

THE OMAHA DAILY BEE

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OCTOBER CIRCULATION 54,744. State of Nebraska, County of Douglas, ss: Dwight Williams, circulation manager of The Bee Publishing Company, being duly sworn, says that the average circulation for the month of October, 1915, was 54,744.

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November 23

Thought for the Day. Selected by Anna S. McFarland. To be the thing we seem, To do the thing we deem, Enjoined by duty, To walk in faith, nor deem Of questioning God's scheme Of truth and beauty.—Aron.

From Lincoln to Omaha in air route in forty-five minutes is doing tolerably well.

Perhaps a little dampener on the dangerous habit of "gun-toting" would help a bit.

Those bowlers are jolly good fellows. Let them come to Omaha again, and often.

But President Wilson was a college "professor" before he became the nation's chief executive, and he would not shake off the appellation of "prof." so easily.

That prophecy of one hundred years of war, put forward by a Germanized Englishman, removes the fear of any shortage in American munition "melons."

Anybody else who wants a little cheap publicity has only to collect twenty-five autographs and file the name of some noted man as a candidate for president.

Those fire-underwriters are specious talkers, but in view of past disappointing experiences, their promises of rate-reductions would look much better in writing.

Porter Charlton is a lucky fellow after all. His chief luck, however, lying in the fact that he was called to answer to the law of Italy instead of his own United States.

Diplomacy is not wholly "the art of concealing thought." Keeping war diplomats from consulting the White House carpets is a notable expression of diplomatic art.

Missouri mooseers are rather hasty in urging another run for Teddy and Hiram. Ordinary strategy suggests delaying action until Vic Murdock returns from Europe with plans for up-to-date trench-digging.

Old Sam Gompers might, as he says, easily earn just as much and more money in some other job besides president of the American Federation of Labor, but he would not have half so much fun while earning it.

Nebraska's primary law requires twenty-five signatures to put the name of a candidate on the ballot, but it does not limit a popular delegate to twenty-five signatures, or twice twenty-five signatures, or any number of times twenty-five signatures.

Millionaire Perkins declares the bull moose party must have an independent national ticket in the field next year. But even the prospect of a gold-lined barrel will not refill the serrated tanks, which now consist only of generals, without any high privates to command.

The gentle art of sprinkling salt on forgotten wounds is aptly illustrated in a Berlin dispatch: "If Ireland and India had always had as much to eat as Germany now has, the English would be less disliked in these parts of the world." Germany's military activities records no keener thrust than this.

Thirty Years Ago. This Day in Omaha. Bartholomew's Equine Paradox entertained a large and enthusiastic audience at Boyd's. The acting of the horses was simply marvelous, and the horses themselves are beauties.

H. W. Parker has been presented by his wife with a nine-pound boy.

C. E. Reinhard, the very clever steward of the Canfield house, has resigned to accept the stewardship of the Hibbard house at Sioux City.

Nebraska lodge, Knights of Pythias, celebrated its seventh anniversary with exercises at their hall, including addresses by Commander S. M. Wilson, General J. Ed Smith, Rev. W. E. Coupland, A. D. Jones, and music by Mrs. Jester, Mrs. Hayward and Mrs. Test.

Mrs. E. C. Moore, secretary of the W. C. A., reports donations to the organization, the largest item being \$5 from Herman Kountze.

Senator and Mrs. Manderson leave this week again for Washington.

E. W. Nash of the smelter is back from the east.

A Question of Opinion.

The Bee expresses the opinion that the movement to get Mr. Hughes on the Nebraska preferential primary ballot as a candidate for president is an unwise one, and "ill advised from every point of view."

The Tribune fails to take the view of The Bee in some particulars. It does not feel warranted, for instance, in designating the forty-five prominent Nebraskans of all shades of republicanism who signed the Hughes petition as being "self-seekers."

Furthermore, the presidential primary plan adopted in Nebraska is for the purpose of affording the people of this state opportunity to express their presidential preference. If the republicans of Nebraska are for Hughes, as we believe them to be by a large preponderating majority, why should they not express themselves, whether Mr. Hughes endorses it or not?

While conceding every one a right to his opinion, The Bee also insists upon preserving its right of opinion, and in this instance our opinion is the one that seems to have the support of subsequent events.

As to what constitutes a "self-seeker," the phrase explains itself, but actions speak louder than words. Why forty-five names secretly and stealthily signed to a petition should be filed to voice a popular demand belies the avowed purpose.

Where the Hughes "conscripted" movement miscarried was in its collision with our presidential primary law, which proceeds on the theory that only such candidates for office or preferment shall have their names on the ballot as are avowedly running for the office.

President to Urge Economy. That a presidential election is approaching is manifest from recent conferences of democratic leaders in congress and the word that the president in his forthcoming message will recommend the strictest economies in appropriations.

We denounce the profligate waste of money wrung from the people by oppressive taxation through the lavish appropriations of recent republican congresses, which have kept taxes high and reduced the purchasing power of the people's toll.

This, it was heralded, was one of the "pledges made to be kept" and "not molasses to catch flies." But how has it been kept? The first democratic congress after the election appropriated \$2,231,000,000, or \$113,000,000 more than its predecessor, which was democratic, and \$177,000,000 more than its last republican predecessor.

Some illuminating side-lights on the effect of "Pay-as-you-enter" instead of "Collect-after-you-get-in" are furnished by the reports of the Lincoln Traction company, just made public, which gives figures that tempt a resort to pencil and paper.

Pay-as-you-enter will pay for itself in a little over two years, after which all of the extra collections will be "velvet" for the company.

It is worth while noting that Germany is not airing its political linen for foreign inspection. Unlike Great Britain, Germany has no more important business on hand and has no time for home knockers.

The Output of the Courts

THE VOLUME of our case law, and this means, not only the increasing number of decisions, but the disproportionate increase in the mass of these opinions, is always a subject for thought and discussion.

Obviously an easy way to reduce the volume of the case law is to omit from the state reports certain opinions which have been held as unimportant by some authority. Experiments along this line have been made, and have failed in so many states that this plan must surely be rejected.

There are difficulties to be overcome. Statutes will have to be amended in many states, permitting the judges to decide cases without opinion, and relieving them from the necessity of touching in their opinion on every point raised in appeal.

The disfavor of attorneys whose cases are disposed of without opinion is another consideration which looks large to the judge who must come up for reelection every two or four years, although this objection need not concern the judge who is appointed for life or is elected for a long period of years.

It would be wholly unfair to base a commendation or a criticism of any court solely upon its output. A court which is compelled by law to dispose of every point raised in the appeal must necessarily write long opinions, and if the law also permits in that state all sorts of cow cases and dog cases to be appealed to the supreme court that court must also write many opinions.

In October, 1906, we published in the Docket a table showing the number of cases decided with opinion in each case, the number of judges making up the appellate court, and the average number of opinions per judge. We have again compiled this information, taking the calendar year 1914 as a basis, and have shown, not only the number of cases in which opinions were written, but also the number of available judges, and the average number of words written by each judge during the year, and the average number of words contained in each opinion.

JUDICIAL OUTPUT FOR 1914. Table with columns: Court, Opinions No., No. of Op. per Judge, Aver. Words per Op. Lists courts from Alabama to Wyoming.

Twice Told Tales

Justice Itself Was Deaf. In ancient Greece there lived a learned judge who was very deaf. Before him one day there appeared two litigants who also were very deaf.

Respect for Old Age. A venerable negro who had lived through the picturesque slavery days, but whose mind continued clear and active, despite his age, was brought before Judge Broyles, for locking his sister up in a corncrib and keeping her there over night.

Wifely Devotion. A Baltimore woman has in her employ as butler a darkey of pompous and satisfied mien. Not long ago he permitted a chocolate-colored damsel, long his ardent admirer, to become his spouse.

Information Wanted. BROOKLYN, N. Y., Nov. 20.—To the Editor of The Bee: Will you be so kind as to help me to find some trace of my brother, Thomas J. Fowler, through your valuable paper?

Calling Names Is Not Argument. SHENANDOAH, Ia., Nov. 20.—To the Editor of The Bee: In your letter box under the title, "Just a Rejoinder in Kind," appeared an answer to Mr. Roach's previous article, signed F. E. A. Now, F. E. A. reminds me of the school-boy who, when he is confronted by arguments and evidence which he cannot successfully combat or answer, seeks to elevate himself by crying "Fool! Fool!"

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The Bee's Letter Box

Peddling Apples from Cars. OMAHA, Neb., Nov. 22.—To the Editor of The Bee: At a meeting before the railroad commission was taken up a hearing upon an order issued by the railroads prohibiting the sale of all commodities from cars on their right-of-way.

No. 1 apples cannot be raised, sprayed and properly cared for less than 30 cents a bushel on trees, but the inferior stock that is a waste and can be and is shipped out through the state and frequently sold as low as 40 to 50 cents, these practically fill orders for their present use and can be taken care of in a great many different ways for future use.

Apples are different from other products; they must be handled in order to get them to their destination in good shape. This cannot be done for less than 25 to 35 cents per bushel, to barrel or box.

Looking at it from the railroads' standpoint it is a fact this has been the custom for years, allowing the sale from cars.

There is no law compelling them to allow this. It is their right-of-way. The cars are their property and we, as producers or consumers, cannot force them to rent us their property. It is a fact that people are taking chances around their yards where trains are at work; there may be accidents caused from carelessness on the part of persons, or of their employees, and cause a suit for damage.

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of to your paper, hoping to get some news of him and wishing your paper every success. SAMUEL J. FOWLER, 215 Butler Street.

SMILING LINES.

"I don't believe in trying to make a silk purse out of a sow's ear." "It isn't worth while. We are getting to a point where silk will be cheaper than pork."—Washington Star.

"Why is that business neighbor of yours running along the hillside every morning in his bare feet?" "Taking his financial exercise." "Financial exercise?" "Yes, trying to collect what's due on the banks."—Baltimore American.

"What is your objection to me for a second-law?" asked the energetic young man. "I don't object to you," replied Mr. Cumrox. "If I seem kind or different when you're around, it's because I like you. I'm just wondering how it's going to be when mother and the girls quit well-coming you as a distinguished visitor and begin to treat you like one of the family."—Washington Star.

"I've got to take exercise and quit eating so much," said the young man who, calculates closely. "Worried about your health?" "No, I'm getting so stout my roommate's evening clothes won't fit me."—Washington Star.

"That fellow goes further, to borrow trouble than anybody I know." "As to how?" "He runs a china shop and he is always worrying for fear a bull will come along and blunder in."—Boston Transcript.

The Impresario—Certainly, madam, I can supply you with a second prima donna to sing your children to sleep. But you sing so perfectly yourself. Prima Donna Assoluta—But my singing is worth \$5.00 a night, and I couldn't think of squandering that amount on the children.—Houston Post.

"Of course, we try to make you feel at home here," said the manager of the hotel. "Well," replied Mr. Cumrox, "you succeeded. The waiters stood around and

criticized the way I selected my food and handled the tableware pretty much the way the folks at home do."—Washington Star.

"Why are you asking me for help? Haven't you any close relatives?" "Yes. That's the reason, why I'm appealing to you."—Birmingham Age-Herald.

DEAR MR. KABIBBLE, CAN ARGUMENTS BETWEEN HUSBAND AND WIFE COME TO ANY DECISIVE ENDING? A FLAT IRON CAN HELP A LOT TOWARDS A DECISION.

Peddler—I have a most valuable book to sell, madam. It tells how to do everything. Lady (sarcastically)—Does it tell one how to get rid of a pestering peddler? Peddler (promptly)—Oh, yes, madam. Buy something from him.—Birmingham Age-Herald.

THANKSGIVING. I look the whole year over and I haven't gained in health. Nor about to fame and glory nor been bothered much with wealth. But still I get to thinking of the things that might have been. And of the folks in trouble that so far I've not been in. And then, although I'm poorer than a starving alley cat, I think that I am thankful in a measure just for that.

When I look the wide world over and observe how all the rest have their troubles and their sorrows, spite of all they have possessed. Then I get to thinking maybe things are just as well let be. And I don't know anybody I would rather be than me. So I sigh a gentle blessing on the few things in my lot, And I sing a thankful measure for the things that I am not.

—SAM L. MORRIS.

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Adds a charm to your Thanksgiving Dinner. BETTER ORDER A CASE NOW BREWED AND BOTTLED BY Storz BREWING CO. OMAHA Phone Chas. Storz, Web. 1260. Prompt Delivery

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