THE OMAHA DAILY BEE The Law of the Platform Convention

OUNDED BY EDWARD ROSEWATER VICTOR ROSEWATER, EDITOR BEE BUILDING, FARNAM AND 17TH. Entered at Omaha Postoffice as secondlass matter.

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REMITTANCES.

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JUNE CIRCULATION. 48,945

State of Nebrasks, County of Douglas, ss. N. P. Fell, business manager of The Bee Publishing company, being duly sworn, says that the average daily cir-rulation for the month of June, 1912 was 48,945. N. P. FEIL, Business Manager.

Subscribed in my presence and swort o before me this 9th day of July, 1912. (Seal.) ROBERT HUNTER, Notary Public.

Subscribers leaving the city temporarily should have The mailed to them. Address will be changed as often as requested.

Orozco is now forming a third party in Mexico.

Evidently no 8 o'clock closing order on water-spouts at Denver.

Distance may lend enchantment, but not to vanishing political hopes. the platform convention was not

Ever know of an officeholder who resigned telling the whole truth as to why he quit?

The hot weather warning, "Don't sat too much," does hot come from the grocery store.

It would be pretty hard to erect "Thou-shalt-not-steal" party upon a theft of electoral votes.

There must be democracy in art also when a famous composer will elope with a chorus girl.

Is it possible that big new hotel for Omaha is to arrive ahead of the Platte river power canal.

The Lincoln Journal thinks it has discovered the key to the platform convention puzzle in the provision of our Nebraska law governing political parties and their organization, which it quotes as follows

The various political parties shall hold Thirty Years Agostate delegate conventions on the last Tuesday in July of each year. Said constaff for the Grand Army of the Republic vention shall formulate and promulgate General C. H. Frederick, chiefa state platform; shall select a state cenof-staff, and Captain H. E. Palmer, adtral committee. No action shall be taken by said state convention for or against in the state.

any person who is or may be a candidate The child's hospital acknowledges donafor any office to be voted on at the next tion for the month of June, among them, Mrs. Wyman, one child's high chair; Mrs. general election. The Journal thinks that "through Byron Reed, lettuce and asparagus; Mrs. Woolworth, strawberries twice, green some lucky chance this law happens peas twice, and cherries. to square with the common sense

The committee of examiners consisting method of dealing with the crisis of John Rush, George I. Gilbert and Simeon Bloom, invited would-be teachers that everybody must admit now cono present themselves for examination. fronts the party in this state," the The Omaha Woman's Suffrage asso-'common sense method" referred to ciation met at the Unitarian church, and being to dodge the issue completely. listened to an address of Miss Campbell of Massachusetts, who was followed by It is true that this is the way the Mrs. Colby of Beatrice. law reads as it stands on the statute The call for a meeting of firemen inbooks, yet it is not to be read literterested in the future welfare of the fire

Jooking Backward

Ihis Day in Omaha

COMPLLED FROM BEE FILES

JULY 17.

ally, but in connection with the purdepartment is signed by William C. Hunt, pose and manner of its enactment, president, and Jerome C. Spencer, secretary. The platform convention which the Fred Lowe left for a short tour of re lawmakers had in mind was to be creation to Denver and other points. held in July in advance of the nomi-Mr. Ed Maurer has returned with his nating primary fixed for August. It bride from his honeymoon trip in Colorado. Among places visited were was thus perhaps desirable and Denver, Colorado Springs, Manitou, Butte proper to forbid the party organiza-Pass and Pike's peak. Circulars were distributed on the strets tion from attempting to forestall the reading as follows: "Help the early clos-

primary selections by taking sides ing movement of the stores by not purbetween candidates for nomination, chasing drygoods after 6:30 p. m.' and championing one as against another. It was not intended, we be-Twenty Years Ago-

lieve, to prevent a platform "point-General W. G. Veazey of the Interstate Commune commission and Special Agent ing with pride" to the achievements F. G. Kretchmer from Chicago arrived and records of a president, or govto continue here an investigation begun ernor, or a senator, or a congressthere into Wabash rates between Missouri man, though he might be standing river points and Toledo. for re-election, or for promotion to Rev. J. M. Driver of Fort Wayne, Ind. drove home some telling remarks on 'What We Owe to Ourselves," in a As a matter of fact, it was due to sermon at First Methodist church on the

text. "So, then, everyone of us shall account of himself to God." Dr. Armstrong, superintendent for the state institute for the feeble-minded Beatrice was at the Paxton hotel.

Lieutenant Abner Pickering, Secon United States inantry, and wife, left for a two weeks' visit with friends at Frankfort, Ind.

James P. Powers addressed the 4 p. m. meeting at the Young Men's Christian association and it was announced that notified of his renomination August State Secretary Nash would speak the next night to members of the association and all members of Christian En-

of-fact Americans that there are still a few perfunctory formalisms to deavor desiring to attend. The entire downtown fire department which we rigidly cling. There is was called out to suppress a small blaze every reason in the world to believe that did \$150 worth of damage in a that President Taft is entirely building at 1217 Howard street, owned in by Senator Sutherland, both of whom cognizant of the fact of his renomi- by E. B. Chapman and occupied by George M. Bibble as a butcher supply nation at Chicago last month. But house. A passing patrolman discovered officially he knows nothing about the fire about 10:30 o'clock at night and it. None of the nominees would turned in the alarm. But for his prompt

ever have unescapable knowledge of action and that of the firemen greater The colonel insists his bull moose their success if a committee carefully damage might have ensued.

THE BEE: OMAHA. WEDNESDAY, JULY 17, 1912.

REMOVAL OF FEDERAL JUDGES

Constitutional Provision Amply Effective if Rightly Applied. Springfield Republican.

The Judge Archbald impeachment case ; brings to public attention again the impeachment trial as a method of determining the fitness of federal judges to hold

their places on the bench. It is commonly assumed that no other method is possible General Thayer has appointed as his under the federal constitution and impeachment trials are often criticised as crude, cumbrous and unsatisfactory. There is much force in the criticism, for it jutant general; the others being from out is necessary under the impeachment clause of the constitution to convict the accused judge "of treason bribery, or other high crimes and misdemeanors." These are very grave offenses and obviously a judge innocent of such crimes or misdemeanors might be guilty of lesser offenses which would unfit him for the judicial office. In the last case, of a federal judge impeached, the acquittal was notoriously due to the senate's feeling that, while the accused jurist had committed improprieties, his conviction of "high crimes and misdemeanors" would be excessive

punishment. Is it not time-and high time-that pro vision was made for the removal of federal judges who commit the lesser offenses which impair public confidence in them and practically end their usefulness on the bench? In the states, or at least many of them, judges can be re moved without impeachment vrials. Massachusetts, the constitution provides that the governor, with the consent of the council, may remove judges "upon the address of both houses of the legislature." And this is founded on the English practice established by the act of [settlement of 1704. In England, judges appointed "during good behavior" may be removed by Parliament. Our federal constitution adopted the English idea of making the terms of federal judges "during good behavior." but it did not spe cifically provide for their removal "by address." It simply said that "the judges, both of the supreme and inferior courts, shall hold their office during good behavior; and shall, at stated times, receive for their set res a compensation, which shall not L diminished during their continuance in office." In subjecting judges to impeachment trials, congress hitherto has found constitutional authority in that clause providing that "the president, vice president and all civil officers of the United States shall be removed from office on impeachment," etc. This would involve a weak point in the constitution, if judges could be reached in no other way than by impeachment proceedings, inasmuch as while the president, vice president and all important civil officers, except judges, serve for

limited terms, those on the bench are appointed for periods limited only by death or "good behavior."

The senate debate on the abolition of the commerce court last month was notable for the opinion advanced by Senstor Cummins, and apparently concurred rank high in the senate as constitutional lawyers, that the power of congress to remove federal judges is not exhausted by the impeachment process, as is generally believed. Senator Cummins did not argue the point at any length, but incidentally he said:

It would be most interesting and in-structive if we were to enter for a little while, and I do not intend to do it. upon the consideration of the term "good be-havior." there is a prevaluat notion throughout the country that judges of the federal courts are appointed for life. That is not true. They are appointed during good behavior. I recognize that I am not now speaking directly to the point at issue, but we so often hear the expression that federal judges are ap-pointed for life that I want to give some publicity to the real language of the con-stitution, which is "during good be-havior." I am not one of the persons who believe that the determination of what is good behavior can be had only in an impeachment trial. My friend from Utah says that unless a federal judge is re-moved from his office by the process of impeachment for high crimes and mis-demeanors he must remain there during law: and there would remain no way of relieving the federal bench of a judge whose acts had been sufficiently im proper to constitute, let us assume, breach of "good behavior." The courts including the federal judiciary, are passing through a period of severer criticism than they have encountered in years. May it not be an excellent time for congress to make use of the power which Mr. Cummins declares exists and set up tests of good behavior which in the future will keep the federal bench purged of unprocess?

THE ROADWAY OF MY HEART. T. C. Brayton in Rosary Magazine. A big road circles round the world, sure

'Tis

sweetest yet.

of my heart runs

winding over seas with many a sigh

By common ways and common graves

and common homes it goes; But, oh, its beauty no one but the soul

within me knows: Its dawns are drenched with dew from

heaven, its nights are tearful sweet. And sometimes One long crucified walks there to guide my feet.

It leads me down by purple hills where fairies sport of nights. It shows me many a hawthorn lane, the scene of dead delights; It clothes again with living grace the faces hald away Beneath the cold of grass and mould, my road of yesterday.

Oh, twilit boreen of my heart, the world

quirements of its population. There is But, oh of all the roads I know it is the

banding. The time has come for the conservation of individual resources. Frugality alone can be looked to to increase the available income of those who feel the

prices, and the open-handed will perhaps begin to cut down the tithes paid

thi

"See here, my friend, you must walk

ford to walk. I own a \$5,000 auto.' Cleveland Plain Dealer.

id had four and common homes, but, oh, "-Cleveland Of all the roads in life it is the sweetest road I know.



eat the right food

you feed them on foods that they cannot get the good out of. Do not eat so much meat and other heavy foods that are hard to digest. You get all the good elements



in a much easier digested form. It contains practically no waste. It is all quickly and easily

Mr. Sutherland-Mr. President The Presiding Officer-Does the senator from lowa yield to the senator from from Utah? Mr. Cummins-I do. Mr. Sutherland-Either 1 did not express myseif as I intended to do or the

senator from lowa did not quite under-stand me. I did not mean to say that a judge could hold his office until he had been impeached. I recognize that there is a great deal of force in what the senator from lowa says. I am not at all certain but that there may be such behavior upon the part of a judge short of an impeachable offense that would enable us to get rid of him. I did not

mean to antagonize that position. Mr. Cummins-I am very glad indeed that I misunderstood the senator from Utah, because in these days when clouds

are rolling around the judiciary, when various remedies are proposed for their recall, I think it is well to remember recall, I think it is well to remember that we have somewhere, somehow, the power to determine the good behavior of the judges of the United States, and that therefore we do not need, at this time at any rate, those severer changes that are suggested in the recall by a popular vote.

I think that congress has the power to provide for the removal of judges of the Jnited States whenever they violate the rule which is established in the constiturule which is established in the constitu-tion, namely, the rule of good behavior; and that means that these judges must obey, and as I am very glad to say they generally have obeyed, the fundamental principles of propriety and ethics. I know the English act provided that the will of parliament should be the rule for determining good behavior. It is not on with our constitution; and neither is

so with our constitution; and neither is it so that the only way of determining good behavior is through a court of impeachment. We have never yet had the us to legislate upon that subject, but when it does, I predict that congress will when it does, I predict that congress will find that it may, upon giving the judge affected opportunity for trial and for hearing, prescribe a procedure which shall erect some other test, some higher stan-dard than the low and ineffectual test and standard of the commission of a crime or a misdemeanor.

Iowa has reminded the country of a hitherton unused power of congress which is of great importance and value. In declaring that "the judges, both of the supreme and superior courts, shall hold their offices during good behavior." the constitution sets up a test entirely different, so far as judges are concerned, from the "high crimes" test in the clause on the impeachment of the president. Judges must be well behaved to retain their places; and obviously it rests with congress to prescribe, if it chooses to, the standards or rules of "good behavior." the transgression of which would involve

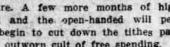
the removal of the erring judges from office. That such judges would be granted a hearing in order that they might defend themselves is to be taken for granted. They get one in England. from parliamentary committees; in Massachusetts they get it from committees of the legislature.

In the present case of Judge Archbald, it is not at all improbable that, in an impeachment trial, the senate would decline to remove him on the ground that he had committed "high crimes" or "mis-

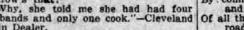
his natural life. I cannot agree to that statement. I do not intend to pause to even discuss what procedure could be

established by congress in order to de-termine what good behavior is and what it is not; but I believe that there is misbehavior on the part of a judge for which he can be removed from office that does

to the outworn cult of free spending.



nore



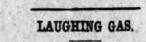
pense their earnings like a miner spending his pile. Pioneer days may be in full swing in Alaska, but they are over

as far as the main territory of the United States is concerned. The pinch of high prices has brought the warning that the country's resources have lone and far away; United States is concerned. The pinch of that the country's resources have

nothing shameful in itself in good hus-

not rise to the dignity or the severity of either a crime or a misdemeanor. Mr. Sutherland-Mr. President-

pressure. A few more months of high



"We call that girl Juarez." "Why?" "She's been captured six times season.-Kansas City Journal.

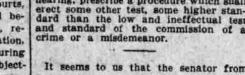
"Walk more! Why, doctor, I can't af-

Oh, twilt boreen of my heart, the world is vague and vast. But you are holy with the balm of all my hallowed past; You thrill me with the touch of hands my hands were wont to hold, You lure me with the lilt of dreams I dreamed and lost of old. A very unusual woman. She has such remarkable luck in keeping her "How's that?"
"How's that?"
"Why, she told me she had had four husbands and only one cook."-Cleveland The big road of the world leads on by



VOUR bodies are ill-nourished because of these dishes in





party must be "entirely distinct." Also extinct in due time.

Isn't Mike Harrington to be taken into the inner councils of the third party promoters in Nebraska?

It was only through Omaha's force Oyster Bay home, if the cartoonists of habit in leading that it topped the temperature on the hottest day.

A lot of other people we know would like to buy Omaha real estate now at prices quoted twenty years

In the numbering of parties, lor was notified by letter; that he where do the socialists and the prohibitionists come in, third, fourth or fifth?

Places on the school board seem to eral Taylor, no doubt, had an inkbe sought after much more strenu- ling that the letter contained the ously than they are retained when notification of his nomination for the senger Agent Lomax of the Union Pacific once secured.

Uncle Same did not invest \$400,- much as the letter lacked postage, step aside and let England dictate fice. Whether the missive was re- ness from connecting lines. bow it should be run.

Naturally the democratic slush money distributors burned their books when they began to cry for campaign fund publicity.

The provision slipped into the statutes by our late democratic law- New York City are carrying on Bible lice court was a joke all right.

an acre brings that price because it charge and growing interest and re- is that he preferred an onion in his cockactually gives returns on the money sults are reported. A lesser numfor the man who owns the land.

It is gratifying to know that no law abiding man has come forward Bible and making use of the drews. to challenge the ownership of the churches valuable property. It is also third-term battle cry, "Thou shalt not steal.

Nebraska has a member of the committee named by the Chicago convention to notify the nominee. Will he go or will he again record himself as present but not voting.

If you don't like to pay for water for lawn sprinkling without getting children in their own homes. the use of the water, why just write a letter to the water commissioner and tell him what you think about it.

In twenty-four hours and less their children, it would fill practically every person in Omaha suddenly all requirements. Until church peoamounts to the same thing-the sea- their power to give their children a ceast moved its climate to Omaha. Come to Omaha and save expenses.

in the schools will lack force. Until The zone system of making rates the home and the church exhaust newly proposed for the express com- their possibilities, it is not quite fair that I would not seek a third term I that he should thus conspicuously beot entirely unique. It is to condemn our "irreligious" system part of Senator Bourne's parcels of popular education. There is no bill now pending in congress. more reason for keeping church doors Even here it is a modification of the closed six days in the week, if Bible some system of railway charges in and moral instruction is desired, than his and as about 40 per cent of the 400 Austria. And it has met with de- parents neglecting to teach their ed favor by those who have given children at home how to walk the right path. meets with much favor. "Household De-close study, close study, and to find as the man who has his end to find as it close study,

selected for the purpose did not call Ten Years Agoupon them on an appointed day with Eddie Creighton, catching a few days the notice.

seems to have got along without it.

Teaching the Bible.

last summer.

some higher office.

fronting us.

merely oversight and bungling that

moved up in presidential years along

with the primary, and had this been

done, this puzzle would not be con-

Notifying the President.

President Taft is to be formally

, which serves to remind us matter-

for the Omaha Western league team, hit President Taft will receive this a single with the bases full off Billy news at the White House. President Hart, which won the game for Omaha against Peoria. Roosevelt received his announcement Twenty book solicitors for the coming

in 1904 on the shady lawn of his musical festival at the Auditorium were appointed by the board of directors. The told the truth. The time, place and director's committee voted to have new stock certificates issued, both preferred day are not of consequence, except and common and Mesars Hoobler, De that this is supposed to mark the Bord and Hamilton were appointed to opening of the campaign. There was take charge of this. This was consida time when even personal notice ered the best way to get around the was not regarded as essential. The many changes necessitated by the authorstory is told that Zachary Tay- ized change from \$300,000 capital stock to \$300,000 preferred and \$200,000 common

stock. was in New Orleans at the time and The Real Estate exchange held its anreceived word from the postoffice nual picnic at Arlington and the mem-

bers with their families got a thorough that a letter addressed to him was soaking, for the rain took charge of the held there for correct postage. Genday soon after the picnickers got to going good. Word was received from General Pas-

who was at Colorado Springs, to the efpresidency, but inasmuch as he alfect that this road had rejoined the Westready had heard of it and also inasern Immigration bureau, from which it had withdrawn on the ground of not 000,000 in first cost of that canal to he refused to take it out of the of- getting its just proportion of the Dr. and Mrs. Moriarty sailed for Europe

turned to the dead-letter office or from New York, to be gone until Septhe sender, the story does not tell, tember 1. but somehow or other General Taylor

People Talked About

Sixty-three Protestant churches in Dr. Thomas H. Bache, one of the oldest makers giving jury trials in the po- schools five days a week for children physicians of Philadelphia, and the greatgreat-grandson of Benjamin Franklin, who are accustomed to run the died in that city at the age of 88. streets most of the time. Four relig-One of the points made against Federal Nebraska land that sells for \$100 jous organizations have the work in Judge Hanford in the inquiry at Seattle

> tail. That ought to count for something. Robert O. Bailey, "Bob" he used to be ber of churches did the same work alled when he was a newspaper reporter, has been made first assistant sec-This is a good way of teaching the retary of the treasury, vice A. Platt An-

> Pletro Mascagni lives up to his notions of rustic chivalry by fleeing from his a practical appeal to children who wife in company with a chorus girl. Wife otherwise would be running at large is in pursuit. Pietro has something comin the hot weather. But this is only ing to him.

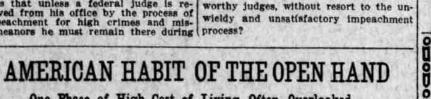
> one way of getting the Bible taught. Mrs. Pennybacker, now president of the General Federation of Woman's There are scores of other ways avail-Clubs, is from Texas, and is listed as a able to the church. One unobjectiondemocrat. But one more or less makes able way is for church people, fathers little difference in Texas.

> bria county, a few days ago to attend the funeral of Captain George Rutiedge. If churches in every city were to do what these New York churches the old Pennsylvania canal. are doing and all the church homes

been discovered. His name is John E. were to begin teaching the Bible to Gill; he's a Pittsburgher, a prohibition nough for us ist in politics and in business the presi-

moved to the sea coast. Well, it ple themselves do all that lies within has been repeatedly mistaken for the doctor. Recently they made each other's acworking knowledge of the Bible, com-Governor Foss of Massachusetts says plaint over the Bible not being taught

"I'm going to get back to business," he states. When I said two months ago meant every word. I will neither enter the lists nor accept another nomination." Miss Mary Lois Kissel of New York has been appointed associate professor of mestic art at the University of California and as about w the appointment students are women the appointment "Household Deject of her course of lectures.



One Phase of High Cost of Living Often Overlooked.

New York Post.

Among the list of reasons for the pinch ; shoes resoled or the one who walks ten of that tight garment, the cost of living. minutes' distance to save a nickel. In dress the country man may still be ecoome are material reasons, that is, pertaining to the cut of the coat; but others nomical in some sections, but the city concern the shape of the wearer, and are man is lavish. He is down on class dismoral reasons. The coat that pinches tinctions, is the city man, and so he ts so irksomely would be roomy enough buys himself new clothes, for his must for many a nationality of less luxurious ook as fine as the next man's. Beyond dirth, with waisthand less extended by a certain very humble line, there is no the good things of life. Above all, the telling a man by his dress, be he bank incomfortable and uncompromising garpresident or bill collector. When it comes ment gives little room for the habitual to rents, the same man, leasing quarters American gesture of the open hand. Now, such as he thinks worthy of him and open-handed spending is a trait easy to his flings to the dogs all the grandadmire; but less easy to defend. Spendmother-rules that would restrict the rent thrift palms are no doubt better than to a quarter of the year's expenditures. tight-closed fists, if it were a question of choosing between extremes. None the Underlying all these familiar evidences

less, the open-handed habit stands forth there is a peculiar fact. The openamong American ways of today as an handed man is spendthrift as a matter anomaly and amounts to an unhappy naof principle. He is possessed with an tional characteristic. It marks Americans idea, and it is not idea of economy. apart from the conservative English, the He despises plain, homespun thrift, as economical Germans, and the frugal former generation of thrifty, homespun French, and handicaps us in the characters despised the miser, and his flagging struggle for existence. ideal is to live largely and freely. His

based on reasons that are extinct. There

was a time, and that not far back, whe

t was easy come and easy go. Wealth

ness man. He who staked his all mos

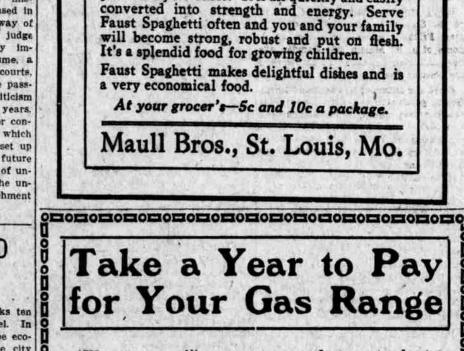
good financial speculation. So it was in

the days of railroad building, mining

n, land allotments, and the

Even in the rural parts of our coun policy is to play a larger part than he try, the results of the open hand are has won the right to play, some may to be seen. Signs of it are beheld in say. In all this there may be some of costly farm implements left to go to the purpose of bluff, which foreign obrust for lack of proper care, because servers seem to regard as so important the farmer scorns small economies. In part of our motives. But there is the cities the evidences are more vamore of another and a finer idea, that ried. They appear not simply in the of confidence. We spend because we large expenditure for pleasures and luxare confident in our country; it would be urles, about which so much is said, but treason, to the free-handed man's way ction with the very necessities of thinking, to doubt that his country of food, shelter, clothing and transporis able and ready to suppy at least When provisions are bought for one new dollar for every dollar spent the open-handed man's household, the As a young man he expects to reach ordering is done by telephone. It seems a better station than he occupies. As petty providence examine every a mature man he expects his children pound of beef and head of cabbage; so to reach stations that he has not at the dealer is left with full license to tained. All about him he sees progressive set the price and quality of the purprosperity, or reads the American legen chases. Again, in our dictary appears of growth. He deems it treason to his a greater amount of meat than in that country and to himself to think it of any other nationality or race practicnecessary to lay by against the future ing agriculture; meat, we see, is the most expensive article of diet; there-The open hand, therefore, is not fore, we say, let us have it; it is good mere weakness. It is a positive moral idea with millions of men. Unfortunately

like a great many fixed ideas, it When the city man secures the services of a waiter, a barber or a bootblack he feels it necessary, more than at any other time perhaps, to play the prince. He fees the waiter in particular, on a scale somewhere between one-sixth and grasp of an active and enterprising busianothird of his hill. It does not strike the man of small income as ludicrous cheerfully was, often in the best postfriend a waiter who is very likely better to discount the future was frequently a off in the world's goods than himself. such a thought, on the contrary, gives him a flattering co spontaneity of his own liberality. In a growth of new industries. But, at last, things the city man is the railroads are built, the prodigal because he hates to be heedful the pick of them, are occupied and the mining claims are staked out. It is no



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and mothers, who hold church mem-James Layton of Blairsville, Pa., 95 years old, journeyed to Plainfield, Cam bership, to teach the Bible to their

> who was a fellow boatman in the days of A double of Dr. Woodrow Wilson has

dent of a light and heat company. He

hat he will not be a candidate again.

