

HOUSE OF LAWYERS

Over 63 Per Cent of the House of Representatives are Members of the Legal Profession—Only 7 Newspaper Men

Washington, D. C., May 27.—(Special correspondence.)—The debate this week in the senate upon the Philippine question brought out two notable speeches—those of Senators Hear and Wellington. Each was a masterpiece in its way and attracted marked attention from both sides of the chamber.

Both speeches were replete with quotations from the speeches of Webster, Lincoln, Sumner, Adams and other great expounders and defenders of the constitution, and from the papers of Washington and others.

It is a significant fact that in all the discussion brought out by the Philippine war, no republican has ever quoted from any great apostle of freedom either by his own party or of another party.

The constitution and the Declaration of Independence and the Monroe doctrine are never referred to except to find a reason for the avoidance of their teachings.

It has remained for the democrats in congress to sustain the teachings of the fathers of the republic, even as they passed the Teller resolution and made possible the Cuban republic, whose star is just added to the constellation of the nations.

Is it not better that we deal with the Philippines as with Cuba and welcome in the skies of the orient the appearance of the star of another republic?

The house has passed a bill providing for an educational test for immigrants. The benefits to be derived therefrom are not to be underestimated and the improvement in the character of our citizenship cannot be denied.

Of the membership of the present house of representatives—the popular branch of congress—27 are lawyers, nearly two-thirds of the whole. Of the remaining 150 members, a variety of professions are represented, but the number in each is paltry as compared with the legal fraternity.

Of the profession in whose cosmos I have the honor of being an atom little can be said if numbers shall be the test of publicity. Only seven newspaper men have been sent to represent their people in the lower house of the 57th congress.

There are, of course, a great many more who point with pride to the fact that at some period of their boyhood or early manhood they have set type in the office of the country paper whose editor has done so much for the advancement of his community, financially, morally and otherwise, and whose reward has never been commensurate with the labor he has performed and the beneficence he has shed around about him.

I have never known a man who, if at any time he was connected with the newspaper business in even the remotest way, was not proud of the fact and told his experience with a great deal of pleasure.

And yet, if I am to believe the verdict of history, the people as a rule are not anxious to honor politically the man behind the printing press—the mightiest factor in the problem of civilization. It would appear that if one is politically ambitious he should abjure the newspaper business.

And yet there is such a glamour about it and such an attachment to its multifarious and oft-times soul-trying duties that I doubt very much whether any considerable number would be willing to forego its pursuit for the temptations of some other power.

I cannot better describe this feeling than to quote the comment made by one of my Nebraska newspaper brothers a year or so ago upon another brother who, after a temporary absence from the editorial tripod, had resumed it:

"He should take the gold cure for the newspaper habit."

And the apt rejoinder which another brother made of which will be best appreciated by those to whom the experience has come:

"He is taking the newspaper cure for the gold habit."

It would appear, after all, that a man who necessarily must have so large a fund of information concerning public men and measures as he who lives up to the ideal of the newspaper editor—that the great public educator—is the man whose services should be required in lawmaking bodies.

But since the newspaper man is he who generally assumes the lead in all great public movements of whatsoever character, he not only becomes the target of all those who oppose the movement but also of those who agree with him on the wisdom of the movement but are jealous of his leadership.

And this is the end of political hopes—the graveyard of such ambitions.

While the lawyer, too, is necessarily an advocate, yet by the very nature of his business, which calls for tact and discrimination, he is in a position to accept or reject any proposition—to swim with the current or face it—to become the exponent of the popular will when the movement is at its height, without publicly having had any part in its formation and thereby incurring the enmities of the jealous among his political associates.

The exceptions prove the rule that lawyers compose our national lawmaking bodies, and I call attention to four of these exceptions—men whose eleva-

tion to political place and public prominence has been due to the display of ability in another avenue of life—men who have not had the natural if unconscious prestige to add them which the practice of law gives.

Ben Franklin Caldwell, who represents the old Lincoln district in Illinois, came here in the 56th congress, after having been defeated in 1896 by a small plurality, and since having overcome a normal republican majority by a comfortable margin. Caldwell is a typical democrat of the old school.

Though in the enjoyment of a considerable income from two banks of which he has been the head, he lives on a farm near Springfield, preferring the communion with nature which farm life only can give, and entering into the experiences, pleasant and unpleasant, of the honest, hard-working tiller of the soil. It is his close knowledge of the needs and desires of a farming community and his willingness to serve its interests that has sent him here.

It is since the prosperity of the nation is wholly dependent upon the comfort and well-being of the farmer, he who serves his country best is he who has due regard for the interests of the farmer, and his reward is surest. He builds best for society who strengthens the foundation upon which society rests.

Daniel Linn Gooch, a Kentucky democrat, represents the Sixth congressional district of that famed commonwealth, and is serving his first term. Gooch is a druggist, and the only one I believe in the house. He engaged in this business at the early age of 17, he having been orphaned a year previously by the death of his parents.

His early struggle to gain an education was a hard one, as many similarly circumstanced will testify, but which, after all, is the surest test of bright character and ability. Gooch never held a public office until his election to congress and his experience in this wise is one that call to but few who gain the much-sought prize of a congressional seat.

Caldwell Edwards, a populist of Montana, is likewise serving his first term in congress, and as a result of democratic and populist fusion—a condition responsible for the heading of a large number of conspicuously able men to Washington. Mr. Caldwell is a practical farmer, has followed it as a business all his life and is distinctive as being of a class whose representatives are too numerically small in our lawmaking bodies.

Ashton C. Shallenberger, now serving his first term as the representative of the people of the Fifth congressional district of Nebraska, bears the unique distinction of being the only congressman from our state at this time not a lawyer by profession, and an exception from an almost unbroken rule of Nebraska politics, in this regard. Since the organization of the state, like Mr. Gooch, Mr. Shallenberger never was a candidate for public office until his election to congress.

Like Mr. Edwards he is heard by the grace of fusion votes—that strong and virile force made up of populists, democrats and silver republicans; like Mr. Caldwell, he has had interests in a bank in his native town, but of later years finding a pleasanter occupation in the stock raising business and entering into the usual experience of the cattle man and the western Nebraska farmer who generally combines the two branches of industry into one. This close association has made him the staunch friend of these classes.

Mr. Shallenberger is a native of Illinois. His father was a member of the Illinois legislature, contemporaneous with the father of Hon. Wm. J. Bryan, at the session before which Abraham Lincoln and Stephen Douglas were candidates for the United States senate.

Coming to Nebraska at an early age and ever since active in the material growth of the state, he did not become active in politics until 1896 when he became a pioneer in the bi-metallic movement, was elected the Nebraska member of the National Bi-metallic league and made a whirlwind campaign upon the stump. That campaign he made his first political speech in which he developed so rapidly that his reputation for powerful oratory extends far beyond the boundaries of his own district and enables him to do much for those whose cause he pleads.

Shallenberger is one of the youngest members of congress, but his record in the short time he has served is highly commended by those conversant with the conditions, and his friends believe a bright future is in store for him in congress.

H. W. RISLEY.

"Suburb of Hell"

Senator Bacon made a speech on the Philippine bill the other day in which he attacked the policy of reconcentration and likened it to the policy of General Weyler in Cuba. Mr. Bacon read a letter from an army officer whom he knew personally and for whose veracity he vouched, describing one of the reconcentration camps. The letter said the camp was located in a swamp where rain fell continually and outside of which every living thing was shot. The officer said there were thirty cases of smallpox in the camp and an average of five cases were added each day. Clouds of vampire bats circled continually over the place awaiting the greasy morsel certain to be provided them each day. The officer said that the camp was "like some suburb of hell."

Foraker replied. His defense was that the army had prepared these concentration camps and forced the Filipinos into them solely because the army loved them so much. They were placed there to keep the ladrones and other robbers of their own race from murdering them. That settles it. The reconcentration camps were for benevolent and philanthropic purposes.

Rathbone Will be Duly Grateful

In view of Senator Hanna's amazing success in securing a preliminary order to Cuba to accept a 2x-post facto law, notoriously drawn for the special benefit of convicted American thieves, Estes G. Rathbone probably will refrain from carrying out his threat to "pull down the pillars of the temple," and some American statesmen will sleep better o' nights.—Philadelphia North American.

BEEF TRUST INJUNCTION

The Most Transparent Fraud Ever Perpetrated on the Public—The Court Amends the Bill

No case ever brought in the courts was given more publicity than the one brought against the beef trust. The attorney general gave the bill his attention and he was aided by a distinguished special attorney employed for the occasion and by the federal district attorney in Chicago. When the bill came before the judge it was found that it did not even ask for an injunction or any relief from the court and before and proceedings could be taken by his own action.

It is not possible that the three great trusts prepared such a defective bill through ignorance. It was so prepared by direction of the administration. The whole performance was a political fake and the distinguished lawyers acted well their part. No honest man can come to any other conclusion from the undisputed facts. Judge Tuley in discussing the action of the court spoke as follows:

"While I do not care to criticize Judge Grosscup, my views on the misuse of injunctions are well known. If the packers and others are guilty I believe they ought to have been indicted, given the presumption of innocence and the right to trial by jury, and if found guilty sent to the penitentiary. It is not time for congress to call a halt upon the use of the injunction by the United States courts."

Regarding the action of Judge Grosscup in changing the prayer for injunction to conform to his ideas, Judge Tuley said:

"I do not think there is any ground for criticism on that point. A judge has a right to change a bill in this way. It is not unprecedented. I have often acted similarly. A point or some phraseology in the original bill may not be in line with the intent of the court and the latter may alter it. The fact that the bill in this case was prepared after considerable deliberation by the government's attorneys does not argue that it is perfect. The court might have grounds for desiring particular changes."

"Though I think the government authorities are in earnest in this matter my opinion regarding the too liberal use of injunctions is unchanged. It is evident that the president proposes to use the writ of injunction as a club to hold the railroads and the trusts in order and make them subservient to the executive power. This is apparently his purpose."

"But does the president really mean it, or is it a great bluff in the great game of politics? While Mr. Roosevelt must be accorded a record of sincerity and honesty in public office in the past, it must not be forgotten that he is one of the shrewdest politicians in the country."

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PROVIDENCE MEDICAL INSTITUTE, 52 Dearborn St., Chicago, Ill.

FUNCTION OF THE STATE

An Address by O. W. Meter Before the Labor Lyceum, Lincoln, Nebraska, May 4, 1902

(Continued from last week.)

There are certain things, or factors which might be called elements, which affect the people of a country as a whole very much the same as light, respiration and life blood affect the individual. These so-called elements, when spoken of collectively, are usually called public utilities. Without these public utilities the state cannot exist. They are as essential to the life of the state as light, air, and water are to the life of man.

Money performs very much the same function in a country as blood does in the human body, and therefore should be under the control of the state. The government should not only have direction of the coining of money but should control the banking system of the country as well, in order to protect the common interests of all the people. Money which is the measure of values and the medium of exchange ought never to be entrusted to private enterprise, or the regulation of its quantity be farmed out to private corporations or placed in the hands of individuals. Not only should there have full control of this so-called blood of the country in order to keep it pure and wholesome, but the state should have charge of the channels of circulation as well, so that the veins and arteries through which the life blood of the nation must flow cannot become clogged or polluted, or the channels appropriated or diverted, as to theming private greed or carry out the projects of a particular faction or some party interest instead of serving the common welfare and general good.

Railroads are the commercial highways of industrial society; they are the channels over which all the commodities of life must pass and be transported from one part of the country to another. It is just as important to the health and life of the state that these veins and arteries be kept open, free and sound, as it is for the health of an individual that his circulation and respiration be free and undisturbed. Transportation and the various means of public communication, education and sanitation, and the like, should be performed by the state through its government in its various branches. Such functions as these should be performed by organized society in the interest of the public. These functions cannot be safely entrusted to any other power, nor can they be so well performed in any other

way. The government is, under a democratic form, the servant of the people; it is the machine through which the state does its work, and it ought to perform all those functions which affect society as a whole. All those things which we call public utilities should be under the control of the state, while the individual should be protected in his right to engage in the various lines of industry where men can compete with one another upon an equal footing. This will protect society in its public rights and interests, and yet secure to the individual a sphere in which to act and develop his highest possibilities.

But just where shall we draw the line? This is the question some of you are already asking. Another says, does not your argument ultimately lead you into socialism? It is true that the activities of the state are constantly extending themselves, and it might seem as if the field of the individuals might be encroached upon. But the increase of state activity does not necessarily mean a step towards socialism, but it ought to mean only a more permanent securing of the individual in his private rights under the new and existing social conditions.

The general welfare functions which the state ought to exercise are functions that do not pertain to the personality of the individual, but they tend to raise the economic, intellectual and moral condition of society. These functions may be classified under two heads. I would term them socialistic and non-socialistic functions. Those functions that the state may assume which might be exercised by private enterprise I would call socialistic in their nature, and when the state through its agencies performs such functions, to that extent, the freedom of the individual may be said to be curtailed. Public ownership and operation of such enterprises as street railways, gas, water and electric light plants, and the like, are examples of socialistic functions performed by municipalities. These functions, I believe, ought to be exercised by public authority, because these enterprises are by nature monopolies, and their free operation there can be no free competition. Private interests as well as the welfare of the public demands that the state manage these enterprises. All natural monopolies ought to be controlled by the state in order to protect both the individuals and society. If all the natural monopolies in this country were owned and operated by the government, trusts and artificial monopolies would not have such a power. An examination into the basis of all the trusts and artificial monopolies of this country will show that each and every one of them have their roots firmly planted in natural monopolies. If the railroads were owned and operated by the public we would get the greatest possible service at the lowest possible rate, while under private enterprise we get the least possible service at the highest possible rate. This is true of all public monopolies, and therefore the government ought to control all utilities of this kind.

There are other non-essential functions which I believe the state ought to exercise. They are social duties which if not assumed by the state might not be performed at all. These are duties which are primarily social in the life of the state, yet they are of such a nature that they will promote the general welfare of the people. These functions are usually of an educational character, or are measures which ought to be carried out for the protection of the health, morals, and for the general elevation of the people. Under this head are our public schools, state universities and the various establishments of government bureaus, such as taking the census, making surveys and gathering statistics. Public libraries, public parks, sanitation, protection of forests and native animals, all these and innumerable other elevating projects belong to this branch. To this group of functions should also be added the many governmental acts which result in raising the plane of civilization through which an organized society has been enabled to transform environment and through which the state renders it possible for the individuals to become enlightened and increase their opportunities. Hand in hand with social development grow the characteristics which build up individuality. The more complex society becomes the more distinctive are the characteristics and the more dependent each comes upon the other, yet, at the same time, each person becomes more able to rely upon his own individual efforts.

Socialists say that the state should own and operate all the means of production and distribution. This, I believe, would be an extension of the activities of the state beyond its proper bounds. It would take away from the individual that incentive and the hope which private enterprise affords, and lack of activity would take the place of thrift and economy. The result would be stagnation. The socialists seek by their plan to overcome, what they call, the competitive system. They contend that their scheme will secure to each individual the fruits of his toil and will enable him to enjoy his just share of all that is produced. Although, I believe, socialism to be only a theory—possibly an ideal—condition which some have in mind, a condition which I do not believe human nature will ever permit no more than pure individualism has ever been possible since society began, yet I believe that it is a good thing that we have these socialistic friends who can counteract the cold-hearted individualists. Thus we are enabled the easier to maintain the golden mean between these two extremes.

In a word I would say that the function of the state is to promote the general welfare. In order to do this the state must first preserve its own existence, the importance of which will not diminish as society develops. Then the state must secure to the individual the greatest possible degree of liberty and secure to each one the widest possible field for freedom of action by protecting him against monopolies and by guaranteeing to him free competition in every individual his highest possibilities. Along with this the state must direct the development of the individual so as to better fit them for their duties as factors in the state

and open to its citizens greater possibilities in general. For— "Men, high-minded men, With powers as far above dull brutes as endued"

In forest, brake, or den, As beasts excel cold rocks and brambles rude— Men who their duties know, But know their rights, and, knowing, dare maintain, Prevent the long-armed blow, And crush the tyrant while they rend the chain; These constitute a state."

"Thou, too, shall on O ship of state! Sail on, O Union, strong and great! In spite of rock and tempest's roar, In spite of false lights on the shore, Sail on, nor fear to breast the sea! Our hearts, our hopes, are all with thee, Our hearts, our hopes, our prayers, our tears, Our faith triumphant o'er our fears, Are all with thee—are all with thee!"

State Convention

Pursuant to action taken at a meeting of the executive committee held in Lincoln, April 23, 1902, the electors of the people's independent party of Nebraska are hereby notified that on Tuesday, the 24th day of June, A. D., 1902, at 3 o'clock p. m. of said day, a state nominating convention of said party will be held in the city of Grand Island, Nebraska, for the purpose of nominating candidates for the following offices to be voted for at the general election of 1902:

One candidate for governor. One candidate for lieutenant-governor. One candidate for secretary of state. One candidate for auditor of public accounts.

One candidate for superintendent of public instruction. One candidate for attorney general. One candidate for commissioner of public lands and buildings.

Said convention is also called for the purpose of selecting a state central committee of said party and for transaction of such other business as may properly come before it. The basis of representation is fixed at one delegate for each county and one delegate for each 100 votes or major fraction thereof cast for Governor Wm. A. Poynter for governor at the general election of 1900. The representation of the various counties is as follows:

- Adams 22 Dawson 15
Antelope 15 Deuel 12
Banner 2 Dixon 4
Blaine 2 Dodge 26
Boone 15 Douglas 128
Box Butte 8 Dundy 4
Boyd 8 Fillmore 4
Brown 4 Franklin 20
Buffalo 23 Frontier 9
Burt 13 Furnas 14
Butler 21 Gage 27
Cass 23 Garfield 3
Cedar 17 Gosper 7
Chase 4 Grant 2
Cherry 6 Greeley 10
Clay 20 Hall 18
Clayborne 6 Hamilton 13
Colfax 15 Harlan 4
Cuming 18 Hayes 10
Custer 22 Hitchcock 6
Dakota 8 Holt 16
Dawes 8 Hooker 15
Howard 14 Polk 1
Jefferson 17 Red Willow 10
Johnson 13 Richardson 26
 Kearney 12 Rock 21
Keith 3 Saline 11
Keya Paha 4 Sarpy 11
Kimball 1 Saunders 29
Knox 17 Scotts Bluff 3
Lancaster 58 Seward 20
Lincoln 13 Sheridan 8
Logan 2 Sioux 3
Loup 2 Stanton 9
McPherson 2 Thayer 16
Madison 18 Thomas 2
Merrick 11 Thurston 7
Nemaha 20 Valley 15
Nemaha 19 Washington 15
Nuckolls 16 Wayne 11
Otoe 24 Webster 15
Pawnee 12 Wheeler 3
Perkins 3 York 20
Pierce 10
PHELPS 11 Total 1224
Platte 22

It is recommended that county conventions be called to meet on Saturday, the 21st day of June, A. D., 1902. And that the primaries in the various voting precincts held for the purpose of electing delegates to the county convention be held not earlier than Saturday, the 14th day of June, A. D., 1902. It is also recommended that the various county conventions elect an equal number of alternates to the state convention and that steps be taken to secure, if possible, a full delegation to the state convention.

By order of the executive committee of the people's independent party of Nebraska. C. Q. DE FRANCE, Chairman. J. R. FARRIS, Secretary.

Lepublican Logic

The way in which the charges of cruelty and torture in the Philippines have been met by the supporters of imperialism has closely resembled the defense in the celebrated case of the woman who had broken a borrowed pitcher. She pleaded not guilty on three grounds: First, she had not borrowed the pitcher; second, it was broken when she borrowed it; third, it was whole when she returned it. In similar fashion the imperialist advocates tell us, almost in one and the same breath, first, that few or no cruelties have been committed; secondly, that it is a necessary and proper feature of the war to resort to cruel measures, and that they have been justified by the success of the campaign; and thirdly, that these things were very bad indeed, but that they have been sternly punished.—Baltimore News.

If everybody spent only what they earned some men who travel in private cars would be counting ties if they went anywhere.

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Advertisement for the Schiller Piano, featuring an illustration of a man and a piano, and text describing the piano's quality and price.

Advertisement for Matthews Piano Co., featuring a list of piano models and prices for various counties in Nebraska.

Advertisement for Home Office, 838 N. Y. Life Bldg, Omaha, Neb., featuring text about insurance services.

Advertisement for KEELEY INSTITUTE, featuring text about medical treatments and a list of services.

Advertisement for Carriages and Buggies, featuring text about various models and prices, and the name PAUL HERPOLSHEIMER IMPLEMENT CO.

Advertisement for LINCOLN SANITARIUM, featuring an illustration of the building and text about medical services and treatments.

Advertisement for ONE GALLON WINE FREE, featuring text about a promotion for Old Times Whiskey and contact information for Eagle Liquor & Bottling Co.

Advertisement for BEST FOR THE BOWELS, featuring an illustration of a person and text about the benefits of the product.