BIENNIAL ELECTIONS BILL

Members of Constitutional Convention Express Opinions of New Law.

INTENT OF THE STATE CONSTITUTION

Idea of the Framers Was to Keep the Judiciary and the University Out of Politics as Far as Possible.

Four members of the constitutional convention of 1875, namely, James E. Boyd, John L. Webster, Charles F. Manderson and Judge W. H. Munger, are still living in Omaha. The following expressions were obtained from three of them in answer to a request for an opinion of the biennial election bill, from point of constitutional law and of the intent of the constitutional convention.

John L. Webster—I do not care to express an opinion on the bill relative to its constitutionality. I was president of the constitutional convention, and as such so much of my time was taken up with the duties of that office that I had not time to pay much attention to any particular points. The convention worked very rapidly, occupying some thirty or forty days, and it had much to do. I am not prepared to express an opinion just now regarding any constitutional points in the bill.

General Manderson's Views.

General Charles F. Manderson—Without passing at this time upon the question of the constitutionality of the biennial election law just passed by the legislature, I desire to say that I think this bill should be vetoed by the governor, and I have written him to that effect. The purpose in having the election of judges and of regents of the university in a different year from the general elections was to remove, as far as possible, these officials from the heat of political canvasses. For many years in Nebraska the rule was that there should be no political canvass by either the state committees of the two parties or by candidates for judicial places in what was to be an off political year. The constitutional convention of 1874 certainly had in view the idea that every alternate year the state should be free from the excitement and expense incident to general elections. Many people believed, as I believed and yet believe, that no candidate for judicial place should ever go upon the stump to excite political animosity and prejudice. It is not only a lowering of the dignity of the place, but provokes antagonisms and prejudices that certainly have their effect in judicial considerations and decisions. My impression is that the constitution of 1871, which, although an admirable document, was vetoed by the people, had in it some provision as to the terms of office of judges so as to throw these elections in a year when there should be no political excitement.

I think the main purpose of this bill was, not to save expense and in the interest of economy, but that the terms of office of some present incumbents should be extended.

So far as the constitutionality of the question is concerned, if the bill should become a law and no election should be held for judges, then they would, of course, hold their positions, under the terms of the constitution, until their successors should be elected and qualified. This section of the constitution certainly should be considered in connection with the other fixing the terms of office, but, whether the law be constitutional or not, it should be vetoed for the reasons that I have stated, and I earnestly hope that the state of Nebraska will return in the future to the old condition when every alternate year was free from political squabbles and those who are candidates for judicial place should not participate in political campaigns.

Should Be Kept Out of Politics.

Judge W. H. Munger—I had not thought of the constitutionality of the biennial election law and could not express any opinion on that point until I have read the bill. Judges of the supreme court and the regents of the university should be nominated and elected without regard to politics. That was the purpose of having the election for these officers in the odd years when political prejudice was not present. These officers should be selected with special regard to their qualifications as jurists and educators, hence the bench and the great educational school of the state should be absolutely free from politics.

Some Lincoln Opinions.

At Lincoln opinions have been secured by the Journal of several other members of the constitutional convention of 1875 residing in that city, as follows:

Judge M. B. Reese—It was practically the unanimous opinion of that convention that the election of judges of the supreme court and university regents should be held entirely independent of the election of most of the other state officers. It was the sentiment of the members that this would tend to keep the judges out of the whirlpool of politics and would keep their nomination free from the trades and combinations that always go with state conventions. The question was discussed fully at that time, and while no record was kept of the debates, I remember that a large majority favored the election of the judges on the odd years for this reason. I am of the opinion that the biennial election law is a bad move and that it is unconstitutional, as the constitution seems to be plain on that question. The first election of judges under the present constitution was held in 1875 at the time the constitution was adopted. The provision of the constitution is as follows: "Judges of the supreme, district and county courts, all elective county and precinct officers and all other elective officers the time for the election of whom is not herein otherwise provided for, and which are not included in the above exception, shall be elected at the first general election and thereafter at the general election next preceding the time of the termination of their respective terms of office, provided that the office of no county commissioner shall be vacated hereby." The constitution fixes the term of office of supreme judges at six years and by the terms of this bill the term of those in office now is lengthened to seven. This seems to be changing the constitution by legislative enactment. While the election of supreme judges has not been removed entirely from politics, I believe that it is freer from politics than it would be if held in connection with the election of other state officers.

Judge S. B. Pound—The idea in the separation of the elections, or in the holding of off-year elections, was to remove the non-political offices from the political. The members of the convention, with but few exceptions, were in favor of the separation of the educational offices and the judiciary from the offices of more purely political nature. I do not recall what the attitude was in regard to county offices.

Judge Broady—The intention of the convention was that by holding annual elections it might be possible to put the best men in state offices. By holding the election of the judiciary and the regents separate from the other state offices it was hoped this might be accomplished. The convention was practically unanimous in its action and the matter called forth but brief discussion on this account. Democrats as well as republicans were in favor of the arrangement.

DOWNWARD STEPS FOR A BOY

Truant Officer Parker Explains Some of His Schemes for Reform.

Cigarettes, paper novels and truancy are the first three steps in a path of crime for the school children of our land, according to the opinion of Truant Officer Parker.

"The cigarette habit is almost invariably first in the downward career," said Mr. Parker. "A few days ago I saw a statement which gave truancy this unenviable position, but in my judgment it is erroneous. To be sure, truancy is almost always a factor, and indeed the prime factor, but you will find it preceded by cigarettes. The boy who will not smoke and read cheap novels is the boy who will not give the truant officer any trouble, although I presume that any boy with red blood in his veins will play 'hookey' once in a while. Most of the habitual truants, however, smoke cigarettes."

Mr. Parker is interested in the matter of parental schools and detention homes for truants, and thinks they would form a valuable adjunct to the present juvenile court system in Omaha. By its provisions bad boys are placed on probation or locked up. If Omaha had a parental school truants might be placed in it rather than the jail of the juvenile court when they violate their parole. Mr. Parker said:

"The parental school is like the ordinary public school except that every child attending it is closely watched and attendance is absolutely compulsory. In cities which have such a school the truant officer gathers those together who stay away too often from other schools and puts them together in this one school. They must report to him every day. Many children would prefer this to being locked up and they would feel the obligation of attendance more than at present.

"Los Angeles has a parental school and a detention home. The former is such an institution as I have described, and the latter is what its name signifies, a home. The boys in it are under very strict discipline. If they prove unmanageable here, they are sent to the reform school. Los Angeles believes in a succession of steps, according to the preference of the boy or girl concerned. First, there is the public school near their home, then the parental school, then the detention home, and last the reform school."

CIVIL SERVICE EXAM DATES

United States Offers Many Chances for Good Men to Get Good Jobs.

The United States civil service commission announces examinations to secure eligibles from which to make certification to fill vacancies as they occur in the several departments of the government civil service on the dates following:

April 15, 1905—For the position of boilermaker, carpenter and coppersmith. Age 21 to 45 years. Pay from 25 to 60 cents per hour. These examinations are for employment under the isthmian canal commission on the Isthmus of Panama.

April 26, 1905—For the position of chief of the division of chemistry, hygienic laboratory, public health and marine hospital service of the United States at Washington, D. C. Age limit, 20 years or over at date of the examination. Salary, $3,200 per annum.

April 19, 1905—For the position of instructor in carriage making in the Indian service at Carlisle, Pa. Age limit, 20 years or over. Salary, $780 per year.

April 26, 1905—For the position of transferrer in the bureau of engraving and printing. Age limit, 20 years or over. Salary, $2,033 per annum and $1,800 per annum.

April 26, 1905—For the position of bridge carpenter for the Panama canal commission work on the Isthmus of Panama. Age limit, 25 to 45. Salary, $75 and $83.33 per month.

April 26, 1905—For the position of trained nurse, under the Panama canal commission on the Isthmus of Panama. Age limit, 20 to 35 years. Salary, $50 per month, with board and quarters.

Memorial Day Committee Meeting.

The Memorial day committees of the Grand Army of the Republic, Woman's Relief corps and adies of the Grand Army will meet Monday evening at the city hall to organize for the year. It is asked that there be a full attendance.

AFFAIRS AT SOUTH OMAHA

Closing of City Campaign Finds the Republicans Confident.

SWEEPING VICTORY FOR THE CANDIDATES

School Board Nominees Endorsed by Citizens Generally and Sure to Be Elected at the Polls Tuesday.

Chairman Murdock of the republican city central committee states that every indication points to a sweeping victory for the republicans at the election on Tuesday. What little opposition there was to the republican Board of Education ticket at first is rapidly disappearing, and all factions of the republicans appear to be working for the entire ticket.

Friends of Dana Morrill, Jay Laverty and Dr. W. L. Curtis are making a strong fight for them. A prominent citizen said Saturday in talking of Board of Education matters that Morrill and Laverty deserve re-election for the cleaning up they gave school affairs in the South Omaha district. The fact that Dr. Curtis is pledged to continue the policy Morrill and Laverty have inaugurated is making him many friends. Dr. Curtis was formerly a teacher and is well versed in educational affairs.

As election day draws near interest in the election of a republican Board of Education is increasing. While the republicans have a thorough organization and are working together, there seems to be but very little doing among the democrats. A great many democrats appear to be opposed to the candidates nominated at the democratic convention and some of the old-time democrats are reported to have come out flat-footed for the republican nominees. With harmony in the republican ranks and scarcely any organization at all among the democrats the republicans say that they are sure winners.

Both the park and city hall bond propositions are coming up for discussion these days. Those who at first favored voting the bonds for a city hall have switched front and are openly fighting the proposition. Not nearly so much interest is being taken in the park bonds as in the city hall bonds. Judging from the talk on the streets, both the city hall and park bonds will be defeated. Those who pay heavy taxes declare that the voting of $250,000 for a new sewer system will increase the bonded debt of the city enough without going any deeper into debt. As matters stand now nearly $40,000 each year is paid out for interest on outstanding obligations.

Printed instructions have been prepared by City Clerk Gillin for the guidance of judges and clerks. Each voting precinct will be issued a certain number of official ballots and these must be accounted for when returns are made to the clerk. A separate return is to be made to the city clerk on printed forms prepared for the purpose and it is thought that the public will be given the result of the election not later than 11 o'clock on Tuesday night.

Numerous Robberies Reported.

Sometime Saturday morning the hardware store of E. E. Darling, Twenty-fourth and J streets, was broken into by thieves and two bicycles and some cutlery and revolvers stolen. This is the second time within a few months that this store has been burglarized. Each time the front window has been smashed. Detectives Elsfelder is working on the case, but up to last night had not secured any trace of the stolen property or the burglars.

There is quite an amount of petty thieving going on and for a number of days the police have been picking up suspicious characters and holding them for short sentences.

Chief Briggs makes the statement that he has only twelve uniformed men to walk beats night and day. Aside from the uniformed men, two jailors are employed, one detective, a captain and the chief, making a total of seventeen. In speaking of the Darling robbery the chief said that there ought to be two men on Twenty-fourth street. The night officer on this beat has to walk from Twenty-fourth and A streets to Twenty-fourth and Q streets. He is compelled to report by telephone each hour. All of the night beats with the exception of the N street beat are too long. More men are needed, but the funds apportioned for the police department will not permit any more officers being put to work. An effort will be made to secure an increased appropriation when the 1905 levy is made.

Commercial Club Meeting.

Monday evening there is to be another meeting of the recently organized Commercial club. A committee has been working hard for a number of days securing applications for membership. President McCrann stated yesterday that the meeting on Monday night would be a big one and every member as well as those who contemplate joining should be present. Dr. McCrann said that every citizen interested in the development and prosperity of South Omaha ought to sign a membership application at once. Eighty names are now on the membership roll and this will most likely be greatly increased on Monday night. The object of the club is stated to be the pushing of the Magic City to the front.

General Cleaning Up Needed.

The attention of Sanitary Inspector Jones has been called to the dirty condition of alleys all over the city, but particularly in the business portion. The inspector is getting ready to serve a large number of notices directing property owners and tenants to clean up at once. In a great many instances no attention is paid to such notices by renters of property as the declaration is made that the property owner should pay for the removal of garbage. Inspector Jones says that he does not care who does the paying, but the back yards and alleys must be cleaned up, and that right away. City ordinances provide a fine for those not complying with the notices served by the sanitary inspector.

Japanese Reception.

On Thursday afternoon and evening of this week the Missionary society of the First Methodist Episcopal church will give a Japanese reception and social at the home of Mrs. A. F. Stryker, 1122 North Twenty-second street. There will be vocal and instrumental music and some Japanese will attend dressed in native costume. Light refreshments will be served. A cordial invitation is extended to all to attend this social.

Magic City Gossip.

H. W. Reed started his street sprinkling wagon Saturday.

Horses Clipped. Electric machine. Brewer's Barn. 'Phone 30.

A great deal of out of door work is going on at the present time.

James Ritchie is preparing to move from Omaha to Eighteenth and J streets.

Rev. R. L. Wheeler will preach at the First Presbyterian church this morning.

Saturday's revision of registration was light in all the twelve precincts in the city.

Mrs. Florence Moore has returned from Illinois, where she visited for several weeks.

Mrs. W. D. Godfrey leaves today for Excelsior Springs, Mo., to be gone a couple of weeks.

Robert Hall came up from Kansas yesterday to spend a few days with Mr. and Mrs. J. A. Hall.

The entertainment given at Lefler Methodist church, Albright, on Friday evening was well attended.

John C. Carroll, formerly chief of police here, came up from Coffeyville, Kan., yesterday and will spend several weeks with friends here. Mr. Carroll has been through a long illness, but is getting a great deal better.

For the twelve months ending March 31, the business at the South Omaha postoffice amounted to $85,707.49.

The Women's Christian Temperance union will meet with Mrs. Baner, 2314 G street, on Tuesday afternoon.

Miss Bernice Hunting will speak on missionary work in Syria at the First Presbyterian church this evening.

The Presbyterian King's Daughters will meet on Friday afternoon with Mrs. Dillie, 1020 North Twenty-fifth street.

Elders of the Presbyterian church are invited to meet with Pastor Wheeler at the church at 6:30 o'clock this evening.

Mr. Okajima will speak on "The Religions of Japan" at the Young Men's Christian association meeting this afternoon.

Rev. W. N. Crozier, until lately a missionary in the orient, is the guest of Mr. and Mrs. Arthur Crozier, 2216 H street.

The first of a series of indoor athletic contests was held at the local Young Men's Christian association rooms last evening.

City Engineer Herman Beal left the South Omaha hospital yesterday afternoon. He is now at his home, Twenty-fifth and G streets.

Today is the opening of a new church year at the First Presbyterian church. Dr. Wheeler will preach a sermon appropriate to the occasion.

Ballot boxes for the election Tuesday will be delivered at each election booth early Tuesday morning by Mayor Koutsky and Chief of Police Briggs.

During the month of March forty-nine births were reported, thirty males and nineteen females. Deaths numbered twenty-three, seventeen males and six females.

On Monday evening a number of the students of the night school will take the international examinations in the branches studied during the winter at the South Omaha Young Men's Christian association night school.

WORK ON PATHFINDER DAM

State Senator Sullivan of Casper Has an Enthusiastic Word for the Project.

State Senator Patrick Sullivan of Casper, Wyo., an extensive sheep owner, is at the Iler Grand. He speaks very enthusiastically of the government project to dam the North Platte river about thirty-five miles west of Caspar and predicts that the direct and indirect effects from that great enterprise will be of enormous value not only to Wyoming, but also to northwestern Nebraska. By means of this dam, and others that are in contemplation, it will be possible to maintain a serviceable stage of water in the North Platte during the dry season, thus making it possible to turn water on land during a season when, heretofore, it was impossible. He thinks this should be the cause of redeeming a great acreage of land in northwestern Nebraska that is not now under cultivation. There are now several irrigation ditches in that section owned by private parties, but these do not redeem a very great extent of the country. Of course those who take up land there in the future will have the advantage of dealing with the government instead of with private corporations.

"The extensions of the Chicago & Northwestern and the Burlington railroads will, in connection with the government irrigation plans," continued Senator Sullivan, "add very much to the development of the country. The extension of the Northwestern line is essential to the construction of the dam I have spoken of, as the enormous supply of material needed will require transportation. It is estimated that 300 cars of cement will be consumed in the construction of the dam. The work of boring a tunnel to carry the water around the site of the dam so as to admit of its construction is alreay under way. In addition to this dam an artificial lake that will have an area of probably 150 square miles will be constructed so as to conserve the rainfall and melting snows. People generally do not realize the real scope of the irrigation plans now being prosecuted by the government."

"With the development of the country the famous Hole-in-th-Wall will no longer be a safe resort for your bad men?" was suggested to the senator.

"Well now, if the truth is told about the alleged resort of bandits and bad men generally under the name of Hole-in-the-Wall it never was anything like as bad as it was painted. We had, and possibly still have, our share of bad men, but so far as that particular hole is concerned they are all either dead or in the penitentiary. Sensational papers ran the gamut of invention in their stories of that place, and the fact is that in its very worst day it was not a hundredth part as bad as represented. That section is a thriving and peaceable settlement and no one is in any more danger living there than in any other section of the west. The Hole-in-the-Wall will have to be given up as a sensation, for it no longer furnishes the least excuse for the many fictions that have been perpetrated on a credulous public."

"PINAFORE" FOR CHARITY

Gilbert and Sullivan's Opera to Be Sung Under Auspices of the Knights of Columbus.

Sir Joseph Porter, K. C. B., gallant commander of H. M. S. Pinafore, will cast anchor once more in the port of Omaha, accompanied by his merry crew, Josephine and Buttercup, his cousins and aunts and all other relatives and friends. Since this splendid crew showed their talent and skill as merrymakers at Creighton university hall a few weeks ago there has been a general request for a repetition of the opera. The company has generously responded to the demand and will be heard and enjoyed again, this time in Boyd's opera house on the evening of May 11. The performance will be given under the auspices of Omaha council, Knights of Columbus, and the proceeds will be divided equally between St. James' orphanage at Benson and the Home of the Good Shepherd. The performance alone is worth a full house, and the object for which it is given should put a premium on "standing room only."

NAME FOR THE NEW THEATER

"Burwood" Is Adopted by the Management and Suggester Wins an Annual Pass.

"Burwood" is the name for the new theater to be erected by Messrs. Woodward & Burgess. This name was settled on by them after a full consultation and consideration of the long list suggested.

Miss Minna Meyer of 2110 Douglas street was first in with the name, although it was suggested by about forty persons. She will be given an auunal pass to the house as soon as it is opened.

HANS CHRISTIAN ANDERSEN

One Hundredth Anniversary of His Birth Will Be Celebrated by Local Danes.

This afternoon and evening the members of the Danish association of the city will meet in Washington hall to honor Hans Christian Andersen, the occasion being the 100th anniversary of his birth. All the numbers of the program will be selected from the works of the great storytellery. Music, reading and dramatic representation of the fairy tales will be embraced in the program.

Run Down by Street Car.

F. J. Wolfe of Highland, Wis., who is in Omaha stopping at the European hotel, tried to cross Dodge street last night about midway between Tenth and Eleventh streets, just as a car was passing. He miscalculated the distance and was struck by the car. When taken charge of by Police Surgeons Wigton and Kennedy it was found that he had received a deep scalp wound and was badly shaken up. After his wound was dressed he was taken in charge by a friend and taken to the hotel. He had been drinking considerably.

Omaha Improvement Club.

A meeting of the Omaha Improvement league will be held in the park board rooms Tuesday night at 8 o'clock. Vice presidents and chairmen of committees will then be announced and plans considered for aggressive work for a greater and more beautiful Omaha. Citizens are invited to be present to advise and aid in the betterment of their home city. No better year for work than 1905. Let us not fall behind other wide-awake cities.

Able Goes to Hospital.

Jesse Able, the erysipelas patient who has been two days in the city jail, was removed to the county hospital yesterday. Representatives of the Associated Charities and the Visiting Nurses association interested themselves in his behalf and secured his admission to the hospital. County Physician Lee had at first refused to take him in on the grounds that it was the city's duty to care for him. The police officers and surgeons did as much as possible for him with the meager facilities afforded.

Short Stay by Booth.

General Ballington Booth of the Volunteers of America, who is to be in Omaha for a few hours Sunday, will arrive from the east about 9 o'clock in the morning and will leave for Lincoln at 4 o'clock. He will go east again from the capital. The organizer and head of the volunteers will address the public at Hanscom Park Methodist Episcopal church in the morning and in the afternoon, beginning at 3 o'clock, will talk to men in the Young Men's Christian association.

Danielson Arraigned for Shooting.

John Danielson was arranged in police court Saturday on the charge of shooting at Clara Bly with intent to kill. His case will be heard Monday. William O'Connor, who is supposed to know something about the shooting, cannot be found.

Man Gets an Ugly Fall.

Edward W. Chamberlain, who formerly lived at the corner of Fortieth and Leavenworth street, and who sent his wife and four children to Bellaire, Kan., a short time ago, preparatory to settling there, suffered a number of painful bruises last night near the Burlington depot in an attempt to mace a train for Kansas City. He did not have enough money to pay his fare and he thought he would try to beat his way. In trying to get across the iron partition fence to reach the train, he wanted his foot caught and he pitched headlong to the ground, receiving a number of ugly but not dangerous cuts and bruises on his face. His wounds were dressed by Police Surgeons Wigton and Kennedy.

Bee Want Ads Are the Best Business Boosters.