OMAHA ILLUSTRATED BEE.

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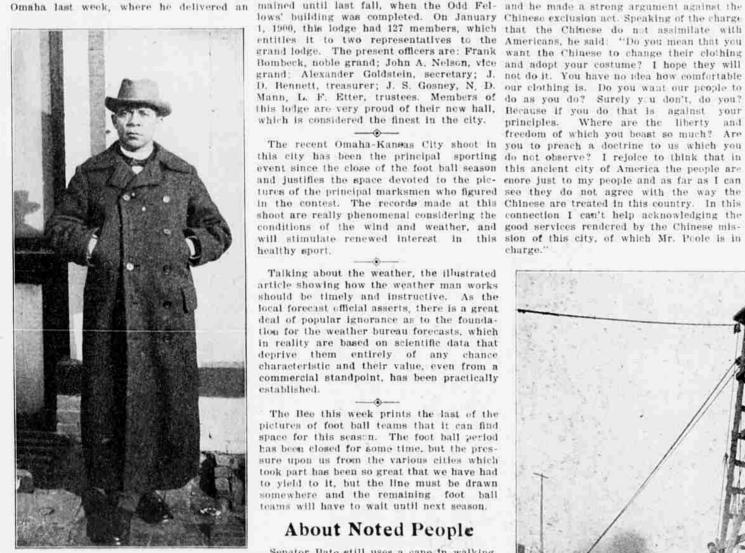
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Pen and Picture Pointers

The portrait of Eleazer Wakeley is presented as the frontispiece of The Bee this week and will be recognized by every one familiar with the bench and bar of Nebraska, in which Judge Wakeley has been a prominent figure from the early territorial days. In the organization of the new Nebraska State Bar association no more fitting choice for the presidency could have been made than the selection of Judge Wakeley, who is known as the Nester of the Nebraska bar and whose position in the foremost rank is conceded by all attorneys. At the request of The Bee Judge Wakeley has written an article explaining the origin of the new bar association and its purposes. This will be read with interest by every one who wants to see the standard first home of the lodge was in a frame build- nipped in the bud it will produce a conflaof the legal profession maintained and ele- ing on Twenty-fifth street just south of N gration whose waves will submerge this fair vated in this state.

The great negro educator, Booker T. Washington, president of the Industrial school at Tuskegee, Ala., was a visitor in Omaha last week, where he delivered an



WASHINGTON NOTED BOOKER T. NEGRO EDUCATOR, IN OMAHA-Photo by Louis R. Bostwick.

OMAHA ILLUSTRATED BEE.

ESCORT AND PALLBEARERS AT FUNE RAL OF THE LATE GENERAL T. H.

secretary; Peter Cockrell, treasurer. The cord has been sown in our midst, and unless

Twenty-fifth and N streets was erected the the guest of honor at the recent dinner of

lodge removed to that block, where it re- the Philadelphia Presbyterian Social union,

principles.

STANTON AT STATION IN OMAHA- Photo by Louis R. Bostwick

street. Later on more commodious quarters land with anarchy."

were secured in the South Omaha National

bank building. When the Masonic block at



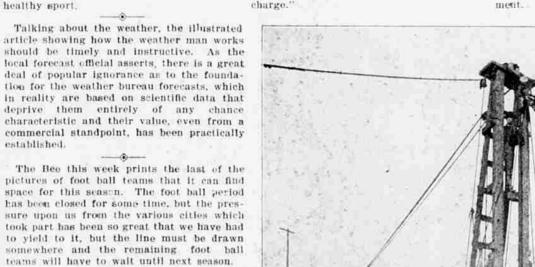
Bar Association

to explore, it has, within the last decade, lanpractically extinct.

position during the current year. Some time, and research involved in the disposal of 200 members were present, representatives this mass of litigation. Years are requisite.

ists from abroad, delegates to the Interna- What is the remedy? This will be a quesbassador Ch ate, absent in England) made or not) the most candid and respectful con-

Judge W. D. McHugh, E. M. Bartlett, and in the contest. The records made at this Chinese are treated in this country. In this R. W. Breckentidge of this city were among conditions of the wind and weather, and good services rendered by the Chinese mis- spirit of the occasion, and to them chiefly will stimulate renewed interest in this sion of this city, of which Mr. Peole is in was due the initiation of the present move-



Wu Ting Fang, the Chinese minister, was

not do it. You have no idea how comfortable

our clothing is. Do you want our people to

freedom of which you boast so much? Are

Where are the liberty and

Nebraska State

were delivered before it by prominent law- the initiation and advocacy of such condiyers of the state, valuable suggestions were tions, reforms and changes in the law, and in sion, and recommendations for useful legislation put f rih. For reasons not useful mand. guished, and finally fallen into a condition of more imperative demand for changes in the

ther attended by several distinguished ju - or justice to litigants.

sension,

Initiation of the Movement.

Members of the bar in practice ten to report. The objects are identical with those twenty years ago will recall the fact of a of similar well known organizations in other Nebraska State Bar association, which, in states. They may be summarized, in a genthose times, was a living organization, with eral way, as promotive of the elevation, ima considerable membership thr ughout the the exaction of a high standard of character, state. It held annual meetings, and was kept probity and integrity in its membership-of in more or less active operation. Addresses higher importance than mere numbers-and

made for the improvement of the profes- the organic structure of the courts, as experience, and enlightened progress may de-

In few states, if in any, does there exist a "innocuous desuctude"-holding no meet- constitution and statutes touching the judiings and giving no evidence of vitality, clary, than now confronts the people and the As a mere voluntary association it had no legal profession in Nebraska. The deplorperpetual corporate succession, and became able inability of the supreme court, under its present structure and limitations, to deal The recent effort to revive it had its adequately with the mass of business now inspiration, to some extent, in the session swelling its docket, and overtaxing its capacof the National Bar Association at Buffalo ity of labor is universally recognized. This in September last. This was attended by presents a serious problem, to be met and several prominent attorneys from Nebraska, solved with the least possible delay-the al-The state had, two years before, been hon- ternative being a hopeless and helpless ored by this National Association in the paralysis of justice in that court. Its printe1. election of its distinguished lawyer. James calendar, just issued, shows the pendency of Woolworth, as president, and was again 1,459 causes, the number increasing now signally favored by the unanimous choice from term to term. Lawyers know, and the of Hon. Charles F. Manderson for the same public should realize the great labor, the

of the active, progressive element of the with the utmost industry and zeal, for three profession, from many states. It was fur- men to do it with satisfaction to themselves, il nal Bar Association, which met at Buffalo tion for the most deliberate thought of the during the same week, for the first time State Bar Association. It proposes to deal in this country. Papers were read on in- with the question under that conviction, and teresting themes; committees reported ex- its conclusions, deliberately fermed and aphaustively on important branches of the proved by the body of the membership. law; President Manderson (in place of Am- should deserve (whether they may receive it

an instructive address; Senator Lindsay sideration of the legislature, which alone read a masterly argument on the acquist- can provide a full remedy, by inaugurating tion of new territory; the debating talent constitutional revision or amendment. of the bar was fully exploited, and a general Methods cannot be here discussed at length. The recent Omaha-Kansas City shoot in you to preach a doctrine to us which you ship progress, reform and good fellow. Whether the remedy is to be sought in a this city has been the principal sporting do not observe? I rejoice to think that in ship prevailed during the four days of the mere increase of members, or in a double court of three members in each division. after the example of California; or in an intermediate appellate tribunal, composed of judges of the district courts, similar to that shoot are really phenomenal considering the connection I can't help acknowledging the the Nebraska attendants who caught the in the Federal system, which has proved an effective relief to the supreme court of the United States; or an extraordinary commisment. Circulars were issued to leading sion to clear up the arrears, and let the court start anew with its business; or in a combination of these or other expedientsthis is the problem.

One Great Obstacle.

When all is done, however, it will be found that the bedrock obstacle-the "mother lode" of the accumulation-is found in two lines of the present constitution. Section xxiv of the Bill of Rights says:

"The right to be heard in all civil cases in the court of last resort, by appeal, error or otherwise, shall not be denied."

With this in force the legislature is powerless to limit or abridge the right of review so granted. It may regulate, but it cannot dony the right. Under this "palladium," controversies of the most trivial nature, the right of property in a worthless cur; the results of a street brawl; a dispute over a shyster's fees in police court, all have equality of right on the docket, and of hearing (save by favor of the court) with a contest for the governorship, or the most far-reaching constitutional question.

This is all wrong. There is no inherent right to be heard in an appellate tribunal. The citizen is fully protected by "the law of the land" when his rights have been once fairly heard in a court of rightful urisdiction. All else is discretionary. The legislature should be left to regulate the appellate jurisdiction of the court, from time to time, guided by experience, and wise discretion. That collection laws in Nebraska are imperfect and inadequate is notorious. Take a single illustration: In a mortgage f reclosure case there is a sham defense. An appeal from the decree goes to the supreme court. The sale is stayed without bond to pay the debt, interest or damages for delay. In three or four years the decree is affirmed. The property is then sold, but another appeal stays the deed to the purchaser, with a bond worthless in its terms, until, finally, the legal mills, which, like "the mills of God, grind slowly." deliver to the worn and wearly litigant what is left of his "grist." This the legislature could remedy; but session after session goes by; the members have plenty of time for frivolous frittering over useless or harmful measures, but neither time nor inclination to remedy glaring defects in the remedial justice of their state. If the Bar Association can stimulate legislation, or galvanize the torpid public conscience of the state to the needful action for supplying a remedy it will not exist in vain. Other changes, and reforms are urgent and pressing, and it is believed they will have the careful attention of the Nebraska State Bar Association. ELEAZER WAKELEY.



address upon the subject of negro education, and while here was caught by The Bee's camera. President Washington has made a profound study of the negro problem and by his practical views on the subject has become, perhaps, the most honored leader of the negroes in their own race. His visit will undoubtedly prove an inspiration to the more intelligent and ambitious of the colored people of this community.

Readers of The Bee will be glad to renew the acquaintance in this number of Frank G. Carpenter, who is with all of them a favorite newspaper correspondent and whose series of letters on his travels in the Philippines and far east begins with this number. Mr. Carpenter has done more traveling as a newspaper correspondent than any other American journalist and he has acquired a faculty of observation and a style of entertaining writing matched by no one else, His letters will take the readers over the path traveled by him and make them feel as if they were seeing with their own eyes the scenes and people which he describes. They are sure to be a popular feature of The Bee during the coming year.

South Omaha lodge No. 148; Independent Order of Odd Fellows, which recently moved into its new temple at the northeast corner of Twenty-fourth and M streets, was instituted May 21, 1887, by Grand Master Furgason, assisted by members of Omaha lodge No. 2. The charter was granted by the grand lodge of Nebraska and bears date of May 19, 1887. These were the charter members of the lodge: J. H. Johnson, W. S. Anderson, J. B. Erion, Lyman Carpenter, Peter Cockrell, David Loescher, James Carlin, James Sattizan, A. H. Miller and George Clark. The first election of officers resulte1 as follows: J. H. Johnson, noble grand; W. S. Anderson, vice grand; J. B. Erion, recording secretary; Lyman Carpenter, financial

eneral and major gener erate army and surrendered with the Army of the Tennessee in 1865.

About Noted People

Senator Bate still uses a cane in walking,

necessitated by the effects of three wounds

received by him during the civil war. He

was successively captain, colonel, brigadier

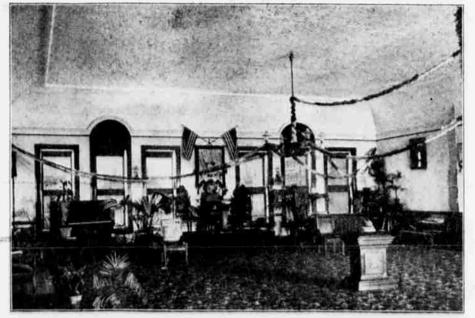
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The late John Ruskin gave away a great deal of money during his life. For many years his annual income from his pen alone was \$30,000, but he lived on less than a tenth of that amount. Indeed, he used to say that a gentleman ought to be able to live on a pound (about \$5) a day; if he could not he deserved speedily to die.

Senator Vest has a notebook filled with rare examples of congressional elequence, among which his favorite quotation to illus-"The apple of distrate mixed metaphor is:



COMMENCING WORK ON NEW SIXTEENTH STREET VIADUCT AT OMAHA.



NEW ODD FELLOWS' LODGE ROOM AT SOUTH OMAHA.

attorneys of the state, some fifty or sixty of whom met at Lincoln on the evening of January 22 from Omaha, Lincoln, Grand Island, Kearney, Schuyler, Holdrege, Madison, Hastings, Neligh, Norfolk, Tecumseh and other points. An organization was cffected, to be made more complete in the future if found necessary.

The officers chosen were: Eleazer Wakeley, president; Hon. M. B. Reese, vice president; former Judge S. P. Davidson of Tecumseh, treasurer, and W. P. McCreary of Hustings, secretary. Committees have been appoluted as follows:

Executive Council-E. Wakeley, Omaha; Frank Irvine, Lincoln; S. M. Chapman, Plattsnfouth; R. W. Breckenridge, Omaha; W. P. McCreary, Hastings.

Committee on Membership-A. J. Sawyer, Lincoln; C. J. Greene, Omaha; C. J. Phelps, Schuyler; E. H. Hinshaw, Fairbury; J. M. Ragan, Hastings; M. P. Kinkaid, O'Nelll,

Committee on More Perfect Organization-E. M. Bartlett, Omaha; Roscoe Pound, water color and proved an apt pupil. He Lincoln; S. P. Davidson, Tecumseh; W. P. Hall, Holdrege; L. D. Holmes, Omaha.

of the president, as soon as the committee on frame, now adorns the walls of one of the more perfect organization shall be ready to university's classrooms.

Dewey as a Painter

While a student at Norwich university Admiral Dewey took lessons in painting in produced several promising bits of work. mostly marine sketches, one of which has The association will meet again at the call been rescued from oblivion, and in a large