair in miniature. An interstate exhibition would require permanent exhibition buildings, planned and constructed with all the modern appliances of hydraulic power, steam and electricity. There would also have to be buildings for an art exhibit that would give scope to western painters, sculptors and skilled workers in metal, wood and fabrics of the loom. The managers of our county fair have worked under discouraging conditions. If they would enlarge the scope of their activity and center their energies upon an interstate exposition they would doubtless receive greater encouragement.

Beyond all question suicide has become a modern disease. There are two suicides today where there has been one in the past generation. This is a quotation from a recent address of a celebrated preacher. It is most probably amply borne out by the facts. It therefore affords a basis for some nineteenth century Malthus to devise a new theory of the imminent destruction of the human race. Just let the ratio of increase be maintained and the next generation will see four suicides where the present sees two, and each one following will double the number of its predecessor. At this rate it ought not to take so very many years until the increase of the world's population is arrested, and not many more until every living man shall have taken his own life. The prospect is not an attractive one to contemplate.

We are reliably informed that there are a number of children in the public schools, particularly in the kindergarten department, who are not of school age, and who are not legally admissible to them. When it is so difficult to afford school accommodations to all who are entitled to the instruction it must appear to be wrong to divert any of the school funds to purposes that are outside of the school board's jurisdiction. The law limiting the school age to children between the years of 5 and 21 ought to be rigidly enforced, particularly at the present time, when economy in the administration of the schools is the first and foremost watchword.

After Speaker Crisp's declaration at the democratic mass meeting in Atlanta that he was in favor of the immediate free coinage of silver at the present ratio of 16 to 1 he must have felt extremely uncomfortable under the hot blast which Secretary Hoke Smith poured out against the free silver cause. The latter characterized the plan advocated by Speaker Crisp as being "utterly at variance with sound business principles and fraught with incalculable evil." The two speakers of the day ought to have gotten together before they appeared before the public.

We knew Mr. Dewey would be heard from before he returned from his European trip. The people of the United States would have a difficult time to get along without receiving advice from Mr. Dewey at the regular stated intervals. A Triumph Long Delayed. Mrs. Amelia Bloomer has lived to see the triumph of the sensible dress she devised and wore forty years ago. All that was needed to convince the world was a pretty girl on a bicycle bus for one and a fashionable send-off in Paris.

Flat Contradiction. Indianaapolis News. T. V. Powderly makes the amazing statement that "twenty years ago there were no men in legislatures or congresses who knew from actual experience what it was to work for bread." We venture to say that there has never been a time in the history of this country when the national congress and the state legislatures were not made up of men who knew from actual experience what it was to work for bread.

Our True Standing Army. Edward Atkinson in the September Forum. The true standing army of the United States is not the regular army, but the force of effective or useful service in the future—the great body of teachers in our common schools, academies and colleges. This number has increased from 229,921 in 1872 to 674,000 in 1892. The total population has increased from 23,529,776 to 55,000,000, and yet how few are in the army of knowledge who are the duty and the responsibility which now rest upon us!

The Use for Prudent Enterprise. It is a good time for determined and resolute efforts, and for a reasonable and well-considered policy. The situation does not encourage any crazy booms in prices, or any wild and venturesome expansion of production. But it warrants a most earnest effort on the part of American producers in each department of industry and trade to compete as best they can under the new conditions which the tariff gives them, and to make the best effort it is only reasonable to expect that many will achieve unexpected success.

Heroes at the Throttle. Minneapolis Tribune. A committee appointed by Minneapolis citizens has placed on record a fitting tribute to the heroism of James Root; it would have been well if they had mentioned also his fellow-hero, Elyman McGowan, without whose aid he never could have got the train to the place of comparative safety. Indianapolis Journal: When Engineer Root, burned nearly to death and wounded in many places, was told he had become the hero of the country he replied: "I only did my duty." It takes the highest kind of courage and heroism to face death calmly from a sense of duty, and there is no other class of men who do this more frequently than locomotive engineers.

Buffalo Express: Every calamity produces its heroes. The Minnesota forest fires brought forth many, not a few of whom doubtless never will be heard of by the public. But there is one hero whose name and deeds are known and never should be forgotten. The brave engineer, James Root, who stood at his throttle and piloted his heroism to the rescue of his passengers, where most of his passengers found safety, showed the quality of courage which is heaven-born. Minneapolis Times: How little does the traveling public realize the courage and heroism which watch over journeys by rail, and which are never failing in the presence of danger to the passengers of the train and to the engine crew, and it is only when we are brought face to face with their heroic self-sacrifice that we appreciate how much we owe to their vigilance and to their heroism to the point of duty, and to the danger or certainty of death that confronts them.

Chicago Post: We are not sure that we agree with the hard Minnesota who asks "What's the matter with the lake?" It is most probably amply borne out by the facts. It therefore affords a basis for some nineteenth century Malthus to devise a new theory of the imminent destruction of the human race. Just let the ratio of increase be maintained and the next generation will see four suicides where the present sees two, and each one following will double the number of its predecessor. At this rate it ought not to take so very many years until the increase of the world's population is arrested, and not many more until every living man shall have taken his own life. The prospect is not an attractive one to contemplate.

We are reliably informed that there are a number of children in the public schools, particularly in the kindergarten department, who are not of school age, and who are not legally admissible to them. When it is so difficult to afford school accommodations to all who are entitled to the instruction it must appear to be wrong to divert any of the school funds to purposes that are outside of the school board's jurisdiction. The law limiting the school age to children between the years of 5 and 21 ought to be rigidly enforced, particularly at the present time, when economy in the administration of the schools is the first and foremost watchword.

After Speaker Crisp's declaration at the democratic mass meeting in Atlanta that he was in favor of the immediate free coinage of silver at the present ratio of 16 to 1 he must have felt extremely uncomfortable under the hot blast which Secretary Hoke Smith poured out against the free silver cause. The latter characterized the plan advocated by Speaker Crisp as being "utterly at variance with sound business principles and fraught with incalculable evil." The two speakers of the day ought to have gotten together before they appeared before the public.

We knew Mr. Dewey would be heard from before he returned from his European trip. The people of the United States would have a difficult time to get along without receiving advice from Mr. Dewey at the regular stated intervals. A Triumph Long Delayed. Mrs. Amelia Bloomer has lived to see the triumph of the sensible dress she devised and wore forty years ago. All that was needed to convince the world was a pretty girl on a bicycle bus for one and a fashionable send-off in Paris.

Flat Contradiction. Indianaapolis News. T. V. Powderly makes the amazing statement that "twenty years ago there were no men in legislatures or congresses who knew from actual experience what it was to work for bread." We venture to say that there has never been a time in the history of this country when the national congress and the state legislatures were not made up of men who knew from actual experience what it was to work for bread.

Our True Standing Army. Edward Atkinson in the September Forum. The true standing army of the United States is not the regular army, but the force of effective or useful service in the future—the great body of teachers in our common schools, academies and colleges. This number has increased from 229,921 in 1872 to 674,000 in 1892. The total population has increased from 23,529,776 to 55,000,000, and yet how few are in the army of knowledge who are the duty and the responsibility which now rest upon us!

The Use for Prudent Enterprise. It is a good time for determined and resolute efforts, and for a reasonable and well-considered policy. The situation does not encourage any crazy booms in prices, or any wild and venturesome expansion of production. But it warrants a most earnest effort on the part of American producers in each department of industry and trade to compete as best they can under the new conditions which the tariff gives them, and to make the best effort it is only reasonable to expect that many will achieve unexpected success.

to him as he recounts the reminiscences of their pleasant hours. If anybody imagines that Emperor William of Germany parades the dignity of his job at all times and on all occasions, he should take a look at the imperial yacht when the kaiser and his chums are aboard for a frolic. Eccentric variety performances are provided, consisting of singing and playing in caricatures, impromptu versemaking, etc. Among the participants in these merry-makings are ambassadors, ministers and professors, who are included among the emperor's guests.

Character is what we are in the dark. Never did any harm, eh? Well, neither did a rotten egg. Religion is like muscle; if we do not use it we will lose it. When the wicked are elected to office the devil is helped. Solomon got a good deal of his wisdom in the school of experience. The golden calf men worship never become eighth graders in the school of life. A fool soon shows that he has an empty head by the questions he asks. Nobody ever made life any brighter for another by growling and grumbling. There are some preachers who only appear to work at their trade one day in the week. The more your enemy hates you, the hotter fire will your kindness kindle on his back. It would bankrupt heaven for angels to go in company that some church pillars consider good. It is right for charity to begin at home, but she has not done her duty until she has gone all over the world in the cause.

SALE FOR LONG SERMONS. Milwaukee Journal: While opportunity awaits, let us keep up to the mark, lest our leisure time blowing a horn. Detroit Free Press: She had accepted him, he was happy. "You sweet thing," he exclaimed, "I'll follow her in her arms, you are mine alone." "Come off," she murmured softly; "you needn't think you've got a sugar trust snap." Atlanta Constitution: If the moonshine distiller expects to keep up in the competition he will have to be double-quick. There is a barbecue every morning and a torch-light oration at night. Detroit Free Press: Husband-A bachelor doesn't know what home is. Wife-Neither do some married men until long after midnight.

Washington Star: "I won't stand it any longer," said the blacksmith's avil. "What's the matter?" inquired the sledge. "I get all the hard-knocks, while the bellows does nothing but put on airs." Chicago Tribune: The Mother-Abel, I'm afraid Willie is going to be near-sighted. See how close he holds the book to his eyes. The Father (in the retail grocery line): That's all right. He's getting that way from watching out for counterfeit money. There's plenty of good fish in the vestibule. New York Herald: Will-Why do you always carry those corks with you when you go out? Will-They're for the water. Jack-Well, you see, she lives in a flat, and I use them for stopping up the speaking tubes when I'm bothered by the ventriloquist.

Indianapolis Journal: "I have noticed," said the self-bought Joseph, "that when the office starts out to seek the man in this country he usually begins looking for him near a barrel." Chicago Tribune: "I thought you got in on the ground floor," said the sympathizing friend. "Ground floor!" howled the victim. "That's where I am now. The stock I bought was elevated railway shares!" Pittsburg Chronicle: "I must charge this suit," said the man in a high, shrill voice. "But pardon, sir, but I am doing business now on a cash basis," replied the man of the suit. "That's quite right. I don't want you to charge more than the cash price." Chicago Record: Mr. Hopperley-What? You only 15, Madgie? You look older than that. Madgie-I know it. But I can't tell that I'm 15, can I, when my big sister is acting at that age and everybody knows we ain't no twins?

QUITE PROPER. Kansas City: A man put his arm around her waist and drew her up to his knee; she was not ashamed to thus placed. As many maids would be. And yet her conduct was quite chaste. Her age was only three.

SEPTUAGENARIAN. Washington Star. Why sing of other months than this? Good-bye, when you remember the joys which thrill. Turn where you will— They linger at the table, still, All gathered by September. For, when you sing of gentle May, You surely must remember The blivare rare. Turn from its air— Caught from old Neptune's sheltering care. By generous, gray September. And when you card lays of June Again you must remember The soggy brink. Where none to drink. The erstwhile babbling bob-link The reed bird of September.

Did You See Our New Fall Suits. Bright—crisp—new styles—so perfect—so wearable—so faultless—such as any man may proudly own—it's a sin to pay merchant tailors nearly double—splendid fitting—all wool—suits \$10.00—sacks and cutaways—\$12.50—clay worsteds—for \$15.00—elegant sacks and cutaways—\$18—perfect dress suits—for \$20. WHAT FASHION FANCIES WE PURNISH. Browning, King & Co., Reliable Clothiers, S. W. Cor. 15th and Douglas.