### THE OMAHA DAILY BEE

FOUNDED BY EDWARD ROSEWATER. TICTOR ROSEWATER, EDITOR.

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#### MARCH CIRCULATION. 51,641

State of Nebraska, County of Douglas, sa.

Dwight Williams, circulation manager of The Bee
Publishing company, beeing duly sworn, says that
average daily circulation for the month of March,
1914, was 51,611

2014, was 51,611
DWIGHT WILIAMS, Circulation Manager,
Subscribed in my presence and sworn to before me
this let day of April, 1914.
ROBERT HUNTER, Notary Public.

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

At any rate, Nebraska has a cornerstone for a building at San Francisco.

Rowdvism on Bunker Hill.-Headline. Tut, tut, what would Colonel Prescott say

The Blair postoffice appointment has been a hoodoo for more than one congressman from this district.

Perhaps it would be better if the point of dignity were raised a little oftener at our city council meetings.

Strange how willing those indicted lawyers are to take advantage of legal technicalities to prove their innocence.

The most reliable reports are that Torreon was not captured, but was evacuated. That is a distinction, but more probably without a dif-

There is no good reason for any city with plenty of shovels, brooms and water and strong arms, to have dirty streets, alleys, yards or vacant lots

That accused California bookkeeper who burns his books to avoid prosecution is now prepared to go into court and defy them to do their worst

The courts over in Chicago have held that the picketing of striking workmen is unlawful. Our courts here, so far as we recall, have never gone that far.

The Anti-Saloon league is to have a local this time when there is no wet or dry issue in sight for another year?

After nearly four months' procrastination the federal reserve bank organization committee is now again in a terrible hurry. If not careful, the committee may be taken up for overspeed-

Young Mr. Rockefeller's inability to see an analogy between the unionizing of employes and combining of employers is symbolical of a system of thinking which lies close to the root of this whole industrial problem.

With the fourth trial of Dr. Hyde looming up, taxpayers of Kansas City, or Jackson county, have sued for an injunction against paying the expenses of this continuous judicial vaudeville, or burlesque, whichever head it comes under.

The safe course in applying the currency act is to leave doubtful questions to the arbitrament of experience and practice.-Chicago Record-Herald. Possibly correct, whatever it may mean. But

what are experience and practice when it comes to favoring political friends and bumping political recalcitrants who refuse to obey White House orders?

Our democratic United States senator took issue again with the president by voting against confirmation of Interstate Commerce Commissioner Daniels, and it does one's heart good to see how valiantly the senator's own newspaper organ backs him up. Better shake that plura tree, Mr. President, if you think it's worth while placating him.



The new council met and organized as per caucus program, Murphy succeeding Baker as president, and the latter accepting consolation in the form of an elegant gold-headed cane presented by his colleagues through Councilman Kaufmann

The opening of the spring term of school has given an addition of 500 pupils to the enrollment. William A. Pinkerton, famous detective, spent the

slay is Omaha, and started the inquisitive to wonder what he was after. St. Mary's Avenue Congregational church gave a pleasant outertainment last evening, with these con-

tributing to the program: Mr. Allen, Miss Boulter, Mr. and Mrs. Northrup. Mr. France, Mr. Bonham. Mrs. Ives and Mrs. Shreeve. Hon. Thomas H. Daily is seriously ill at his home

on Sherman avenue. D. R. Anthony, editor and proprietor of the

Leavenworth Times, is visiting in Omaha. He is a rother of Susan B. Anthony, the noted woman suf-Mrs. Leavitt Burnham is back from the cast, ac

mpanied by Miss Mary Abbott of Boston, who will be her guest for several weeks. Fred Nye, the editor of the Republican, and Mrs.

Nye have returned from an extended eastern sojourn. Havery's Mastoden Minstrels filled Boyd's to Three Views of Reserve Bank Politics.

Let no one harbor the notion that the outcry against the palpable play of politics in the selection of reserve bank cities is confined to Omaha or to any one locality. Let us quote comment from three different sources reflect-

ing current opinion on the subject. When the list of reserve bank cities was given out, this is what the Baltimore American had to say:

That Richmond should have been chosen in preference to this city-the real metropolis of the south -was utterly without reason or excuse. To make Raltimore tributary to the Virginia capital in this branch of government finance is rubbing it in. The strong delegations that went to Washington were given every reason to believe that their mission was Then, at the finish, Baltimore was thrown out as if it had no more right to such a bank than a crossroads village. Baltimore has a right to feel indignant.

Perhaps further light on this particular instance is thrown by an editorial paragraph in the Philadelphia Ledger, as follows:

Richmond bankers had been notified to be assembled together to hear the decision of the organization committee. John Skulton Williams announced it to them in person by long distance telephone. The lending Richmond morning papers had a special edition all ready, with maps and advertisements by the banks. It will take a lot of evidence to show that "the boys" in Richmond had not been officially informed of the ple they were going to get many days in advance.

Jumping to the other corner of the country. the Spokane Spokesman-Review refers to the assertions of the two secretaries, while touring the country, to the effect that they would not be swayed by political or sectional bias, and quotes the expression of a skeptic attending the committee's hearing in Seattle, who said at the time:

"I don't accept these protestations. Look at what has happened in Nebraska. The committee's original itinerary included a hearing at Omaha, the home city of Senator Hitchcock, a democrat who had made himself distastoful to the administration. What hap pened to Hitchcock? Why, to rebuke him they canceled the Omaha hearing and shifted it to Lincoln. home city of William Jennings Bryan. If that len't politics, and pretty small politics, what do you call it?

The Spokesman-Review recalls this incident with the comment that, "there are a number of circumstances which indicate that the committeee has not lived up to its protestations."

The cue for the federal banking board, of course, is to keep quiet and hold fast in the hope that the politics of the bank locations will be soon forgotten. But the trouble is that this mis-step at the start will lead the public to look for politics in the future moves of the board and to give ready ear to every charge of political bank management.

Underwood's Victory.

Underwood's defeat of Hobson for the senaterial nomination in Alabama means his advancement to the upper house next year, the end of the term of the late Senator Johnston, whose death created the vacancy. Whether or not it also means new vantage ground for Underwood's presidential aspirations remains to be seen. Precedent is against it, for presidents have not often come direct from the senate This is a day, however, when political precedents seem to be losing value, and possibly Chairman Underwood will have nothing of this

kind at stake, anyway, The Alabama primaries have attracted nation-wide Interest, not only because of Underwood's rank as floor leader of the house majorfty and sponsor for the new tariff law, but also because of Hobson's making prohibition a vital issue in the campaign, backed, as he was, by lly next month. Why use up live steam at | post-election explanations, Hobson's defeat will be taken as a rejection of prohibition and this may be the more significant since it is the second time within recent years that the people of Alabama have thus recorded themselves. It is only fair to allow something, however, for the relative personal and political prestige of Chairman Underwood, who may have scored an even more decisive victory over Mr. Hobson if prohibition had not been projected.

Nothing to Quibble About.

Democratic opponents of the republican gettogether movement in Nebraska think they have a brand to rekindle the factional fire if they can start a dispute over the basis of delegate apportionment to the state convention. They want to make believe that the chairman of the committees who issue the convention call have some discretion in the matter, when, in fact, the law expressly fixes the basis of representation in it. This is found in section 2207 of our new code, which sets forth that the various political parties shall hold a delegate state convention on the last Tuesday in July of each year to promulgate a platform and select a state committee. yet subject to this proviso:

Provided, the delegates to such state, or state and congressional, conventions shall be apportioned by such committees to the several counties upon the vote cast at the last election for electors for president and vice president in the respective counties; and provided, further, that each county shall be entitled to at least one delegate to such convention, or conven-

If this means anything, it must mean that the republican convention apportionment must based on the vote for the republican presidential electors just as the democratic convention apportionment must be based upon the vote for democratic presidential electors, the socialist convention upon the vote for socialist presidential electors and the progressive party convention apportionment upon the vote for progressive presidential electors. In a word, there is nothing here to quibble about, because the apportionment is made by the law, and not by the committees or their chairmen.

Cummins, Borah, La Follette, Bristow are in turn condemned and discarded by Gifford Pinchot because they failed to battle for the Lord, under the same banner with him. Coming down to brass tacks, the only soldiers who seem fully to meet the demands of Brother Pinchot's critical ideals are the colonel, Georga W. Perkins, Francis A. Heney, and himself.

Signing himself "A British Subject." a resident of Evanston writes to the Chicago Record-Herald upholding Wilson and Bryan, saying 'President Wilson and Mr. Bryan seem to be the very men suited to cope with the existing difficulties." No doubt that would evoke a unanimity of "Hear, Hear's" over the wye.

If this report is true, that the British object to the verbiage in that third stanza of "The Star Spangled Banner-"The band who so vauntingly swore"-we must lose no time in making the desired revision, and thus retain the good will of our beloved cousins.

## The Poor Man's Court

Signed Article by Justice of the Peace Harry H. Claiborne.

The office of justice of the peace is by its title one of the oldest of the magistral offices known to the English common law, but there is little in common between the office in the l'nited States and England.

In Nebraska the justice of the peace has a distinctly statutory existence. Courts of record have what is known as common law powers distinct from statute and have equity jurisdiction which permits in many ways the exercise of discretion not possessed by the justice of the peace, whose jurisdiction is disthetly that of law and whose powers and limitations are closely circumscribed both by statute and by

the decision of the higher courts. Out of the maze of decisions and the limitations of statute the justice of the peace finds himself often traveling in a groove which is far from agreeable, especially when he is morally certain that one party to an action is trying to exact the last pound of flesh under the law and is impelled perhaps by malice and while keeping within his legal rights is morally in the wrong. Justice courts are not courts and morals and decisions must be based upon the law and the justice of the peace, while feeling that he is assisting in a moral wrong is sometimes compelled to enforce the laws laid down by the legislature and construed by the courts with no power, such as is possessed by the courts of modifying the extreme provisions of the statute, even in the matter of taxing costs.

This is one of the reasons why the justice court has fallen into some disrepute in the community, the people not understanding why a district judge can make certain orders under some conditions where a justice cannot, and in ignorance, assuming that the justice is more rigorous or less sympathetic than the

judge of the higher court. For lustance, a judge of a court of record has the power of/modifying, setting aside or suspending Judgments during the term of ourt at which they are rendered, while the judgment of a justice of the peace cannot be modified in any manner, nor even be corrected after it is once written, and while the judge of a court of record can consider a case submitted to him for any length of time, the justice nust decide any case within four days no matter how intricate the point of law may be, and once his judgment is pronounced it must be written on his docket on the same day if is rendered, otherwise it is null and void. Although the justice of the peace may learn, as once happened in my court, that a judgment had been secured by barefaced perjury, he has no power to set that judgment aside, but the litigant is forced to appeal to a higher court for relief. Were such a condition to obtain in the district court the judgment could be vacated and a new trial be ordered.

In this state the income of the justice of the peace is based upon the fees of his office. All costs of court belong to the justice of the peace, so the natural desire of the incumbent is to have as much business as possible. Few incumbents will openly enourage litigation, for there is punishment provided for such a course; but with the fee system this desire for business may produce a tendency to favor the party who brings the business. For this reason it has been said both facetiously and ironically that the abbreviation "J. P." stands for "Judgment for Plaintiff." since the plaintiff is the man who brings the business.

However true this may be, under any system the plaintiff would win the greater number of cases because few persons will bring suit against another unless a claim is well founded

The majority of cases brought in the justice courts are decided upon default, the defendant making no appearance and thus by implication acknowledging the truth of the plaintiff's claim. Of the contested cases it is probable that a fair proportion of decisions will be about sixty for plaintiff to forty for defendant, which under the conditions shown will dispose of the charge

of always judgment for plaintiff. Until recently there was a system among some of the justices of the peace whereby they entered into what was a practical partnership with certain plaintiffs. In one or two instances installment business houses paid the justice a fixed sum of money monthly the dry forces over the country. Regardless of for the use of his name on counterfeit summonses which were sent out by the knowledge of the justice. When bills were paid as a result of such imitation summonses the justice received an additional 10 per cent for his services and if anit was brought be received his fees-provided they could be forced from the defendant. Another justice of the peace of the county at one time was on the payroll of a collection agency-received \$60 a nonth, win or lose, and the collection agent pocketed the costs. Fortunately this state of affairs has practically ceased. There is now but one justice of the peace in Omaha who was serving four years ago, and so far as the writer knows none of these practices has ever been laid at his door.

> The justice court has been called the poor man's court with some degree of reason because the limited jurisdiction in the trial of cases involving small sums of money and the decision affecting personal property rights of small value. Few justice cases are appealed where the parties are both individuals, and for this reason the justice must exercise great care in ascertaining the legal rights of the parties, often without the assistance of lawyers since any one can file a case and prosecute it before a justice of the peace.

Before closing I would make a few suggestions for the better administration of justice. In the first place no matter how meritorious a case a man may have, he must have at least \$2.50 before he can start a lawsuit in a justice court and at least \$7.50 before he can enter the district court. Many cases have come to me where I believed the claimant entitled to a trial of his cause, but he had no money. I have donated my fees to him, and when the case was tried if judgment was found against the defendant the judgment has been without costs, for I do not believe that a justice should compel a defendant to pay fees where they have not been advanced by the defendant. In other words, I will not make a fee factory out of the office. I would have a law passed to permit any worthy claimant on proper showing to have the right to start a suit in forma pauperls and no costs be taxed in the case. We make lawyers defend paupers without fee in the federal court and the fustice, exercising a Wise discretion, should be compelled to do a little free service under some circumstances.

Another thing is in the matter of changes of renue. Today the defendant in any case can force the plaintiff to try a case before the justice next nearest to the one before whom the suit is filed, on filling an affidavit alloging prejudice on the part of the latter. The next nearest justice may be more prejudiced against the defendant, but the defendant forced into an unfriendly court. He should be given the right to show the prejudice of the next nearest justice and have the cause removed to a

justice with no prejudice toward either party. Provision should be made to bring suits where the debt was created as well as in the county where the defendant resides. Men frequently jump out of town leaving bills for necessaries of life. They could be notified of the suit and one railroad fare would enable them to make defense while now a plaintiff may have to take a dozen witnesses into a distant part of the state in order to prove his case.

A change is needed in the way of making proofs of accounts. Since practically all of the accounts of merchants are now kept by the looseleaf system it is difficult to find "books of original entry," but our laws still insist upon such evidence to prove an ac-

The fee system should be abolished, for it is a standing temptation to the weak and a cause of suspicion of the strong. We are all more or less judged by the majority of our class or occupation-the lawyer, the Jew, the negro or the preacher, and one "crooked" justice of the peace will stain the general reputation of the entire number.



Investigate That "Pure Election." COUNCIL BLUFFS, April 6.-To the Editor of The Bee: Having been a restdent of Council Bluffs for the last thirty years, I cannot bely but admire the way you are bespeaking the recent city election held here. If ever anything in the line of currupt election took place, it was here and every honest and upright citizen should set their shoulder to the wheel and put a stop that will land some of our political grafters in a place where they will not get sunburned.

Let us find out why a job as councilman at the rate of \$250 a year is worth making so much crooked work about. Let us find out who destributed the numerous kegs of beer to the dago camps about our city.

Let us find out the parties instrumental n having the advance guards of Kelly's army and the insanc patrons of a local hospital brought to the rigistration places and registered.

And let us see to it that such person persons are retired from the offices of public servants at once and for all

Council Bluffs cannot afford to have this kind of elections and it is up to us to clear the name of our good city. us go at it and go at it right, regardless of persons or parties. Before closing must say that Mr. Powell's cartoon was a dandy; it gave the facts exactly. Personally I stood at Bally's park and watched the "workers" and Mr. Powell has the dope all right. Yours for a good A. HANSEN. spring cleaning,

Sees Evil Tendencies in the Theaters OMAHA, April 7 .- To the Editor of The Bee: The theater is supposed to be educational as well as entertaining, but the general run of entertainment I have seen in the theaters in Omaha, and in other cities too, makes me feel that it is neither. There are, of course, different tastes and different people; there are those who like vulgar jokes, cheap songs and silly acting. In my opinion, the theater should strive to educate these people to better things instead of lowering their conceptions. I do not know about the high class theaters, as my position does not enable me to visit the best places, but there are "stunts," supposedly decent, carried on in some theaters which can cause only the more evil parts of our natures to have away. I would like to see the theater a moral, clean and educational institution, where the best talent could be seen by every class of people, for the theater is a school, for either good or ill.

CLARENCE SJOBLOM.

Paine or Ingersoll? OMAHA, April 5 .- To the Editor of The Hee: The adversaries of Charles Wooster are recommended by John Haney of David City to read either Paine or Ingersoll before they undertake to refute or to criticise his (Wooster's) opinions. Now, if we are to read the doctrines of both Paine and Ingersoll, how shall we ever arrive at a valid conclusion? Thomas Paine tells us that there is a God who created and sustains the universe, and he aupports this opinion by arguments which cannot be resisted; but Mr. Ingersoll tells us that Thomas Paine is mistaken, and that there is no logical proof whatever that the universe owes its existence to any such absolute cause, and that the arguments offered in favor of the existence of God are all fallacies. Thomas Paine, being a Deist, must of necessity contradict Mr. Ingersoll, who was an Agnostic, and this contradiction involves the most important point ever raised by ophers, namely, "Does there exist either in the world, or in connection with it, an absolutely necessary being?" Thomas Paine says he has proved that such a being does exist, and Colonel Ingersoll says that this proof is a piece

of sophistry. So now we ask John Haney of David City, whose book shall we read? Shall we believe with Mr. Paine that the existence of God is fully demonstrated, or shall we conclude with Ingersoll that there is no proof that God has any exist-

Charles Wooster never makes any reference to Paine or Ingersoll in his letters, for he is shrewd enough to see that these noted free-thinkers dispute each other even before they have settled the first question in the catechism of metaphysics. and he knows that unless something be taken for granted, nothing can ever be proven, either one way or the other. The Ingersoll doctrine, like the Inger-

soll watch, is only guaranteed for one E. O. M'INTOSH. year.

Why Do Girls Smoke Cigarettes? OMAHA, April 7.-To the Editor of The Bee: I sometimes am puzzled why girls use eigarettes. I can't understand why they do so. It seems to me that I would be ashamed that people would speak evil of me. I would be so embarrased that I would not want anyone to see me.

I have been told by a woman she has sed cigarettes since her companion has died, or otherwise, separated, but I believe she had used them longer than she claims. Smoking cigarettes is as bad as a person using morphine, or some other dope. If they were of a self respect they would not do such.

I know when I was in Chicago in hispital training I went out with a friend of mine slumming-that was an officer in the Salvation Army-and I never in all my life saw such sights as I saw it then. Beautiful girls in the wine rooms smoking cigarettes, drinking, and other sights I dare not mention. They say that Chicago has such a bad underworld. I don't think it any worse than Omaha. Some of the supposed-to-be Christian workers, who claim they are doing so much for fallen humanity, better get ousy in Omaha and reform the girls here. It is awful when such a class will take work away from the respectable people who are trying to get along.

If Omaha wants the city to be respectable I think they made a mistake when they closed up the redlight district, as a respectable woman can't go along the street but what they are molested by some one. If an American citizen is feeding a few hundred able-bodied men and on the other hand will turn out a sick person, and refuses to pay the party what he owes, is he a good citizen? I should say not! If we have not charity in our hearts we have not the love of God in us. This individual that was turned down by this party was assisted by Adjutant James of the Salvation Army. So I wish to inform the public at large to be careful where they are putting their money. These statements

are true and can be proved. Don't give your money to a concern that uses the money for pleasure trips and holler for more. A part of our socalled high society leaders are indulged to use cigarettes and that is a part of the reason why some go wrong, just

for the sake of getting a few fine clothes to wear and to be in this so-called high society. If they could see how they look smoking and drinking, they certainly would refrain from doing such. If the board of welfare can endorse the tango dance as they have today, they can endorse the redlight district to prevent the insults on the street. There is just as much sense to this, for I would not care to see some of the tango dancing that is being done today.

From une who knows. J. H. O.

Neighborhood Pests.

OMAHA, Neb., April 7.-To the Editor of The Bee: I sympathize heartily with the men who were recently convicted and fined for poisoning dogs. I feel sorry for the dogs, too, but "degreene it." what is a fellow to do when neighbors, whom you think a great deal of, except for the dogs, harbor one or more "critters" about the place, that annoy you from morning to night, run through your flower beds and garden, pester the life out of cats, squirrels and every other live creature about the place?

Then, too, we have that everlasting chicken pest with the result that your flowers and shrubbery are scratched up as well as the early beds of lettuce and radishes.

You cannot quarred with your neighbors about their dogs and chickens without being everlastingly in hot water and at outs with them all the time, consequently you have to submit to an unjust nuisanne or endure the unpleasant notoriety of appearing in the police court as a witness in your effort to abate said nuisance.

I like dogs and cats and chickens and would like to have them around my place if I could do so without annoyance to my neighbors. I cannot do so, however, but must calmly submit to the injustice inflicted upon me by my neighbors, or go to jail for attempting to exterminate the nuisance without going to law.

notice of this phase of the question if they find it necessary to prosecute other cases of dog polsoning.

LAUGHING GAS.

"Do you mean to say you are going to build a Turkish bath in Crimson Guich!" "Yes," replied Bronco Bob. "A Turkish bath is the only place we can have a card game and feel sure that no gentle-man has any aces concealed in his clothes. "Washington Star.

"Was that anybody shot" asked the excited man in the street, as the joy-riding automobile plunged against a lamp-post with an exploding tire.
"No," replied the weary policeman. "Only a chauffeur half shot."—Baltimore American.

Miss Paul-Her voice was strained.
Miss Pry-Was she talking through her vell?-Judge.

Sapleigh-I gave up restaurants, you know, because I really couldn't find an intelligent person to wait on me. I am now patronizing the help-yourmelf places.

Miss Keen-But you must find the same difficulty there, Mr. Sapleigh.—Philadel-

Caller-is your mistress in? Maid-Did you see her at the window as rou came up the walk, ma'm?
Caller-No.
Maid-Well, she said if you hadn't seen
ner to say that she was out.-Boston

#### MARY BAKER EDDY.

By help of Truth's new-found decrees, Unfettered by hypotheses Of erring man She studied the analyses

She studied the analyses
Of hoon and ban,
And rose aloft by slow degrees, As any can,
As any can,
Looked far beyond the mind's disease
Where health began.
And learned to still on mental seas
The hurricane.

She lowered the voice of the pharinees. Sectarian,
And raised from self-condemned knees
The publican.
Progressing from necessities.

Her message ran o jail for attempting to exterminate the nuisance without going to law.

Will the Humane society please take notice of this phase of the question if She led the yan Of Ideal's fearless devotees.

Elysian. —WILLIS HUDSPETH.

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You do not want a "substitute" or something that a dealer tells you is "just as good as Resinol." You do not want it because you know nothing of its value. It has nobody's endorsement and for all you can tell it never did anyone any good at all. If a dealer tries to force a "sub-stitute" on you, it is for a very good reason of his own-read about it in the next column.

Whon a cierk tries to make you take a "substitute" for Resinol, or any other standard article, don't blame him, blame ais employer. The cierk probably would rather sell you the genuine Rosinol, because he knows even better than you that doctors prethan you that does scribe it and that it does heal skin troubles. Also, it is enafer to give you what you want than to argue you into buying something you DON'T want.

But because some cheaply-made imitation pays a few cents more profit, an unseru-pulous dealer here and there gives his clerkus commission if they can force you to buy its stand of real Resiral. However, looks the fact that the imin-tion may do your receiver. tion may do you more har-tion may do you more har-than good; or perhaps he just doesn't care, as long as he gots your money. How do you feel about it? Almost every town has its "substituter," look out for him.

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