

give in skeleton form Mr. Bailey's remarks upon the vital points at issue as set forth in his amendments and in contradiction to the opposition taken by Senators Knox and Spooner:

Knox and Spooner Wrong

Mr. Bailey declared that both Mr. Knox and Mr. Spooner had misconceived the theory under which congress establishes the inferior courts, saying that if so disposed congress could today disestablish every one of the inferior courts. He did not agree with Mr. Spooner that such a course would be anarchy, because the state courts would be left. Congress might, he argued, declare war against every nation of the globe, and while there was no doubt that the people would scourge the congress that would do so, there was no doubt of the congressional power. So it was with the right of congress regarding the courts.

"The power to create and the power to destroy must include the power to limit."

In support of the plea that the legislative authority is not curtailed, he called attention to the fact that with reference to the inferior courts no limitation is put upon congress as to the number, their jurisdiction or their power.

Mr. Hale interrupted with the suggestion that congress must have the same power in the abolition of inferior courts that it has in creating them.

"My mind runs with the senator's on that point," he said. "I believe that the power to create and to destroy rests wholly with congress."

He had not, however, enjoyed what the senator had said regarding the arraying of the ninety men here against the nine men of the supreme court. He wished, therefore, to ask Mr. Bailey whether he wished by anything he had said to commit himself against the broadest final review of the supreme court.

Has Been Misunderstood

Mr. Bailey said he had been misunderstood, adding that he had only intended to say that in a matter of judgment ninety men were to be consulted rather than nine. Along with decisions by the courts he quoted the text-writer Conkling as saying that "the circuit courts possess no power not conferred by congress."

He quoted a case decided by Chief Justice Marshall involving a law suspending the writ of habeas corpus, in which he said that the court cannot issue a writ of habeas corpus, except upon the authority of a written law. "And," he said, "the senators tell us that congress has no power to put a limitation on the injunction power of the court."

As a matter of practical convenience, he said, a railroad company could better afford to sue 10,000 shippers for the difference in rate in case of a final decree favorable to them than 10,000 shippers could afford to sue the company.

He asserted that in more than one decision the supreme court has held that the inferior courts have no "in-

herent function," as contended by Mr. Knox. He quoted an opinion in which was made the statement that congress had withheld jurisdiction.

"How in the name of common sense can congress withhold from a court jurisdiction of a subject and not withhold judicial power?" he asked, to further support his contention that the phrase "judicial power" and the word "jurisdiction" are used interchangeably by the courts.

Wants Justice for All

He would not have senators violate their consciences to please walking delegates, but would have justice done to all, both to the railroads and their patrons. This, he argued, could be accomplished by the adoption of the amendments to the railroad bill offered by himself, requiring that "just compensation" be made the standard of railroad charges in accordance with the language of the constitution. He only demanded that the findings of the commission should stand until a final decision should be reached. He believed the addition of the amendment would have the effect of forcing the railroads to assist in getting an early trial.

Mr. Hale again interrupted, and he expressed the opinion that Mr. Bailey's argument would have good results.

Mr. Bailey expressed gratitude over this endorsement, and expressed his

FARM LANDS IN NEBRASKA

Farmers Are All Getting Wealthy--The State Possesses Many Attractions and Advantages

Up to this time there has been enough fresh fertile lands to supply the place of all lands which have been rendered unfruitful by bad usage and by erosion from torrential rainfalls in the eastern, middle and southern states. But we have now nearly reached the limit of arable lands for sale or for giving away by the government of the United States. The population of the republic has doubled about every twenty-five years. If this increase continues at the same rate it is safe to say that in fifty years from this time the United States will have a population of 300,000,000 people. Meantime the acres of arable lands will, through bad tillage, have diminished rather than increased—that is to say, the supply of farm lands will be much less than we now possess. Holding that the relation of supply to demand is the sole regulator of value, it is fair to conclude that farming lands in the United States, well located, will be worth, fifty years from this time an average of from \$200

particularly adapted to Nebraska's soil and climate. Ten years ago it was a spring wheat state. The yield for the last three years was 123,000,000 bushels, of which more than four-fifths was winter wheat. Nebraska's shipments during the last three years were 70,000,000 bushels.

Normally Nebraska is the third greatest corn producer in the union, notwithstanding its youth and the vast area it gives over to grazing, which is not possible in Illinois or Iowa, the corn leaders. In 1903-05 Nebraska raised 672,000,000 bushels, giving it a marketable surplus of more than 100,000,000 bushels.

The yield of oats for 1902 was 63,000,000 bushels, for 1903 it was 62,500,000 bushels and for 1904 reached 70,000,000 bushels.

Barley can be raised in almost every portion of the state, some of the western countries being especially adapted to its production. The yield for 1902 was a little more than 2,000,000 bushels, while that for 1904 was almost three times as much.

Rye makes large yields per acre when raised for grain. Its acreage is increasing and the yield for the last three years was about 8,000,000 bushels.

Alfalfa has proved one of the most valuable crops raised on the American continent and Nebraska has proved there is not another alfalfa state as good. The acreage in 1905 was 236,321. From three to four cuttings are made every year, yielding an aggregate of four or five tons per acre, to sell at a price varying from \$6 to \$9 per ton. The more alfalfa is understood the more extensively it is adopted, and there can be absolutely no doubt about its putting hundreds of thousands of dollars into the pockets of Nebraska's fat cattle raisers, swine raisers and dairy and poultry men in the immediate future.

Nebraska a Dairy State

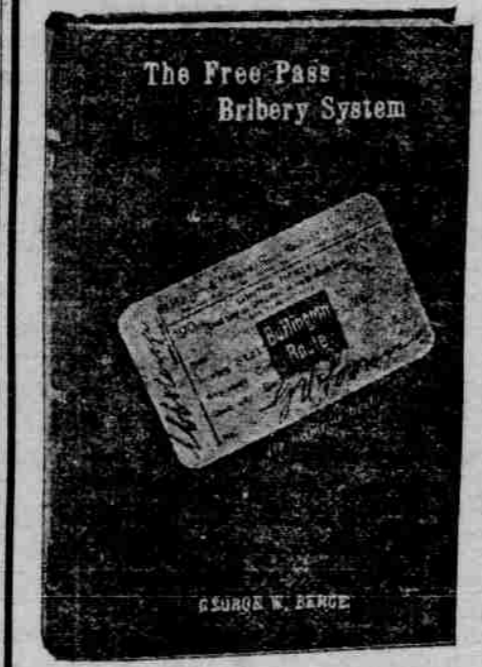
As a meat maker alfalfa leads, while as a muscle maker the native prairie grass of Nebraska has to be given the crown. It averages about one and one-half to one and three-fourths tons to the acre. The state acreage approximates 2,700,000. It has caused Nebraska's output of butter to increase about 50 per cent since 1900, and Omaha has become the largest market in the world for dairy products. The state has about 600,000 more milch cows than in 1900. Nebraska has moved up from thirteenth to tenth, and possibly ninth, place among the dairying states of the union, and the value of its annual dairy output has increased nearly \$3,000,000. In 1897 there were about 500 hand separators in use in the state. Now there are very nearly 30,000. Analysis of the statistics disclose that the average yearly dairy production per cow in America approximates \$16.16, but in Nebraska this figure is doubled and tripled, with the further advantage of a minimizing of the cost of maintaining the cow or herd.

Nebraska's Poultry

Nebraska's poultry won a first prize, three second prizes, three fifth prizes and nine sixth and seventh prizes at the World's Fair at St. Louis. It has attained no great prominence as a fancy poultry state, yet only the better breeds are used, and their productiveness is great. The South Omaha packers have engaged extensively in the fowl and egg business, so that Nebraska now has a convenient, permanent market. The industry has taken on a new and greater importance since the various packing companies began buying fowls and eggs nearly every

Nebraska's Many Crops

Wheat has become not only a common and sure but a particularly profitable crop since the discovery that the hard red winter varieties are par-



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regret that he had not been able to agree with Messrs. Knox and Spooner. Expressing his gratification at the sentiment in support of his proposition, he expressed the hope that Mr. Spooner and Mr. Knox will see the situation as he does. "Then," he said, "we might have a new national emblem in the big stick and the pitchfork."

Mr. Bailey concluded at 4:35 p m., after speaking for four hours and ten minutes, amidst an outburst of applause which the chair found it impossible to suppress.

Bryan's Return Home

In a private letter received from W. J. Bryan, written at Calcutta, India, Mr. Bryan says he expects to return home about the middle of September. His itinerary includes a steamer trip from Bombay, India, to Cairo, Egypt, a journey to the Holy Land, thence to Constantinople and from there to St. Petersburg, reaching the Russian capital about the time the new regime in governmental affairs has been inaugurated.

Menaced By a Famine

Guayaquil, Ecuador—In view of the destruction of the crops the interior provinces are menaced by famine and President Alfaro has ordered that flour, corn, wheat and barley be admitted to the republic free of duty and that half the customs tariff shall be levied on lard. This decree will be effective for two months. Yellow and typhoid fevers are causing many deaths here.

Salt Rheum
Itches, oozes, dries and scales over and over again; local applications do not cure it because they cannot remove its cause, which is an impure condition of the blood. The most obstinate cases have been perfectly and permanently cured by a course of **Hood's Sarsaparilla** the best medicine for salt rheum in all the world.
For testimonials of remarkable cures send for Book on Salt Rheum, No. 2. C. I. Hood Co., Lowell, Mass.