

THE OMAHA DAILY BEE.

E. ROSEWATER, EDITOR. PUBLISHED EVERY MORNING.

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Subscribed in my presence and sworn to before me this 28th day of December, A. D. 1901. M. B. HUNGATE, Notary Public.

We have no doubt that the cashier failed for looting the Bellwood bank will be pleased to take up Mr. Meserve's cry that it is nothing but politics.

County Treasurer Elmsner shows where the money is, but he does not show where a single cent of interest has been credited up to the taxpayers of this county.

Witnesses in the postal fraud trials in Cuba testify that the accounts were poorly kept. Their long suit evidently was keeping money rather than keeping accounts.

The Omaha Real Estate exchange will have the unqualified approval of the great body of taxpayers in its effort to bring about equitable assessment of corporate property.

The coal combination has decided to eliminate the wholesaler and sell direct to the retailer. On the present basis the work of the combination has about eliminated the consumer.

French statesmen are again worried over the decreased birth rate in that country. The Parisian yellow journals might try the plan of offering a year's subscription free to the parents of each baby born during the year.

So long as the railroads give Kansas City 50 to 60 per cent rebate on grain rates while Omaha shippers are obliged to pay the tariff rate Omaha cannot hope to compete with Kansas City as a grain market.

It is announced in New York that the new leader of Tammany has made up with ex-Senator Hill and his friends. If this proves to be true several western democratic presidential booms will be in danger of a frost.

News comes all the way from Austria that Prince Henry is coming over to America for the purpose of buying the Philippines. The Austrian paper which prints the story has still another guess coming to it.

The officers of the steel trust in their annual report state that the price of their product could easily have been advanced, but it was not deemed advisable. Perhaps they think they are entitled to a vote of thanks.

The retail grocers have called the jobbers and commission men to their assistance in opposing a market house for Omaha. But how a market house could affect the jobbers in any way but to their advantage is difficult to see.

The Maryland legislature is wrestling with the oyster question, while the Minnesota legislature is wrestling with the railroad merger question. The task of the Maryland legislature in sampling oysters is the most agreeable of the two.

The great English copper combine and the American company are preparing to settle their differences. The lambs who invested in trust stock at high prices have evidently all been squeezed until they have let go at the bottom figure.

Millard Fillmore Funkhouser ought to have at least the politeness to offer a resolution in the school board to make the record show that when the board's demand for a grand jury was made he and his fellow vendors of well-defined rumors flunked completely.

General Bell informs the War department that the wives of American soldiers are doing as much to win the Filipinos over to the United States as the soldiers themselves. The Filipinos are not the first people who have found it impossible to resist the charms of the American woman.

MUST FACE THE ISSUE.

About ten days ago the committee on the election of president and vice president of the house of representatives made a favorable report on the bill providing for the submission of a constitutional amendment for the election of United States senators by direct vote of the people.

The report of the committee reiterates literally the arguments advanced by the same committee in the last congress relative to the advantages of the popular election of senators.

The prospect of the passage of this constitutional amendment by the house of representatives and the resolutions adopted by the legislatures of seven states calling on congress to convene a national convention to amend the federal constitution so as to make this change in the method of choosing senators, has impressed members of the senate with the unenviable light in which that body would place itself by turning down this amendment should twenty-three more states join with the other seven in the call for a national constitutional convention.

The basic principle that underlies free American institutions is obedience to law. A governor has no more right to violate law than a private citizen. On the contrary every governor takes a solemn oath to obey the constitution and enforce the laws.

It is easy to get business men, bankers and merchants to sign petitions, especially when they are circulated by traffic managers of railroads or agents of these corporations on whom they are dependent for favors.

The appointment of Governor Shaw to the secretaryship of the treasury has assured the renomination of every Iowa member of the house of representatives beyond peradventure, and the candidates who had been spoken of heretofore have all withdrawn or intimated their intention to withdraw.

Governor VanSant pertinently puts the question in a nutshell: "My duty is plain. I most respectfully decline to comply with the request contained in your petition and shall continue as vigorously as possible to vindicate the laws of the state."

Governor VanSant may have offended the bankers and merchants who asked him to violate his oath of office, but he is entitled to the respect of every American citizen who desires to see government administered in accordance with the law.

And now it is announced that three eminent lawyers have served notice on Governor Savage that they propose to appeal to the supreme court for a writ of mandamus to compel him to appoint a Board of Fire and Police Commissioners for Omaha, although the attorney general has advised him that it would be futile to make such appointments, in view of the decisions of the supreme court.

Nobody in or out of Omaha will be surprised that the lawyers who have for years made a living out of police commission contentions should be reluctant to let the chapter close. Fights over the police commission have constituted the most profitable industry of these lawyers when there is a scarcity of moneyed murderers and wealthy criminals to defend.

Nearly every time a fireman or a policeman has been discharged or laid off these public-spirited lawyers have volunteered for a contingent fee to break through the meshes of the law and secure an order of court that would enable them to collect back pay for work never performed. This has been their course, not only with individuals, but with whole groups and platoons.

Even where the police board has been compelled to lay off men because there was no money in the fire fund or police fund, these self-sacrificing lawyers have managed to get in their work at the cost of taxpayers.

The manifest object of their latest raid is to use the courts to help them lay a foundation for the prospective claim of the late Fire Chief Redell for pay at the rate of \$3,000 a year for the full time since his cooption with the department was severed, out of which they hope to get the lion's share.

Should the supreme court reverse itself by ordering the appointment of a new commission, we may confidently predict a new impetus for the profitable industry of milking the city treasury on back and front pay rates. Everybody dismissed or suspended from the police or fire forces by the new commission would be welcomed with open arms and be given the same aggressive service for one-half of the amount recovered that has been enjoyed by the men dropped from the payroll by the present or previous commissions.

The only chance for Omaha to get relief will come when the hungry lawyers strike a more lucrative lead at the public crib or as specialists for some great corporation.

The front partner and side partner of Judge Gordon offers his services on a contingent fee to the taxpayers of Omaha to procure an order of court that will lop off \$800 a year from the salary of the mayor and \$100 a year from each member of the fire and police board and make all these officials cough up the overdraft since 1897.

Judge Gordon's partner has not ventured to offer his services to the taxpayers before in a public way. That patriot has never been suspected of negli-

gence when a sure thing or chance, or even a doubtful chance to earn a contingent fee, presented itself. His solicitude for the taxpayers has been as unselfish as has been his intense anxiety to assist Judge Gordon in breaking into the city treasury for alleged back pay.

The only wonder is that Judge Eller should come to the relief of the taxpayers at this most critical juncture when his presence at the daily sances of Judge Gordon's police court is absolutely essential for the preservation of the glorious heritage transmitted to us in the immortal Declaration of Independence that guarantees to all men, and especially to Judge Gordon, the enjoyment of life, liberty and the pursuit of happiness.

A local attorney who enjoys more than common notoriety pretends to have discovered that the mayor of Omaha has no right to draw pay as member of the fire and police board or as excise commissioner; he also insists that the members of the fire and police board are entitled to no pay for acting as excise commissioners, because the charter does not specifically provide for such payment.

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A British Model

Saturday Evening Post.

If any national legislation to check the evils of speculative promotion of over-capitalized industrial companies, the new English companies act, was the direct result of the exploits of Hooley.

Publicity is the basis of the new English law. Publicity it is that Mr. Roosevelt urges so strongly in his recommendations to congress. The president has explored the theory of certain eminent Wall street financiers that the trustees of a national industry have no knowledge that the public ought to share.

Industrial combinations in the United States have been forming so rapidly as to alarm the world, but the whole trend of American legislation for their control was backward up to the time of the Roosevelt corporation act of 1900.

Millions upon millions of dollars have been given to promoters on the theory that it costs nothing to give away "water"—that is, common stock. The scrip does not cost much to print, and a company can give \$10,000,000 of it to a promoter as easily as

COMMERCIAL IMMORALITY. A State of Affairs Requiring Plain Speaking. San Francisco Chronicle.

The official disclosures of rate-cutting which have been made before the Interstate Commerce commission merely locate definitely a few cases of violation of law such as are annually reported by the commission as certainly in constant occurrence, although not ordinarily capable of proof.

Such a state of affairs requires plain speaking. If our great railroad systems governed by precisely the same code of ethics which governs the thieves and murderers who fill our penitentiaries, it is time they cannot be reformed by the adoption of such a condition exists all at an indication of fraud and extortion, when necessary, by perjury. We have no commercial men more likely to be honorable, or having greater appreciation of an honorable life, than the high-salaried officers of our great industrial and mercantile corporations.

According to the census bulletin on Nebraska's manufacturing industries the meat packing plants at South Omaha represent an investment of \$15,000,000. The assessor who makes up the tax list for the packing house district, however, is expected carefully to avoid reading the census bulletin.

The Nez Percés Indians are threatening to make trouble because the government has decided to do away with the services of an agent. Possibly the cause of the trouble might be located in the man who is soon to be out of a job if the department carries out its program.

Government business is practically suspended for a month in China on account of the new year celebration. How nice it would be for Chinese office holders if eleven other holidays could be introduced at equal intervals into the calendar.

Signs of Progress. Chicago Tribune. The discovery that there is a gang of counterfeiters at work in Porto Rico seems to indicate that the Americanization of the island is proceeding rapidly.

"Logic as is Logic." Philadelphia Record. Mr. James J. Hill and his condutor Mr. Harriman insist that railway competition leads to higher instead of lower freight rates. If such were really the case they would not be so anxious to defeat railway competition.

A Famine in Pickles. Portland Oregonian. There is said to be a "pickle famine" impending, the pickle-producing area of the United States having suffered from drought last season, rendering the crop short. One might as well speak of poverty in connection with a serious falling off in the output of diamond mines as of famine in connection with a shortage in the pickle crop.

Confidence and Strength. Philadelphia Record. An encouraging indication of the financial strength of the German people was the subscription fifty times over for the new imperial and Prussian 3 per cent loan of \$75,000,000 offered during the week past. The industrial depression in the empire is generally regarded as having reached its lowest level and the overcautious financiers who have been expecting the bottom to drop out of everything should now be convinced that there is an ample reserve of capital in Germany for use in legitimate, though not in purely speculative and inflated, business enterprises.

PERSONAL NOTES. Jersey's new senator is a self-made man, and he seems to have made a pretty good job of it.

The swindler follows delivery boys into brokers' offices and watches their deliveries of stock. He makes note of the places where the check in payment for the stock is not ready for the boy. Then he goes back to these places half an hour or so later and asks for "that check" if it is ready. The check is shoved out to him through a pigeon hole by a cashier, who cannot see him and did not see the boy whom he is impersonating.

A lighter, loaded to the gunwale with canned goods, relates the Evening Post, tipped over the other day when it was half way across the North river. Now there is enough air in an ordinary tin can to keep it afloat, and furthermore the wooden crates on some of the others kept them up. The people who saw the accident from boats and from shore looked on indifferently, but when they saw that the tin floated their attitude changed very suddenly.

When the capital of an English company has been subscribed the company must hold a meeting at which all the subscribers are entitled to all the facts in the hands of the directors. A week before this meeting a statement must be sent to each shareholder of: (1) The total number of shares allotted, with particulars as to the shares not paid for in cash. (2) The receipts and payments of the capital account. (3) The total cash received by the company. Not one company in ten recently organized under the laws of West Virginia or Delaware could face such a meeting.

These are the essential provisions of the English companies act which many here will form the basis of a new federal law. Ripples on the Current of Life in the Metropolis. These are stirring days in Gotham. Men and things are moving at a pace rivaling Wall street during a bear hunt.

The dynamic explosion was a knocker of singular men. A bloated bondholder clipping the coupons near by was tossed against the ceiling of his room, without damage to his hide or his bonds. The flag was thrown at its corner and set on fire, stripped from the coat and set on a yard. Clothing of tunnel workers was blown into six-story rooms of the Murray Hill hotel.

Mayor Low is said to be determined to reform the Bowery, the most famous thoroughfare aside from Wall street—in New York. Of course, with moral reformation would come business rejuvenation, and with the latter the elimination of historic second-hand shops, queer resorts and present structures generally. Now is there no one to protest against this vandalism?

Philadelphia Press: "Business is frightfully dull today," said the Junior partner of the tailoring firm. "Who wrote our add for the papers today?" "I did. Why?" "Because it says: 'Do you need an overcoat? Try our Melton and Fries.'"

Chicago Tribune: "The young Bohemian violinist," said the professor, "is the leading musical sensation of the day. In fact," he added, warningly to the audience, "the young man will pardon the slight mispronunciation of his name, he is Jan. I. of two-thirty century."

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TO MY MOTHER. John Allan Wyeth, in the Century. Deal gently with her, Time. These many years of mine have brought more smiles with them than tears.

Do not tell her how old you are. Lay not thy hand too harshly on her now. But trace the decline of her glory to the days when she was a young girl. That like a sunset of the northern clime, where twilight gleams through the autumn time, she was last into the silent night. Ere one may note the passing of the light, so may she pass—since 'tis the common lot—As one who, resting, sleeps and knows it not.

4 and 20 Doctors Can't cure an incurable disease. Nor can Ayer's Cherry Pectoral. But it has cured a great many most desperate cases, chronic cases, such cases as no other medicine in the world touches.

The next time you talk with your doctor ask him if knows of any other cough medicine that so quickly cures colds and coughs, even the hardest kind of lung troubles. He will give you an honest answer. Abide by it.

"I was given up to die with quick consumption. I rapidly lost in weight from 135 to 98 pounds. I had repeated hemorrhages, and at last went to bed never expecting to get up. I then tried Ayer's Cherry Pectoral, and in nine months I had regained my old weight and was a well man again."