Pleads Not Guilty to Ten Charges of False day as to methods of procedure. Imprisonment.

COURT SETS TRIAL FOR NEXT WEDNESDAY

Defendant Gives Bonds for Three Hundred Dollars in Each Case-Caught by Photographer as He Enters Court.

President Horace G. Burt of the Union Pacific Railroad company was arraigned before Judge Berka yesterday morning on ten warrants charging him with false imprisonment, to which charge he pleaded not guilty, was admitted to bonds in the sum of \$3,000, released and his trial set for Sep-

This is the status of the case brought against President Burt by the men whom the Union Pacific imported Sunday from Instrike on the Union Pacific, and they fur- failing. thermore assert that they were imprisoned Deputy Thomas is personally conducting the prosecution.

President Burt entered the court at 19:35 yesterday morning, one hour and thirtyfive minutes behind schedule time. He was accompanied by John N. Baldwin, general of the festival has just set aside this time counsel for the Union Pacific, and John C. for the little folks, and the admission for was \$11,588,177,991. This amount on a mile-Vizzard, special agent for the company. The other Union Pacific attorneys, Edson Rich cents. A swarm of the juvenile lovers of \$61,538 per mile of line. Of the total cap- predicted that the delay is caused by the and Charles L. Dundey, who were Mr. Burt's music is expected on that occasion. Today's Ital stated \$5,806,597,104 existed in the form bondsmen, were already there, having ar- programs: rived at the hour appointed for the arraignment. President Burt walked to the front of the room and took a seat. He wore an amused expression and as he turned to scan the curious crowd that thronged the court room a broad smile bedecked his stern

Mr. Burt Signs His Bonds.

After a few minutes' consultation with Judge Berka, Prosecutor Thomas and Atterneys Rich and Dundey, Mr. Baldwin bockoned to President Burt to step to the desk and sign his bonds. These, as have been stated, were ten in number, one for each warrant, and were in the aum of \$300 each. The president consumed but a few minutes in this operation. He displayed no emotion whatever and his hand swept across the paper with as steady a stroke as if he might have been signing receipts for large railroad revenues.

The officer of the court waived the reading of the warrants, and Judge Berka then "It will now be necessary for you to plead,

Mr. Burt. How do you plead, guilty or not guilty?" "Not guilty," quickly interposed John N. Baldwin, before President Burt had had time to realize the court's question. Then, turning to his leading attorney, Mr. Burt

asked, with manifest curiosity, "What was "Do you plead guilty or not guilty?" repeated Judge Berka. "Oh, not guilty," spoke the president,

a low tone. "Well, gentlemen," said the judge, "it is agreed, then, is it, that this case shall be set for September 3 at 10 a. m. ?"

'Yes," answered the attorneys on each side in unison, and the court informed Mr. Burt that he would be expected to appear for trial at that time. Very well, is that all?" asked the presi-

"That is all," Judge Berka replied, and Mr. Burt, bidding the court and attorneys good morning, left the room with Mr. Baldwin and Mr. Vizzard, returning to the headquarters.

Has Nothing to Say.

Asked if he had any statement to make after the proceedings were over, President Burt replied: "Nothing at all, there is nothing to say."

The occasion of the president of a great railroad being summoned to appear in police court on a warrant of arrest created unusual interest and drew to the court room a large crowd of curiosity seekers. Before o'clock the court room was filled and stragglers stood in front of the police station, all eager to ger the first glimpse of toil" had accused of depriving them of their will play a program composed of light opera liberty. There was the chronic juror in motley crowd, the inpecuatous habitue of police courts, the man who never misses a session of these minor mills of justice, a number of strikers and many of the complaining witnesses. In addition to these was the usual run of "morning glorleh" waiting for their sentences as "vags" or "suspicious characters."

The crowd manifested considerable impatience when 10 o'clock came and still President Burt did not appear. It was the pur pose of Attorneys Rich and Dundey to dispose of the matter without bringing the president into court if possible, but Deputy lounty Attorney Thomas objected to this plan and insisted that Mr. Burt's presence Was necessary.

"Very well," replied one of the attorneys and the president was then called up on telephone and advised that his presence court was required.

Caught by Suspenot Artists. As President Burt, John N. Baldwin and Special Officer Viszard of the Union Pacific got within a few yards of the police station a photographer, representing a news paper, who had been standing on that very spot for several hours to catch the president, called to him. This was merely to attract Mr. Burt's attention so that a front view could be caught. But President Burt was unconscious of the trick and turned as

soon as his name was called. "Now put that thing right up," he said, catching sight of the camera, but it was too late, for the mischief was done, and before the president had advanced many feet farther the shot was repeated, and the ame performance took place as he came out of the police station

The president walked to and from his office and the police station. He was manifestly annoyed at the unusual demonstrathough evidently could not restrain a smile at the real humor of the situation, which seemed to impress itself upon all

Attorney Baldwin was asked if he had any statement to make and said:

"No, we merely entered a plea of not guilty, which, of course, does not prejudice our right to move for a dismissal of the ass or demur when the time comes." court assented to this.

Mr. Arnett is out of the city and could

not be reached with the warrants. The plaintiffs in the case against President Burt are not entirely satisfied with dropping matters at criminal prosecution. They want more than more redress for heir grievances, insisting that they must be remunerated for the time and money los in coming out to Omaha.

Therefore we have decided," said one of e men, "to institute civil action, if possible, to recover money for the time we have been idle, that is, since we hired to the company's agents in Indianapolis, \$5 for the adividual fees paid for the positions and to scure transportation back to our homes." Some of the men are at work me a brick | Brune.

BURT BEFORE POLICE JUDGE PART, getting enough money to bear their STATISTICS actual expenses while here, but two or three have been instructed to proceed with this Interatate Commerce Commission Re case, and they consulted attorneys yester-

> Yesterday was upeventful in strike af fairs outside the arraignment of President Burt. A few of the workmen left the shops, probably seven in all, and no new ones were introduced. Strikers who are keeping in close touch with the situation at the shops declars that the men on the inside are more year ending June 20, 1901. The number restless than they have been at any time since the strike began and would leave the shops but for the restraint of guards. The strikers are maintaining large picket forces day and night on all sides of the yards.

## CROWD AT THE BAND CONCERT

Warm Night Brings Out Many Buthusinsts, Who Warmly Appland Rivela.

The first warm night in many days brought out 2,000 people to hear Rivels and dianapolis. As has been published these his band last night. Mild weather apparmen, ten in number, claimed to have been ently released the approbation of the large employed by the company's agents under audience, and the applause came in great false pretenses, namely, that there was no swells after every number, unstinted, un-

The sextet from Dontretti's "Lucia di on the car at Council Bluffs and at the Lammermoor" came eighth on the program shops by William Canada, chief of the and was the artistic climax of a triumphant Union Pacific's secret service. It was for evening of music. This number found a more than were in use the previous year. this alleged false imprisonment that the keen rival for popular favor, however, in ten men swore to warrants of arrest for Sig. Setaro's harp playing, which preceded. President Burt and W. Arnett, employment His offering of "The Suwance River" as an | 833, there having been an increase of 99, agent of the company. The case was placed encore proved the intimate bond which drew in the hands of the county attorney and the hearers more closely to the muse's variations than any other selection. Paderewski's "Minuet" as played was a gem of interpretation.

Friday afternoon next is to be the children's matinee. The committee in charge

MATINEE.

March-Philipovich Schmid
Overture-Morning, Noon and Night. Suppe
Trumpet Bolo-A Dream Bartlett
Big. de Mitria.
"Gems of Stephen Foster" Tobani Signori Di Natale, Di Fulvio and Scarps. II.

Wagner

Intermezzo-Cavalleria Rusticana Mascasru Waltz-Loin du Bai Rusticana Mascasru Grand Selection-Polluto Donizetti Solos Signori Paima, Marino and Curti-EVENING.

March-Tannhauser

Symphonic March-Return from Turin Oveture—Beautiful Galatea Buppe
Trio for Flute, Oboe and Harp—Idyle
Britannique Pillevestre
Signori Lamonaca, Ferulio and Setaro.
"Dance Macabre" (Dance of Death)...
Grand Selection—Carmen Bizet
Prelude—Habanera—Toreador—Introduction.
March and Finale Act IV.

Signori Palma, Marino, Curti, Feruilo, 'Siegfried's Funeral March" ..... Wagner (a) "All the World Awakes Today"...

(b) "I'll Sing Thee Songs of Araby"...

(c) "I Will Give You the Keys of Heaven" Old England Mr. Arthur M. Burton, accompanied by Mr. Channing Ellery. "Reminiscences of Scotland" Godfrey Solos for All Instruments Musso

night, where the special event was a concert of this syncopated style of harmony by Huster's band. The audience was most enthusiastic and applauded their favorites until the number of encores responded to were mearly as numerous as the compositions on the regular program. In addition to coon melodies by the band. Huster contributed a signed to the command of the protected melodies by the band, Huster contributed a graiser Newark when it goes into commisbone, and for an encore rendered "Young Werner's Parting Song," by Nessier, both receiving tumultuous approbation. An event that attracted nearly as much attention as the musical program was the cakewalking of a number of children who congregated at the pavilion. Some of the little ones displayed cleverness approaching a professional standard. The moving picture production of "Jack and the Beanstalk," the Play" and other free shows provided a vathe man whom these "horny-handed sons of riety of entertainment. On Friday the band

## PENSIONS FOR WESTERNERS

Survivors of the Wars Generously Remembered by the General Government.

WASHINGTON, Aug. 27 .- (Special.)-The following pensions have been granted:

Issue of August 2:
Originals: Noah Hockman, Dorchester,
\$5; Carrington Hammer, Weeping Water,
\$6; Richard P. Maddox, Lincoln, \$5. Increase, reissue, etc.—William Steele, Nebraska City, \$5. Widows, minors and dependent relatives: Mary A. Morris, Gordon, \$5.

don, 38.

Iowa: Widows, minors and dependent relatives—Elizabeth J. Muck, Clarinda, \$5; Marguret Leusch, Traer, \$8.

South Dakota: Originals—Joahua V. R. Priest, Milbank \$6.

Issue of August 4:
Nebraska—Increase, reissue, etc.—Elias Quinn, Burchard, \$8; Isaac N. Alderman, Oasis, \$17; Joseph E. Spencer, Beemer, \$8; Aaron S. McCarter, Wymore, \$12 (Mexican war).

Iowa: Originals—Charles W. Harmon. Lucky Valley, St. Increase, reissue, etc.—Prancia E. Walker, Bedford, 110; Edwin G. Dickens, West Union, 31; Mark: W. Wright, Epworth, St. Edward McGann, Davenport, 111; James R. Minor, Oakville, 100; Christopher Billihimer. Ciarksville, 101; Leander O. Gann, Des Moines, 111; William L. Ray, Fort Madison, 110. Widows, minors and dependent relatives—Caroline Ellis, Dows, 15 (Mexican war).

Wyoming: Increase, reissue, etc.—Wesley B. Cox, Rawlins, 110.

South Dakota: Increase, reissue, etc.—Charles H. Palmer, Mitchell, 110.

Issue of August 5:

Nobraska: Widows, minors and dependent relatives—Lucella M. Moore, Harvard, 15. Originals-Charles W. Harmo

Iowa: Increase, raissue, etc.—William Nicol, Osage, \$3; Nathan Bigelow, Soldiers' Home, Marshalltown, \$12; Alva H. Jarvis, Waverly, \$12; Henry C. Crandall, Shell Rock, \$30; Horace A. Chipman, Manson, \$5; Leander D. Green, Osage, \$12; Benlamin Kingsbury, Ames, \$10; Samuel Moffatt, Tyrone, \$10. Widows, minors and dependent relatives—Minors of Charles Simplet, Dubuque, \$12.

pendent relatives—Minors of Charles Simplot, Dubuque, \$12.
Lause of August 6: Nebraska: Originals—Henry Sehlke, Decatur, \$5; Loud E. Whitzel, Geneva \$5 (war with Spain). Increase, reissue, etc.—Joseph J. Lichty, Lincoin, \$3.
Lowa: Originals—John B. Smith, Soldiers' Home, Marshailtown, \$6. Increase, reissue, etc.—Tidense W. Lane, Moravis, \$12. Widows, mirors and dependent relatives—Mary Jane Baker, Charinda, \$12.
Wyoming: Originals—John A. Mason, Dubols, \$6. Dubols, 30.

Issue of August 7:
Nebraska: Originals—Frederick Whitehead, Wood River, 36: William Balfour,
Nebraska City, 36: John H. Mills, Springfield, 510. Increase, reissue, etc.—Jomes
Divert, Dorsey, 300. Widows, minors and
dependent relatives—Nancy Hight, Norfolk,
112.

III.

Iowa-Originals-William Whitney, New Hartford, \$6; Edward Black, Jesup, \$8. Increase, relessue, etc.—Jacob Yoder, Eddy-ville, \$8; Jerome Seabury, Union, \$10; Seth B. Stevens. Mason City, \$17. Widows, minors and dependent relatives—Angeline D. Jones, Unique, \$8; Levins R. Felt, Coage, \$8. D. Jones, Unique, B; Levina R. Felt, Ocage, 35. Wyoming: Originals—Nelson T. Wood, Soidlers' and Sallors' Home, Cheyenne, 35. South Dakota: Originals—Charles C. Brunsoman Eikton. E. RAILWAYS AFFAIRS AT SOUTH OMAHA

ports for Year Ending June 30, 1901.

mary of the annual report on statistics of railways in the United States, covering the of rallways in the hands of receivers on that date was forty-five, a net decrease of seven, as compared with the corresponding date of the year previous. The capital stock represented by the railways in the charge

Ital stock represented as compared with 1900 of \$58,618,598 and in funded debt of 252,644,260 The total single-track railway mileage to the United States June 30, 1901, was 197,-237 miles, this mileage having increased during the year 3,892 miles. The operated single-track mileage in respect to which detailed returns were made was 195,571 miles, this mileage including 5,606 miles of line on which privileges were granted. In-

of receivers was \$49,478,257, funded debt

\$54,748,662 and current liabilities \$14,183,-

230. These figures show a decrease in cap-

Commerce commission today issued a sum-

length of railway mileage was 265,366 miles, an increase of 6,583 miles. There were 39,584 locomotives in the service of the railways, which was 1,921 The total number of cars of all classes in the service on the date stated was 1,553,-996 in rolling stock of this class. The number of persons in the employment of the railways of the United States June 30, 1901, was 1,071,169, or an average of 548 employes per 100 miles of line. As compared with June 20, 1900,. the number of

employes increased 53,516. The amount of railway capital outstanding of stock, of which \$4,475,439,721 was common stock and \$1,331,157,383 preferred stock. The amount which existed in the form of funded debt was \$5,881,580,887. The amount of current liabilities which is not included in the foregoing figures was \$620,403,419, or \$3,266 per mile of line.

The number of passengers carried was 607,278,121, showing an increase for the year of 30,413,891. The number of tons of freight carried during the year was 1,089,226,440, a decrease of 12,453,798 being shown. The gross earnings from the operation of the railways in the United States were \$1,588,-526,027, being \$101,481,223 more than for the fiscal year 1900. The operating expenses were \$1,030,397,270, having increased in comparison with the preceding year \$68,968,759.

The total number of casualties to persons on account of rallway accidents were 61, 794, the number of persons killed having been 8,455 and the number injured 53,839. Of railway employes 2,675 were killed and 41,-142 were injured. The number of passengers killed during the year was 282 and the number injured 4.988. The number of persons other than employes and passengers killed was 5,498, and injured 7,209.

## WAINWRIGHT- TAKES NEWARK

Santiage Hero Gets Command of Pro tected Cruiser as Result of Prospective Changes.

ard Wainwright as Naval academy at Annapolis. Commander Wainwright, who achieved great distinct tion in the sea fight off Santiago as commander of the converted yacht Gloucester sion, October 15.

## MUST NOT BE TOO ACTIVE

Department Instructs' Postmaster to What Degree He May Participate in Politics.

WASHINGTON, Aug. 27.-The part which postal employes are to be permitted to take in a political campaign is outlined in the following instructions which Acting Postmaster General Wynne has addressed to a postmaster who sent a letter of inquiry:

In reply to your letter you are informed that you are not prohibited from joining a political club, nor making voluntary financial contributions outside of a government office or building, nor from acting as a delegate to a county, state or congressional convention. You should not, however, serve as chair-

man of a state or county committee, nor take active part in conducting a political convention, ner make yourself unduly prominent in local political matters.

### DEATH RECORD.

Jesse Helter, Hebron.

HEBRON, Neb., Aug. 27 .- (Special.)-Jesse Helfer, a resident of this city, died here yesterday. He would have been 82 years old today. He was buried this morning from the Christian church, where an impressive funeral service was conducted over his remains by the pastor, Rev. R. A. Shell. Many of his old friends and comrades were present. Morton post, No. 17, Grand Army of the Republic, of which deceased was a member, escorted the remains to the cemetery.

George W. De Haven.

CEDAR RAPIDS, Ia., Aug. 27.-George W. Da Haven, pioneer circus proprietor, is dead here aged 65. He was the first show man to inaugurate the "railroad" circus and also introduced Roman hippodrome races in circus performances. De Haven had organized thirty-three different circusses. Interment will be at Polo, Ili.

0. P. McGarvie, Telegrapher.

LOS ANGELES, Aug. 27 .- O. P. McGarvie, well known commercial telegrapher, is dead at his home in this city, aged 37 years. He had been employed in the local Western Union office for the last two years. A widow and one son survive him, also two brothers, one living in New York.

NEW YORK, Aug. 27 .- Rev. Thomas Gallaudet, D. D., a Protestant Episcopal clergyman, who was noted for his work among deaf mutes, died at his home in this city today. He was born at Hartford, Conn., in

### FIRE RECORD.

1822.

Harrison, Idaho, in Danger. SPOKANE, Wash., Aug. 27 .- A special to the Chronicle from Harrison, Idaho, sava: A is in danger of destruction. The fire started in the Cameron Lumber company's plant about 2:30 p. m., the supposed cause being a spark from an engine. The Cameron plant high wind is blowing toward the east. Should it turn toward the town there is little hope of saving it. The citizens are fightthe water works throw but feeble streams. Ed J. Brennan was on the streets yes-

Effort Being Made to Secure Extension of Street Bailway, WASHINGTON, Aug. 27 .- The Interstate

TO REACH FORT CROOK AND BELLEVUE

President Murphy Gives Assurance That Proposed Extension Will Be Considered by Directors-Magie City Gossip.

Fort Crook. Dr. Kerr, president of Bellevue college, had an interview recently with Frank Murphy, president of the Omaha Street Railway company, and while no definite promises were made, Mr. Murphy as sured Dr. Kerr that the matter would soon be considered by the directors of the company. The growth of the college and the placing of the Second and Third cluding tracks of all kinds the aggregate battalions of the Twenty-second United States infantry at Fort Crook demand that there be some means of transportation between these points and Omaha.

Members of the East Side Improvemen club say that they are doing all they can to induce the street car company to extend its line on Thirteenth street, which

March—Patria

WASHINGTON, Aug. 27.—The Navy department announced today that Captain Colby M. Chester would succeed Captain H. Davis as superintendent of the naval observatory. Captain Davis will be placed in command of the battleship Alabama as the successor of Captain Willard H. Bronson, who in turn will succeed Commander Richard to prove the successor of Captain Willard H. Bronson, who in turn will succeed Commander Richard to prove the successor of Captain Willard H. Bronson, who in turn will succeed Commander Richard to prove the specifications are now ready. All bids for this work must be accompanied by a certified check for \$100. In addition to this the board reserves the right to reject any or all bids. Bids will be opened at a meeting for bida for the constitution of a four-room addition to the board and the political boss and the

on September 2. Preparing for Labor Day.

All of the labor organizations in South Omaha are making preparations for the celebration on Labor day. Mayor Koutsky has issued a proclamation requesting business men to close their places and direct ing that the city hall be closed. The banks will be closed all day, but business at the Live Stock exchange will go on as usual, A parade of the local jusious is being

Incorrigable Boys.

Police Judge King proposes to commit Charles Emms and Frank Bomaster; both lads about 12 years of age, to the reform school. These lads have of late been mak ing the police considerable trouble and have frequently been taken into custody for minor offenses. As the youngsters seem to be beyond control, an effort will be made to send them to the reform

school. Pay Solicitors' License.

Yesterday Max Rosenthal called at the office of City Treasurer Howe and paid the fee of \$100 for the privilege of maintaining a solicitor. The Rosenthal case has been tried in the police court and was taken thence to the district court. In order to do away with any further litigation Mr. Rosenthal decided to pay the fee demanded by the city, although he stated at the time payment was made that he considered the amount entirely too large.

Complaint Against Hughes.

A complaint was filed in police court yesterday afternoon charging John Hughes with highway robbery. It was asserted by George Lamb that Hughes assaulted and attempted to rob him at a point near Thirty-third and L streets Tuesday. Lamb has a badly battered face to show, but he says that he disposed of his money so that Hughes did not get any of it. Hughes is now in jail.

W. O. Hopkins Dead.

W. O. Hopkins, an old resident of South Omaha, is dead. Funeral services will be held at 9:30 o'clock this morning at Brewer's undertaking establishment. Interment will be at Laurel Hill cemetery. Rev. R. L. Wheeler of the Presbyterian church will officiate. The deceased worked at his trade as a barber here for years and the members of the Barbers' union will attend the funeral.

Some More Sewers.

A sewer is now being laid from Twentyfifth and U streets to Twenty-fourth and This sewer when completed will cost about \$800 and will be paid for by the property owners and will be known as a private sewer. The necessity for this improvement has been apparent for some time and complaints from the Board of Health forced the property owners to take steps to improve the sanitary condition of the locality included in the district mentioned. A twelve-inch sewer is being laid and this is considered plenty large enough to last for a number of years.

Hospital Benefit Tonight.

The first of a series of dramatic entertainments to be given by the young people of Bouth Omaha for the benefit of the local hospital will be given tonight at the Sloane building on Twenty-fifth street. A pastoral drama called 'Home, Sweet Home,' will be produced. Some changes hot fire is raging here and the entire town have been made in the interior arrange ment of the ground floor of the building, and as a large number of tickets have been sold it is expected that the ceipts will assist materially in maintainvalued at \$50,000, is already destroyed. A ing the hospital. Entertainments will also be given on Friday and Saturday evenings.

Magie City Gosatp.

George Westcott is visiting friends in who said in part; H. Dunn is back from a two weeks' va-

cation spent in Denver. Miss Anna Levy is back from weeks vacation spent in the east. Dr. J. M. Tische has gone to Minnesota to spend a few weeks with relatives. H. Reed, wife and daughter returned yea-erday from Chicago, where they spent the

While still on the sick list Chief Briggs of the police department was at his office for a short time yesterday.

Superior lodge No. 193, Degree of Honor, will meet on Thursday evening for the purpose of initiating candidates. The drill team of camp No. 10%, Modern Woodmen, will give an ice cream social at the camp hall this evening. Another effort is being made to induce the street car company to extend its car line on Thirteenth street to Bellevue and in the east.

Physical Director Baker of the local Young Men's Christian association has returned from a three weeks vacation spent in the east.

# TRUSTS A MISNOMER

(Continued from First Page.)

least appropriately named. They were called respectively "The Aladdin Lamp company" and "The American Octopus company."

The supreme court of the United States and several of our presidents have more than once called attention to the gravity of the situation, and we cannot suppose that men occupying such high positions of responsibility would wantonly excite public apprehension.

responsibility would wantonly excite public apprehension.

There is one form of tyranny that governments, however instituted, cannot—at least directly—exercise. Efforts have often been made to control prices by law, but never successfully. The natural laws of trade always triumphed over the artificial laws of men. But whoever can control the supply can fix his own prices, as we see in the case of Pharach in Egypt. It was not as king that he asserted that power, for the command of the supply would have given it to him if he had been a private individual.

President Reservett Question.

the opinion that, so far from doing any good, they only make matters worse. The objections are that they prolong the strife of a political contest; that they involve much additional expense; that they tend to increase fraud and corruption, being held in the bosom of a single political party whose members are not inclined to reveal party secrets; that by substituting a house to house canvass for a free and open public discussion they lead to an ignebis political scramble, rife with personalities, misrepresentation and slander, thus lowering the political level and excluding many pursons from that active participation in the elections which would be beneficial to the public; that, so far from obstructing the political boss and the political demagogue, they open a field peculiarly suitable for their capacity and for the exercise of their favorite methods, and that one of the effects, if not the purpose, of the primary elections is to head off the independent candidate; whereas, when the party machine has done its worst, it sometimes happens that the independent candidate affords the only hope of rescue from a public calamity.

I express no opinion on the subject, but it is difficult to see why the boss and the demagogue, when active and efficient in a single election, should throw up their hands at the prospect of a double election.

When Lord Byron was asked what was the best form of government he answered that they were all so bad that it was hard to say which was the worst. Certain it is that none of them live up to their ideais, we believe, however, that a representative form is the best. Its theory is that as men in their private affairs usually—all things being equal—choose the best tailor, the best shoemaker, the best lawyer and the best doctor they can get, having regard not only to their knowledge and their skill, but also to their honesty, they will use like discretion in choosing their political agents. In practice the rule does not always work out in that way, and men who are notoriously unfit, partly

Evil of Our Government. Evil of Our Government.

It is sometimes said that every people has as good a government as it desires, and this is true of all that are free. The evils that impair the successful operation of our governments, both state and federal, are deep seated, and quack expedients, dealing with surface indications, cannot be relied on to do any good. "Therein must the patient minister to himself."

A clamor is made in some of the states for what is called the initiative and the referendum—an idea borrowed from Switzerland, whose thinly-inhabited cantons hardly equal our counties in wealth or population. We have always had the initiative since a proposed law must be very

tons hardly equal our counties in wealth or population. We have always had the intitative since a proposed law must be very absurd and hopeless if no member of the legislature can be induced to present it for legislative action.

The referendum we have always had, for if any law is objectionable the voters can always choose representatives who are pledged to its repeal. This would seem to be quite sufficient without authorizing insignificant inhorities to keep alive unending controversy by a factious and impotent resistance inimical to our form of government which resis on the will of the majority of the people for the time being; not that majorities are infallible, but because public questions must be settled in some way and because, as a general rule, majorities are more likely to be correct than minorities.

Popular Election of Senators

deveral of the states have recommended an amendment to the federal constitution requiring senators of the United States to be elected by popular vote. This is one of many signs of distrust of our legislative bodies. There is probably no very valid objection to this change, as it is clear that since the rise of political parties, the device of a secondary body of electors, though well suited to the time when the federal constitution was framed, serves at present no useful purpose, as we see in the case of presidential electors who no longer act on their unbiased judgment, but under a political pledge imposed when they were nominated for that position. But it is by no means sure that the election of senators by popular vote will confer any benefit, seeing that it cannot be easily expiained how the same voters, who cannot elect good representatives, can be confidently expected to elect good senators.

At the conclusion of Judge Rose's address

At the conclusion of Judge Rose's address there was a brief recess, after which routine business, including election of mem bers and the reading of reports was taken up. Chancellor McClain of Iowa.

The Association of American Law Schools

man has been seriously ill for over seven was made by the president, Emlin McClain. COAL RUNS INTO BIG MONEY

Lawyers and judges will alike bear me out in saying that the elaborate textbook opinion in which a whole branch of the law is expounded, regardless of its application to the facts of the case in hand, is cation to the facts of the case in hand, is confusing and often absolutely misleading, and the time necessarily expended in discovering what the court has really decided in that case is a source of constant vexation. I think I may safely say that the bulk of reported opinions could easily be reduced to one-fourth of that which now appale the lawyer and the judge as he sees the new volumes of reports carted into his library each year. To summarize, the reduction would be brought about by writing a memorandum only in one-half into his library each year. To summarize, the reduction would be brought about by writing a memorandum only in one-half the cases and putting it in such form that the case could not possibly be cited in support of any proposition whatever. Then in cases where opinions should be written the length of the opinion could be greatly reduced by considering only the points of some practical importance, and as to which an opinion is worth while, and, finally, the discussions of the points which are worth while could be made much shorter by the statement only of ultimate facts, instead of claborating the reasons and facts which the judge considers and rejects in reaching those which he finds satisfactory and for which he is willing to vouch.

There is no indication that the common law system of determining and administering justice can be, or ought to be, radically changed. But it lies with the legal profession, composed of lawyers and judges, to improve that system that it may approach more nearly to what its old champions have so often declared it to be—the perfection of human reason.

A paper was presented by Joseph H. Beale

A paper was presented by Joseph H. Beale

make it control phonometric ph

"Mr. Jones" was to buy extensively of Chicago property for hotel purposes. An agreement was drawn up between the supposed Jones and a real estate owner and commissions were promised.

These pron as security for a loan. Suspicion was cast on Lee, when the death notice appeared. In explanation Lee, who is an old man, said he felt sure he could have sold the property to someone if he had had time. It is said no prosecution will result.

OUTPUT OF PACKING HOUSES Omaha Passes the Million Mark and

Keeps Up Its Lead for

Second Place. CINCINNATI, Aug. 27 .- (Special Telegram.)-Price Current says: Offerings of hogs have been reduced. Total western packing is 295,000, compared with 325,000 the preceding week and 275,000 last year. Since March the total is 9,165,000, against 11,485,000 a year ago. Prominent places

compare as follows: Kansas City St. Joseph St. Louis Ottumwa ...... Cedar Rapids Sloux City Extended inquiry concerning present sup-

an indicated decrease of 18 per cent compared with a year ago. Awful Loss of Lare Follows neglect of throat and lung dis-

ply of hogs in western states results in

eases, but Dr. King's New Discovery cures such troubles or no pay, 50c, \$1.00. MPLICATES RETAIL BUTCHERS

Witness in Beef Trust Inquiry Declares Uniform Prices Agreed . Upon by Ment Dealers.

ST. JOSEPH, Mo., Aug. 27 .- The beef rust inquiry, begun yesterday, was contipued today. The interest was much greater and the attendance larger. The cross-examination of John Wood, a local butcher, who had testified to the existence of a combination among the packers. brought out very little of importance. He admitted that the retail butchers had agreed upon a scale of prices, but said that this was rendered necessary by the packers' trust. He also admitted that the packers had made "concessions" in the matter of over ripe meat, which he had sold at

the regular scale for first-class meat. The examination was conducted by Alexander New and Frank Hagerman of Kansas City, of counsel for the packers.

Advisory Beard Opens Bids en City's Sup-

ply of Black Diamonds.

ANTHRACITE AT TWELVE DOLLARS A TON

City Comptroller Thinks All Rids

Ought to Be Rejected, but Mayor

Says Prices May Go

Higher.

At the meeting of the advisory board. yesterday afternoon bids for the city fuel supply were opened, and although the members were all aware in a general way that the price of coal was high, the figures presented were such as to cause general surprise. There were five bidders for the fuel contract-T. C. Havens, C. B. Havens & Co., the Nebraska Fuel com-pany, the Coal Hill Coal company and

Coutant & Squires, but only three of them quoted any figures on anthracite coal, T. C. Havens offering to furnish it for \$12 per ton, the Nebraska Fuel company for \$11.65 and Coutant & Squires for \$11.50. On the various kinds of soft coal the prices ranged from \$2.25 to \$7 per ton, according to the quality or the locality in which it is mined, and semi-anthracite was quoted from \$9 upward. It is estimated that the city will not use a greater quantity of hard coal than twenty-five tons, its principal need in the fuel line being for various kinds of soft

coal for use at the city hall in making steam, at the city fall and at the election booths and other places where only small quantities are required. There will be required, however, about 1,500 tons of steam coal, and in all perhaps as much as 4,000 tons of the various kinds of soft coal during ing the winter.

Bids on Bituminous,

In the bids so many different kinds of bituminous coal were mentioned as to make any comparison of the figures almost impossible to one not thoroughly acquainted with the coal business. T. C. Havens quoted Cherokee steam

coal at \$2.87, Rock Springs lump at \$6.85 and Southern Illinois lump at \$5.40. C. B. Havens & Co.'s bid was for Cherokee steam coal, \$2.85; Danforth, \$3.17 per half ton; Trenton, \$5.60 per ton; Jackson Hill, \$7.20 per ton.

The Nebraska Fuel company offered Weir City at \$2.75 per ton; Cleveland, \$2.25 per ton; Cleveland lump, \$2 per half ton; Cleveland lump, \$3.75 per ton; Canon City lump, \$7 per ton. The Coal Hill Coal company's figures

Cherokee stack, \$2.83; Walnut block, \$4.21; De Vernon, Ill., \$4.75. Coutant & Squires made only one price on soft coal, \$2.68 for either Iowa or Missouri nut mixture. On semi-anthracite coal T. C. Havens

were: For pea mixture, \$2.56 per ton;

per ton; the Coal Hill Coal company, \$9.10 per ton, and Coutant & Squires, \$9.25 per Suggests Rejection of Bids.

bid \$9.20 per ton; C. B. Havens & Co., \$9

Comptroller Westberg suggested the rejection of all bids, in the belief that the city would do better in the open market after the end of the present strike. Mayor Moores said that from what he had been able to learn of the coal situation he felt convinced that the prices would not be lower at any time during the winter, even if the strike should be brought to a close at once, and that they would probably go higher. The eastern market, he said, would be first supplied and the western consumers would get no relief for some

The bids were all referred to tary Coburn for tabulation and will be presented at a future meeting for further

Keep the body healthy at this season by using Prickly Ash Bitters. It is a necessary condition to successfully resist malarial germs.

BISHOP TO BE A BUSY MAN San Francisco Prelate to Have Charge of Conferences in Nebraaks, Iowa and Kansos.

SAN FRANCISCO, Aug. 27 .- Bishop J. W. Hamilton of the Methodist Episcopal church will leave tonight for the east, to be absent

three months. During this time he will have charge of the German Methodist conferences in Minnesota and Iowa, the Swedish conferences in Kansas and Nebraska and the English conferences in Iows, Oklahoms and

Indian Territory. He will also attend the first great national missionary convention at Cleveland, O., in the middle of October, and will parlicipate in the conference of bishops of the Methodist Episcopal church at Saratoga, N. Y., and the annual meeting of the Missionary and Freedman's Aid and Church Extension societies of the whole Methodist

### denomination at New York City.

LOCAL BREVITIES. The meeting of the Seventh Ward Republican club scheduled for tonight has been postponed one week on account of inability to secure the tent which the club expected to pitch on Park avenue this week.

Mary A. Byers is the plaintiff in a suit in the district court whereby she seeks to recover \$1,000 as damages to the east Lio feet of lot 1. Bartlett's addition, by reason of the grading of Thirtieth street from Leavenworth to Mason street. Anna Rasmussen has filed suit in the district court for divorce from Chris Rasmussen, to whom she was married in this city April 2, 1894. The complaint alleges desertion dating from June 2, 1905, and the plaintiff asks the court to restore her

### aintiff asks the court to restore aiden name, Anna Trillity. PERSONAL PARAGRAPHS.

Julius S. Cooley has returned from a trip to southeastern Nebraska on legal business. He says the people in that sec-tion are greatly interested in the Ak-Sar-Ben festival and will come to Omaha in

force.

Dr. Towne left Wednesday for a trip through New England. He will meet Mrs. Towne in Vermont, she having been with friends about Boston since June. After a visit to his aims mater. Dartmouth college, in New Hampshire, they will return by way of Philadelphia and Laasing, Mich.

