

jury is true also with reference to a court. Cases like the present are very likely to arise, no doubt, when there is a jury, and the publication may affect their judgment. Judges, generally, perhaps are less apprehensive that publication impugning their own reasoning or motives will interfere with their administration of the law. But if a court regards, as it may, a publication concerning a matter of law pending before it as tending toward such an interference, it may punish it as in the instance put. When a case is finished, courts are subject to the same criticism as other people, but the propriety and necessity of preventing interference with the courts of justice by premature statement, argument or intimidation hardly can be denied.

In the complications of the Patterson case the real significance of this declaration by Justice Holmes has been overlooked. Instead of feeling blue over a threatened assault upon the "freedom of the press" the editors may console themselves with the thought that they are free to criticize any court in the land to their heart's content, so long as they do not disturb the judges when they are thinking.

MAKING A CONSTITUTION.

The constitutional convention of Oklahoma reassembles for the purpose of passing finally upon the document that has been submitted during the recess to a committee for editing and revision. If the work is found satisfactory and no new propositions are successfully submitted by delegates, the constitution will be signed and submitted to a popular vote on August 6. As it stands it is the longest constitution in the country, and for that reason the convention may decide not to give it any further bulk. It contains about 100,000 words, against 6,000 in the constitution of the United States. The extra length is caused, of course, by the introduction of a large amount of matter that in other states is inserted in the statutes.

A curious experience of this convention, is that it has been enjoined by the Oklahoma supreme court, and must do a part of its work over again or disobey the injunction. Inasmuch as the convention comes directly from the people, and its work must be submitted to the voters of the entire state for their approval, the members are inclined to believe that this reaching out of the temporary government of the territory to influence the organic law of the new state is somewhat out of place and that the order of the court can be evaded with impunity.

CHEER THE GOOD PLAY.

General Lee drew himself up in his saddle and closed his field glasses at the battle of Gettysburg as he watched the broken fragments of Pickett's division break into shapeless rout before the stone wall on Cemetery Hill, with this exclamation: "Well, gentlemen, we cannot always win victories."

The commander of the university of Nebraska debating squads might find consolation in General Lee's philosophy this spring. After an unbroken series of victories, hard fought and closely won, it seems their turn to take defeat. They ought to do it with a smiling face but more firmly fortified hearts. If all the imitation battles of the present day whose object is the nerving of mind and muscle for the real conflicts of life the true principle is that the prize is not presented to the winner of first place but to all who participate. There is a special stimulus to the praise which goes with highest honors, but the real victory is the social victory which all enjoy. There is a need of deeper philosophy of defeat in life. A few years ago the university of Nebraska football team was winning every game. Its enthusiasts were heart broken and comfortless when it began to lose. And yet whatever of discipline and desirability there is in football has survived the defeats of the unfortunate seasons. If the game is well and honestly played and disciplined for, it has done its duty. If the debating squads and football teams of one university should win every contest how much of interest would be lost which now arises

from watching the pennant fluctuate. These observations have an application to the opening of the baseball season in Lincoln. Every loyal Lincoln fan fondly hopes that the team may win first place. But, after all, it is not necessary that Lincoln should win all the time in order to enjoy the game and support it with enthusiasm. The fall ender in the baseball circuit is just as essential to the sport as the pennant winner. And if the fall ender last year should win this year can we not all rejoice? So, stand up for the home team, but cheer the visitors when they make a good play.

A REMINISCENCE.

When railroad managers weep over the ruin that is bound to follow the regulation of their business by the public, the people will be excused if they look over past records and laugh behind their palms over the things they find. For example, when Jay Gould, the Harriman of the railroad world of the last generation, visited Lincoln twenty years ago today, he was asked concerning the state of the transportation business generally. His answer is from the columns of The Journal of that date:

"The railroad business is good," was the answer, "but the inter-state commerce law will have a bad effect. It will greatly injure the business of the roads."

"Do you think it will have a tendency to discourage railroad building?"

"I most certainly do."

The rest of the year 1887 saw more railroad building than the country had ever experienced in a similar period. The activity was continued until it was checked automatically by the excessive building of new lines in unproductive

territory. That means that the inter-state commerce act of 1887 that was about to "ruin the railroads" in fact did not put a straw in the way of legitimate railroad development. The cry that is raised now will look quite as silly in twenty years as Jay Gould's denunciation of the law twenty years ago.

MERIT IN THE POSTOFFICE.

President Roosevelt could win in his fight to take the postoffices out of politics if he were not engaged in bigger work just now that makes it necessary for him to continue on amicable terms with congress. While his order to reappoint all postmasters who have made a clean record is eternally right, and will be the law some day, it is now being modified to meet the exigencies of politics. The members of congress have so long looked upon these places as theirs by right that they will not give way to the new order without making a nasty disturbance. Having all the trouble on his hands that the most strenuous man in the world could manage at once, the president naturally gives the matter a subsidiary place on his list of reforms for the present.

The change in fact is one that ought to come up from the people and not down from the office of the chief executive. Do the people want their postmasters retained on merit alone, or do they want them changed without regard to efficiency every time a new congressman is elected in the district and every time a new administration is installed in Washington? If we are to have the postoffice department reach the full limit of its effectiveness, it is time to think of these things.

FARMERS' ORGANIZATION TO SECURE DOLLAR WHEAT

OMAHA, Neb., April 7. J. A. Everitt, president of the American Society of Equity, is in the city and has arranged for a convention of the grain growers' department to meet for the organization in this city June 5, 6, 7. The delegates will come principally from the states of Minnesota, North Dakota, South Dakota, Nebraska, Kansas and Oklahoma. A cordial invitation from the Commercial club has been given.

The American Society of Equity is a business organization of farmers with local societies in 2,700 of the 3,000 agricultural counties in the United States. Its purpose is to carry on its organization work through local societies, organized into state unions; but its business side will be strongly developed along the lines of departments covering various farm products.

Such departments already organized are those of fruit and produce and of tobacco.

Now the grain growers' department is to be the third started under way. The purpose is to establish a central bureau to gather and disseminate information concerning supply and demand to the farmers; to fix a minimum of prices below which the farmers agree not to sell, and to handle and

divert the grain from the source of supply to the points of demand as needed, not causing a glut of the market at any one point at any time. Mr. Everitt says:

"This means that the farmers this year will fix the minimum price of wheat in the six great wheat producing states at \$1 per bushel. They may sell above this price, but not below, according to their agreement with the American Society of Equity. The farmers of Minnesota are keenly interested; in North Dakota, they are enterprising, and at the meeting of the state union they were invited by the state bankers' association to appoint a committee to confer with a similar committee of bankers to arrange for carrying along the poor farmers who would otherwise be forced to sell below the minimum.

"In South Dakota, they are less enterprising as yet. In Nebraska, the work has grown wonderfully, being especially strong in the central part of the state; in Kansas, the farmers are thoroughly alive to the situation; and in Oklahoma, there is need of more awakening."

Mr. Everitt leaves this evening to confer with O. B. Shafer, president of the Nebraska union, at Hastings.

Her Telegram.

Tit Bits: An excited young woman hurried into a telegraph office in the north of London recently, and said that she desired to send a telegram to her husband.

"Very well," replied the clerk in attendance; "there are some forms."

"Oh, I know that," she replied, and then she wrote: "Dear George: I've something too dreadful to tell you, but please don't get excited, dear, for it can't be helped now, and baby and I are perfectly safe. I don't know, and cook says she don't know, and none of us can account for it, but the house caught fire last night and burnt to the ground. Just think of it! Did you ever hear of anything so dreadful in your life? I am half wild over it. But please keep calm, dear. Baby and I are safe, and most of the things are saved, and you mustn't think of anything but how much worse it might have been. What if baby had been

burned! Oh, George, don't it make you shudder to think of it? But the dear little darling is perfectly safe, and of course we went right straight to mamma's, and you can't think how frightened she was until she knew we were safe. And I know how shocked you'll be, you poor, dear boy; but as baby and I are safe, you oughtn't to mind anything else. I can't imagine how the fire started. Can you? Do you suppose someone set the house on fire? Oh, it's too dreadful to think of. Come immediately home.—Mamie.

"F. S.—Remember that baby and I are safe.—M."

"There," she said, as she handed the seven telegraph forms she had filled to the clerk. "I suppose it might be condensed a little."

"Yes, I think it might," he replied, as he took a fresh form and wrote:

"Our house burned to the ground last night. All safe. Come home.—Mamie."



Hungry Hank—Dey say de earth goes round.
Fatigued Frank—Dat a untruth, cause if it does I never got my share

CONDENSED TELEGRAMS.

Two severe earthquake shocks were felt at Manila.

The battler Kansas was placed in commission.

A new cabinet has been formed in Montenegro.

Regis H. Post was inaugurated governor of Porto Rico.

The Ancient Order of United Workmen was ousted from Ohio.

A snowstorm in Colorado reached the proportions of a blizzard.

Secretary Taft and his party sailed for home from San Juan, P. I.

Snow fell Thursday in Nebraska, Iowa, Missouri and Kansas.

Suspended students of Drury college apologized and were reinstated.

Governor Warner of Michigan signed the 2-cent fare bill, which becomes effective in September.

The United States Steel corporation has fixed the selling price of rails for the season of 1908 at \$38 per ton.

The proposed issue of about twenty-six million dollars of new stock of the New Haven Railroad company will be deferred.

Alvey A. Adee, assistant secretary of the state department, was a passenger on the steamer La Svole which sailed for Havre.

A strike for 15 per cent increase in wages has practically been declared by the machinists of the Grand Trunk railway in Canada.

Directors of the Amalgamated Copper company declared a quarterly dividend of 1 1/2 per cent and an extra dividend of one-half of 1 per cent.

Count von Schwerin, former councillor of the German embassy at Vienna, has been appointed German minister to the republics of Central America.

Crowds of striking waiters paraded the boulevards of Paris endeavoring to call out non-union waiters. They did not meet with much success.

Brigadier General Alfred C. Mackiey, recently promoted from colonel of the Thirteenth infantry, was placed on the retired list of the army on account of age.

Directors of the Boston and Montana Consolidated Copper and Silver Mining company declared a quarterly dividend of \$2 per share and an extra dividend of \$10 per share.

Miss Ethel Geraldine Rockefeller, daughter of Mr. and Mrs. William Rockefeller, and Marcus Hartley Dodge were married at the home of the bride's parents in New York.

The Chemung Copper company filed articles of incorporation with the secretary of state of Minnesota. The capital stock is \$3,000,000. The company will have its head offices at Duluth.

State Entomologist Smith has received reports from the peach-growing districts of Georgia, a summary of which shows that at least 75 per cent of the crop has been killed by the recent cold weather.

A FITTING PLACE.



Shoe Clerk—Mamie, that shoe fits perfectly.
Old Mamie (a trifle deaf)—Old sh! This is so sudden!



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