

THE OMAHA DAILY BEE

E. ROSEWATER, EDITOR.

PUBLISHED EVERY MORNING.

TERMS OF SUBSCRIPTION.

Daily Bee (without Sunday), One Year.....	\$4.00
Daily Bee and Sunday, One Year.....	6.00
Illustrated Bee, One Year.....	6.00
Sunday Bee, One Year.....	6.00
Star Bee, One Year.....	1.00
Twentieth Century Farmer, One Year.....	1.00

DELIVERED BY CARRIERS.

Daily Bee (without Sunday), per copy.....	2c
Daily Bee (without Sunday), per week.....	.17c
Sunday Bee, per copy.....	2c
Sunday Bee (without Sunday), per week.....	.25c
Evening Bee (including Sunday), per week.....	.10c

Complaints of irregularities in delivery should be addressed to City Circulation Department.

OFFICES.
Omaha—The Bee Building,
11th and Farnam Streets;
Council Bluffs—16 Pearl Street;
Chicago—156 Unity Building;
New York—294 Row Building;
Washington—294 Fourteenth Street.

CORRESPONDENCE.

Communications relating to news and editorial matter should be addressed: Omaha Bee, Editorial Department.

REMITTANCES.

Remit by draft, express or postal order, payable to The Bee Publishing Company. Only 2-cent stamps are required on money orders. Personal checks except on Omaha or eastern exchanges, not accepted.

THE BEE PUBLISHING COMPANY.

STATEMENT OF CIRCULATION.

State of Nebraska, Douglas County, ss:

George B. Tschuck, secretary of The Bee Publishing Company, being duly sworn, states that the actual number of full and complete copies of "The Daily Morning, Evening and Sunday Bee" printed during the month of February, 1903, was as follows:

1	29,161	15.....	29,225
2	30,530	16.....	31,320
3	30,630	17.....	31,540
4	30,690	18.....	31,490
5	30,490	19.....	31,450
6	30,570	20.....	31,670
7	30,550	21.....	30,295
8	29,161	22.....	31,920
9	30,610	23.....	31,820
10	30,500	24.....	31,820
11	30,652	25.....	31,860
12	30,640	26.....	31,520
13	30,640	27.....	31,600
14	30,570	28.....	31,780

Total..... \$33,432

Less unsold and returned copies... 9,304

Net total sales..... \$44,028

Net average sale..... \$0.415

GEORGE B. TSCHUCK.

Subscribed in my presence and sworn to before me this 28th day of February, A.D. 1903.

M. B. HUNGERFORD
(Seal) Notary Public.

President Castro of Venezuela seems to have gotten into a place where no resignations go.

Rather than allow the new revenue law to be manipulated and mutilated by boodle, let it die and R. L. P.—Rest in Peace.

Mount Soufrière is smoking up again. It must have found itself compelled to lay in soft coal during the anthracite strike to save money on fuel.

The resignation of the attorney general of Porto Rico might give our Dave a tip to lose no time in getting himself "prominently mentioned" for this job.

Will the allied corporations kindly permit the citizens of Omaha to nominate and elect men of their own choice to the next city council? If not, why not?

Having got what they wanted out of the revenue bill in the house, the railroads are telling the other privileged corporations to help themselves in the senate.

The Fair estate is about to be settled again. The controversy over the Fair millions has been settled so often that a final settlement would be almost a calamity.

If both sides to the coal strike could only make themselves believe they got the best of the arbitration award all concerned would be in a happy frame of mind.

It takes nine days for newly born kittens to get their eyes open. It has taken nearly nine months for the citizens of Omaha who have been bunged by sham police reform to get theirs open.

People in Washington who watched the recent extra session of the senate think they see a clout rule in sight. Experience in the past, however, has served to create the impression that such a vision is due to color blindness.

City Clerk Elbourn says he is opposed to the unquestionable feature of the primary election bill. But he has not yet told the governor so or asked him to veto the odious measure. Here is a chance for City Clerk Elbourn to make good.

The lobby at Lincoln does not have to speak over a telephone to talk to the legislators while their constituents at home do. This may explain in part the potential difference between the lobby on the ground and the constituency at a distance—but only in part.

When they want to go ahead with any project, Kansas City men do not feel it necessary first to ask the permission of the corporation managers. Omaha business men will have to break loose for themselves if they want to do effective work in pushing the city's progress.

The supreme court of Missouri has come to the rescue of the imprisoned legislative boulders who refused to testify before an investigating committee for fear of incriminating themselves. The Missouri corruptionists must have run into a pretty close corner if no other loophole was left for them to crawl out of.

We know now why such a pressing emergency existed to demand the postponement of the Omaha city election till May to avoid bad weather while the time for the spring municipal elections in all other Nebraska cities and towns was allowed to remain a month earlier. The dark lantern brigade needed more time to get their test oath bill through the legislature so that the work of spotting voters for the corporations could begin at once.

THE MERGER CASE.

The case of the United States against the Northern Securities Company has gone to the court and the decision, which may not be rendered for several months, will be awaited with great interest. The case has been argued with very great ability on both sides and those who have taken the trouble to read the arguments must be impressed with their force and comprehensiveness. On the part of the government the contention of Mr. Beck, assistant attorney general, was particularly strong and able. He took the position that the powers granted by the New Jersey charter to the Northern Securities company were most extraordinary and pointed out that under it two men may control the unlimited powers of the holding company, which in turn controls the vast powers of the Burlington, Northern Pacific and Great Northern companies and all subsidiary companies. When in the history of corporate organization, he asked, was there ever a charter which concentrated vast and immeasurable power in the hands of so few?

The attorney for the government urged with great force that the Northern Securities company contravenes the anti-trust law of 1890, that it is a combination which interferes with free competition and that therefore it is in restraint of interstate commerce. It is not important, argued the assistant attorney general, that the proposed combination does not secure a complete monopoly of a given subject of commerce; a partial monopoly is equally offensive to public policy. Another proposition was, that the fact that the power of the combination has not been exercised to increase prices or rates is not important; the law is concerned not with what is done, but with the power to do. "The law will look to the substance and not to the form and will not permit a monopolistic combination, no matter by what corporate or legal devices it may be attempted."

The arguments of the attorney for the defendant were principally directed to show that the organization and purpose of the Northern Securities company do not contravene the anti-trust law of 1890, which it was held had no application to such an organization. The leading attorney of the company, former Attorney General Griggs, took the position that the anti-trust law has no application whatever to the case, inasmuch as that law does not interfere with the right of an individual or a combination of individuals to buy all the property he or they have the capital to purchase. He urged that the law cannot limit the amount of that purchase and that the anti-trust act does not specifically say such purchase is a violation of its provisions.

The careful reader of the arguments will see that there are some nice points to be determined, but it is hardly possible to avoid the conclusion that the merger is hostile to free competition and consequently is opposed to public policy and in contravention of the law.

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Having got what they wanted out of the revenue bill in the house, the railroads are telling the other privileged corporations to help themselves in the senate.

THE FAR AND NO FARTHER.

The republican members of the legislature will have a great deal to answer for and explain to their constituents when they come home for good. While many of them have done their duty faithfully, many others have shown a lamentable lack of moral courage and scores have fallen by the wayside. The railroad corporation cohorts under the leadership of John N. Baldwin and a gang of corruptionists, whose proper place is behind iron bars, have succeeded in dabaching and demoralizing the venal weaklings who lack the courage to assert their manhood and through them have succeeded in defeating wholesome legislation demanded by the people.

By their machinations they have thwarted the effort to give Nebraska an equitable system of assessment and taxation that would compel all classes—the rich and the poor, the land owner and the bondholder, the toller in the workshop, the merchant and the corporate monopolies—to bear their just share of expenses of government in proportion to the value of their taxable property.

They have, moreover, prevailed upon the legislature to ignore and turn down the just demands of the taxpayers of the larger cities of Nebraska for the repeal of laws heretofore enacted at the behest of railroad managers by which these corporations are able to evade municipal taxes although they enjoy all the protection and benefits of municipal government.

To cap the climax, an attempt is now being made to rob Omaha, South Omaha, Lincoln and other cities, that have given franchises to street railways, electric lights, gas and water companies, of the benefits of the decision rendered by the supreme court last year defining the basis of taxation for these corporations to evade municipal taxes although they enjoy all the protection and benefits of municipal government.

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The commission will not be appointed until the Colombian congress has ratified the treaty and it is said that in the meantime the president will not give any serious consideration to the matter. It is the impression that Admiral Walker will be placed at the head of the new commission and it is not unlikely that some of the other members of the commission which investigated the canal routes will be on the one to be appointed. At all events there will be places for only three politicians, so that most of the applicants are certain to be disappointed.

Railroad men are already talking about special excursion rates for the St. Louis exposition. If the exposition is to have the advantage of favorable rates they should be put in force from the opening rather than held back until

be adopted by a bare majority of a quorum by the other. It is not uncommon by this process for huge jobs and steals to slide through by concurrence when only a bare quorum of either house through which it is being log-rolled is present. Thus, for example, it takes 51 votes to carry a bill through the house, but 29 votes may put an amendment into a bill by a motion to concur. On the passage of a bill the vote of every member must be recorded, while a motion to concur may be carried viva voce without record so that the boulders who have sold out can escape the just indignation and contempt of a betrayed constituency.

For these reasons, and in the interest of good government and the republican party, that will be held responsible, The Bee appeals to members of the state senate to fight down and defeat any attempt to amend the revenue law in the interest of franchised corporations under whatever pretext the appeal is made to them. It goes without saying, that the men who will support such an amendment will subject themselves to the suspicion that they have sold themselves out for a price and the stigma of corruption will attach to them forever.

We realize that the revenue bill as framed up under the supervision of Baldwin and his clackers is not exactly what the people of Nebraska desire or expect at the hands of the legislature, but if it is to pass at all let it pass in its present form unless it can be improved in the interest of the rank and file of the taxpayers. It would be most scandalous for the legislature to undo what the supreme court has decreed after a protracted contest with the allied franchise corporations. It will be no excuse or warrant for the senate to include in the one year gross receipts category the street railways, gas company, electric light companies and water works' companies because the telephone company has managed to drum the house into placing it on that basis. On the contrary, if the senate really wants to do the honest thing and the right thing, it should demand the telephone company to the basic laid down by the supreme court for all corporations that hold municipal franchises.

The legislature certainly has gone far enough in its subserviency to the great corporations and its motto should be, "Thus far and no farther."

FINANCIAL REACTION IN MEXICO.

Mexico has enjoyed a long period of prosperity, but a financial reaction is taking place.

Colonel Henry Watterton sees in Grover Cleveland and in William Jennings Bryan two stubborn obstacles to the achievement of democratic success in 1904. He regards the hour—in the judgment of Colonel Watterton—should scarcely be pointed out with strict propriety, in his own paper.

Tumble in Asphalt Prices.

Springfield Republican.

It was a great thing for the cities when the asphalt trust broke down. Prices have been falling and failing until now New York City has awarded paving contracts for some \$250,000 at \$1.05 a square yard when laid on Belgian blocks, and \$1.95 when concrete is to form the foundation. These are the lowest prices ever secured by the city, and compare with prices paid from \$2.50 to \$3 when the trust was in full operation. The experience of the country with other trusts, in respect to low prices, etc., through "economics" in production, is about like this experience with the asphalt trust.

Vagaries of Life.

Portland Oregonian.

The pope is about 80 years old and his great age might be quoted as due to his saintly life and serene devotion to other than worldly pursuits, but here is ex-Congressman Martin L. Townsend of Troy, N. Y., an active politician and able lawyer all his days, dead at 93 of pneumonia. There have been many long-lived saints and a good many short-lived saints. Aaron Burr lived to over 80, while Bishop Phillips Brooks, a giant in physique, a celibate and a saint, if there ever was one, died when but a little past 57 years of age. Ex-Governor Holbrook of Vermont, "war governor," celebrated his ninetieth birthday recently after an active life of worldly pursuits.

Playing in Great Luck.

Washington Star.

The west is playing in great luck. She is only the honor of a visit this spring from our president, Roosevelt and ex-President Cleveland. The latter's plans are not complete, but in all probability he will follow in some of the former's footsteps. It would be sacrilege to suggest within the circle of Mr. Cleveland's admirers that he may have in view among other things testing western sentiment toward himself at this time. But it cannot be doubted that whatever his purposes may be his trip will afford such an opportunity. Shall he go as far as Nebraska?

And shall we hear of him at Lincoln? Mr. Bryan on one occasion while visiting the east referred to that section as "the enemy's country." Will Mr. Cleveland be made to feel while in the west that he is in "the enemy's country"? Probably not.

For whatever the west may think of his financial views and record, she will treat her distinguished guest, we may be sure, with due courtesy. The presidential campaign is on. And why not?

SELFISH HAWAIIAN LAWMAKERS.

Benighted State of Affairs in the Paradise of the Pacific.

Chicago Post.

Starting news comes from the territory of Hawaii. It describes conditions so utterly foreign to anything ever known in the United States, that the average American must stand aghast at the realization that anywhere within our extended borders the merchant and the corporate monopolies—bear their just share of expenses of government in proportion to the value of their taxable property.

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