

Nebraska Independent

Consolidation of THE WEALTH MAKERS and LINCOLN INDEPENDENT.

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THE WINNING TICKET.

For Governor— WILLIAM A. POYNTER of Boone. Lieutenant Governor— E. A. GILBERT of York. Secretary of State— WILLIAM F. PORTER of Morrill. Auditor of Public Accounts— JOHN F. CORNELL of Richardson. Treasurer— JOHN B. MESERVE of Red Willow. Supt. of Public Instruction— WILLIAM B. JACKSON of Holt. Land Commissioner— JACOB B. WOLFE of Lancaster. Attorney General— CONSTANTINE J. SMYTH of Douglas.

A great many republicans are demanding that an active campaign be made in the state just for the purpose of maintaining party lines.

The Omaha Bee has discovered that Poynter's chief merit "lies in the fact that he is a farmer and is identified with the producing class." That's our battle cry.

This is another good year for republicans to name a perennial office seeker. Just as well recognize the balance of the Toms and Jacks who are clamoring for a nomination.

Judge Hayward of Nebraska City has accepted the g. o. p. nomination for governor. Some one had to run in order to hold the party organization and secure a slice of the national campaign fund in 1900.

The First District congressional conventions of the reform forces met today at Plattsmouth to select a candidate who can carry the district and who will represent the state and his constituents in other ways than by simply drawing his salary.

The Plattsmouth Post (republican) has opened the g. o. p. campaign for the republican nominee in the First district by rising to remark that "Mr. Burkett is a young man with not so much experience as the important office of congressman would seem to require."

As a mere matter of form the republican party of Nebraska met in convention yesterday at Lincoln and selected a state central committee in order that the organization might be preserved until 1900. Incidentally a state ticket was also named.

During the campaign of 1890 when G. W. E. Dorsey was making the race for congress in the old third district he sent the following dispatch to the chairman of the national committee "For God's sake have the manufacturers and jobbers stop marking up their goods until after election." It will soon be in order for republican candidates to send a dispatch to Marcus A. Hanna in the following words: "For heaven's sake help Joe Leiter or some other bull keep up the price of wheat until after election."

It is well to remember the bridge that carried us over, and populists of the state of Nebraska, without regard to their preferences for governor in the late convention, owe a debt of good will to Chairman J. H. Edmisten, which they ought not to be afraid to express. There are only a few men in Nebraska who know the gigantic difficulties that Mr. Edmisten had to meet in that memorable campaign of 1894—the republicans in office intrusted by twenty five years occupation—the big banks holding the state money and the little banks that obeyed their bidding, the bright-eyed commercial classes organized into "business men's leagues"—the money lenders of the east secured by the cry of confiscation—the solid corporation combination that furnishes both money and transportation—half the democratic party disaffected—and practically no campaign fund—these were the difficulties met and overthrown by Edmisten in that first successful populist campaign that broke the ranks of reaction in this state and paved the way for the victories that have followed. So far as office is concerned Mr. Edmisten's services have been well recognized. But it is very doubtful whether the populists of the state as a whole have sufficiently appreciated and understood his services as a political general in the most trying difficulties that the party has met. They deserve both gratitude and remembrance.

FREEDOM OF CONTRACT.

The United States supreme court has recently rendered a very important decision respecting freedom of contract under present social condition. As the future conflict for the rights of labor is likely to turn very largely upon the constitutional right of the state to protect its members from being compelled into contracts which are to their disadvantage this decision of the United States supreme court is of particular interest. While it does not cover the entire question yet its discussion of the law of freedom of contract is broad enough to indicate that the general trend of public thought is having an effect upon the supreme court. There are two schools of thought upon the subject. One advocates the theory of freedom of contract—that every man is free to take care of himself and should be left free to form any contract that he chooses and that contract be valid. The other theory is that there can be no freedom of contract except between equals in every particular, that the relation existing (for instance) between a great corporation and a wage worker who has only his labor to sell and must sell it or starve is a fiction and that it is the duty of the state to protect the weaker members of society against the selfishness of the strong.

The particular case before the supreme court involved the constitutionality of the eight hour law. The facts in the case were substantially as follows: On June 20, 1896, complaint was made to a justice of the peace of Salt Lake City that the petitioner, Holden, had unlawfully employed "one John Anderson to work and labor as a miner in the underground workings of the old Jordan mine, in Bingham canyon, in the county aforesaid, for the period of ten hours each day, and said defendant, on the date aforesaid and continuously since said time, has unlawfully required said John Anderson, under and by virtue of said employment, to work and labor in the underground workings of the mine aforesaid period of ten hours each day, and that said employment was not in case of an emergency, or where life or property was in imminent danger, contrary," etc.

Defendant Holden, having been arrested upon a warrant issued upon said complaint, admitted the facts set forth therein, but said he was not guilty, because he is a native born citizen of the United States, residing in the state of Utah; that said John Anderson voluntarily engaged his services for the hours per day alleged, and that the facts charged did not constitute a crime, because the act of the state of Utah which creates and defines the supposed offense is repugnant to the constitution of the United States in these respects:

It deprives the defendant and all employers and employees of the right to make contracts in a lawful way, and for lawful purposes.

It is class legislation, and not equal or uniform in its provisions. It deprives the defendant and employers and employees of the equal protection of the law, abridges the privileges and immunities of the defendant as a citizen of the United States, and deprives him of his property and liberty without due process of law.

The supreme court decided the questions raised. Two judges, Brewer and Peckham, were against the constitutionality of the law. The majority opinion was in favor of the law and from it the following brief extracts are given. The court says:

The validity of the statute in question, is challenged upon the ground of an alleged violation of the fourteenth amendment to the constitution of the United States, in that it abridges the privileges or immunities of citizens of the United States, deprives both the employer and the laborer of his property without due process of law, and denies to them the equal protection of the laws, are so connected that the authorities upon each are, to a greater or less extent, pertinent to the others, they may properly be considered together.

The present century has originated legal reforms of great importance. The whole fabric of special pleading, once thought to be necessary to the elimination of the real issue between the parties, has crumbled to pieces. The ancient tenures of real estate have been largely swept away and land is now transferred almost as easily and cheaply as personal property. Married women have been emancipated from the control of their husbands and placed upon a practical equality with them with respect to the acquisition, possession and transmission of property. Imprisonment for debt has been abolished. Exemptions from execution have been largely added to, and in most of the states homesteads are rendered incapable of seizure and sale upon forced process. Witnesses are no longer incompetent by reason of interest, even though they be parties to the litigation. Indemnities have been simplified, and an indictment for the most serious of crimes is now the simplest of all. In several of the states grand juries formerly the only safeguard against a malicious prosecution, have been largely abolished, and in others the rule for quantum, so far as applied to civil cases, has given way to verdicts rendered by a three-fourths majority. These cases are mentioned only for the purpose of calling attention to the probability that other changes of no less importance may be made in the future, and that, while the cardinal principles of justice are immutable, the methods by which justice is administered are subject to constant fluctuation, and that the constitution of the United States, which is necessarily and to a large extent inflexible, and exceedingly difficult of amendment, should not be so construed as to deprive the states of the power to amend their laws as to make them conform to the wishes of the citizens, as they may deem best for the public welfare, without bringing them into con-

FLICT WITH THE SUPREME LAW OF THE LAND.

While the business of mining coal and manufacturing iron began in Pennsylvania as early as 1716, and in Virginia, North Carolina, and Massachusetts even earlier than this, both mining and manufacturing were carried on in such a limited way, and by such primitive methods, that no special laws were considered necessary, prior to the adoption of the constitution, for the protection of the operatives; but, in the vast proportions which these industries have since assumed, it has been found that they can no longer be carried on, with due regard to the safety and health of those engaged in them, without special protection against the dangers necessarily incident to these employments. In consequence of this, laws have been enacted in most of the states designed to meet these exigencies and, to secure the safety of persons peculiarly exposed to these dangers. Within this general category are ordinances providing for fire escapes for hotels, theatres, factories, and other large buildings; a municipal inspection of boilers, and appliances designed to secure passengers upon railways and steamboats against the dangers necessarily incident to these methods of transportation. In states where manufacturing is carried on to a large extent provision is made for the protection of dangerous machinery against accidental contact; for the cleanliness and ventilation of working rooms; for the guarding of well holes, stairways, elevator shafts, and for the employment of sanitary appliances. In others, where mining is the principal industry, special provision is made for the shoring up of dangerous walls; for ventilation shafts, bore holes, escapement shafts, means of signaling the surface; for the supply of fresh air, and the elimination, as far as possible, of dangerous gases; for safeguards of hoisting and lowering cages; for a limitation upon the number of persons permitted to enter a cage; that cages shall be covered; and that there shall be fences and gates around the top of shafts, besides other similar precautions.

But if it be within the power of a legislature to adopt such means for the protection of the lives of its citizens, it is difficult to see why precautions may not also be adopted for the protection of their health and morals. It is as much for the interest of the state that the public health should be preserved as that life should be made secure. With this end in view, quarantine laws have been enacted in most, if not all of the states; insane asylums, public hospitals, and institutions for the care and education of the blind established; and special measures taken for the exclusion of infected cattle, rags, and decayed fruit. In other states laws have been enacted limiting the hours during which women and children shall be employed in factories; and while their constitutionality, at least as applied to women, has been doubted in some of the states, they have been generally upheld.

Upon the principles above endorsed we think the act in question may be sustained as a valid exercise of the police power of the state. The enactment does not profess to limit the hours of all workmen, but merely those who are employed in underground mines, or in the smelting, reduction, or refining of ores or metals. These employments, when too long pursued, the legislature has judged to be detrimental to the health of the employees; and so long as there are reasonable grounds for believing that this is so, its decision upon this subject can not be reviewed by the federal courts.

While the general experience of mankind may justify us in believing that men may engage in ordinary employments more than eight hours per day without injury to their health, it does not follow that labor for the same length of time is innocuous when carried on beneath the surface of the earth, where the operative is deprived of fresh air and sunlight, and is frequently subjected to foul atmosphere and a very high temperature, or to the influence of noxious gases generated by the processes of refining or smelting.

The law is therefore sustained. The decision itself is not of so much interest to the great mass of workmen as is the discussion of principles it contains. In the course of the next fifty years great and radical reforms are to be enacted into law. It is a matter of supreme importance to thousands now living whether those reforms are to be blocked by a written constitution and reactionary supreme court, or whether they are to be permitted to bless the generation which has contended for them. It is worthy of note that the two dissenting judges in this case are both well known friends of corporation interests and one of them known to the people of Nebraska as the federal judge who first nullified the maximum rate law.

GOVERNMENT OWNERSHIP.

Under the operation of the initiative and referendum the people of Switzerland have in the past year voted to assume ownership and management of all the railway lines in that country. This great victory for the practical application of populist principles was won by a large majority after long years of educational work.

The government at once set about its new work. The original owners of the roads were paid off by means of a government loan floated at a low rate of interest. The railway department of government was organized on a civil service basis.

But the most radical revolution was the scheme of passenger rates. On June 1st of the present year the following plan for passenger rates went into effect: Tickets for one person valid for First class, Second class, Third class. Fifteen days, 60 fr 42 fr 30 fr. Thirty days, 102 fr 70 fr 50 fr. Three months, 240 fr 170 fr 120 fr. Six months, 380 fr 270 fr 190 fr. Twelve months 600 fr 420 fr 300 fr. For two persons of the same household the price of the ticket valid for twelve months is: first class, 800 francs; second class, 560 francs; third class, 400 francs. These new tickets enable the holder to travel as much and as long as he likes over the entire railway system of Switzerland, during the time of the validity of his ticket. He can travel every day and all day if he wishes, and in every direction. All lines are open to him (save a few minor funicular ones). The lake steamers are also available, a second-class railway ticket giving the right to a first-class ticket on the steamers. These tickets are rigorously personal, and have attached to them a photograph of the holder; if misused, they are liable to confiscation, and the bearer incurs a heavy penalty. Tickets must be legibly signed with the holder's entire name. No allowance is made for tickets unused. With all applications for tickets the printed form of application must be used and a photograph of the applicant enclosed. The application form is supplied at the railway station. When the few preliminary formalities are gone through with you are in possession of a ticket which gives you no further trouble, save that of course you have to present it at every demand, as an ordinary ticket, but you can travel far and wide, according to your sweet will and leave no nook or corner of sunny Switzerland unvisited. This innovation will attract more travelers than ever to Switzerland, for it will render traveling there cheaper than in any other country.

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There has been considerable talk about the pass system in Nebraska politics. This is the kind of pass system that ought to prevail in this country and that will prevail when populist principles are applied to railway management—a system under which every man will have an annual or monthly pass at a nominal price. Figuring the franc at 20 cents it will be seen that the price of an annual pass in Switzerland is \$120 first-class, \$85 second-class and \$60 third-class. The price of a monthly pass is \$20 first-class, \$14 second-class and \$10 third-class. Most American students and other persons in moderate circumstances ride either second or third-class in Europe. At the prices quoted for even second-class fare every person who had any railroad traveling to do could afford at least a monthly pass.

This is what government ownership means in this country. Let every good citizen work for this accomplishment.

POOR BIXBY.

Nearly everyone in the state knows Dr. A. L. Bixby, who used to be the editor of a populist paper over in Platte county, but fading (as many a populist editor has found) that there was more glory than cash in fighting the people's battles quit the cause, and is now engaged at a good salary in writing republican campaign rubbish that he don't believe for the Lincoln State Journal.

The misery that Bix suffers has been guessed at by some of his old friends, but it has remained for Representative Wooster of Morrill, to translate Bixby's secret feeling into words as follows:

"On O street Bixby hove in sight, his eyes were sad though blue; I grasped him firmly by the hand just as I used to do. "Ah, Bix," said I, "where is your fat? you're thin as thin can be. You used to weigh six hundred pounds, but now not more than three." "Don't joke me, my whickered friend, it makes me feel so sad. If you but knew my sorrows now, to them you would not add." "I cannot tell you all," said Bix, "but 'tis enough to know that these god-darned republicans give me no earthly show. God meant me for an honest man, and honest I would be, but that infernal maw of mine has been the curse of me. To keep it full and feed the kids, I lie for them for hire, and, worst of all, it seems to me, men know I am a liar. It daily preys upon my mind; my soul is sorely rift, and it gets worse and worse, my friend, as I write my 'Daily Drift.' I'm tired of harping on Bilgreene, and that ancient, speckled pig; I'd rather go to hell at once, or in Cuban trenches dig. I think I'll shake the beastly gang, though I hate again to flop, but I guess I'll do it, just the same, and be a happy pop."

John A. Finch, attorney at law, Indianapolis, Ind., is to address the National convention of State Insurance Commissioners at Madison, Wis., next month on the subject of National Supervision of Insurance Companies. It appears that Mr. Finch is opposed to the present state supervision of insurance and in favor of national supervision. He asks the Nebraska insurance department if they would favor national supervision, to which a negative answer was sent. The second question was, what advantage national supervision would be to the public. This was answered, that it was impossible to see any advantage, except to strengthen European and eastern companies, and that national supervision would make it harder for younger companies to get a start. The next question was, if there would not be a great saving to the people, by abolishing state supervision, to which the reply was made that the insurance department of the state of Nebraska is run at a total expense of twenty-six hundred dollars per year, and that it was hard to see how any saving could be effected; and if there was such a saving it would more likely revert to the managers and stockholders, than to the general public. Attention was called to the fact that state supervision and examination of state banks, was much more satisfactory to our people, than the supervision exercised over national banks; and further if insurance was supervised by national law from Washington, insurance litigation would most likely be conducted in the federal courts before judges appointed for life, which gentlemen have very little concern about the industrial people, and always take the same view of matters as a corporation does. The opinion was expressed that our people are much more likely to obtain justice before the state courts, which are elected by the people for a short term only.

THE ISSUE DEFINED.

Under the head "Paste This in Your Hat" the Omaha World-Herald of recent date summarizes the salient features of the reform administration and contrasts the present policy with former republican corruption and its results. The facts are so compactly stated that we reproduce them below:

Under the republican administration Nebraska state warrants were at a discount. Today, under the "demo-pop" administration, Nebraska warrants are at a premium of 1%.

During the first half of 1897 the "demo-pop" administration, collected and paid into the state treasury an interest on school land leases and contracts \$70,985.25 more than was paid in under the republican administration for the corresponding period of 1895. During the second half of 1897 the "demo-pop" administration collected and paid into the treasury on the same account \$135,172.71 more than was paid in under the republican administration during the corresponding period of 1895. During the first half of 1898 the "demo-pop" administration collected and paid into the state treasury on the same account \$149,818.09 more than was paid in under the republican administration during the corresponding period of 1896.

The fees paid out by the "demo-pop" administration has been \$10,000 per year less than the fees paid out under the republican administration.

The expense of collecting the taxes under the "demo-pop" administration has been \$14,000 per year less than the expense for collecting the taxes under the republican administration.

During the first seventeen months of the "demo-pop" administration the amount of officers' fees collected and paid into the state treasury was \$52,895.67 more than was paid in during the entire two years of 1895 and 1896 under the republican administration.

The general expenses of the state government under the "demo-pop" administration for the year ending April 1, 1898, was \$502,844.08 less than the general expenses of the state under the republican administration for the similar period ending April 1, 1896—a saving to the taxpayers in state expenses under the "demo-pop" administration of \$1,397.11 per day.

During the first eighteen months of the "demo-pop" administration public schools of Nebraska received \$668,501.63 more than they received during the entire two years under the republican administration.

During the last two years of its existence the republican administration increased the interest-bearing debt of Nebraska from \$1,188,579.59 to \$2,463,409.95, an increase of \$1,275,134.36. During the first eighteen months of the "demo-pop" administration the interest-bearing debt of Nebraska was reduced \$700,542.96.

THE TIME FOR ACTION.

The fight is on. The candidates are in the field and the lines have been drawn for the state campaign. The issues are so clearly defined that "he who runs may read." On the one side are the nominees of the common people; men tried and true; men of known honesty and ability; men of clean hands and clear records. They stand for honesty, economy in the administration of state affairs, and for exact justice to all without regard to past or present party affiliation.

Across the line stand the representatives of a party which has robbed the state for twenty-five years; a party whose chosen leaders have been bank wreckers and embezzlers; a party controlled by the corporations and the money power; a party without regard for the common people except when it desires their suffrages at the polls. Its nominees are under the same old influence which have controlled the party since its organization in Nebraska, and despite all promises and protestations that same influence is still all powerful, and as in the past, still stands for corporate greed and extortion. Its candidates are bound by every selfish interest to that element in Nebraska whose ablest representatives have robbed the widow and the orphan; who have swept away the savings of hundreds of poor families in heartless financial schemes and premeditated bank wrecks; who have filched from the school children of Nebraska thousands of dollars annually since they first came into possession of the educational funds; who have depleted the state treasury for personal gain, thereby forcing state warrants to go begging in the money markets and almost ruining the credit of a young and growing commonwealth.

Two years of populist administration has made a change and it will be the mission of the NEBRASKA INDEPENDENT to place this fact clearly before the voters of the state, to make comparisons, to give the facts and figures taken direct from the official records at the state house. This campaign must be won by an overwhelming majority. The future prosperity and well being of the state demands it. The eyes of the nation will note the result in Nebraska and the effect will be far reaching in national affairs. The gospel of truth and integrity must be carried to the doubtful voters. Your neighbors who are hesitating must be won over by facts clearly and logically presented. Put the right kind of argument into their hands. Get up clubs. Send in campaign subscriptions to the INDEPENDENT. It is located at the state capital. Its representatives have access to the records. It will make a vigorous fight for the cause of reform. Send the paper to your neighbors and your friends. Add new recruits to the

rank and make the calling and election of our ticket sure.

The INDEPENDENT will do its part. Campaign subscriptions will be received at 20 cents each, the time to run from now until November 15, when the definite results can be announced. 20 cents is a small amount and yet each 20 cents so spent may mean another voter added to the forces of reform.

He who sits supinely down and lets the days glide by without an effort in the cause of better government deserves not the name of citizen in this great state.

"Ought any to refuse their aid in doing what the good of the whole demands? Shall he who cannot do much be for that reason excused if he do nothing?"—Abraham Lincoln.

THE CAMPAIGN.

There is enthusiasm in populist ranks at the campaign opening. From all over the state letters are coming to the INDEPENDENT filled with that guarantee of success—hopeful, buoyant enthusiasm for the cause and for the ticket named to represent it. We shall be glad to print extracts from these letters. Send them in by the hundreds telling just what the local sentiment is and what the work for the campaign in your neighborhood should be.

Meanwhile this paper has a few suggestions to offer for the campaign. This is a campaign for the producing classes of Nebraska. The largest producing class in the state is the farmer class. A representative workman of that class has been nominated for the highest place in the state. The campaign for his election ought to begin among the farmers. It ought to begin at once without waiting for the state committee to set its machinery in motion. In every farming precinct in the state there should instantly be organized "Producing Class Clubs" to place Farmer Poynter in the governor's chair. In the campaign of 1890 the farmers of the state organized at home without waiting for any state committee. They elected a farmer governor of this state. They have an opportunity to do it again and they have now the means of placing him in the state house after he is elected.

Another thing. The republican politicians and railroads have nominated a lawyer for governor. They know that the three parties opposed to them have from 10,000 to 20,000 more votes in the state than they can muster. They know they cannot gain any populist or in fact any country votes in this campaign. Their sole and only hope in this campaign is to win democratic votes in the cities and especially among the commercial class. They hope to hold the republican farmer by waving the flag while they bargain with corporations, commercial clubs and saloons for enough votes to elect Hayward. They will color their whole campaign with this effort and mortgage everything there is to give in order to secure success.

This effort must be met by exposing their tactics and making converts among the farmers. In every farming precinct in the state are republicans who have been voting the ticket with a faltering hand for several years. Every populist in the precinct must make it his business to secure these men. Now is the time to unite the producing classes in Nebraska for their homes and their children.

Still another thing. The campaign in this state cannot be won by calling names. It cannot be won by slurring the republican party as a collection of thieves and rascals. If calling names would destroy a party there wouldn't be a populist left. If abuse would make converts we should all be republicans today for certainly populists of Nebraska have been maligned collectively and individually as no one else.

The republican party has made a rotten record in state administration. Two of the highest officials and a score of lesser ones have betrayed their trust. But every honest man knows that a very large part of the republican party in the state is composed of earnest, intelligent, honest men. We shall win their respect and ultimately their votes not by associating their party name with rascals and boodlers, but by proving to them that both in theory and practice we have improved methods of government.

And finally as a means of winning in this campaign, as well as in future campaigns, we must press and agitate the radical, social and industrial reforms. We must never let the people lose sight of the fact that the populist idea is that the state can render its people more honest, conscientious, and economical service than any corporation can—no matter how much it be "controlled"—and that we will put that idea into practice. The world is moving that way. We shall win by keeping at the front of progress.

THE VICTORY rests with America's Great Medico, Hood's Sarsaparilla, when it battles against any disease caused or promoted by impure or impoverished blood.

HOOD'S PILLS are the favorite family cathartic. Easy to take, easy to operate.

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