THE OMAHA DAILY BEE.

E. ROSEWATER, Editor.

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THE BEE PUBLISHING COMPANY.

STATEMENT OF CIRCULATION.

George B. Tzschuck, secretary of The Bee Publishing company, being duly sworn, says that the actual number of full and complete copies of The Daily Morning, Evening and Sunday Bee printed during the month of March, 1894, was as follows:

1	22,925	17	22,857
2	22,779	18	*21,993
3	22,877	19	22,139
4	*24,090	20	22,272
5	22,132	21	22,249
6	22,171	22	22,290
7	22,278	23	22,237
8	22,187	24	22,291
9	22,213	25	*24,195
10	22,123	26	22,270
11	*24,035	27	22,237
12	22,215	28	22,249
13	22,178	29	22,271
14	22,187	30	22,241
15	22,282	31	22,974
16	22,285		

Total	700,239
Less reductions for unsold and returned copies	15,719
Total sold	684,520
Daily average net circulation	22,082

* Sunday.

GEORGE B. TZSCHUCK.

Sworn to before me and subscribed in my presence this 30 day of April, 1894.

N. P. FEIL, Notary Public.

When it comes to tariff bluster the senate is well able to hold its own with the house.

The regular annual proclamations of the different European governments forbidding May day demonstrations are at hand. But the May day celebrations are likely to be quite as general as usual.

Senator Wolcott of Colorado is the latest man in public life to be honored by the effigy-burning fiend. A place in the senate is worth little nowadays unless it entitles its occupant to a perquisite of this kind.

San Francisco authorities put an end to the proposed fight between a lion and a bear at the Midwinter exposition without much difficulty. If it had been a fight between a bear and a man or one man with another man the fight would have come off as advertised.

Harvard oratory triumphs over Yale, but Yale has proved her superiority in the foot ball field. Most people would assert that honors are easy, but in the college world foot ball overshadows oratory every time. It will take more than an oratorical victory to retrieve a defeat in foot ball.

After reading Carpenter's description of Japanese fire departments and his explanations of Japanese building construction, people will readily understand why the great conflagrations in the Orient, as reported at periodic intervals, are always so destructive to property. A fire that does not burn 500 houses is not worth mentioning in China and Japan.

Coxey men must be on their good behavior during their sojourn in the neighborhood of the national capital, and their conduct will be gauged according to rules and ordinances that are seldom applied to any other bodies of men. If there is any law on the statute books restricting their freedom of action it is sure to be unearthed and applied if an opportunity presents.

German newspapers profess to be astonished that there is no concerted action among the state governments in this country to repress the Industrial armies at one fell swoop. They seem to forget that the United States is not Germany. There must be actual imminence of lawless acts before the military authorities in this country can interfere with the freedom of law-abiding people.

Enforcing the law requiring deductions to be made from the pay of congressmen for every day that they fail to attend the sessions of the house opens up a way for patriotic democrats to supply the deficit in the revenues of the treasury. If they will only stay away from the capitol and forfeit their salaries the treasury will be so much the gainer. It rests with each congressman to make his own contribution. It is to be hoped that there will be no unnecessary rivalry for the privilege of helping the government out by this method.

"I told you so," says Mr. Kem, with reference to the upheaval of industrial armies and their convergence upon Washington. If the people had only voted to fill congress with populists of the Kem stamp there would have been no financial depression and no industrial disturbances. The people of Kem's district were wiser than their fellow citizens, and, as the result of Kem's efforts in their behalf, they have escaped every vestige of the influence of hard times. The only way for them to maintain themselves in their present condition of flourishing prosperity will be to keep Kem in congress.

The Lincoln Labor club, at an enthusiastic and crowded meeting, has passed resolutions of thanks for the fair treatment which labor organizations and the Industrials have had in the columns of The Bee. In view of the manifestly unfair treatment accorded them in other newspapers, the compliment is certainly one to be appreciated. The Bee, however, professes to give fair treatment to all classes in the community without discrimination. It is its duty to do so and thanks are not necessary for one who merely performs his duty. The Bee will continue to accord fair treatment to the Industrials, to labor organizations and to employers of labor—all alike.

We have it upon the best authority that the residents of Council Bluffs decline to endorse the resolutions of the rebate shippers of that city respecting the action of Omaha in dealing with Kelly's army. The masses there as well as in Omaha warmly sympathized with the transients and hold the Iowa railroads responsible for the disturbance and general cessation of train service in and out of Council Bluffs. The so-called mobs that left Omaha for the Bluffs had only one object in view and that was to induce the railroads to transport the army. Had they been successful the people of Council Bluffs would have been benefited. The Iowa railroad managers cannot evade the responsibility, nor can they shift it upon Omaha.

APPROACHING THE DANGER POINT.

The treasury gold balance is again reduced practically to the $100,000,000 reserve, with every probability that it will continue to decline. Gold is going out of the country, not, indeed, in such volume as a year ago, when $18,000,000 went abroad during April and over $40,000,000 in the four months of April, May, June and July, but in sufficient amount, if maintained, to threaten a reduction of the treasury balance below the $100,000,000 reserve before the receipts of the treasury improve. It is said that the treasury officials are hopeful that this will not be the case, or at any rate that there will not be any serious encroachment on the reserve. Among the influences that are counted upon to avert this are the large exports of merchandise, the large fund of gold in the national banks, the fact that the country is firmly planted upon a gold standard, and the fact that the treasury balance is large enough for practical working purposes without direct disbursements in gold. This seems to afford a substantial basis of confidence in the immediate future, but there can be no certainty that the large exports of merchandise will continue, and so far as the gold fund in the banks is concerned it may be the policy of those institutions to keep it as far as possible intact, letting the treasury supply the foreign demand for gold, if it should be considerable, or a large part of it.

From all present indications, however, Europe is not likely to draw anything like as much gold from this country during the ensuing three months as it did in the corresponding period of last year. Not only is the balance of trade largely in our favor, but there is noted an improvement in the status of American securities which will undoubtedly be followed by an increased demand that will still further swell the balance in our favor. Taking all these things into consideration the immediate outlook presents no disturbing aspect, but what of the future? If gold goes out of the country now, with all the trade and financial conditions so favorable to us, what will be the result if the pending tariff bill becomes law. A large increase of imports is expected under the operation of that measure and there is no reason to look for a corresponding increase of exports. Europe is not now buying any more of our merchandise than it needs and will not do so under a change in our tariff policy, but if that policy shall be what is now proposed Europe would undoubtedly sell us a great deal more than it is now doing. The difference we should be called upon to settle in gold and then would probably come the test of our ability to maintain the gold basis. This is an aspect of the situation which must not be lost sight of and it will not do to dismiss it with the suggestion that it is too remote to need present consideration. Obviously if the country cannot even keep its gold under existing conditions, when the supply ought to be increasing, it will lose it much more rapidly under a tariff policy that would greatly increase our imports without a corresponding augmentation of exports, and how long would it take us, under such circumstances, to reach a silver basis, unless we borrowed gold?

It would not be at all surprising if before the close of the year, in the event of the passage of the tariff bill within the time desired by the supporters of that measure, the balance of trade will be turned against us and the treasury gold so depleted that another issue of bonds will become necessary in order to enable the treasury to maintain the gold reserve.

THE TIME TO BUILD.

Now that the building season has fairly set in, every effort should be made by our city and county authorities to push such public works as they are able to undertake with the means in hand. Whatever money has been raised by taxation or by the vote of bonds for specific improvements should be taken out of the banks where it is lying dead and put into circulation among workingmen and dealers in building materials. Every dollar expended for wages or material is equal to ten dollars of calculation before it gets back into the original depository.

There never has been a time in the history of Omaha when building could be done so cheaply as it can be this season. There never has been a time when building materials were as low in the Omaha market as they are today, and labor as cheap. Those who have the means and the ground to build on, and especially capitalists who contemplate building elegant homes, can do so this season with great advantage to themselves, while at the same time they will aid in promoting Omaha's business prosperity. The right time to venture upon building enterprises is when real estate, labor and material have reached bottom. We believe that bottom has been reached in Omaha now, and those who wish to take advantage of the rising tide will make no mistake in doing so this season.

Incidentally, let us again admonish upon all who propose to erect buildings this year to build of brick and stone. Brick and stone are within the reach of all who want to build, and in this climate brick and stone are the only material to use where permanent and substantial structures are desired. The block house is all right for pioneers in the wilderness; the frame house for the second generation of settlers, but wooden buildings are out of place anywhere except in earthquake countries and in the tropics. The substantial modern city is built of brick and stone and iron, and the city of the future will be constructed entirely of fire proof materials.

INCOME TAX COLLECTION.

In an exhaustive and learned monograph upon progressive taxation in theory and practice, just published by the American Economic association, the author, Prof. Edwin R. A. Seligman of Columbia college, makes some very pertinent observations with respect to the practicability of applying the theory of progressive taxation to the proposed federal income tax—observations that show the weak point in the income tax schedule now pending in the senate. Without going into the details of income taxation, he explains that there are two chief methods of arranging an income tax. The one method, as exemplified in the most successful of all income taxes, that of England, is to split the income into schedules, according to the source from which it is derived, each schedule or set of schedules being assessed separately by different officials. This he calls the scheduled or stoppage-at-source income tax. The other method, as in the Prussian tax and the American taxes during the civil war, is to assess the income as a whole in a lump sum and to levy the tax directly upon the recipient of the income instead of upon the income payer. This he terms the lump-sum income tax. Prof. Seligman adds that experience has proven the collection of the tax on the schedule plan to be far preferable to its collection of the individual in a lump sum.

Instead of adhering consistently to either one of these plans that have been adopted by foreign governments, the income tax bill now before the senate attempts to combine the two so as to intensify the shortcomings of each. It is, as Prof. Seligman points out, essentially "the undesirable and discredited lump sum, or personal income tax," although in one very important particular it introduces the schedule idea. Corporations are compelled to pay the income tax on stock and bonds, and they may withhold the amount of the tax from the dividends or interest. Such being the case, it would, of course, have been useless to apply a progressive rate of taxation to the income from corporate investments, because of the impossibility of collecting it. Every investor would split up his holdings into blocks which would pay only the minimum. The progressive tax can be placed upon incomes only when the income is regarded as a whole. A progressive rate would, as a consequence, be equally inappropriate to the Wilson bill, which allows a deduction of the amount of income upon which the corporations pay the tax.

The great advantage of the schedule plan of income tax collection is that it catches the tax at the source, before it has come into possession of the person against whom it is assessed. The party who pays the tax into the treasury has little interest in preventing the government from securing its due. It enlists in behalf of the revenue administration the services of a large corps of tax collectors outside of the official ranks. The lump-sum plan, on the other hand, takes the tax away from the person to whom the income belongs, the person who is most interested in keeping the tax at the lowest possible point. It tends, therefore, to stimulate deception and fraud. It emphasizes the inquisitorial features of the tax and makes it all the more obnoxious.

KEEP OUT CONTRACT LABOR.

There is a law prohibiting the importation of contract labor which was passed a number of years ago. It was enacted in response to an earnest and persistent demand from the labor interests of the country, prompted by the fact that great numbers of laborers were being brought into the country from Europe under contract, to the serious detriment of the labor already here. These aliens, induced to come here by assurances that their condition of life would be greatly improved, swarmed by tens of thousands into the coal mining districts and into the service of great manufacturing establishments. It is needless to say that they did not realize the promises held out to them. Once safely here they became little better than serfs, experiencing privation and hardship quite as severe, if not more so, than they had suffered in their native lands. Their coming lowered wages in the branches of labor where they are employed, as it was intended to do, to the standard they were willing to accept, and as the supply increased the rate of wages declined. American labor was almost entirely driven out of the employments in which this alien labor was available, because an American would not try to subsist on the price paid for this labor.

The enactment of the alien contract labor law checked the importation of this labor, but did not put a complete stop to it. Under the first rigid enforcement of the law by the Harrison administration very little contract labor found its way into the country, but there has been some imported since, it is said, and there is reason to believe that the law is not now being so thoroughly enforced as it ought to be. Yet there has never been a time when it was more desirable or necessary than now to exclude this labor, and in order that this may be more effectually done it is probable that additional legislation will be required. There is on the calendar of the house of representatives a bill intended to better accomplish this exclusion. It provides that no alien immigrant shall be admitted within the United States unless he can produce a certificate from a consul or other authorized representative of the United States setting forth that he does not belong to the class or classes of alien immigrants excluded from admission to the United States by the acts relative to the importation of aliens under control or agreement to perform labor. The bill makes it the duty of consuls and representatives of the United States in other countries to investigate and grant or withold certificates.

This is a very simple measure, easily understood, and proposes nothing that would operate as a hardship to the immigrant. The latter would simply have to show, by evidence satisfactory to the consul, that he was not under contract to labor on his arrival in this country, and this need not cost a great deal of trouble to either the official or the intending immigrant. Indeed, it is highly probable that if we had such a law its effect would be to put an end to all attempts to make labor contracts with aliens, because the business could succeed only by a general corruption of consuls, which would be hazardous and expensive, even if it were practicable. At any rate this bill certainly provides more efficient means for the enforcement of existing law, and everybody who believes that it is necessary to exclude alien contract labor of the class now designated by law will approve it.

STATE BANKS ON A SOUND BASIS.

Eastern bankers are beginning to manifest a strong interest in the question of amending the existing state of the law relating to bank note issues. A representative financial journal says that bankers whose outlook reaches beyond the horizon of the immediate future very generously concede that the time has arrived when well considered steps should be taken for constituting the bank note the chief instrument of the retail circulation. Doubtless the subject is also receiving the consideration of bankers in other portions of the country, for it possesses an importance that gives it a claim upon the attention of all who are interested in financial affairs. The time is not remote when legislation on this subject will become imperative, and in the meantime it should have the careful consideration of those best qualified by their practical experience and judgment to advise congress.

Among the numerous banking bills that have been introduced in congress that known as the Warner bill, "to provide for a safe and elastic bank note currency," appears to be regarded with the most favor by the eastern bankers. It provides for the issue of notes by state banks and national banking associations under conditions which its supporters believe would secure at once an entirely safe and elastic currency. It contemplates the establishment of state banks, under national supervision, which shall not be confined to United States bonds as a basis of circulation, but the notes of which are to be of equal security with the present currency. State banks issuing notes in compliance with the provisions of this measure would be relieved of the 10 per cent tax, but they would be subject to the same requirements as to report and inspection now provided in the laws regulating national banking. Notes shall not be furnished to a state bank until the laws of the state in which the bank may be located shall have given holders of its circulating notes a first lien upon its assets and made them a liability against shareholders; until adequate provision shall have been made for the redemption of its notes, either at the state capital or some city designated by the comptroller, and until it shall have a paid-up and unimpaired capital of not less than $50,000. The comptroller of the currency must also be satisfied that the aggregate amount of notes issued has been kept less in amount than 75 per centum of the paid-up and unimpaired capital and that there has been no default in compliance with these requirements.

It is urged in behalf of this measure that the establishment of state banks on the basis it provides would open the way for the federal government to get out of the banking business, retaining only a supervisory power to be exercised as an assurance of safety. It is certainly the most simple and the least objectionable of any of the many banking bills that have been introduced, while the safeguards which it provides would seem to be ample. It is hardly probable, however, that it will meet with sufficient favor from the present congress to become a law. It will be antagonized by two elements, those who want the national government to issue all currency and those who insist upon the right of the state banks to issue notes independent of all federal regulation or supervision.

The leading financial journal of England is authority for the statement that the revival of business has begun in that country. There is a fuller employment of labor than a year ago, and reports from the chief industrial centers are couched in a hopeful tone. The statistics of imports and exports do not indicate much expansion, though quantities are larger than indicated by values. As compared with last year prices have declined 5 per cent, so that exports are larger in amount though less in value than last year. Imports also show an increase. An improvement in railroad business is also shown. It would seem from this that England is working out of her business depression more rapidly than we are, which is explained by the fact that she has no economic war on hand. Besides, her manufacturers may be getting ready for the better advantages in the American market which they are expecting. In former crises of world wide extent, this country has been the first to recover, England following. It looks now as if this were to be reversed and our greatest commercial rival would go before us in recovery from business depression.

While we do not approve any attempt on the part of state, county or municipal officials to enforce the vagrancy and tramp laws against unemployed workmen during the present industrial crisis, we cannot refrain from condemning lawlessness in any form on the part of the unemployed, whether as individuals or as groups and armies. No man and no body of men have a right to seize the rolling stock of a railroad by force or to obstruct a railroad in its regular operation as a public highway. All such attempts are revolutionary. A resort to force on the part of the discontented and distressed workmen must in the end terminate to their disadvantage. Self-preservation is the first function of government. The seizure of property or its willful destruction is a subversion of government, which, if not resisted, would end in anarchy. Such a condition would be alike disastrous to all who desire to perpetuate a government by the people and for the people.

Punishing Legislative Tardiness.

Philadelphia Ledger.

It is interesting to recall in connection with the proposition to fine absent members of congress that in the early history of the country legislative tardiness was punished by a small fine. In colonial days old Independence bell summoned members of the Pennsylvania assembly to duty. The rule governing the members was to fine "those members who do not appear within half an hour after the ringing of the bell and the speaker assuming the chair." Another rule was: "Those members who do not appear within an hour after the assembly bell ceases to ring shall pay 1 shilling."

Enough to Appall.

Washington Post.

It is all very well for the champions and apologists of the income tax proposition to sneer at the criticism of honest men, but the truth is that not a single argument which they have advanced will bear the slightest scrutiny. The proposition is repulsive from every conceivable point of view. Even if it were not vicious in itself as a cowardly surrender to class prejudice and inherently disgraceful as a vulgar demagogue appeal to the populace it would still be mischievous because of its attendant evils of inquisition and official tyranny. Leaving all other considerations aside, the mere thought of the swarm of spies, informers and tale bearers that would be created by the operation of such a law is enough to appall and disgust the decent citizen.

HOT LINERS.

Dallas News: Even a dead man has a ghost of a chance.

Cleveland Plain Dealer: "I have quite an affection for you!" said the spring weather to the bare throat.

Chicago Tribune: New Girl—Do yez burn the sweepings, mem? Mistress—You may sweep the dirt into the hot-air registers, Norah. We move the 1st of May.

Ram's Horn: No man ever finds fault with the spots on the moon when he finds out that he is lost in the woods.

Detroit Free Press: Customer—These trousers are the worst I ever saw. Tailor—What's the matter with them? Customer—Confound it, they wont hang anyway. Tailor (blandly)—Perhaps hanging is too good for them, sir.

Washington Star: Coxey's Army—All we want to do is to talk.

Senate—Excuse us; but we do not care to encourage competition.

New York Press: "See here, boys," said the musical bank clerk, who on counting a roll of bills came across a counterfeit, "I must brush up my music." "Why so?" asked his fellow clerks. "Because," holding up the bill, "I've struck a false note."

Indianapolis News: "See here, Mary," shouted the annoyed humorist, "if you don't take these children out of the room I won't be able to get my work done at all. Do you think I am doing this sort of thing for fun?"

Detroit Free Press: Notwithstanding the prisoner was still drunk, he begged the judge to let him go.

"But I can't discharge you," argued the judge.

"Why not?" pleaded the prisoner; "ain't I loaded?"

WOULD IT?

This world would be a great world—
On the happiest kind o' plan,
If there was but an office
For every other man.

An yet, the thought arises:
If the offices were thick
Enough to keep it going so,
The middle man would kick!

STILL ROASTING THE JUDGE

The Deluge of Denunciation of Scott Continues Unabated.

OPINIONS OF NEBRASKA EDITORS

No Judicial Decree in the History of the State Ever Met with Such Universal Condemnation as that of the Scott Decision.

Norfolk News: Judge Scott should be given to understand that his judicial position does not warrant him in venting personal spleen.

Papillion Times: Rosewater should not abuse Scott, but should turn his batteries upon the cringing, cowardly Omaha attorneys who have it in their power, yet refuse to cause the removal of an insane man from the bench.

Nebraska City News: Judge Scott has "played even" with Rosewater. Rosewater was brought before the court on the charge of contempt and sentenced to thirty days in jail and pay a fine of $500. Scott's actions were so arbitrary as to be condemned by all.

Fremont Herald: Editor Rosewater only lay in jail long enough to write two or three scorching editorials devoted to Judge Scott, being released on bond by order of Judge Post of the supreme court. Scott will be an interested reader of The Bee for some time to come, and if he don't go out some dismal morning and hang himself it will be a great surprise and somewhat of a disappointment.

Kearney Journal: Judge Scott of Omaha will find that although he may vent his spleen upon the editor of The Bee for the criticisms of the press upon him and his judicial conduct, yet he will not silence it by such despotism. He will find that his spitework will cost him the respect of all fair minded men, and we predict his retirement from the bench without honor to himself or the judicial cloth.

Falls City Journal: Edward Rosewater was sentenced to jail for thirty days and to pay a fine of $500 for contempt of court by Judge Scott of Omaha. The irate Bee man was hustled off to jail, where he remained for six hours before he was allowed to pass out again on a supersedeas granted by the supreme court. Judge Scott has bitten off a tremendous chunk and the air is purple in the neighborhood of The Bee.

Tekamah Burtonian: Editor Rosewater of The Omaha Bee was thrown into the Douglas county jail for an alleged contempt of court by the erratic Judge Scott and remained for eight hours. Besides a thirty days' incarceration $500 in Bee dollars has been imposed. The case has been appealed to the supreme court, which will reverse it. Judge Scott needs no rope to hang himself; he's hung already—when The Bee editor gets after him.

Red Cloud Chief: Judge Scott certainly ought to be impeached for his unwarranted action in the Rosewater case. He sentenced Rosewater of The Bee to thirty days in jail and assessed a fine of $500 for an article that one of the reporters furnished for The Bee company about the judge. In trying to maintain the dignity of his court he has fallen short and made it a farce. The press of this country cannot be muzzled by such methods.

Platte Center Signal: E. Rosewater had his trial before Judge Scott for contempt of court, and he was convicted and sentenced to pay a fine of $500 and go to jail for thirty days. Rosewater was in jail about three hours. It is reported that Scott made a monkey of himself, as usual, by administering a lengthy lecture. It is the custom of this honorable gentleman to do more lecturing on the bench than a stump speaker does in a fall campaign, and he tries to act as judge, jury, witness and prosecutor all at the same time.

Genoa Leader: Judge Scott of Omaha sentenced Edward Rosewater of The Omaha Bee to pay a fine of $500 and serve thirty days in the county jail because The Bee recently criticised the acts of this most honorable (?) judge. He has not only proven himself to be a demogogue of the worst type, but has most outrageously degraded the position he holds. Judge Scott is a public official holding public position and therefore is subject to public criticism. If the judicial gag is to be applied to the press, then may God have mercy upon our people.

Nebraska City Press: Judge Scott's friends will have a great deal of trouble in explaining the sanity of his action in sending Edward Rosewater to jail. He seems to have disregarded all the safeguards to personal liberty, and indeed it is doubtful if almost any person might not be sent to jail at the caprice of a judge if such a precedent is to be followed. The judge has had the satisfaction of embarrassing a personal enemy, but to accomplish this he has had to get down into the mire of petty personal spite and drag with him the honor and dignity of his court.

David City Banner: Judge Scott of Omaha has tried and convicted Edward Rosewater for contempt of court. His sentence was a fine of $500 and thirty days in jail. The charge against Rosewater was claimed to be occasioned by a criticism one of the reporters for The Bee had made upon the judge, but was in fact based upon a political grudge he wanted to settle. The decision was an insult to impartial judiciary work and a forcible sample of judicial usurpation. Judge Post of the supreme court, however, allowed stay in state against Rosewater and he was released under bond of $1,000.

Weeping Water Republican: Judge Scott yesterday sentenced E. Rosewater to pay a fine of $500 and spend thirty days in the county jail for contempt of court. The judge might do worse things than put Rosey in jail, but he has in this case proven to our mind that he (Scott) has wheels in his head. A reporter on The Bee wrote the article reflecting on a decision rendered by Judge Scott and the reporter was the man tried, but the judge had a grudge against The Bee proprietor and he sentenced him. Rosewater was released by Judge Post after having been locked up for four or five hours.

O'Neill Sun: Judge Scott of Omaha should be impeached for sentencing Editor Rosewater of The Bee to thirty days in jail and to pay a fine of $500. Scott is a disgrace to the bench and bar of Omaha. Mr. Rosewater would not willingly and intentionally impugn the acts of a court. He knows better than to do so. Judge Scott is in the wrong, else he would not have vented his spleen in such a vindictive and retributive manner. Mr. Rosewater was afterward released on bail on a telegraph order from Judge Post of the supreme court to the clerk of the district court, Judge Scott refusing to recognize an order by telephone. Impeach Scott.

Grand Island Times: If there is a commission de lunatico in Douglas county, the Times would commend Judge Scott to it as a shining mark. A district judge who deliberately organizes himself into an entire court—judge, jury and witness—and convicts a citizen without evidence, even denying him the rights which are legally his due, is much of a curiosity, but more of a disgrace to the judiciary of our state. Editor Rosewater of The Omaha Bee, in skimming along, telling of the peculiarities of "Great Scott," and simply hitting the high places in doing so, incurred the displeasure of this almighty personage, and to satisfy his desire for revenge, harbored for a year or more, the judge, upon a forced pretense of upholding the dignity of the bench, sends Mr. Rosewater to jail and imposes a fine of $500 upon a trumped-up charge of contempt, supposed to have been shown the court in an article written by one of the local reporters of The Bee. In pursuing the course he did, Judge Scott disgraced himself and the profession he represents, and the bar of his district should make one more effort to have him deposed from the place he has demonstrated himself unfit to fill, and fight it to a finish.

South Omaha Tribune: Doubtless Judge Scott knows how to be fair and impartial, but there were so many broad and crimson threads of intense hatred running from the bench down through the trial of Editor Rosewater for contempt of court that conviction was evident at the very beginning of the hearing. That the manner of conducting this case will bring Judge Scott and his court under the shadow of the supreme contempt of advancing civilization, and cause the future historian of the nineteenth century to refer to this trial as evidence of the crude and heathenish methods of Nebraska civilization in 1894, there is not much doubt.

Gibbon Beacon: Judge Scott of Omaha sentenced E. Rosewater, editor of The Omaha Bee, to thirty days in jail and a fine of $500 and costs of prosecution for alleged contempt of court by publishing an article criticising Judge Scott's court. Mr. Rosewater was in jail about three hours, when he was released by order of Judge Post of the supreme court. And now Judge C. R. Scott is being condemned and roasted all over the state for the outrageous way in which he acted and for his malicious utterances in declaring the finding of the court. And this in the face of the fact that The Bee editor was proven entirely innocent of the charge.

Tekamah Herald: The Herald, as a democrat, would ordinarily take great delight in seeing republicans fight among themselves, and while we believe all republican editors ought to be locked in jail as a suitable punishment for their false doctrine, the fact cannot be overlooked that Judge Scott is stepping far in excess of common sense, law or decency in his arrant sentence passed upon Editor Rosewater Tuesday. After playing horse for several weeks in persecuting the editor and The Bee force, he brought Rosewater to trial Tuesday and adjudged him guilty and sentenced him to jail and assessed him $500 fine for alleged contempt. The best citizens of Omaha are not mealy-mouthed in condemning the judge.

Friend Telegraph: The action of Judge Scott of Omaha in sentencing Edward Rosewater of The Bee to thirty days in the county jail and to pay a fine of $500 for alleged contempt of court, is a direct blow at the freedom of the press and a menace to the liberties of the people. When courts cease to be the servants of the people and wield a power so despotic that no one dare open his mouth in defense of law or justice, the time has arrived to call a halt. It is our opinion that Judge Scott will yet very much regret his action in this matter. So far as we were able to gather from a perusal of the evidence adduced at this trial there was not a scintilla that would show that Mr. Rosewater dictated the alleged contemptuous article published in The Bee or even knew of it until after its publication.

Niobrara Pioneer: The sentence of Edward Rosewater, editor of The Bee, by Judge Scott for alleged contempt of court is one of the most ridiculous outrages ever committed by any court in this liberty loving country. Russia has scarcely a worse method of administering justice. Since Nebraska has an apparently insane man administering in a court of justice, it would seem as if any respectable bar should elevate the profession by instituting impeachment proceedings against such an erratic individual. A sensational judge is about the lowest and most contemptible judge that civilization can own. Mr. Rosewater's Bee may often be wrong, and he endeavored to explain matters in this case, but the whole proceedings of Judge Scott have been insanely hostile and criminally prejudicial. Rosewater stock has taken a big jump by the sentence of thirty days in jail and $500 fine.

Jolts from Abroad.

Philadelphia Record: Editor Rosewater of Omaha has been jailed for contempt of court. It is not often that Rosewater is jugged.

Pittsburg Daily Financial News: Judge C. R. Scott of Omaha will learn, when he comes up for re-election, that a proper exercise of the rights and liberty of the press is one highly appreciated by the American people. His sentence to imprisonment of a reporter and the editor of the Omaha Bee, because of an expose of the abuse of the manner of administering justice (?) was manifestly a transcending of his powers as a judge and a small piece of petty spite work that is ignoble in him as a man. Wisdom is not always found in newspaper offices, but liberty to criticize the action of public officers, if done in a proper spirit, is a constitutional right, and the public as well as the newspaper men are interested in any attempt to abridge or to deny it.

Minneapolis Journal: The Omaha Bee's stenographic report of the trial of the Rosewater contempt case before Judge Scott of Omaha presents an interesting study of judicial assumption and insolence.

Throughout the taking of testimony Judge Scott bristled with malicious interpolations and a remarkable feature was the fact that he had previously prepared an order of commitment and could hardly wait for the conclusion of the testimony, which was favorable to Editor Rosewater, before he blurted out a tirade of abuse of that gentleman, and, without asking the prisoner if he had anything to say, as is customary, hastened to deliver judgment for the defendant's imprisonment for thirty days for criticising in his paper the action of the judge in a case which had been adjudicated. It was proven, however, that Rosewater did not write the article or order it to be written.

Such ostentatious malevolence by a judge on a district court bench and such penetrability to criticism rather seems to confirm the justness of the Rosewater charge that Scott had shown unlawful partiality in the disposition of certain cases. The idea that a judge is above criticism in a matter adjudicated is an assumption of which the judicial mind everywhere should be relieved. A judge, as a public official, is lawfully subject to criticism, not only as to adjudicated cases, but as to his rulings pending the determination of a case. Of late there have been several cases of judicial assumption of sacred and inviolable attributes throughout the country, which cannot be too severely condemned. A judge on the bench exuding malice and personal hostility toward a defendant in a case on trial before him is not competent to hold such a position.

Wichita (Kan.) Eagle: The imprisonment of Editor Rosewater by the Omaha judge, the intervention of Judge Caldwell by his United States marshals, and the action of the United States senate against Judge Jenkins, all occurring day before yesterday, as reported in yesterday morning's dispatches, but emphasize the Eagle's expressions of late, touching bench-made laws and judicial tyranny.

The menace to popular government today is not the law-making power or executive authority, but its judiciary. The fears of the people that justice may be denied them are not from a rulership which inheres in themselves, but in the prefecture of courts against whose mandates the fundamental law of the land has sealed their lips and withheld their ballots.

Coxey's unarmed army may march and countermarch, may as living petitions charge and retreat, being sustained by the bread of those who earned it and encouraged by the sympathies of all those whom the exigencies of unpropitious times have conspired to cruelly pinch and torture, until relief through governmental action or economical agencies has come to the land; but, if the wreck of values, the peril of fortunes and the distress of states and communities which have afforded the opportunities to the courts to declare that their rule of precedents is higher than the will of the people as found crystalized in legislative enactments; that no law can be of effect until sanctioned by their findings; that personal liberty is only possible by individual subserviency and in mute respect to courts, shall result in shearing federal judges of their abstracted prerogatives and unwarranted dominion, then the imprisonment of Editor Rosewater, the military order of Caldwell and the petty tyrannies of Jenkins will be held to have been, if outrageous, yet providential and not in vain.

STATE POLITICAL NOTES.

Fairfield Herald: We have it on good authority that Marsh Elder wants to go back to the legislature this fall, not so much for the honor, but as a vindication of his past record.

Hastings Democrat: Our chief reason for desiring the nomination of Judge W. G. Hastings of Saline county as democratic candidate for governor is that he is a gentleman and a scholar 365 days in the year, and a democrat every minute.

Wayne Democrat: H. P. Shumway of Wakefield is being boomed by a few admiring friends for lieutenant governor on the republican ticket. There is no doubt but what H. P. could fill Tom Majors' shoes very acceptably to all concerned.

Bloomington Echo: Probably not one man in a hundred knows the name of the governor of Nebraska. This is the reward that comes to the governor in these days who merely attends to his business and refrains from making a jackass of himself.

Genoa Leader: Let the republicans steer clear of corporate influences this fall in their nominations and they will not only elect a state ticket but also five republicans to congress and a legislature that will elect a republican successor to Senator Manderson.

Stockville Republican: There are two or three republican newspapers in this district that will, immediately after the congressional convention, find themselves in a fix and be compelled to "shoot or give up the gun." They are making some very bad breaks if they only knew it in trying to talk W. E. Andrews out of the nomination for congress. The republicans, the ones that do the voting, and "that's what knocks," are unanimous for Andrews. The kick, coming from the source it does, looks a little suspicious and probably if the true reason was known Andrews would have a stronger following than ever. Frontier will send a solid Andrews delegation to the convention.

Papillion Times: We are sorry to see the McCook Times-Democrat, which we have heretofore admired, apeing the Omaha Bee's tactics in fighting W. E. Andrews for the congressional nomination. The Times-Democrat's treatment of Mr. Andrews is grossly unfair, and we cannot help thinking that it knows it. Two years ago Mr. Andrews ran ahead of Governor Crounse and every candidate on the republican state ticket in every county of the district. If that does not show him to be a vote winner we would like the Times-Democrat to tell us what one is. If the Times-Democrat hasn't the figures we can furnish them. The Times-Democrat doesn't have to support Mr. Andrews if it doesn't want to, but the tactics it is using in fighting him will not make any friends for its candidate, whoever he may prove to be.

The Duty of Congress.

Chicago Tribune.

What is wanted is the restoration of the American wage scale. The disavowal by congress of an intention to meddle with protection will restore that scale, will give work to the iron moulders and to other unemployed mechanics, and will dissolve the "industrial armies." They will cease to exist when the wage workers are at work once more and turn a deaf ear to the invitations of the recruiting officers of the Coxeyites.

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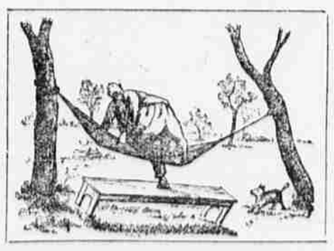

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