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The Bee Publishing Company Proprietors. E. ROSEWATER, Editor.

THE DAILY BEE.

Sworn Statement of Circulation.

State of Nebraska, (S. S. County of Douglas, (S. S. George B. Tzachuck, secretary of The Bee Publishing Company, does solemnly awear that the actual circulation of The Daily Bee for the week ending January 28, 1889, was as follows:

Average GEORGE B. TZSCHUCK. 18.003 Eworn to before me and subscribed in my presence this 20th day of January, A. D., 1830, Seal N. P. FEIL, Notary Public,

THE garbage crematory project still slumbers peacefully in the arms of the city council.

THE coupling pin cannot be found to join the western railroad presidents in their agreement.

Ir will be noticed that Mr. Harrison's visitors of late are of that timber from which a cabinet is made.

IF Bismarck will only open his arms to receive the American hog we will say no more about the Samoan affair.

Now that the trusted insurance agents are going into embezzling, the faithful bank cashiers find their occupation

THE wall paper trust is said to have put up prices and is accused of cutting down the wages of its employes. That looks like adding injury to insult.

Colorado has been quite successful in her experiment of raising tobacco. That is a field for which certain parts of Nebraska ought to be well adapted.

THE greedy Texans want the government to build a deep water harbor at every bay and inlet on the coast. Texas could evidently make short work of the surplus.

THERE is no danger that certain members of the Douglas county delegation will wear out the seats of their trousers in the lower house of the legis-

PUBLIC opinion among reputable business men and citizens is rapidly crystalizing against the scheme to repudiate the city's obligations in the location of the city hall.

EVEN if Jay Gould should some day slump on Wall street, there is little danger that his children would go abegging. The will of the late Mrs. Gould divides all her valuable property among them.

BELIEF is gaining ground that many of the White Cap organizations in Indiana and Ohio are composed of women. That may be the reason why the legislators of those states are attending strictly to business.

WITH the flery Boulanger having everything his own way in France, it would not be a matter of surprise if America would have a powerful ally within twenty-four hours in case there should be a declaration of war against Germany.

THE conscience fund has been augmented during the past year by fifty thousand dollars. If full returns come in within the next few years nobody can question that the contribution from conscience stricken city officials would be sufficient to run the government.

THE Utes of Southern Colorado, who have given up their valuable oil and mineral lands in that state, have not made such a bad bargain after all. They receive a reservation of good arable land in Utah of nearly three million acres with a per capita payment of fifty thousand dollars in ten annual installments, as well as twenty thousand dollars worth of sheep, new agency buildings and other perquisites. If these Indians are thrifty during the next ten years, there is no reason why the value of their holdings will not run into the millions.

MR. FURAY tendered Councilman Hascall a lot in North Omaha if he would only take up his residence in that part of town. "People in our part of town will receive Mr. Hascall with open arms," said Mr. Furay. "They appreciate a man who is broad enough not to be sectional." Talk is cheap, soft soap pienty, but how much support did Hascall get from North Omaha and the Jefferson square boomers when he fall? Did not Bailey and Counsman, who are the special champions of city hall removal, trade Hascall off for a mess of pottage only three weeks ago when the council was reorganized? Furay and his followers remind us of the professional beggar, who always cries, "Give, give, give," but refers you to the Lord for your pay with his blessing.

in the numerous and questionable devices employed to secure business. And this, it would appear, has been the ics a history of the state university habit of most rallroad presidents.

INSTRUCTIVE TO LAWMAKERS.

We present to the legislature a care-

fully compiled statement which embod-

from its foundation to this day, a de-

made for its maintenance, and an

analysis of the practical results achieved

be instructive to our lawmakers. Few,

history of the university and the

enormous levy that the taxpayers of

paid in direct taxes by the farmers and

vast amount of \$137,250 for the current

men of Nebraska. What is done with

endow chairs of Greek and Sanskrit,

prepare students to enter the college.

This school, together with the schools

institution? There are now about thirty

so do it. It is the business of the uni-

It is clear that if these high school

teach subjects not within its proper

could to-day do its own proper

and legitimate work, and do it

work without calling on the people of

It will require some courage, and the

exercise of moral purpose for the mem-

bers of the legislature to meet this

question. But with those qualities in-

spiring them they can settle it right,

NOT HARMONIOUS.

Washington advices report a serious

division in the cabinet regarding the

course the government should pursue

in the Samoan controversy. It is under-

stood that Secretary Whitney and Post-

master General Dickinson are in favor

of serving an immediate warning upon

Germany that further interference in

the internal affairs of Samoa would be

regarded as a violation of our rights

and the agreement with Germany, and

would be resented by the United States.

Secretary Bayard does not agree with

this view, and the other members of

the cabinet are said to concur with him.

The president is believed to incline to

the side of Wnitney and Dickinson.

There is probably nothing in the rumor

that either the secretary of state or

secretary of the navy will retire from

the cabinet by reason of a difference of

opinion on this matter. The president

has submitted the subject to congress,

saying in doing so that executive au-

thority had been exerted to the extent

of its constitutional limitation, and fur-

ther proceedings will doubtless await

the instructions of congress. What

is now wanting is accurate knowl-

edge regarding the character

of the agreement between this country

and Germany, So that our rights may

be clearly understood, and resolutions

have been introduced in the house ask-

ing for this information. Until con-

gress obtains the desired information,

if it shall be deemed in the public in-

terest to give it, it does not appear that

anything more can be done than has

been done. The government has dis-

patched ships of war to Samoa to pro-

tect American citizens there, and this

The request made by the secretary of

the navy of the secretary of

of policy that would enable him to

give clear instructions to the naval

commander sent to Samoa appears en-

tirely proper, yet the reference of the

whole matter to congress by the presi-

dent may fairly be held to have re-

lieved the state department of any obli-

gation to define a policy for the govern-

ment, further than what was already

indicated in the communication to con-

gress by the president. The most se-

rious fault of Secretary Bayard appears

to be in not having given congress as

full information as there is reason to be-

lieve he might have done, but it

was quite as much the duty of

the president as of the secretary of

state to see that congress was placed in

possession of all the information nec-

essary to intelligent action. It is not

probable that the differences of opinion

in the cabinet in this matter will cause

any member of the administration to

THE MANAGERS AT FAULT.

Chicago, Burlington & Quincy road.

written to a stockholder who had evi-

dently presented at length his views of

railroad management, is interesting

for its frank avowal that if railroad

trivances, whether they were lawful or

in contravention of law. Having de-

termined to remain in the field of com-

petition, the president of the Burling-

ton appears to have left pretty much

everything else to the determination of

his subordinates, evidently with full con-

fidence in their ability to go as far as the

A lotter of President Perkins, of the

for a definite statement

is as far as executive power can go.

state

resign.

for the support of the university.

university. What business

the

versity not to do it.

and settle it now.

But is such limited responsibility as tailed exhibit of the appropriations Mr. Perkins confesses to , all that the stockholders in a railroad have a reasonable right to expect of the man by the institution. This exhibit will whom they place in control of their interests? Is it sufficient that the head if any, of them are familiar with the of a great corporation, having in his charge the investments of a large number of people, shall simply decide the this state have been subjected to for an question of carrying on business and leave wholly institution of learning that was designed to irresponto be self-sustaining by its founders. sible subordinates the matter Fully three-fifths of this large fund is of determining the methods? The railroad presidents who are endeavorother laboring classes of the state. The ing to effect an arrangement to prevent rate wars, and professedly to setwo years, is taken directly from the cure the enforcement of the inter-state pockets of the farmers and laboring law, evidently do not think so. It is a vital part of the proposed agreement this great sum of money? It is used to that railroad presidents shall concern themselves with the class of details of logic and philosophy, of biology which they have heretofore neglected, and zoology, of music and the and the neglect of which has admittedly been in no small degree the cause of fine arts. A large part of it is used to keep the Latin school going. The many of the difficulties in the railroad Latin school is a mere high school in situation. The discovery was made the university. Its sole object is to that irresponsible subordinates are apt to be faithless and untrustworthy, and that they have no regard for legal obof music and art, gives instruction to ligations and restrictions. Investigamore than one half of the students in tion has shown that they have been quite generally guilty of the most perhas the university to provide this nicious practices. In order to remedy this, railroad presidents propose to very union schools in the state that are domaterially curtail the authority of subordinates, and in future to take the diing this same work. It is their business rection of certain matters entirely out of their hands. Although it is to be inferred from his letter that Mr. departments were abolished, along with Perkins does not have very great a half dozen of the professorships which faith in the efficacy and permanence of the proposed arrangement, sphere, the university of Nebraska being one of those who believe that railroads should be left to work out their own salvation subject only to the natthoroughly and well. It could do this ural laws of trade, we believe he has become a party to it. In this he has at the state to raise a dollar by taxation least shown a commendable willingness to enlarge the scope of his responsibili-

> The greater interest which railroad stockholders are taking in their properties is reassuring. It is a good thing for investors to occasionally demand an accounting from those who are employed to protect their property. More of this on the part of railroad stockholdholders might help materially toward the solution of the railroad problem.

JIM CREIGHTON'S CARAVAN. The tactics pursued by the supporters of Jefferson square in their effort to create public sentiment in favor of their scheme are simply disgraceful. A caravan consisting of some forty old strikers, heelers and bummers are marched under the lead of Jim Creighton and John B. Furay from ward to ward, and meetings called by the citizens to discuss the city hall question are overawed and bulldozed by this gang of lungtesters into voting ready-made resolutions in favor of Jefferson square. The same gang that "carried" the resolutions on Friday in North Omaha monopolized the meeting in the Second ward Saturday, and after freezing out the citizens of that ward, "carried" the hand-me-down resolutions unanimously for Jefferson square.

The most disgraceful part of these performances is the fact that Jim Creighton's caravan also drags along to each of these meetings from fifteen to twenty employes of the postoffice, with poor Mr. Overall as the head of the postal contingent. We are credibly informed that these postal carriers and clerks have been dragooned into this service by threats of dismissal, and are made to tramp around the city after a hard day's labor out of fear of losing their positions.

On Sunday several thousand of the Jefferson square pamphlets were handed out by clerks of the postoffice to patrons who called for their mail. These pamphlets were not directed to any particular person, and were not stamped. On the face of it this is a high-handed violation of the postal laws. But Jim Creighton is now postmaster of Omaha, with his son-in-law holding the commission. They expect within two months to vacate that office, and they are using its power and patronage regardless of law or common

decency. To cap the climax the influence of the board of public works is being used to reinforce Jim Creighton and his mercenary cohorts. The board of public works is made up of three members, but Furay and Balcombe, who pracically constitute the board, are openly engaged in engineering the repudiation campaign. Contractors and inspectors are given to understand in plain language that they will incur the displeasure of the board of public works if they dare to actively favor the retention of the city hall on Farnam street. Instead of attending to their official duties, for which all classes of citizens are taxed, Balcombe and Furay are devoting their energies and time to concocting plots and counter-plots by which the election shall be carried in favor of the Jefferson square site. Omaha has witnessed many campaigns, but never has official position

been prostituted in such a flagrant man-THE political situation in France assumes fresh interest from the unexpected and overwhelming victory of Boulanger in Sunday's election, in consequence of which a ministerial crisis is threatened. This renewed and astonishing attestation of the popularity of the successful candidate is only to be accounted for as an expression of the popular hostility to Germany, of which Boulanger is the most conspicuous representative. Except this he has nothing to commend him to the confidence and support of the people. As a military man his record presents not one notable achievement, and he has made no mark in chamber of deputies except as an obstructionist and disturber. But he is believed to be a thorough hater of Germany, and in full sympathy with the patriotic desire that France will some day get even for the disastrous conflict of eighteen years ago, and this commends him to the popular favor. A stronger man than Boulanger has subordinates of any competing railroad shown himself to be in the ability to

grasp and use great opportunities might under present circumstances become a dangerous enemy of the republic, but a firm opposition to any programme he may plan may probably defeat it. President Carnot seems to be the only man with the courage to keep his hand firmly upon the helm of state and confront the responsibilities of the situation. While ministers are proposing to abandon their posts he announces that he will continue in the performance of his duty. The events of the near future in France will be regarded with universal interest.

If it is true that carriers of United States mail were vesterday distributing unstamped and unaddressed pamphlets along their routes in this city there should be summary punishment for such defiance of law. The carriers can hardly be held culpable. The postmaster, who is lending his influence to the gang now bent on defrauding Omaha, is the culprit.

THERE are rumors of large discoverles of coal in Dakota. Even if the rutaors be true they will have no particular effect upon the price of fuel. The cost of coal seems not to be regulated by the law of supply and demand, but by the arbitrary will of monopoly.

It Will Eventually Get There. Buffalo Express. Of the ultimate triumphs of high license in, his state there can be no doubt,

Not the Man for It. Denner Republican Mr. John M. Thurston of Nebraska is not

fit to be secretary of the interior. The Way He Looks at It.

Secretary Bayard has construed it: "The man who tears down the American flag will be placed upon the pension rolls."

The Way to Preserve Peace. Chicago Herald. If Uncle Sam might take a few social schooners of beer with Bismarck it would do far more to preserve peace than all our war

An Object Lesson in Politics.

Detroit Tribune. If there is a young man anywhere in front of this paragraph who is politically ambitious and is sorry for it, who has a terrible itching for public office and wants to be cured. tet him go and hold communion with Secretary Bayard, and we reckon he will come away with a specific that will allay the irri-

Disgraceful and Contemptible.

It was bad enough to be humbugged and intimidated by Germany on our own account, but to covenant with a weak, dependent and friendly people like the Samoaus to protect them against foreign domination or assault and then abandon them to their fate at the first show of armed force was disgraceful and contemptible.

Senator Washburn. Springfield Republican.

The number of millionaire senators, estimated now at from thirty to thirty-two, or nearly one-half the entire senate, has been increased by the choice of General W. D. Washburn to succeed Sabin, from Minnesota. Washburn is a railroad president, is worth \$5,000,000, and lives in a million-dollar house at Minneapolis. He was born at Livermore, Me., in 1831, and is a graduate of Bowdoin college. He made his money in lumber.

The Anti-German Fuss.

Chicago Tribune. German fuss now being made over Somoa, so far as it concerns any rupture of the rela tions between the United States and Germany, is not an effort to build a mountain out of a molehill. So far as any treaty obligations between this country and Samoa are concerned, even accepting the most radical view of them, they amount to nothing more than the benevolent expression of a friendly interest in the future welfare of these unbreeched islanders, sufficient to keep a coaling station there for the advantage of a trade with those little specks of islands in the midst of the Pacific which we do not yet possess.

The Bounty Craze. Senator Vest, of Missouri, presented the following unique petition in the senate re-

cently from one of his constituents: To the Senate of the United States: I Henry S. Chase, a resident of St. Louis. Mo., in behalf of myself and other dentists of the United States who may think as I do, respectfully ask you to give a bounty of \$1 on each tooth filled by dentists for the pres ervation of those teeth, in order to encour age an honest industry and thereby encour age competition among dentists, which will lower prices to patients and moreover encourage immigration of dentists from all parts of the world to this country, thereby making a better market for all the agricultural and other products of home industry, the cash for this purpose to be taken out of the general treasury of the United States for the purpose aforesaid.

STATE AND TERRITORY.

Nebraska Jottings. A move is being made to organize an A. O. U. W. lodge at Wisner. The great need of Valentine just now said to be a first-class flouring mill. Eight ladies of Stratton have organized a brass band. Three of the ladies are married

George Briggs, of Cody, has been held for rial at Valentine under \$300 bonds for selling iquor without a license The young men of Union have formed a

and five are single.

fire company and christened it the "Union Fire, Hook and Ladder company. The Fairbury city council has appointed chief of the fire department, and appointed a committee to solicit members for a fire com

A. W. Crites, receiver of the Chadron land office, has brought suit against the editor of the Hemingsford Guide for \$10,000 damages on account of an alleged libelous article pub ished in that paper. The board of directors of the Gage County

Agricultural society has selected October I. 2. 3 and 4 next as the date for the county fair. New buildings will be erected and other im provements of the grounds made. A large mountain tion has been terrifying the inhabitants on the Bordeaux. in Sheridan county. The other day a farmer, assisted by his dog, on tertained the animal

while a neighbor started out to procure a rifle, but the messenger's courage failed and he didn't return. The lion still lives. Among the messengers employed by the Sidney Telegraph to bring in returns the recent county elections was Daniel Adams, of Bushnell. He was not a giddy youth, to be sure, being in his eightieth year. He had heard his grandfather preach when the latter was 106 years old, and his grandmother knit him a pair of socks when she was over 100. This industrious, ancient lady was a niece of William Penn. The many romps and rambles he and the people of George Washington's day had together the gentleman falled to mention.

lowa The Panora chess and checker club challenges the world. The business men of LeMars are moving for a board of trade. A movement is on feel at Ottumwa to or

ganize a stock company for the purpose of building an opera house The Hardin county teachers will meet at

Ackley February 8 The Des Moines cotton mill made its first hipment of sheeting last week. Misfortunes never come singly. A West

Side man lost his pocketbook containing \$105 and his cow died the same night. The Clinton News wants that city to purhase the electric light plant present owners, and claims \$10,000 per year profit can be realized on the investment

There is a movement on foot between the opera house managers of Osage, Austin, Charles City, Nashua and Waverly to or-ganize a society and provide a better class of entertainments than have been given at these places.

Alexander Clark of Muscatine, who is one of the first among representative colored nice of the west, is an applicant for the position of recorder of deeds of the District of Columbia, a place formerly held by Fred Douglass. Within a few days two injunctions have

Three indictments have been and a verdict rendered by a judge for \$500 for making one John Reelz drunk, whereby he was caused to lose a team of horses and sustain other damages to himself and prop-

The Great Northwest. A gold stampede is on at Lander, Wyo., and it is reported that claims have been

staked off within five miles of the city. The Nevada board of pardon heard thirty applications for pardon this term at Carson and but six of the lot were acted on favor

The necessary funds have been raised at Pueblo, Colo., to secure the completion of her fifteenth railroad, the Pueblo, Gunnison & Pacific. A movement is on foot at Carson to char-

a train and take the State militia of Washington to attend the inauguration coremony in March. Some street gamins at Modesto, Cal., drove street fakir from the town by firing a big

bomb under a dry goods box which he was

using as a platform. A number of young men in Cheyenne have organized an anti-profamity club. The club, it is said, is intended for the salvation of those who engage in real estate speculations. Charles Lunsdaller, a Scandinavian who arrived at Port Townsend a few weeks ago with his wife and seven children, has been arrested for the murder of his first wife in Fergus Falls, Minn., last March.

The Salem City, Idaho, Recordersays the weather for the past twelve days has been the coldest ever known for the same length of time, the mercury ranging every night from 25 to 35 degrees below zero.

Frank Burt, who threw the contents of a ottle of nitric acid into the face of Frank Tooley, at Rawlins, Wyo., has been arrested. Upon being arraigned he waived examination and was held to the grand jury in bonds of

\$1,000. Chim Foo, a wealthy Chinese storekeeper in Denver, got a divorce the other day from his wife, Wang Toy, who had taken up with a younger Celestial and run away from Chim Foo. The husband was very anxious to Foo. The husband was very anxious to have it "in the bill" that he was not to pay

any alimony, and the court agreed. William Kennedy, alias Red Shirt Bill, has been arrested in Clarendon, Tex., charged with the murder of Henry Long, of New York, and Harry Duan, of Philadelphia, at Rockport, near Rawlins. Wyo., which oc-

curred the last of June, 1888. A fish car from the east has reached Tacoma, W. T., with 300 lobsters, half of which were planted successfully at Cape Disappointment, at the mouth of the Columbia river, and the other half were sent on to Port Townsend, to be planted there under the direction of Judge James G. Swain. Sixty of the female lobsters had from 50,000 to 75,000 ergs such to 75,000 eggs each.

DICKINSON GOES HIGHER. There is No Doubt that He is Appreci-

ated by the Union Pacific.

General Superintendent Ed Dickinson, of the Union Pacific, has returned, and it is stated that an understanding has been reached between him and Mr. Holcombe which is satisfactory, and also that Mr. Dickinson will be retained in an important position with the Union Pacific management. A railway official stated this morning that it did not stand to reason that Holcombe would a man that grown up in the business, and knows it weak points as well as its strong. He stated that no person valued a good man more than did Mr. Holcombe, and that the latter had no idea of ever letting the popular genera superintendent out of the service provided the latter so desired.

The Eikhorn's Train Schedule. A new time card for the train service of the Fremont, Elkhorn & Missouri Valley is being prepared by the superintendents of the road. The Chicago train leaving Missouri Valley at 7:15 a. m., will under the new time card leave at 0 a. m. The train on the Black ternoon will arrive at 5 o'clock. The train leaving here at 7:15 a. m. for Superior con mont will leave at 8:14 in the morning. The change which will be inaugurated Februar 3, is necessitated so as to correspond with changes of time on the Chicago & North western, taking effect on the same day.

Wreck at the Transfer. An open switch at the transfer yards re sulted in the wrecking and derailment of switch engine 1160 yesterday. The engineer did not observe the opening until it was too late, and though the brakes were apolied it left the track and toppled over in the litch. The engineer and fireman, whose names could not be ascertained, jumped and avoided injury. A wrecking crew was dis-patched from Omaha and the wreck was eared up about noon. The engine was

badly damaged. Freight Agents Meet. The local freight agents met at the Milard yesterday as per adjournment, but owing to Pride, general eastern agent of the Chicago & Northwestern, having failed to forward a copy of the by-laws and regulations of a simi lar organization in New York, an adjourn-ment was taken to next Monday. The per-manent rules and by-laws will then be

New Time Card.

The division superintendents and the heads of the general passenger and ticket departments of the Union Pacific met in the gen eral superintendent's department yesterday ing to complete the new time card, which is to go into effect on all lines February 3. The changes that will result in the time of arrival and departure of trains was fully chronicled in The Bee of Wednesday last.

Will Not Be Changed.

Owing to the non-settlement of the diferential between the roads, on grain shipped from Omaha and Nebraska points to St. Louis and Chicago, the Fremont, Elkhorn & Missouri Valley will not put in the new rates on grain shipments west of North Piatte for the present as was anticipated. It will be governed, however, in this action largely by the action of the Union Pacific.

Railroad Notes. The genial countenance of E. C. Harris, superintendent of the Frement, Elkhorn &

Missouri Valley, was seen in Omaha yester-Assistant General manager Mellen, of the Julion Pacific, has returned from the east, whither he has been on business in connec tion with his road.

General Superintendent Dickinson, of the Inion Pacific, has returned From Chicago. Shippers desirous of Rock Island cars are yet unable to obtain them, and the officials of that road in Omaha can give no definite explanation of the circumstances.

Continued Again. The city and electric motor case was set down for argument ot 10 o'clock yesterday but by mutual consent of all parties

another continuance of two weeks was taken. This will bring the matter to the opening day of the February term of the district court. O. W. Gibson, of Allendale, Ind., fatally shot Thomas Gibson, of Vinconnes, Ind., on a street of the latter place. Both parties are highly connected, and will not give the cause

AN OPINION OF AN OPINION.

A Member or the Bar Criticises Judge Lake's Opinion.

JEFFERSON SQUARE WON'T DO.

The Real Value of a Legal Opinion -Some Fatal Defects-A Little Municipal History Not

Will It Be Legal?

Quite Forgotten.

OMAHA, Jan. 28 .- To the Editor of THE BEE: The advocates for the location of the city hall on Jefferson square have raised a point, in securing an opinion from Judge Lake upon the question whether said square can ever be used for the purpose of creeting thereon a city ball or other public buildings, which seems to me to be fatal to their scheme.

The judge puts forth, for a fee his legal opinion that the city hall cannot be located on that square if there has been a dedication of it to the public for the purposes of a park or an open, unencumbered square. This undoubtedly the law, and the courts will prevent any infringement or diversion of the dedication and will sustain it in its letter and spirit. Authorities are innumerable upon this point. Having laid down the laws the judge proceeds to argue the square out from under his law by denying the existence of the facts, which are necessary to make a dedication. Of course after having eliminated the facts adverse to the conclusion he would reach, in order to gratify Mr. Swift and others, the highway to the end of his legal journey is made smooth and he drives over it at a two-thirty gate, leaving a cloud of dust behind.

The conclusiveness, the real value of any legal opinion, not emanating from a court, consists in a full consideration of every fact, which can enter into and make a part of it. To assume and consider a few facts and reach a legal deduction therefrom upon any given question, settles nothing except their bearing upon the question into which they enter, leaving the real point, if affected by other and independent facts, still undecided. No one questions the correctness of the adjudicated cases cited by Judge Lake in his opinion. Pheir logical and legal force is derived from a deliberation upon every fact established in the case. The omission or the introduction of any one other fact in these cases might have changed the current of thought of the courts rendering the decisions and produced a different adjudication of the cases. Courts do not throw away nor create facts in cases they determine. They consider just what each case discloses in its record; while an attoracy giving his opinion of the law upon any point of dispute is bound to rush out and take in every fact which can possibly brought into the dispute.

I presume certain facts were laid betore Judge Lake and upon these he formulated his opinion. Without assenting to his final conclusion on the relevancy of facts, he considers, in his written opinion and how they support it. I do insist that no lawyer can give an accurate opinion-one which will stand the test of a judicial examination unless he has embraced in his work every fact which might enter into the Therefore clause.

Judge Lake has not enumerated, and I conclude, did not consider, in making his opinion, all the facts relating to the dedication of Jefferson square to the public as a "public square." and as "a if I am correct in my remempark." brance of that which took place long | is altogether most desirable), for a few ago, and when, if I am not at fault, the judge himself was city attorney, say

At the time the city council, acting in its highest capacity as a legislative body, did, with the approval of mayor, by ordinance, dedicate this square to the public for "a public square and park" forever. From that day to this the public have possessed and enjoyed it as such, the citizens of Omaha, with remarkable pertinacity the rights thus given them, have thus far resisted every attempted encroachment upon the privileges and benefits arising out of such grant or dedication. I do not believe the masses of our people will ever relinquish their interests in this park. Its enjoyment is open to

every class alike, rich or poor, millionaires or paupers. AN OLD SETTLER.
[The writer of the above is one of the ablest members of the Omaba bar and thoroughly conversant with all charter and municipal legislation in this city during the last twenty-five years. - ED.]

A WORKINGMAN'S OPINION.

He Objects to the Dictators and Politteal Hosses. Omaha, Jan. 28.-To the Editor of

THE BEE: Your correspondent is an

outsider, having no property in Omaha,

in fact, in no way interested where the

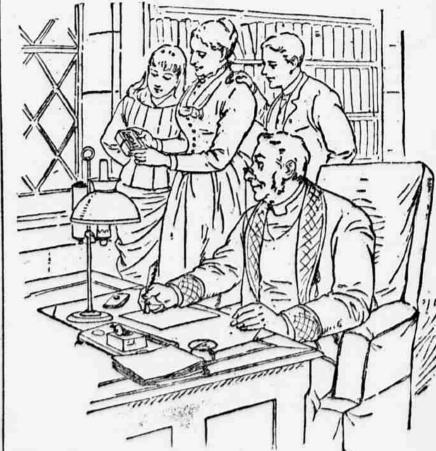
city hall may be located. But I think it's about time the workingmen and the honest taxpayers of Omaha should pull the mask off this would-be dictator of the public affairs of the city. Is not he the same person who is sometimes found in the commissioners' office, daring the board to help out any enterprise for the good of the community unless he is consulted or in some way interested himself? By his bulldozing tactics he defeated the possibility of a railroad to the north because he was not in the deal. What has this John Kelly ever done for Omaba that the people of this city will do his bidding? The man, who in his own words calls the workingmen who rests in Jefferson square a lot of loafers and bummers. I wonder what he will call the same men on election day when he will want them to vote for his pet scheme? His first argument in World is without one commendable feature-for instance, he says: "Never erect a beautiful public building behind private business houses for the benefit of the latter to the detriment of the public. Where, oh, where, are the business houses near the location on Farnam? But the following passage caps the climax: "Great care that politicians and speculative interests do not prejudice your location against public interest!" This passage alone is enough to make a brass monkey shed tears of shame. Has this great advocate of Jefferson square ever traveled much in his time or is he posted as to where public buildings ought to be erected. I think not. How many visitors coming to Omaha would ever think of going north to Jefferson square for the purpose of looking at a city hall? It might as well be in Council Bluffs, so far as visitors are concerned, as on Jefferson square. Every city of note east and in Europe has its principal street, and it is their object to have that street as attractive as possible, with their public buildings erected on the same. For instance, remove four or five of the best buildings from Farnam street and scatter them north, south, east and west and then what would the street look like? Why don't the Jefferson square dictator hold that place for the new beautiful postoffice so centrally located as he would have us believe?" I do not want to use any argument why all public buildings should be convenient to each other, as every intelligent man in Omaha knows they ought to be. Nor do want to say that a few political dictators for mercenary motives are determined to remove the city hall from Farnam street, but I do want to say to the honest workingman, do not allow yourselves to be classed with the disre-putables who will be hired to do the will of their masters, but vote like intelligent men, and refuse to be dictated to by the would-be political bosses.

A WORKINGMAN.

Doubts its Legality. To the Editor of THE BEE: Through your valuable columns, permit me, as a taxpayer, to have a few thoughts published. Is it legal and according to the law, election when it was decided then and there to build a city hall on Farnam and Eighteenth streets (which location interested parties to call another election to try and have it planted on Jefferson square? It seems to me like child's play. We want places in the city for breathing. We are a long way behind other cities in this respect. It would be more to the credit of the city fathers to beautify and make Jefferson square a thing of beauty and a joy forever. I will use my influence to have a city hall erected on Farnman street. A TAXPAYER.

Gone to Cincinnati.

Yesterday Max Meyer, Peter Boyer and Euclid Martin left for Cincinnati, where they will represent the Omaha board of trade at the ceremonies attending the opening of the new chamber of commerce Janu-



MESSRS. PROCTER & GAMBLE, CINCINNATI, O.

GENTLEMEN :- Although a stranger to you, and my testimonial entirely unnecessary, as it certainly is unsolicited, yet I take great pleasure in testifying to the excellence of your IVORY SOAP, and thanking you for putting it on the market at so low a price.

It has entirely supplanted the use of Castile and other fine soaps in m household for several years past, being in no way inferior and from fifty to seventy-five per cent. more economical.

A good test I find for the purity of a soap is to try it with a brush fo cleansing the teeth, and the taste of the Ivory so used is perfectly swee-

> Very Respectfully Yours, W. S. BAKER, M.D.

A WORD OF WARNING.

There are many white soaps, each represented to be "just as good as the 'Ivory';" they ARE NOT, but like all counterfeits, lack the peculiar and remarkable qualities of the genuine. Ask for "Ivory" Soap and insist upon getting it.

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managers are to blame for the existing situation, it is the head men and not the subordinates. While confessing that he has not given orders about the details of the road of which he is the head, and does not even know in detail what has been done, Mr. Perkins nevertheless assumes the entire responsibility for the management of the road for the reason that he has not taken it out of the field of competition. In other words, he has allowed the road to go on doing business under methods and practices devised by his subordinates, such as were denounced by the inter-state commerce running for senator last commission, without troubling himself to ascertain the character of these con-