THE DAILY BEE

E. ROSEWATER EDITOR.

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The Bee Publishing Company, Proprietors
THE BEE BUILDING.

SWORN STATEMENT OF CIRCULATION.

State of Nebraska, } ss
County of Douglas. }

George B. Tzschuck, secretary of THE BEE Publishing company, does solemnly swear that the actual circulation of THE DAILY BEE for the week ending May 2, 1891, was as follows:

Sunday, April 26	27,410
Monday, April 27	24,710
Tuesday, April 28	24,676
Wednesday, April 29	24,833
Thursday, April 30	25,195
Friday, May 1	25,260
Saturday, May 2	25,704
Average	25,416

GEORGE B. TZSCHUCK.

Sworn to before me and subscribed in my presence this 2d day of May, A. D. 1891.

N. P. FEIL,
Notary Public.

State of Nebraska, } ss
County of Douglas. }

George B. Tzschuck, being duly sworn, deposes and says that he is secretary of THE BEE Publishing company, that the actual average daily circulation of THE DAILY BEE for the month of May, 1890, 20,180 copies; for June, 1890, 20,101 copies; for July, 1890, 20,667 copies; for August, 1890, 20,769 copies; for September, 1890, 20,570 copies; for October, 1890, 20,562 copies; for November, 1890, 22,130 copies; for December, 1890, 23,471 copies; for January, 1891, 28,446 copies; for February, 1891, 25,312 copies; for March, 1891, 24,065 copies, for April, 1891, 25,168 copies.

GEORGE B. TZSCHUCK.

Sworn to before me, and subscribed in my presence, this 2d day of May, A. D., 1891.

N. P. FEIL,
Notary Public.

IF THE Illinois legislature finally enacts the Australian ballot law we can condone its offense in electing Palmer to the senate.

PRESIDENT HARRISON is now headed for Omaha. He will be here on schedule time unless Providence plays a heavy hand against the presidential excursion train.

THE most effective argument thus far advanced against Mr. McKinley's candidacy for the presidency is found in the fact that the wages of plumbers in England are just one-half what they are in America.

PRESIDENT HARRISON has given neither friend nor foe offense by his short, pointed and excellent addresses to the people on his tour, but he has greatly improved the chances for republican victory in 1892.

FOUR members of the South Carolina delegation in congress have each killed their man. In the Palmetto state this is one of the elements of statesmanship. They are said to be the brainiest men of the delegation.

THE extension of the Omaha road from Bloomfield to Yankton or Niobrara is begun. Its completion to a South Dakota connection opens to Omaha a new field for jobbing trade which should be promptly occupied.

IF there are no vacancies in the police force there should be a few made. The disabled, lazy and indifferent ought to make way for some of the gallant army of 50 hustlers who weigh 190 pounds each and want to be on the force.

THE tinplate industry promises so well that the democrats have retired the tin bucket from politics. Reciprocity is above criticism in principles and results. The antagonisms of the democracy are now directed against the tariff upon South American monkeys and Italian queen bees.

THE Chilian captain was too much for the United States authorities at San Diego. He not only steamed away with his vessel and cargo, but carried off a deputy United States marshal. It is safe to say, however, that he will have no use for the officer after escaping the jurisdiction of Uncle Sam.

JAY GOULD found himself in good enough health to attend the meeting of the Western Traffic association. He has also managed to sweeten the bitterness of some of the roads upon the sugar controversy. Gould's road got the sugar and Gould's traffic man, Leeds, will make an explanation for the benefit of competitors in the future.

THIS march of Omaha toward second place as a packing center is so firm and steady as to be monotonous. For the week ending March 6, the report shows a falling off in the total pack of hogs of 25,000, as compared with last year, but Omaha has gained 20,000, while Kansas City has fallen off 36,000. Last year we were 116,000 behind our rival; now we are but 60,000 in the rear and still gaining.

JUDGE STEPHEN J. FIELD is now long past the age when he can retire from the supreme bench with full pay. He is contemplating retirement, but the democratic press insists that he shall hold on until they have had a chance to elect a democratic president. The justice is a democrat and once sought a nomination for the presidency from a democratic convention. It was denied him and he feels that a democratic president is too improbable an expectation to bank upon. He will therefore probably resign.

THE fellow, F. A. Blanchard, who tried to induce Omaha to send him on a globe-trotting expedition as an advertisement in competition with Train, having been refused, writes to Sioux City that Omaha is in a bad way and Sioux City ought to take up his idea and send him off to advertise her resources. The Iowa metropolis is as indifferent as Omaha, and probably Mr. Blanchard will conclude Sioux City is not enterprising enough to squander $1,000 for Blanchard's proposed junket around the glob

PAYING DEBTS WITH FIAT PROMISES.

We have just been favored with an open letter from Speaker Elder which we presume was intended for publication.

It reads as follows:

THE OMAHA BEE of May 1, 1891, contained an editorial commenting upon an interview with myself by a BEE reporter April 30, in which it inferred that I, with the independents, admitted that we knew beforehand that Governor Boyd would not sign the maximum freight rate bill. We knew nothing of the kind, but we felt satisfied from the actions of both old parties before the election that such would be the case, and when the legislature was organized it was plain to all thinking men what the result of independent legislation would be, that is, if a combination strong enough could be made to accomplish the desired results.

What could the independents do but to pass a maximum freight rate bill based on the Iowa rates and be true to their constituency and to their honor? Nothing, because the people of Nebraska drafted it in their platform, and a majority of the legislature, both houses, was elected on the platform so made, and it was nothing more than the duty of those elected to abide by the will of the people emphatically expressed at the ballot-box under the laws of what we call a free republic.

Now, it is a well-established fact that in law there are three divisions or departments in making and controlling law. The governor has a perfect right to consent or dissent as he chooses. But the legislature, which is always first in the commencement of government, and upon a question declared a special issue in a platform and passed upon favorably by a majority of the people, then when the governor withholds his signature, it must necessarily follow, that, politically speaking, he bears the consequence of what the public may think of his official acts. And when you take the public press to try and say that a party of men comprising a majority of the law making power of a state passed a law fulfilling a command made by the people, simply for political effect, is too thin to hold water. It is much easier to ask a few questions and jump at a conclusion than it is to write out a general line of facts and make them conform to the will of the people. But it sounds very queer when a paper claiming to represent the republican party charges the independents with forming a prominent wing of the democratic party and then turn around and say that they put a democratic governor in the soup. We still think "Consistency, thou art a jewel."

S. M. ELDER,

Clay Center, Neb., May 2, 1891.

Inasmuch as Mr. Elder has taken it upon himself to correct THE BEE, it is eminently proper that THE BEE correct Mr. Elder and place him in his true light before the state. In doing so we sincerely regret that we cannot hold Mr. Elder up as a man of whom the alliance has cause to feel proud.

Long before the legislature convened Mr. Elder was talked about and seriously urged by the railroad managers as a compromise candidate for speaker in case the republicans and democrats could not harmonize upon a man. This information reached THE BEE through parties who made it their business to sound the railroad managers in their political councils. Mr Elder's election as speaker was hailed by the corporation lobby as a victory and his conduct as speaker did not disappoint the oilroom gang. Mr. Elder's shortcomings as presiding officer of the house might be condoned. A farmer who had never taken part in a legislative body could be readily excused for a lack of parliamentary tactics and even for ridiculous blunders in the chair. But Mr. Elder's failings were not confined to his rulings on questions pending before the house. Very early in the session he was decoyed into the dragnet set by the adroit cappers, of whom Paul Vandervoort was the chief. Their snares brought him under the domination of the corporation lobby, and from that time on to the end they were his masters and he their creature.

Speaker Elder allowed them to block all wholesome legislation and they dictated the sifting committee through which all measures that were offensive to money sharks, insurance companies, the book trust, the penitentiary contractor, and railroad telegraph and telephone monopolies were strangled. So much as a preliminary explanation, which THE BEE regretfully makes, in order to undeceive the people who sincerely desired to see legislation that would afford relief to the producing and industrial classes.

Now as to railroad legislation. Mr. Elder asserts that he in common with the independents did not know beforehand that Governor Boyd would not approve the Newberry bill. There are none so blind as those who will not see. Mr. Elder and his colleagues had ample knowledge of Boyd's views on the railroad question. Boyd himself took pains to make them known. He pledged himself to approve a maximum rate bill that would reduce the toll on staple commodities, including coal, lumber, live stock, grain, hay and salt. During the session and before the Newberry bill had passed the house, THE BEE warned the legislature against it because it would surely be vetoed and, even if passed over the governor's head, would be declared unreasonable by the courts because it failed to take into account the difference between the volume of railroad traffic in Iowa and Nebraska. At the same time THE BEE urged the passage of the Stevens maximum rate bill because it had been drawn with a view of overcoming these objections. Governor Boyd might have vetoed this bill also for all we know, but it could have been passed over his veto and would have stood the test of the courts. But even if the Stevens bill had failed, the legislature could readily have passed a maximum commodity bill and had it approved beyond any doubt. Such a bill would have covered nine-tenths of what the farmers sell and buy. It would have been the entering wedge and prepared the way for further restrictive railroad legislation.

Mr. Elder asks: "What could the independents do but pass a maximum freight bill based on the Iowa rates and be true to their constituents and their honor?" They could and should have done the next best thing if they sincerely intended to give the people relief, instead of contenting themselves with voting for bills which they knew would either be killed by the governor or pronounced void by the courts.

Suppose the political conventions had demanded the New York freight and passenger rates for Nebraska and the legislature found that such a rate was not practicable, would they have been justified in refusing to make any reduction whatever because they could not get all that the politicians of their party had pledged from the stump? In other words, can Speaker Elder or any other independent explain why the legislature adjourned without prohibiting passes or reducing either freight or passenger rates? Why did they choke off the usury bills, and why did they fail to enact any law by which the people are protected from imposition and outrageous exactions by the various monopolies that are taking millions annually out of the state without adequate returns? What is the use of an anti-monopoly reform legislature that contents itself with paying its obligations to constituents with due bills on the future?

A NEW MARKET FOR SILVER.

The disastrous financial experience of the Argentine republic may bring some benefit to the silver producing interest of the United States. It is reported that the Argentine government having found it impracticable to restore the currency of the country to the gold standard has determined to establish a silver basis. If this is the case, and it is altogether probable, it will very likely create a considerable additional demand for American silver, for it is to be supposed that the required supply will be sought for in this country if it can be obtained here. There is no data at hand to show what amount of silver the Argentine republic will need to replace its depreciated paper, but it must be very considerable. The question naturally suggests itself whether the United States is in a position to supply it, and the obvious answer would seem to be that it cannot do so unless there is a considerable increase in the production. The amount required under the law to be purchased annually by our own treasury department leaves a very small surplus, hardly sufficient to meet the demand for other uses, and as our producers would doubtless prefer to sell to their own government the Argentine republic will have to look elsewhere for its silver supply unless this country produces more than at present.

Of course an increased demand would stimulate production. This has been shown since the last silver law was passed. But how much of an increase can be made it is impossible to say. Undoubtedly the maximum limit of production has not been reached, nor is it probable that the silver territory is all being worked. The certainty in the matter is, that if the Argentine government comes into the market with a demand for a large and constant supply of silver the price will advance, and this must happen whether the silver is supplied from this country or obtained elsewhere. Should the effect be to establish a parity between silver and gold with a reasonable probability of it being maintained, the solution of the silver question would be reached and the cry for free coinage in this country would subside. This possibility gives interest to the reported financial departure of the Argentine republic, but unfortunately the complicated state of affairs in that country and the foreign influences that control there warrant a doubt whether the government can carry out any financial policy it may propose.

THE POSTOFFICE BUILDING.

It is now stated that the supervising architect of the treasury department is drawing plans for the new postoffice building with a view to placing the structure flush against Sixteenth street, thus making Seventeenth street face the backyard. The square is 240x264 feet, the long fronts being on Capitol avenue and Dodge. The proposed building is 120x200. It will be observed that fronting on Sixteenth street will leave but 20 feet between the north and south ends and the two streets respectively, while there will be 164 feet between Seventeenth street and the west wall of the proposed building.

This will waste the block for less than half of it will be occupied and the whole purpose of securing an entire square will be nullified. The building should either stand in the centre of the square with the length toward the north and south ends of the block or toward Sixteenth and Seventeenth. In the future when required, wings can be added and the general beauty of both grounds and buildings will not suffer, whereas if the proposed scheme is carried out the parking which ought to be and is contemplated will not be seen at all from Sixteenth street.

The square is very low and must be piled before the building is erected. The farther west the building stands the better will be the foundation. It can just as well be an ornament to the city as otherwise. If placed in the centre of the block with fronts on both Capitol avenue and Dodge street, there will be 70 feet on either side for parking and ornamentation. When wings are added, supposing them to be 100 by 60 on each side, there will still be four corner parks each 82x70. The public buildings and grounds will always be handsome if this course is followed, but if the plan as now proposed be adopted no one will be benefited and the harmony of the whole structure will be ruined. THE BEE hopes the delegation in congress and all concerned will not permit the present proposed scheme for erecting an enormous stone house with an ugly back yard to be consummated. Neither citizens nor the government contemplate giving Sixteenth street all the business benefits of the new postoffice, but the plan suggested will not interfere in the least with this idea which prevails among some property owners on that thoroughfare. It will beautify and improve the four streets surrounding the postoffice square and injure none.

THE new amendments to the Maine liquor law, intended to give it greater stringency, went into effect on the first of the present month, and are already meeting with a vigorous protest. One section of the amendments relates to express companies and these have decided to carefully comply with it by refusing to transport any package known to contain liquor. The hotel men of Augusta and other cities are proposing to close their houses, and there is a great deal of complaint from merchants that the enforcement of the law is injuring business. In Bangor the hotels and saloons continue to disregard the law, as they have done for years, but doubtless the supporters of the law will in due time summon all the powers they can appeal to for the suppression of the traffic in that city. There has been an increase of intemperance in Maine during the past year or two, and it remains to be seen whether it can be checked by the more stringent provisions of the amended law.

A BLUNDER OR SOMETHING WORSE.

It is announced that Mr. E. C. Carnes of Seward has been appointed state oil inspector by Governor Thayer. No act by Governor Thayer could have scandalized the republican party more than the appointment of Carnes to any position of honor, profit or trust.

Carnes has for years prostituted himself and disgraced the party by acting as a political procurer and legislative oil room lobbyist. He has made merchandise of his influence and gambled in legislative options on measures that were pending. Nothing has reflected more seriously upon the supreme court, and particularly upon Judge Norval, than the fact that this notorious lobbyist at various stages of the Thayer-Boyd contest boldly and openly offered bets upon the outcome and virtually proclaimed that he had a string tied to Judge Norval that he could pull at his pleasure.

It is an open secret that Carnes had no legitimate business at the capital during the late session of the legislature, and his sumptuous living at the Lincoln hotel must have either been gotten out of the corporations, at the gaming table, or is he going to recoup himself out of the perquisites of the oil inspecting business?

It Governor Thayer is under any obligations to Carnes for services rendered or influence exerted he should have paid him out of his own pocket, but when he appoints such a disreputable person to a position that ought to be filled by a man of unbending integrity, he gives proof more potent than holy writ of a bargain of which his worst enemies scarcely would believe him guilty, and stultifies himself before all reputable citizens. The selection of Carnes only emphasizes the current opinion that the so-called inspection of oils is simply carried on for the benefit of boodlers who are foraging upon the Standard oil monopoly while at the same time playing into its hands.

CALHOUN, a democrat accused Lieutenant Governor Majors of being a party to a combination to put Manderson in the cabinet, Thayer in the senate and Majors in the gubernatorial chair, whereat the chronicler says the statesman from Nemaha turned pale and uttered not a word. No wonder. The gall of Calhoun and the stupendous absurdity of his accusation would make an African white as a ghost.

THE ordinance for the removal of all dairies beyond the city limits is right on general principles whatever equities there may be to the contrary in individual instances. An ordinance imposing more severe penalties for adulterating milk and providing better means for the detection of dishonest dairymen would be another move in the right direction.

IT is entirely probable that the committee on kindergartens appointed by the board of education can learn a great deal upon the subject by visiting the cities in which they are successfully operated as a part of the public school system. The visit to be entirely profitable to all concerned, however, should be at private expense.

MAJOR PADDOCK has been elected commander of the Loyal Legion of the state. Mr. Jay Burrows must look to his laurels or the doughty granger of the Pappio will be poaching on his preserves and be elected generalissimo of the alliance forces.

Survival of Evil.
Chicago Post.

"Old Hutch" disappeared, but his transactions still remain a matter of record. "The evil that men do lives after them."

Love's Delight.
Chicago Herald.

A ninety-one-year-old bridegroom espoused a twenty-three-year-old bride in this city on Thursday last. "In joining contrasts lieth Love's delight," says the poet.

Fair Sample.
New York Journal.

Those young women of St. Louis who first cowhided a man who sent one of them an insulting letter and then had him arrested by the postoffice authorities, can be pointed out to foreigners as specimens of the stuff of which American women are made.

Prepared for War.
New York Sun.

An Italian immigrant who landed at New York last week carried a stiletto, and confessed that he had used it freely at home before embarking to this country. It was a good case, and he was sent back to Italy. No man should be allowed to land on American shores who comes prepared for war. Those who seek homes in America must come in peace or not at all.

A Phase of Prohibition.
Denver News.

The astonishing statement is made that there are more women than men in the Topeka, Kan., jail. And this is taken as a marvelous showing for prohibition. The real significance of this phenomenal fact could be more certainly determined if the number of the Topeka jail inmates were given. What if it be only three, or five or seven. Such numbers would mean nothing. There is no juggling like that which can be done with figures.

Vivid Signs.
Yankee Blade

One of the most vivid signs of the rapid growth of our country is the rapid trend westward of the entire population. It is not so very many years ago when Indiana was considered a western state in reality as well as in name. But now a man in the southern part of that state stands nearest the central point of residence of over 62,000,000 of people. By the time 1900 arrives it is likely that somewhere in Illinois the same objective will be found. To many eastern people who have never traveled, this seems difficult to realize. The "wild and woolly" west is already at the front and forging ahead with strides that are simply stupendous.

DEFIED THE UNITED STATES.

The Captured Chilian Vessel Escapes from the San Diego Harbor.

CARRIED OFF A DEPUTY MARSHAL.

She Was Thoroughly Armed and Prepared to Resent Resistance—American Firms Furnishing Aid to the Combatants.

SAN DIEGO, Cal., May 7.—About 5:30 last evening the Chilian steamer Itala lifted her anchor and steamed quietly out to the ocean, carrying with her Deputy United States Marshal Spencer, who, as far is known, is still on board. The departure of the Itala was not unexpected, though it was not supposed she would leave so soon as she did. Marshal Gard was not aware that the captain of the Italia had any intention of disregarding his authority for he left for Point Loma in a launch just an hour ahead of the steamer and had passed the point and proceeded some distance out to sea before he could have been aware that the Itala was following him. The marshal's errand on his second trip was to take the schooner Robert and Minnie anywhere she might be found in open sea outside of Mexican jurisdiction as a piratical craft.

There has at no time been any real doubt in the minds of those best informed that the ammunition which the Robert and Minnie carried was intended for the Chilian transport and that it would be transferred to the Itala for the use of the insurgents as soon as the steamer obtained what supplies she needed in port. The Chilians laid their plans well and they were carried out to the letter, regardless of the interference of the United States authorities.

Just after midnight this (Thursday) morning Marshal Gard and party returned from the outside and reported that the schooner Robert and Minnie had completely disappeared. The deputy marshal who had been placed on a small boat at the entrance to the harbor to watch developments reported that when the Itala started Pilot Dill was sandwiched between two armed Chilians, while four cannons guarded the bow and stern of the steamer. He reports that at least eighty Chilians were drawn up in line on the decks, showing that the vessel while in port had been plentifully supplied with men, arms and ammunition. The deputy reports that when the steamer left the harbor she steamed north toward San Clementa.

Backing the Contending Forces.

WASHINGTON, May 7.—The rumors about the two New York firms interested in the Chilian trouble have now taken definite shape by the naming of the firm of W. R. Grace & Co. and of C. B. Flint & Co. as the commercial houses who are backing the opposing sides in the Chilian insurrection. Grace sustained the revolutionary or congressional party in Chili, which contends that President Balmaceda is holding power by a subversion of the constitution. Flint threw his influence to the side of the existing government. It is stated that Flint & Co. sent some time ago two large consignments of arms to Balmaceda. There were 250 cases of rifles and 750 cases of cartridges in each consignment. There have also been shipments of arms on an extensive scale by friends of the other faction. All kinds of complicated questions of neutrality are said to be involved. Grace & Co. has branch houses for the purchase and sale of general merchandise at Lima, Calla, Valparaiso, Guayaquil and San Francisco. It is the fiscal agent of the Peruvian government.

During the war between Peru and Chili it took an active share on the side of the former, furnishing the government with arms and other weapons. When the Chilians entered Lima the agents of the victorious government, desiring to wreak special vengeance on the Graces, destroyed their property wherever it could be found. The firm brought claims against Chili amounting to $2,000,000, which were allowed by the international commission. Chili refused to pay on the ground that the Graces had given aid to the enemy. This was the beginning of the enmity between this powerful house and the party then in power and now represented by Balmaceda. The stations of the house were in charge of John Grace, a member of the firm who represents its interests in Chili, and he fought hard to obtain recognition of his judgment from the present Chilian administration.

The Graces have had a valuable ally in Chili in the person of one Richard Trumbull, an American by descent but a Chilian by birth, a member of the Chilian congress, a sharp, shrewd, successful lawyer, whose influence and aid have been cast with the insurgents. He comes of good American stock. His grandfather was the famous revolutionist Jonathan Trumbull of Connecticut, and his father was the first Protestant minister to settle in Chili. Last January he came to New York and spent some months in this country, openly acting as the agent of the insurgents. He made his headquarters with Grace, with whom, it is alleged, he had commercial relations in Valparaiso. When last heard of he was in San Francisco not over a week ago, and there is reason to suppose he was not there for pleasure. He is supposed to have bought arms from or through the house of Grace, shipped them to San Francisco and there loaded them upon a vessel which he ran down the coast a short distance, where he was to be met by an insurgent man-of-war, to which they were to be transferred.

In the meantime Mr. Flint had not been inactive. He was here last Sunday and had an all-day conference with the Chilian minister, Senor Lasczano. Tuesday morning a dispatch came east to the effect that a Chilian vessel had put into Wilmington, Cal., laden, it was said, with rifles. The minister at once asked the secretary of the treasury that his agents on the coast be instructed to examine the craft. Orders to that effect resulted in the efforts put forth at San Diego to capture the suspicious craft.

What Flint Says.

NEW YORK, May 7.—Charles B. Flint, head of the South American shipping house of Charles B. Flint & Co., smiled yesterday when asked if it were true that his firm and that of W. R. Grace & Co. were interested in prolonging the Chilian revolution.

"No," said Mr. Flint, "that story is not true so far as our house is concerned. We are not in it. I don't believe there is any foundation for the report that any commercial house is interested in prolonging the revolution in Chili. It is of course to the interest of every house having business with the Chilian ports that the disturbance should be over as soon as possible."

"How about the shipments of arms which your house is said to have made?"

"I don't care to discuss my private affairs in the newspapers. If I have made any such shipments it is a matter of private business. The constitutional government of Chili is on friendly terms with the United States, and it is perfectly in order for any commercial house to make shipments to any recognized constitutional government. Of course, if any vessel was to be sent out with arms for the insurgents they would have been recognized as belligerents. It would be a violation of the neutrality laws, but a shipment of arms to a constitutional government is just as lawful as a shipment of provisions."

No Hope for Peace.

VALPARAISO, May 7.—President Balmaceda has rejected the demands of the delegates from the insurgents who have been trying to come to some understanding by which the civil war might be terminated. There is therefore a complete rupture in the peace negotiations, and it would appear that the struggle will have to continue until one side or the other is completely crushed. The president has given notice of the withdrawal of the bank notes which take a rate of 10 per cent monthly. He demands that all import duties be paid in silver.

Better Than Scuttling Ships.
Washington Star.

In answer to the query propounded by a New York journal—"What would Captain Kidd do in these days of ocean greyhounds?"—it may be suggested that he might start a New York bank and elect himself president of it.

THE OUSTING OF BOYD.

Gretna Reporter (ind.): The supreme court might just as well say, "The people be damned!"

Hastings Nebraskan (rep.): The decision of the supreme court ousting James E. Boyd and reinstating John M. Thayer as governor, is an icicle to the spinal column of one wing of the democratic party and a warm brick to the feet of the farmers' alliance.

Nebraska City News (dem.): There was a great deal more politics than justice in the decision of the supreme court declaring that Boyd was not a citizen when elected last year. If the court had dealt with the law and forgotten all about politics the decision would have been different.

Plattsmouth Journal (dem): Judges of courts are not infallible, and it is altogether probable that party prejudice had some influence in swaying the judgment of the court. In any event we cannot see the justice or good law in allowing Thayer to hold over; and in all events the general judgment is that his resumption of the office will be unfortunate for the peace and quietude of the state.

Beatrice Democrat: While it was not expected that the court would hand down a decision free from political bias, it was hardly expected that Thayer would be reinstated, and the decision is read with a degree of indignation and contempt, that has not been shown a like ruling before. The court must have strained the law and precedent to find an excuse for its action.

Fremont Herald: As to the legality of this decision as a matter of law, we are not arguing, but as a question of justice in the abstract, in saying that James E. Boyd is not a citizen of the state, qualified to hold the executive office, it strikes the common wayfaring man as a burlesque on the elective franchise, when a man can hold the highest elective office in the state who didn't receive a vote in the election.

Columbus Telegram (dem): James E. Boyd, who came to the United States when but ten years of age, and to Nebraska more than thirty years ago, and who has always believed himself a citizen and conducted himself as such, has been ousted by a republican court on a pretended technicality. The effects of this decision may not be regarded as affecting the welfare of the state to any very appreciable extent, but there are many things in connection with it that will have their influence on the politics of Nebraska for many years to come. The majority will always believe that there was more politics than law in the case, and especially so on account of the delay of the court in handing down its decision.

Sioux City Journal (rep.): James E. Boyd yields gracefully to the finding of the supreme court of Nebraska to the effect that he is not governor of the state. He vacates the office promptly and obeys the judicial order cheerfully, pending an appeal to the federal court. Mr. Boyd is entitled to all credit for his conduct. There will be a good deal of sympathy for Mr. Boyd. The people generally in this country do not like to see a man either gain or lose an office on a technicality. The popular feeling always is that a man when a majority of the ballots has been honestly and fairly put into the ballot box for him, ought to have the office. That feeling is especially strong where a man has been like Mr. Boyd, an old resident, a public spirited man, and one who has always sincerely supposed himself to be a citizen, and who has always acted the part of a good citizen.

LITTLE SMILES.

Atchison Globe: You can never measure how long a man will be missed in this world by the length of his widow's veil.

Ram's Horn: The most difficult task in the world is to live a day without making a mistake.

Denver Sun: He who has made the greatest achievements is he who has also committed some of the gravest mistakes.

Puck: "Is your musical critic in?" asked the little woman. "Yes, madam," returned the editor, "that is he over by the window whistling 'Annie Rooney!'"

Life's Calendar: Ted—One of the dime museums advertises a phantom hen. Ned—What does she do? Ted—Lay ghosts, I suppose.

Life: Doctor—Well, how do you feel today?

Patient—I feel as if I had been dead a week.

Doctor—Hot, eh?

Texas Siftings: Gilhooly—This world is full of misery. The happiest man is the one who is never born. Hostetter McGinnis—Yes, but there isn't one in a million that has such a streak of luck.

MEMORY.
Aldrich.

My mind lets go a thousand things,
Like dates of wars and deaths of kings,
And yet recalls the very hour—
'Twas noon yonder village tower,
And on the last blue noon of May—
The wind came briskly up this way,
Crisping the brook beside the road;
Then, pausing here, set down its load
Of pine scents and shook listlessly
Two petals from that wild rose tree.

Life: Sumway—Is this Miss Scadds you speak of beautiful?

Hunker—Is she beautiful! Why, sir, I never saw a car so crowded that she couldn't get a seat in it.

Denver News: Magistrate (severely)—Why did you drive through the crowded thoroughfare at the rate of fifteen miles an hour? Do you think that the streets belong to you?

Culprit (earnestly protesting)—But, your honor, I drive a beer wagon.

New York Sun: Clara—My physician has advised me to go to Germany for my complexion, and I don't want to go a bit. I was there only last year.

Maude—Why don't you have it sent over?

Puck: "O, dear," sighed Tompkins, "this moving makes me wish I was dead!"

"Humph!" said his wife, "if you were dead you'd want to move, I guess."

Chicago News: "Does the world move?" cried the evangelist passionately.

"It does," murmured the sleepy sinner in the back pew. "If it didn't, where would the truck business be?"

TIME TO CALL A HALT.

Al Fairbrother.

She was blith and was not pretty,
For she looked some like her pa,
And the truth, O, what a pity—
Sixteen children called her ma!

Some had freckles, some were darlings,
Some had long toe-nails in-grown;
Some were cross and always snarling
But, darn it, none had flown!

And her husband, in his sadness,
Filled his hide with rye and malt,
'Till one day he screamed in madness,
"It is time to call . . . . ."

THAYER AND POWERS CONFER.

Probability of an Extra and Early Session of the Legislature.

JAY BURROWS BOBS UP SERENELY.

The Scramble for Office Goes Merrily On—New Appointments Made—Supreme Court Decisions—News Notes.

LINCOLN, Neb., May 7.—[Special to THE BEE.]—There are many queries as to the meaning of the long conference held this morning by J. H. Powers and Jay Burrows with Governor Thayer. The consultation was held in private and nobody but the officious Harry Downs was allowed within the folding doors. All manner of speculations are rife as to the meaning of the affair. It is generally believed that it was for the purpose of arranging for an extra session of the legislature to be held soon. Whispers heard in the reception room of the governor's office convey the information that in thirty days there will be an extra session of the legislature called.

Since the appointment this afternoon of E. C. Carnes to the position of state oil inspector there has been a general scramble for the positions of deputy inspectors.

Joe Redman of Omaha, accompanied by a bland smile, nearly twisted Thayer's hand off today, he was so glad to see the pro tem. governor. Joe declared to a reporter that he had merely come down to congratulate Thayer.

Governor Boyd has drawn his pay for his four months services as governor. Some of the faithful clustered about Mr. Thayer and declare that Boyd had no right to the salary and that either Boyd will have to return it or Auditor Benton will have to make it good.

Tom Cooke has been given a position as clerk in the governor's office at a salary of $1,000 a year.

W. Morton Smith, managing editor of the Daily Republican at the time of its collapse last fall, is now record clerk in Governor Thayer's office at a salary of $1,000 a year.

Today Governor Thayer wrote a letter to President Harrison requesting him to make a stay of at least two hours in the city of Lincoln instead of only forty-five minutes as is his present intention. The letter was directed to Glenwood Springs, where President Harrison will pass the Sabbath.

SENT TO THE REFORM SCHOOL.

Viola Mills was given a hearing yesterday afternoon before Judge Stewart on a complaint of incorrigibility preferred by her father, A. D. Mills. The girl is not yet fifteen years old, but her parents say she is "rather unstiddy." Viola says she is engaged to marry Frank Sidders of Bennett, but the judge concluded to give her a term in the reform school.

A DRUNKEN ORGIE.

Pandemonium reigned down on the bottoms last night and even the depraved denizens of that district felt disgraced by the drunken orgies of four women and an equal number of men. Nearly all were stark naked and when the police were called the women positively refused to dress themselves. The females were therefore tumbled into the patrol wagon in a nude condition and their clothes thrown in after them. In that condition they were taken to the police station.

SUPREME COURT.

The following opinions were handed down by the supreme court before adjournment:

Marshall vs Coble. Error from Douglas county. Reversed and remanded. Opinion by Mr. Justice Maxwell. On the trial of a cause the defendant obtained leave to amend his answer by alleging "that after making the sales named the plaintiff complained that the prices were too high as named by defendant and made no effort to sell the same but neglected the same to defendant's damage and injury," held that the matter involved in the amendment not being pertinent to the case, was calculated to raise a false issue and distract the attention of the jury from the real questions for their determination. 2. Instructions set out in the opinion held to be erroneous.

Bishop vs Stevens. Error from Douglas county. Affirmed. Opinion by Mr. Justice Maxwell. When an appeal is taken from the county court to the district court the case is to be tried in the appellate court upon the issues that were presented in the court from which the appeal was taken.

2. All new matter constituting an entire or partial defense to a cause of action, must be concisely and distinctly set up in the answer, and is not admissable under a general denial.

Nelson vs Becker. Error from Webster county. Affirmed. Opinion by Mr. Justice Norval.

Durrell vs Johnson. Error from Lancaster county. Reversed and remanded. Opinion by the court.

State ex rel. James vs Lynch. Quo warranto. Dismissed. Opinion by the court.

Lehoff & Sonnichsen vs Fisher et al. Error from Cass county. Dismissed. Opinion by Mr. Justice Norval.

Townsend vs Case threshing machine company. Error from Gage county. Decree affirmed. Opinion by Mr. Chief Justice Cobb.

Tenney & Co. vs Diss. Error from Otoe county. Affirmed. Opinion by Mr. Justice Maxwell.

Sandford vs Munford. Error from Lancaster county. Reversed and remanded. Opinion by the court.

Dewey & Stone vs Walton. Error from Nance county. Affirmed. Opinion by Mr. Chief Justice Cobb.

Schuyler National bank vs Bullong. Error from Colfax county. Affirmed. Opinion by Mr. Justice Maxwell.

Cahn vs May. Error from Lancaster county. Affirmed. Opinion by Mr. Justice Maxwell.

Bell vs City of York. Error from York county. Affirmed. Opinion by Mr. Chief Justice Cobb.

Oppenheimer & Co. vs Marr et al. Error from Hitchcock county. Reversed and remanded. Opinion by Mr. Chief Justice Coob.

Burnham vs Tizard. Error from Douglas county. Affirmed. Opinion by the court. Section 13, chapter 25, compiled statutes, authorized the court in a divorce suit "to require the husband to pay any sum necessary to enable the wife to carry on or defend the suit during its pendency." Held that the remedy here given for attorney's fees for the wife is exclusive and that the attorney cannot afterwards maintain an action against the husband for fees in addition to those allowed by the court and paid.

Phillips vs Bishop. Appeal from Howard county. Affirmed. Opinion by Mr. Chief Justice Cobb.

Chicago, Burlington & Quincy railroad company vs Goracke. Error from Johnson county, Affirmed. Opinion by Mr. Justice Norval.

Spence vs Damron. Appeal from Adams county. Opinion by Mr. Justice Norval.

O'Donnell vs Omaha, Niobrara & Black Hills railroad company. Error from Platte county. Affirmed. Opinion by Mr. Chief Justice Cobb.

A MISSING YOUTH.

Mrs. Adair, a widow living on Twelfth near T, is distracted over the disappearance of her 14-year-old son. The boy was injured on the head some years ago by being run over by a hose cart, and his reason was affected by the accident. He has, however, assisted in supporting his mother, and left home last Saturday morning to gather some rags. The last seen of him was by Health Officer Bartram, about 10 o'clock that morning, when the young fellow was working in the alley immediately in the rear of Zehrung & Dunn's drug store, 1219 O street.