

THE DAILY BEE.

OMAHA OFFICE NO. 314 AND 316 FAIRMAN ST. NEW YORK OFFICE, ROOM 65 TRIBUNE BUILDING.

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DIRECTOR BURCHARD of the mint must go. His name is against him.

MAYOR BOYD has gone to Washington but the government in Omaha still lives.

The Republican has learned not to monkey around the buzz saw while it is motion.

The next time that Vandervoort circulates that exploded slander he will be called to account for it in the courts.

ILLINOIS is threatened with an extra session of its legislature, which has already been in session for nearly six months.

VANDERVOORT testified that he had no use for Rosewater. A man by the name of Gresham had no use for Vandervoort. Hence these tears.

During the trial for libel, which has just been concluded in the district court, the presence of Frank Walters was sadly missed by the proprietors of the Republican.

ACTING-MAYOR BECKER is a very safe man at the head of municipal affairs. He will discharge the duties as well as they have ever been by any of his predecessors.

THERE is no telling what a day will bring forth, but it is not very likely that it will bring forth the resignation of Marshall Bierbower, if Mr. Boyd knows himself or his son-in-law.

MR. THURSTON thought it was very audacious for the editor of the Bee to come into court and ask for a vindication at the hands of a jury for a libel. The jury thought otherwise.

THE corporation editors and henchmen who have made it their business to re-echo the state slanders emanating from the Republican office better take warning from this time forward.

WILLIAM STAPLETON, editor of the Denver News, has been rewarded with the appointment of minister to the mint in that city. The only experience that he has had in that line is with mint juleps.

THE Buckingham theatre re-opens to-night under a new management, and with a moral performance. The transformation scene, under the auspices of the Women's Christian temperance union, will no doubt be a pleasing spectacle.

AMONG the charges filed against a western postmaster is one to the effect that he has been an agent to procure subscribers for the New York Tribune. "Offensive partisanship" is certainly a very elastic device, and can be stretched in a wonderful manner.

AMONG the many candidates for the postmastership of Quincy, Illinois, is a man named Cleveland who has been advertising himself as a cousin of the president. His chances were considered good until the president declared that he was no cousin of his. It would seem that this convicts the Quincy Cleveland of trying to obtain a postoffice by false pretenses.

PROPERTY to the value of \$8,750,000 was destroyed by fire in this country during the month of May. This is about ten per cent more than the average loss in the same month for the last ten years.

The increasing waste of our national wealth and resources by fire is one of the most serious problems connected with the business future of the country. It is a drain which is constantly growing more serious and at the same time more inexorable.

With improved methods of preventing and putting out fires, there ought to be an improvement rather than a change for the worse, and the conclusion is almost inevitable that to carelessness alone is due the greater part of the heavy fire losses of the United States.

So many unreconstructed and unrepentant rebels have been recognized and rewarded by the administration, Jeff Davis naturally assumes to have some influence with the democratic bosses at the national capital. He has recently furnished an office-seeker from California, Samuel Brooks, by name, with a letter recommending him as a suitable person to be appointed assistant treasurer at San Francisco. This man Brooks was one of the second in the noted Broderick-Terry duel, and was known all through the war as a rebel sympathizer. It is this knowledge which endears him to Jeff Davis, and brings him forward as an indorse of Brooks.

It remains to be seen, however, whether an endorsement from Jeff Davis carries any weight with it, and whether Mr. Cleveland can afford to recognize him, even if he has brought other rebels to the

A VINDICATION.

A jury of twelve men, good and true, has at last, after a full hearing of all testimony that could be gathered and a thorough discussion by able counsel, completely exploded by its verdict the libelous story that Edward Rosewater, editor of the Bee had been disloyal during the war, and was acting as a confederate spy. This malicious slander, like scores of other baseless falsehoods concerning his character and conduct, had been concocted and circulated by a gang of political desperadoes, having their headquarters at the Omaha Republican office.

For years a bushwhacking war had been kept up through that paper and its satellites upon the editor of the Bee, and the only redress afforded against these flagrant outrages were repeated denials through the columns of this paper. There is, however, a limit to endurance even with the editor of a daily paper, who has served as a target of malice, slander and vile calumny. When the Republican two years ago maliciously republished a charge emanating from one of its country satellites, charging Edward Rosewater with being a confederate spy and a traitor to his country, complaint was promptly entered against Casper E. Yost and Fred Nye in the criminal court by him, and a civil damage suit was also commenced against the Tribune printing company, publishers of the Republican. The parties waived examination in the police court and escaped indictment by a mere scratch. The fact was that the grand jury unanimously indicted Yost and Nye, but through some peculiar method best known to those who are conversant with the law, the indictment was quashed by a vote of eleven for indictment and five against. Even this was within one vote of the number necessary to indict.

And now after two years of delay the civil court has passed upon the case in a regular jury trial, and the verdict is not merely a vindication for the editor of this paper but an emphatic rebuke to the slanders. Ordinarily the editor who is competent to successfully conduct a daily newspaper, can fight his own battles without the intervention of the courts. The license which the press enjoys in controversies over public questions and the attitude of editors with regard to their respective positions is very broad. During heated campaigns editors may lose their temper and call each other knaves and idiots, without any resort to law. But when all bounds of decency are overstepped and slanders are forged for the purpose of blackening characters and destroying public confidence which is the basis of influence and prosperity of any newspaper, the editor has only one of two methods of redress left open to him. He may take the law into his own hands by shooting down the malicious libeller, or he may appeal to the courts for a vindication. This was precisely the case in this instance. The proprietors of the Republican had fabricated infamous falsehoods and damaging libels, and in spite of denials, kept up this system of bushwhacking because they regarded themselves as privileged to make a target of Edward Rosewater. There was no political campaign pending in December, 1882, when they republished the confederate spy story. They knew it was false, but they republished it because it served their purpose in prejudicing the old soldiers of Nebraska against us. Called into court to answer for this libel, they defiantly set up the plea that Edward Rosewater had no character in this community, and furthermore that the confederate spy story was a notorious fact. When called on for the proof they not only failed to make a showing, but their libels were disproved by indubitable testimony of the loyalty and efficient services of the plaintiff in the union army. Thus their infamous charge was completely refuted, and the slanders forever silenced with regard to this libel.

Incidentally we may remark that no attempt was made on our part to establish consequential damages. Although the suit was nominally for \$10,000, the amount awarded us was all that could be expected. It carries with it conviction for libel just as it would have been through a verdict of guilty in a criminal court. If it puts out indispensible journalism as carried on by the subsidized corporation organs in this state it will prove beneficial both to the profession and the public.

The recent shipments of Omahadressed beef to Boston has attracted a great deal of attention, and our city is receiving considerable free advertising, of the most encouraging character, by reason of it. The Boston Advertiser says:

Omaha is "bound to be big," is the cry of a Nebraska writer who is devoting his energies to "booming" the city named. As Duluth aims to draw wheat away from Chicago by establishing better elevators and a cheaper line of transportation eastward, so Omaha is preparing to locate the slaughter house business, and send its butchers to transport live flesh than that already packed for the market. This point is now being forced home on sellers in Omaha by the willingness of local slaughterers to pay more for live stock than the agents of Chicago firms are prepared to Consumers ought in the end, to benefit by this tendency.

The Omaha friends of R. B. Harrison, assayer at Helena, Montana, will read with pleasure the prompt denial that has been made to the charge that he had been using the government for money speculative purposes. The telegram making this serious charge, and which was sent out from Helena, is pronounced a forgery by the authorized agent of the associated press whose name was signed to it. It appears that there is no evidence whatever against Mr. Harrison, and that his

OTHER LANDS THAN OURS.

Like a thunder clap from a clear sky there comes the announcement of the defeat of Gladstone in the house of commons on the second reading of the budget (appropriation bill) and the dissolution of the cabinet. On the eve of a general election Gladstone and his ministry are compelled to make way to the Tories who have no better hold on the commons of the people than the liberals have in this crisis.

Neither the calamitous campaign in the Soudan, nor the Afghan affair, nor yet coercion in Ireland, could accomplish what has been brought about by a slight increase in the taxes of beer and spirits. This was a question that came home to the British bosoms and business. When Mr. Gladstone wrung his hands on the announcement of the vote he was probably thinking less of his own defeat than of the petty issue upon which it was achieved. He may have been thinking in that moment of the scorn which the government of Europe would express over the people who could contemplate with comparative stolidity the disasters around Khartoum and the humility of its diplomacy with Russia, and yet could be accused of the overthrow of a government by a shilling increase in the price of whisky.

While the whole strength of the opposition was put forth in the vote of Monday, there were many absences on the government benches. Should the Tories accept power now they will be likely to encounter a hostile house on very different questions than the increased taxes on beer and spirits.

In the general elections which will be held in November the real trial of strength between parties will be made, and the result will probably determine the control of government for years. The liberals have a decided advantage in the contest in the extension of suffrage to a million of new voters and in a new distribution of seats. Possession of power in most countries is regarded as advantageous in political contests, but government pressure is little felt in English elections. In the coming contest the narrow issue presented by the Tories in the vote of Monday is the tax on beer and whisky, the tax on, or as Gladstone put it in the debate, whether in raising revenues, choice shall be made between alcoholic liquors or the innocent beverage of tea. This is not a question upon which a great party can go to a country and claim its confidence. Of course the Tories will endeavor to make the most of the Soudan calamity and the government's policy in Egypt and Afghanistan, but upon these questions the sentiment of the English people is unmistakably on the side of the defeated ministry.

History is perpetually repeating itself—especially in political affairs. In 1846 Peel won the greatest of his parliamentary victories under tragically adverse circumstances. On the very day that the Times announced that he would propose the repeal of the corn laws an acute cabinet crisis came on, and Peel abjectly went out of office, though it was to return to the premiership after a certain interval. "Like," to quote his own words, "a man restored to life after his funeral services had been prescribed." The corn bill passed its final reading in the house of lords on June 25, and on the same day Peel's ministry was overthrown on the Irish coercion bill. "He had crushed O'Connell and Carrieff, he had broken the power of the protectionists and the life of the old soldiers of Nebraska against us. Called into court to answer for this libel, they defiantly set up the plea that Edward Rosewater had no character in this community, and furthermore that the confederate spy story was a notorious fact. When called on for the proof they not only failed to make a showing, but their libels were disproved by indubitable testimony of the loyalty and efficient services of the plaintiff in the union army. Thus their infamous charge was completely refuted, and the slanders forever silenced with regard to this libel.

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Si Peter Lundon on his way back to England, has stopped in Constantinople to protest against the fully of basing the frontier between Afghanistan and Russian Turkeystan upon ethnographical considerations, and he predicts a speedy renewal of the trouble between Great Britain and Russia as a result of taking the population of the disputed territory into account. Only those familiar with the distribution of the tribes and races which acknowledge the superiority of the American people appreciate the force of this point, and

THE CELEBRATED CASE.

Arguments in the Case of the United States vs. Brighton Ranch Cattle Company.

Justice Samuel F. Miller holds a Special Session of the U. S. Circuit Court—Arguments of the District Attorney J. H. Lamberton and Judge Woolworth.

Justice Samuel F. Miller called a special session of the U. S. circuit court for Nebraska at 10 o'clock this morning, for the purpose generally of hearing a few motions that had been set down to come before him, and especially to hear final arguments in the celebrated Brighton Ranch case. The venerable justice said that he could not spare more than two days' time here, and in view of the sultry weather it was his desire that the attorneys as his briefs as possible in the presentation of their matters. Members of the legal profession present were U. S. District Attorney J. H. Lamberton, E. M. Buckley, Judge Woolworth, Hon. N. S. Harwood, and T. M. Marquette, of Lincoln; G. S. Waldo, of Clay City; Judge De Wight Hull, Mr. Quinn and C. E. McGould, of Lincoln.

After hearing a few preliminary motions, the Brighton Ranch case was called. District Attorney Lamberton stated that he had been requested to withdraw the name of C. S. Webster, who has heretofore appeared as one of the attorneys for the United States. Mr. Lamberton said that he had presented the case, which, in substance, is that on February 15th, 1884, a bill of particulars was filed against the Brighton Ranch Cattle Company, charging that by enclosing 12,000 acres of land with a barbed wire fence, they had intimidated and obstructed people, who had desired to perfect their claims on the land, and also that in the light of all allegations set forth by the defendants they had greatly interfered with the progress of agriculture, by fencing up public lands, and were now applying for an injunction, and when the answer was made, said answer proclaimed that the Brighton Ranch Cattle Company had been interfering with the cultivation and maintenance of blooded livestock in the state, they could not well do so without the fence. It was shown that a large number of black cattle and 120 head of fine blooded bulls were maintained there. When the government anticipated that this fence was a public nuisance they set out to reply that the fence was necessary to keep this 120 head of bulls from running at large over the country, and further that as they held a fence or deed in trust to the public, and were now using a part of the public domain. This ranch is located in Cass county, about two hundred miles west of Omaha. The suit has been pending since the time stated above, and was heard at some length not long ago by Judges Foster and Dundy, who made an order for the taking of the testimony and also for a writ of injunction. In the meantime the Brighton Ranch Cattle Company has moved its fence in until now there are not over 40,000 acres within the enclosure. The government claims that the amount there are at least 15,000 acres used. At the time this suit was brought, said Mr. Lamberton, there was no law of commerce to prohibit the fencing of the government lands. But since that time there have been enactments made, and a number were read which prohibit any enclosure of the public domain. Further that the Brighton Ranch Cattle Company, by enclosing the land, has naturally supposed that the land is taken by somebody else, notwithstanding the fact that they might see just as good a reason for enclosing the land as the government. The boldness, effrontery and cool audacity, continued the speaker, which these men have assumed in appropriating unto themselves property belonging to the public is without precedent. The settlers who do own and live on claims within this stupendous enclosure are constantly harassed and driven almost to despair by the company's cattle destroying their crops. The bravado of Verall Allen, and the intonations that he used at numerous stated times, to cow and intimidate people inclined to defy him a little, were set forth at length. To the manner in which Mr. Allen and his men rode rough shod, heavily armed with revolvers, repeating rifles, loaded with powder over the ranch, is laid the primary cause of one murder, a settler, committed on the ranch. "I do not charge," said Mr. Lamberton, "that Allen shot any man, but that of his men did, and we claim that he did meanly brought about the state of affairs. Every employee of the Brighton Ranch Cattle Company says the district attorney quite distinctly that the fence is a nuisance. Look lands within the enclosure and Allen built his houses for them. The name of a woman and five or six daughters, who are designated in the district attorney's talk as "a regular Pininfarina family," each and every one have taken 200 lands on the ranch, some of them 100, others 200 and one or two as many as 400 acres. All of this is now controlled by the Brighton Ranch Cattle Company. The fertility of the soil, beauty of the country, and desirability of making homes, in this country, was set forth at length. The bottom and valley lands in the county are taken and fenced by this company, and not obtainable by emigrants. "Can the defendants enclose these lands with a fence, located on lands taken up by settlers, and thus maintain unsettled lands for the benefit of anybody else is with out question, the district attorney quite distinctly declared that the mere existence of a fence was sufficient to keep out settlers, and when men in search of homes come to and search for miles and miles, they naturally suppose that the land is taken by somebody else, notwithstanding the fact that they might see just as good a reason for enclosing the land as the government. The boldness, effrontery and cool audacity, continued the speaker, which these men have assumed in appropriating unto themselves property belonging to the public is without precedent. 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