

The Nebraska Independent.

The Wealth Makers and Lincoln Independent Consolidated.

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THE INSURANCE LAW.

The Auditor and Governor are at loggerheads about its enforcement.

The republican press is greatly excited over a misunderstanding between the governor and the auditor. In the republican party, where the boss issues his orders and no man dare gainsay them, such things never occur and they are all at a loss to account for the fact. Among populists every man has notions of his own which he never refers to a boss for settlement and that makes a disturbance sometimes.

It appears that the last republican legislature passed a law so crude and contradictory that no man can tell what it means in some of its parts. One law takes all the insurance business from the auditors office and places it in that of the governor. Another, passed four days afterwards, puts the hog insurance and mutual life in the control of the auditor. Then there are other things that are about as badly mixed up.

The governor takes the position that he is the executive and that he is in duty bound to enforce all the laws until they are pronounced unconstitutional by the courts, and has appointed his deputy, Judge Bryan, and issued his order on the auditor to turn over the records.

The auditor has refused to turn over the records. He says the law is unconstitutional. He refused to turn over the securities deposited by the insurance companies or to in any way recognize the governor's deputy. And there you have it.

Judge Bryan has opened his office and is prepared to do the business of the state with the insurance companies. He issued the following letter to the companies:

"Lincoln, Neb., July 6.—Gentlemen—

You have without doubt been informed through the columns of the press of a disagreement between the governor and auditor of this state concerning the insurance department.

"An explanation of the situation is your right as a matter of business, and is cheerfully given. The constitution of the state creates certain state offices, among which are the governor and auditor, and it provides that the duties of these officers shall be defined by law. For several years the conduct of the insurance department of the state had been conferred upon the state auditor by a legislative enactment. The last legislature, for reasons which they deemed sufficient, with practical unanimity transferred the business of insurance from the control of the auditor to that of the governor. This law went into effect on July 1. But on and since that day the auditor has refused to surrender to the governor the records, books, blanks, reports, and other appurtenances of his office belonging to the insurance business, although by law expressly required so to do, and has since that time made a feeble and abortive attempt to discharge the duties of insurance commissioner. His contention is that the law transferring the insurance department is unconstitutional, and an unsigned opinion to that effect has been obtained from a lawyer of this city, who imagined he had a personal grievance with the governor on account of the vetoing of a certain bill. The auditor has given out that he was acting under the advice of the attorney general. But this is a mistake. This action on the part of our auditor in taking upon himself in addition to his executive duties the functions of a legislature and a supreme court is a despotism without precedent in the history of the state.

"There is little doubt of the constitutionality of the law. If the position taken in the anonymous opinion aforesaid is correct and should an authoritative adjudication be made in accord therewith, it would paralyze the business of every executive office of the state for the reason that it would invalidate not only this law, but a large percentage of the legislation of the last fifteen years.

"As far as the insurance department is concerned we do not recognize in the auditor even a de facto pro tempore. The auditor has not attempted to hold an office to which another person has been chosen. But he seeks to retain an official function which has been removed from an office which he holds and the title to which is not in dispute. To illustrate, our law gives the judge of each county authority to issue marriage license. Suppose this authority were transferred by law to the county clerk, the law to take effect on the first day of July. After that date no marriage license issued by a county judge would protect a clergyman who performed the ceremony, and the county judge could not retain his lost function by keeping the record of old marriage licenses issued. This office will not recognize as valid any act of the auditor as insurance commissioner done after July 1, 1899.

"A printed copy of sections 2 and 8 of the insurance law under which this department is acting is inclosed herewith.

"I am directed by his excellency, the governor, to state that the good faith of the state is pledged for the protection of any individual or corporation dealing with this department. All mail should be directed to Wilbur F. Bryant, deputy insurance commissioner.

"I have the honor to be your obedient servant,

WILBUR F. BRYANT,

Deputy Ins. Com."

The auditor seems to be catching it on all sides, but for the present he holds the whip hand. The expenses of the office cannot be paid unless the auditor audits the bills and draws the warrants. A great many people say that the position of the auditor is not of his duty to decide whether a law is constitutional or not. That he should take such action

A LOST EDITOR.

The last legislature knocked out the \$100,000 that this paper has been receiving yearly for some time for political purposes.—Saline County Independent.

LINCOLN, NEBRASKA, THURSDAY, JULY 13, 1899.

NO. 9

News of the Week

The Croker-Whitney combination seems to be losing its hold on the New York democracy. Tammany had a Fourth of July celebration and the orders were given out that Bryan and the Chicago platform were not to be mentioned. A democrat from Texas was asked to make a short speech and they forgot to instruct him that the meeting was to honor Van Wyck for president. He got up, and let loose for Bryan and free silver. The crowd went wild and nearly raised the roof with their yells. Before the bosses could pull him down the whole lot was shouting for Bryan.

There is another democratic organization in northern New York called the Mohawks. This society numbers 50,000. They have just held a meeting and come out boldly for Bryan and free silver. Croker had better hurry home. The first thing he knows Tammany will get away from him altogether.

Some of Otis' cablegrams undoubtedly were written in Washington. The remarks show too plainly the branding iron used in Algiers war department.

The Quill is far off when it says that Governor Poynter removed Clem Deaver. The governor did not have the power to remove. The only way he could have prevented it was to have appointed a new board. The Quill will undoubtedly correct the statement in the next issue.

Some time ago a letter was received from a newspaper man in Washington in which he said that in a few weeks all the great moguls in the republican party would assemble in London and have a conference with the British gold bugs at which time the plan for the republican campaign would be mapped out. Not much attention was paid to the letter as it was thought to be only the views of a newspaper man who was surmising most of it. It seems that the writer knew what he was writing about. The press dispatches have told us that Hanna, Depew, Croker and many other prominent republicans were assembled in London.

The writer further said that he had it on good authority that the Rothschilds were dissatisfied with the Salsbury cabinet—that there were too many bimetallists in it, and that arrangements were being made for a change. Salsbury, Balfour, Goschen and several others in the present cabinet were out and out bimetallists and while they were in office under an agreement with Rothschilds not to be a political question of their financial views, the Rothschilds were getting afraid of them, and were making arrangements to bring in a liberal government; all the leaders of that party being out and out gold standard men.

In this matter the writer seems to know what he is writing about again. The leading papers of London have been predicting the fall of the Salsbury government, and they are working for a dissolution of parliament. The way they do the thing over there is as after this fashion: The Rothschilds intimate to certain members of parliament that they wish them to resign. The resignation is handed in. An election is immediately called in the district made vacant. This is called a bye election. If a member of the opposition is elected—as he is sure to be if the Rothschilds want it—it heralds all over the country that the government is bound to go under. When this thing has been repeated a few times, the ministry dissolves parliament and a general election is held. That is the game they are working over there.

On this side of the Atlantic the Rothschilds will have a more difficult job. They have a Bryan to fight. They have given up all hope of buying him off so they called a counsel of the American gold bugs in London, where the plans could be formulated to down him. Mark Hanna, Croker, Depew were the men who were to make the fight here, and the Rothschilds wanted to give them their orders verbally. So they assembled and received them at headquarters. As the campaign progresses we will learn what those orders were.

A letter was received last week from a lawyer who said that he was astonished at the accuracy of the news matter published under the head of the "News of the Week" in the Independent. Not only the statements about the war in the Philippines had always proved to be true, but concerning the actors as well.

He wanted to know if he could absolutely rely upon what had been published about the position that Dewey had taken. The Independent wishes to say not only to him, but to all other readers of the paper that they can rely not only on that statement but upon every other made in this column.

In regard to the statement that Dewey had no sympathy with the war against the Filipinos which was made in this column some weeks ago, while the source of information cannot be given, the facts are just as they were stated. Here is some confirmatory evidence the source of which is public. The following appeared in the Associated Press dispatched but was blue pencil in all the imperialistic papers:

Boston, Mass., July 7.—The Rev. Clay Macauley has written a letter to the Transcript dated at Tokyo, Japan, in June. Mr. Macauley declares that Admiral Dewey told him he regretted the turn in affairs, but added that he was powerless to act. The admiral said to him: "Rather than make a war of conquest on the Filipino people I would up anchor and sail out of the harbor."

Mr. Macauley visited Manila in January in search of health. Of his views then he writes:

"For a long time I could not believe that the disastrous drift of events was known to the Washington authorities. I was inclined to lay the responsibility for the increasing perils upon the military commander directly in charge. Yet now it seems clear to me that General Otis did this work in the main in literal obedience to his superiors in America; that there it was assumed that the whole right and duty concerning the future disposition and control of the Philippine Islands lay in the wishes and will of the United States; that what the Filipinos themselves might wish need not be taken into the account in forming plans for their government."

The writer had a talk with General Otis. He says: "Among other things General Otis expressed regret that there was not a better knowledge of the situation among the Washington legislators than there seemed to be, and he impressed me deeply by his declaration—I was ordered to this post from San Francisco. I did not believe in the annexation of these islands when I came here nor do I believe in their annexation now."

From another source, and one that has always proven reliable, the Independent learns that a very large part of the telegrams that have been given out by the war office as coming from Otis, were written in that office and were published over the signature of General Otis without his knowledge or consent.

The news that we publish this week in regard to the republican round up at the call of Rothschild in London, will prove to be just as reliable as that which we published weeks ago in regard to Dewey, when it was said that he was not coming home because of ill health, but because he would have nothing more to do with the war upon the Filipinos. If you want the reliable political news of the day about six weeks ahead of the publication anywhere else, look for it in the columns of the "News of the Week" in this paper.

The troops in the Philippines are having a terrible time of it. There has been a storm raging there for several days of such a violent character that no ship has been able to enter or leave the harbor and all the smaller boats have been withdrawn. The rain pours down in torrents—7½ inches have fallen in one day. There is four feet of water in most of the camps and the cooks wade around in the murky liquid four feet deep. Part of a hospital encampment was blown to pieces and the sick were subject to the storms. That is the sort of service that men enlisted for the Philippines must expect. Hurry up and enlist! The "flat-footed" are accepted now. That kind of foot will be useful over there.

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McKinley has called for 12,000 additional troops. Within three days there were over ten thousand applications for commissions. Nobody but republicans need apply. The president does all the appointing. The state governors have nothing to do with it.

THE LAND QUESTION.

But since we live in an epoch of change, and too probably of revolution, and thoughts which are not to be put down are in the minds of all men capable of thought, I am obliged to affirm the one principle which says, and in the end will close all epochs of revolution—that man shall possess the ground he can use, and as more.—John Ruskin.

ANNEX THE ARID REGION

Let the Government Build Dams, Prevent Overflows, and Irrigate the Plains.

Public documents are not as a rule highly interesting or exciting reading. As a general class of literature, they are viewed as dry and unreadable—good to put on the shelves to look at and fill out the library, but not for reading purposes. Moreover they are mailed free of postage, coming from congressmen and senators, and they cost neither the senders nor the recipients anything. In other words, they are free, and free things are seldom considered worth having. Nevertheless, there is many an interesting and instructive fact, and sometimes almost a fairy tale, hidden away in an old black covered, official looking document.

A document which cannot be said to come under the dry class, but which on the contrary, is full of interesting photographs of western country, is this year's annual report of the Geological Survey on Irrigation, by F. H. Newell, the irrigation expert and government hydrographer. Mr. Newell and his force have been for a number of years measuring the flows of various rivers of the country and his report tells the results of this work. These are interesting. Many persons living on the banks of a river all their lives never know what a river is capable of, with its power utilised to its full extent. The question is frequently asked: What is the ordinary or regular flow of a certain river? This question is at first sight simple enough, but finds to be an extremely difficult one when an examination is made of the daily discharges as determined by the government investigations. It is seen that the fluctuations day by day and year by year are so great that the stream can scarcely be said to flow with any regularity at all.

For instance in the James river in Virginia, the first river known to the early settlers, in January the stream had a flow of only about 400 cubic feet per second, while in February it reaches over 10,000, then running up and down, and in August dropping to 200 or 300 cubic feet per second.

The Yellowstone, at Livingston, Mont., which in the June rises discharges over 25,000 cubic feet per second (or as it is more briefly stated, 25,000 second feet) gradually drops down to 4,000 second feet in August, 2,000 in September, and 500 in December.

The Laramie river in Wyoming, which in May discharges 3,500 second feet drops down to a mere brook, 5 or 10 second feet during the summer and fall months.

The North Platte river varies from a flow of 20,000 second feet to less than 500, and the main Platte varies from 80,000 second feet to less than 1,000.

The Arkansas at Lawrence, Kansas, fluctuates from the enormous volume of 60,000 second feet, and in other places becomes perfectly dry.

The Yakima river, in Washington, is another river which flows at times a flood of nearly 50,000 second feet, while at others it runs only 500 or 600 feet. In fact almost all western rivers have this similar trait. At certain periods of the year, owing to heavy rains or melting snows, they are raging torrents, wasting great quantities of water and often sweeping property before them to destruction, while at other seasons they may be waded across by a child, or perhaps entirely dry.

What, then, has been the value of determining the flows of all these rivers during different months of the year? Simply so that will be known how much the annual capacity of the rivers are—how much water flows through their beds during the year, and how much land they are capable of irrigating providing all their water is stored and used as needed.

vast volumes of water in the west now run to waste every year—enough to irrigate millions of acres of land; but the time will come when every gallon will be saved—carefully husbanded by man, to be used later by him in his agricultural operations. This, of course, is already being done in many instances, but yet in only a few comparatively, and the government officials are now at work finding the capacities of streams, surveying sites for the storage of water, and setting aside such sites from private entry at the time when either moneyed concerns or the federal government itself shall build great dams and thus catch this water coming from the melting snows and heavy rains.

CORN WILL BE VERY FINE

New Tasseling in the Southern Part of the State—Wheat Yield Will Not Be Heavy—Date Strong.

UNIVERSITY OF NEBRASKA, July 11.—The past week has been cool, with heavy rains in southern counties. The average daily temperature deficiency has been about three degrees. The maximum temperatures of the week have generally been below 90 degrees.

The rainfall of the week has been below the normal in the northern and most of the extreme western counties and heavy in the southern counties. In several southeastern counties it ranged from two to slightly more than four inches.

The past week has been an excellent one for the growth of vegetation in all parts of the week. Winter wheat has ripened rapidly and harvesting has commenced. The quality is everywhere good, but the acreage is small and the yield per acre is also small. Oats have made rapid progress, and are now ripening in southern counties. Some damage to oats is reported, caused by lodging, root

and hail, but the damage is small, and the crop promises to be a large one. Spring wheat is looking well.

Corn has continued to grow rapidly, and is now too large for cultivation, except in northwestern counties. Corn is laid by fairly free from weeds but more cultivating would have been done had it grown less rapidly, and some fields have been laid by weedy. The earliest planted corn is tasseling out in southern counties. Taken as a whole, corn continues in exceptionally good condition.

A good crop of tame grass is being cut for hay in eastern counties.

The people of Mexico at the end of the war in which they drove the foreign invaders from their soil were not nearly so well prepared for self-government by education or experience as are the Filipinos. Look at them now! See how they have advanced under self-government. If we at that time had gone there under the idea that we only wished to establish a stable government—and we would have had a much better excuse for doing it than we have for going into the Philippines—would they have advanced as fast as they have? No reasonable man will assert that they would. McKinley is like the fond mother who told her son that she wanted him to learn to swim, but he must not go near the water until he knew how. The Filipinos, the Cubans and the Porto Ricans will never learn how to govern themselves until they are given a chance to try. Men only learn by experience.

Mr. J. C. Leonardson in writing to THE INDEPENDENT, says: "A cousin of mine was all taken up with THE INDEPENDENT, and said there was more information in each copy than in a whole week of the gold bug daily he was reading when at home. He said he had long been wishing to get hold of just such a paper as you publish, and as my subscription had expired, he concluded to send in when I renewed."

One argument of the peace and general disarmament advocates needs revision. They say "replace the soldier by the judge." Before that is done we would like to see the judges replaced. Most of the laws that are now grinding the life out of the producing classes are judge made laws. Arbitration is better than the sword, providing the arbitrators are the right kind of men.

THE GOLDEN GATES Ajar

While the Smokeless Powder Holds Out to Burn the Villain May Return.

Uncle Sam's salvation army is doing a great work among the heathen Filipinos. Parsons Otis says: "Now is the accepted time; repent and be saved." Bang! Bang! Another soul made happy.

Are you coming home tonight?
Are you coming home to Jesus
Out of darkness into light?

Bang, bang, rattetybang; and the report says 100 souls saved. The person says: "Oh, my friends, why will ye linger outside the fold when the Master stands with outstretched arms ready and willing to show you the way to the golden stairs. Will you not come now?" And the rattle of musketry echoes "Come now," and the roar of cannon says "Come," and the roar says "another 100 souls have found the light," and the pastor is happy. He is blessed with a great revival among the heathen but he says to the bishop at Washington: "Father McKinley, I am converting the heathen by the hundreds, but remember, O, father, there are 1,200 of these cussed iles and the wicked heathen are as thick as mosquitoes, and you must send me more missionaries, say 30,000 more, and more converting powder and balls and we will bring the Filipinos to Christ by the thousands and tens of thousands. And when we have ended our glorious revival services here we will return to our native land and then, O, father, we will convert a few of these striking workmen and bring them to the altar of repentance. We will put an avocation into the trade-unionist, and the poor gates are yet ajar for him and we will see that he enters therein with a mighty rush. We will put a crimp in those heretics and socialists and other so-called reformers, O, Father. Out of the kindness of our hearts and also out of the business ends of our guns we will show them wherein they are. And with our very bayonets we will point out to them the way of righteousness and it is not written that while the powder holds out to burn the villain may return."—Coming Nation.

IT WON'T WORK.

These philosophic souls who see in the organization of trust a present evil and a future good, who hail the vast combinations of capital as a long step in the direction of public ownership, reminds us of a man who sat by and watched a wolf destroy all his sheep, saying that it would enable him