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STATEMENT OF CIRCULATION. 39,980 17...... 41,090 by the courts.

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WHEN OUT OF TOWN. Subscribers leaving the city temporarily should have The Bee mailed to them. Address will be changed as often as requested.

For light entertainment, take in the electrical show

The score stands 11 to 11, with the rest of the game postponed by the uni-

What's in a name? Three Shamo-

At any rate, the tariff debate is demonstrating that the west is on

retire. Is the statement specific or advalorem? *** ****

Early house cleaners in Omaha

made the mistake of failing to count on the dust storm. Governor Shallenberger has issued

a Mother's day proclamation. Is Mayor "Jim" going to let a chance like this go by?

City Clerk Butler has an idea that he may have to serve as president of duties. Unlikely.

Unless hides go on the free list Mr. Roosevelt will have a nice bill to pay when he tries to get through the custom house on his return.

It remains to be proved that golf players are good hands at beating car- questionably landed many on our pet, but the season of the year is at hand when they may try.

of killing his wife. Any of his colleagues could have told him it was easier and safer to get a divorce.

On sailing for Europe "Boss" Croker announced that he was out of politics for good. That is more than he can say of his reasons for entering it.

While the total of hogs packed since cannot afford to shut them out. Warch I shows a decrease as compared with last year, take note that South Omalia gets in with a substantial in-

quakes for the menth of May. At early spring brought thousands of peotimes that might cause alarm, but here ple into the section between the Misin the tornado belt we are prepared for souri river and the Pacific coast. The anything.

ongratulated Mayor Dahlman. Neither try which backs them up. has Mayor Dahlman congratulated Mr. Bryan, but then he has never had the line was brought out in an interview

Two Frenchmen recently engaged a a pistol duel and both were hurt. This thing is getting really so serious that tennis balls or something of the kind should be aubstituted.

If Nebraska is to be the experiment station for Bryanite legislation, it is only natural that Lincoln should become an experiment station for innoetions in municipal legislation.

Another man who went through the whirlpool rapids at Niagara in a barrel is dead. Many a man who has taken trips through the rapids by the barrel route did not fare half so well.

war to attract recruits. Why not prothe worst ones.

Appeal in Missouri Rate Case.

The determination of Missouri to appeal from the decision of Judge Mc-Pherson, declaring invalid the 2-cent fare law, must be encouraging to other have similar laws. Though all these as yet, it is essential that a decisin on court in the land.

That states have the right to regulonger contested, but on the contrary firmative long ago. There are points, are likely to arise which have not been | rect adjudicated, and for the mutual benefit of the railroads and the public it is earliest possible date. The determination of receipts from intrastate as distinguished from interstate traffic is railroads, but the direct or indirect culty, but the ascertaining of the net

carried on the same trains and the ap- the supreme court, there will be no places. portionment of transportation cost and pressing pressity for additional legisthe fixing of a rule for dividing the lation. capitalization account between the two sources of income are vital and underates. The sufficiency of the showing by the railroads that the cost of carry- pretense. ing local business is much greater than for through traffic, and if so how much greater, is something the paying public is inclined to question, though it satisfied the lower court and was determined in the decision reached by the trial judge.

The problem of rate regulation is so complex that no wholly satisfactory outcome can be expected so long as two rate regulating bodies, the state and the nation, enable the railroads to play shuttlecock and battledore with the two classes of traffic in efforts at dual regulation. So long, however, as the two systems prevail it is desirable that the points of difference be eliminated as far as possible by decisions of the court of last resort.

Changing Immigration Laws.

The United States senate has received and placed on file resolutions of the legislatures of Ohio and Pennkin girls have won fame in a musical sylvania requesting more stringent immigration laws. The congressional commission appointed to investigate the subject has not reported, but has been holding hearings in a desultory way. It is said to lean strongly to a Senator Aldrich says he intends to qualification for immigrants.

country is patent to even casual observers, but the fault, if any, lies with the administration of the law or the purchase price is to be paid off, except weakness of its administrative features. Without departing from the sinking fund will come out of the taxlong-established principle which the payers either as water rates or taxes. United States has followed from its earliest days, no restrictions can be earnings twelve years ago were \$261,000. placed upon the entry of the honest. able-bodied and industrious. Adher- knew that this is not "a fact," but ence to this policy has been one of the merely an estimate, and never put out the council in addition to his other chief factors in making the United before except as an estimate. It may States the great country which it is be near the truth and it may be wide from abroad to take a man's chance ever, the net earnings of the water and become Americans have done fully works were approximately \$261,000 May 1. their share toward promoting progress twelve years ago, how could any one and developing our resources.

and the lure of opportunity have un- 000? shores who are undesirable, but existing laws are quite comprehensive enough to exclude them. If necessary A Boston actor has been convicted these laws should be more rigidly applied. Our free public school system can and wil Isolve the problem of those against whom no other charge

than illiteracy can be raised. At the most they will disappear with the second generation. The honest, able-bodied and industrious immigrant is a source of strength instead of weakness and the United States

Signs of the West.

Unmistakable signs of the growth and development of the west are to be seen on every hand. The settlers' Some scientists are predicting earth- rates made by the rallroads in the building program of immense magnitude in all the western cities is a re-Up to date Mr. Bryan has not flection of the expansion of the coun-

A most significant fact along this in New York with a prominent railroad official whose road reaches Omaha regarding the character of the thousand gallons and Philadelphia at 4 traffic now being carried over his line. This railroad official states that during the financial flurry of 1907 and until a recent date his road hauled only a minimum amount of farming, manu- figures, because the water rate quoted facturing and mining machinery, in-

in the industries had ceased or fallen the rate quoted for Omaha is the highto a low ebb. During the last few months this class of shipments has at- The lowest meter rates charged in tained a volume comparing most fa- Omaha is 8 cents for 1,000 gallons. vorably with the most prosperous Whether Omaha can reduce water times preceding the panic.

All these signs point to the fact that | 295.49 (or the water works, also rethe western business man who has mains to be seen, but it is certain that been preparing to reach out and the it cannot reduce rates to the schedule The Peace congress objects to the investor who is looking to the west which the Water board has publicly army and nary placards, giorifying has builded on a firm basis. The west proclaimed to be reasonable for servhas done more than carry its share of ice in Omaha. test against the bill boards altogether? the load incident to the financial and The army and navy posters are not industrial depression and is doing Real Estate exchange of the question

sumption. If the east will only catch the western spirit it will not be long until everyone will be so busy that the troubles of the past will be forgotten.

states, including Nebraska, which Reinforcing the Commodity Clause,

2-cent fare laws have not been assailed in making it plain that in case the commodity clause of the rate law, the merits of the principles involved which has been declared inoperative, should be secured from the highest is turned to account by the common it was aimed congress will be asked late rates and on the other hand that to apply the remedy. As the court has railroads are entitled to exact a charge sustained the principle of the law while holding that certain sections are turn on invested capital are points no not as far-reaching as they were supposed to be, it would be a foolish have been definitely settled in the af- course for the carriers to disregard the intent of the act, which was to prevent however, in this case and others which discrimination, either direct or indi-

Right at the outset Mr. Taft has made it plain that he stands for the essential they should be decided at the square deal. He has no desire or purmust not lead them into favoritism in the country.

professions of reform are earnest or tality to survive the first summer.

"Thoroughly Investigated."

The result of our recent bond election would indicate that Omaha will of 1908?" vote anything in the shape of a bond issue without respect to the purpose or consequences. A large majority of our people are nontaxpayers and are full investigation by congress, unquestionquite willing to vote onto the taxpay- ably has the courage of his technicalities. ers all sorts of obligations. Whether the pronouncement put out over the name of the Real Estate exchange exerted any large influence or not in carrying the water bonds, it is deserving of a little attention as an example of how men otherwise careful will permit themselves to be misled. This pronouncement starts out with a declaration that the Real Estate exclusions set forth as reasons for favoring the water bonds, as follows:

1. The water bonds will not be a tax upon property, as the whole purchase price will be paid from the sale of water.

That is certainly perspicuous. "The bonds will not be a tax!" Of course not. If they were there would be no necessity of voting bonds, because the mayor and council would levy the tax. If "the whole purchase price will be thirty years, at any rate, none of the ment is shown by the fact that its net

The men who signed this circular today. Those who have come here of it, but it is not "a fact." If, howhave figured at any time that the The greed of steamship companies property could be bought for \$3,000,-

3. The voting of bonds cannot influence the decision of the supreme court, as that court never considered evidence not submitted to the lower court.

This is a purely legal proposition knows that a court may be "influenced" by the actions of the litigants, even though not incorporated into the evidence. The city's case rests, among other things, on an allegation that the exorbitant, and yet the people have now voted bonds in an even greater mains to be seen.

4. If an Omaha syndicate of shrewd investors is anxious to acquire this plant at ts appraised value under a limited franhise the city can better afford to own it

with a perpetual franchise. This starts out with an "If," represyndicate, any more than the present owners of the water works, would want to take the plant, except on terms promising profits. That is true not only of water plants, but of any other public utility requiring a franchise for operation. It all comes down to the price and the terms.

5. When Baltimore, Detroit, Milwauker and Buffalo furnish water at 6 cents per cents and make a profit each year, at the present rate of 36 cents Omaha can either pay for the plant quickly or reduce the

This is deliberate juggling of the for other cities is the lowest rate acdicating unmistakably that expansion corded the biggest consumer, while est exacted of the smallest consumer, rates materially after paying \$6,263.

If a "thorough investigation" by the

what would have happened if merely a casual inquiry had been made?

The World-Herald tries to make a point because The Bee has declared that had the voting machine been used instead of the paper ballot, the desire to re-elect Mayor "Jim" would No one who knows anything about it will question The Bee's assertion, but any votes not intended for him. The the candidates on the ticket and the law requires all nominees of each party party votes that any other nominee

quite a swath in Boston. Presumthat such an intellectual game had ownership of producing companies penetrated so far into the interior of wave come. The writer argues with con-

It is up to the railroads to prove a new constitution. The trouble with their good intentions and here is a those oriental constitutions up to the chance for them to show whether their present has been lack of sufficient vi-

> Information Wanted. Charleston News and Courier. Does anybody know how the Hon. William Jennings Bryan settled "The Mystery

Judge Line of Courage. Kansas City Star. Rivals for Supremacy.

Washington Post. Uncle Joe says backbone is the secret of success in the house, but it is the general impression that a good strong pull helps

> Isn't This Awful. Philadelphia Record.

The attitude of the government toward the sugar trust officials is absolutely cruck It proceeded against them civily and recov change has "thoroughly investigated" ered two and a quarter millions. Now the the question and come to certain con- special attorney for the government announces that there will be criminal prosecutions. After the government has got their money away from them how are they going to hire lawyers?

> Astounding Rumors. Boston Herald.

Rumors that the battleship fleet was practically incapacitated for service by its wystem'

Wetness in a "Dry' Town.

Boston Herald. With the close of Worcester's first year of no license the police liquor squad has made a report of liquors brought into the city by express companies; also the number of sales of liquor made at the license drug stores, of which there were seven until

The figures show that the shipments of by express through wholesale dealers, who have an agreement out of the city for shipments, average 650 cases and 130 eight-gallon kegs of beer a day for 305 days, Sundays and holidays being eliminated. Added to these figures are 150 gailons of hard liquors, all being classed under the head of whisky.

The slips from the licensed drug stores show that to persons who signed for the on which lawyers differ. Everybody liquor to be used for medicinal purposes there were 116,000 sales, which the police say mean 28.080 quarts, 87,243 pints.

WHAT THE DECISION MEANS.

New York World: Now that the federal appraised value of the water works is government has won the commodities West Nineteenth street. He was used to clause case, how much is the

Philadelphia Record: The supreme court amount to buy the plant. Whether or of the United States decides that the sonot that will "influence" the court re- called commodities clause of the Hepburn and spent many sleepless nights in his law is entirely constitutional and perfectly stall. Night after night, he said, the mule useless.

Boston Transcript: The decision of the supreme court of the United States, sustaining the commodity clause of the interstate commerce act, which had been overruled by the district court, shows the sustained vitality of the Roosevelt policies. senting a mere supposition. No new It may also indicate that the supreme pourt is not so conservative as it used

Wall Street Journal: For all practical purposes the anthracite carrying railroads may be said to emerge successfully from the long litigation over the commodities clause of the Hepburn law. Their direct holdings of anthracite and of stock in corporations which mine hard coal have unuestionably been acquired in times past in good faith, and in this respect the rallroad companies are safely within the terms of the decision as read by Justice White.

Springfield (Mass.) Republican: Wall street seems to take a very favorable view f the commodities clause decision, even though it is generally adverse to the contention of the coal roads. Some effort is apparently to be put forth to make it the occasion of such an outburst of speculative public back into the stock market. It may serve such a purpose, but the position of roal road or other stocks will hardly be deliverance.

terests of the nation have happily found in this moderate construction a city of refuge from this drastic and revolutionary the extent that the law was economically sound it has been sustained. To the extent that it sought to invade the province of the states by indirectly compelling the some had owned before there were any rall roads-it has failed with others of "my

Around New York

Bipples on the Current of Life Seen in the Great American Metropolis from Day to Day.

The breadth and effectiveness of the feahave pulled the lever so fast as to instilled by the "Black Hand" organiza make a clean sweep for the democrats, tion was strikingly shown in New York family of Lieutenant Petrosino, the New police officer assassinated at York carriers to resume the evils at which neither will any one who knows any. Palermo, Sicilly, last February, was only thing about it question that any repub- a partial success owing to fear of a Black lican who was elected or defeated got Hand outrage during the performance. As such benefits go in New York, the affair that sum was realized. Threatening letters voting machine because the voting had been received by the managers of the machine could not accommodate all benefit, and the publication of their recelut prevented the patronage expected This is but one of many instances of the malign influence exerted by this criminal to have the same advantage of straight organisation and its suppression is the most serious problem facing the police authorities of New York and other large cities. A writer in The Survey suggests that New York must organize a new and order to control the criminal tendencies of mate expansion of the business of the ably the people there did not imagine the large immigrant population—an expert "foreign squad," in short, recruited from the countries from which the immigrante State of Nebraska, Douglas County, ss:

George B. Taschuck, treasurer of The
Bee Publishing company, being duly
sworn, says that the actual number of
full and complete copies of The Dally,
Morning, Evening and Sunday Bee printed
during the month of April, 1909, was as

culty, but the ascertaining of the net
revenue from such sources is a complicated problem and the methods to
be pursued in reaching a conclusion
be pursued in reaching of the net
rates or transportation facilities which
will build up such industries at the expense of those otherwise owned. If
the country.

The impending passage of the cenliced only by men who know the Italian
language and Italian life. But what are
the railroads do not by subterfuge
plum tree. While frosts may nip evade the privileges granted them un- many of the buds, there is certain to lice number 10,0000 men, but out of this Interetate and intrastate traffic are der the present law, as interpreted by be a fair crop on trees in sheltered army only about fifty are Italian. and many of these are American born, unacquainted with the dialects of southern Italy and from families which are out of The shah of Persia has promulgated touch with life in the local colonies. The consequence is that New York has becoma paradise for the Italian criminal. The average policeman of Irish or German descent is as helpless to deal with conditions as an American traveler set down for the first time in Naples or Milan. A Black hand plot may be hatched out under his very face and he be none the wiser. Under existing conditions the residents of the Italian quarter are at the mercy of any blackmailers who elect to prey upon them. Some times surprise is manifested because Italians are so unwilling to come forward and testify against the men who are ter rorizing them. There is nothing strange Judge Smith McPherson, who courts a about this. Their explanation is that if they set themselves against these gangs vengeance would surely be visited upon them in spite of all the police might promise or attempt in the way of protecting them.

> The waiters unions of the East Side of Manhattan are emulating Sampson before the Temple of Gazo. The unions, in their might have declared that tips must go, and that, instead of the waiter being de- gressman from Wisconsin, is bequeathed pendent upon what he can work out of the \$10,000 in the will. customer, his employer shall pay him a minimum wage of \$2.50 per day.

ture of the state of New York, greater Lake Michigan to the guif of Mexico. than an endless roll of social reformers who have tried to do away with the system of tips, but have ignominiously falled. Unionism; if it succeeds, will deserve a statue in Union square from the thousands of homeless men now left to the untender mercies of the restaurants. In the less pretentious the restaurant the better the waiters are paid. In those rush eating houses, where a man s allowed to carry trip around the world require official confirmation before acceptance, If it is true paim, the employer is compelled to pay that "masts were sprung," plates were living wages, because no customer will tip loosened, electrical machinery, including for such service. From that level up to the That some of the prohibited classes paid from the sale of water," how long the fire control, was hopelessly out of lobster palace the waiter's wages decrease. manage to work their way into the will it take? The bonds are to run order," as is reported, such facts constifor thirty years, so that for the first tute the most serious charge against the high priced places, where the proprietors of the Navy department that compel their patrons to pay the waiter has yet been made. What would become wages, in addition to the scheduled price of as a sinking fund is created, and the oceanic lines if they were not able to stand bonus for their jobs. That practice is comworld without incurring the necessity of mesticated here as yet. Broadway restaur. went to school with Mme. Fremsted in St

Climbing by means of a drain pipe up the corted her back to the train. side of the building to a height of sixtyfive feet, Fred Ferguson, broke open a skylight, then lowered himself to the main floor by means of a slender rope, packed twenty live chickens in a bag, and, then repeating the perilous climb, reached the street without injury, but just in time to be arrested. Arraigned before Magistrate Crane in the Harlem court, the owner of the chickens. Bernard J. Wroth, withdrew the complaint, and the climber was sent to Bellevue hospital to have his sanity looked into. "Any man who for so small a gain will take such desperate chances with life is, in my opinion, insane," said the magistrate.

"Hal" is dead. Suicide say the police. He umped out of a window at 345 West Nineteenth street into the basement of the tenement house at 222 West Twentieth His neck was broken and the police

say his suicide was due to grief. "Hal" was a mule, 16 years old. He was the property of Mrs. Kate Hyland who owns the Central boarding stable at 245 victory haul a truck. Six months ago his team mate. Daisy, died and since then Hal has grieved. James Wilson, the night watchman, said that Hal moaned continually would keep his eyes on the stall where formerly slept and weep bitterly. When Wilson went out to breakfast Hal kicked a hole through a brick partition. crawled through, went to a window and jumped to the cellar of the tenement house. He was instantly killed.

While Hal was kicking the tenants of the house in the rear became alarmed. Several ran into the West Twentieth station next door, and told Policeman Hughes, Before the officer reached Hal the latter had accomplished his end.

"It was a suicide pure and simple," the lieutenant at the deak of the station-house

The outery among the clergy that New Yorkers are not bothering much about religion, is borne out strikingly by the figures from the building department for the last eleven years, from 1898 to 1995, inclusive. Roughly speaking 200 churches have been built in the last eleven years to take care of a growth of population represented by 7,000 dwellings and 250 hotels. Each of the new flathouses, 12,766 in number, contains an average of at least forty persons of churchgoing age-508.000 persons. Each of the 4,306 dwellings, most of them twofamily affairs, holds, on an average, ten persons-43.000 in all. The 280 hotels, many of them skyscrapers, are estimated to acommodate 100.000 persons. Thus, the total ncrease in churchgoing population, according to the building department statistics. is about 750,000 persons. As against this there are 190 new churches, mostly comparatively small affairs, as is shown by heir limited average cost.

New York has raised \$1.675.600 for the Hudson-Fulton celebration that begins September 26, next, and \$15,000 of the amount will be devoted to aeronautic features. The reproduction of Fulton's little steamboat will have a right setting with fast motor policies." In this respect it has gone to the boats and airships skimming around as it more than its share toward full re- produces such half-baked concoctions, scrap heap of futile or invalid legislation, moves upstream at Weston's walking pace.



Kuh, Nathan & Fischer Co.

PERSONAL NOTES.

"Mothers' Day," which takes place next Sunday, will have a wider observance than ever, we are told. Somebody ought also to may a good word for "dad."

Mrs. Annie Vanderkas, who for twenty ears has been a cook in the family of the late Joseph W. Babcock, former con-

Prof. J. T. Goode, in a communication to the bank clerks of Chicago, asserts that If the unions can carry through the pro- 2,000 years hence the Niagara river will be gram they will be greater than the legisla- a dry bed and a great river will flow from It appears that James T. Williams,

r., who has been named for civil service ommissioner by President Taft, is the former correspondent of the Boston Transcript, who attended Mr. Taft in a confidential capacity during the presidential campaign.

The anti-big-hat bill in the Illinois legislature, directed again the "ungainly, undreadful" headgear now affected by the fair sex, seems to be popular with the members. having been advanced on the house calendar by unanimous vote. Evidently it is the intention to pass it and thus put the lid on the lid. Mme. Olive Fremsted has been

of the passenger boats of any of the trans- food, it is reported that waiters pay a state, where her Scandinavian countrymen have received her with open arms. In the strain of a leisurely cruise around the mon in Europe, but has not become do. Minnesota. Governor John Johnson, who complete remodelling on their return? Are ants do, however, permit the waiters to Peter, Minn., presented her with a silver our war eagles weaker than these doves of extort tips by any sort of coercion short of laurel wreath at the close of her concert. actually going through the customer's pock- At St. Peter, where the prima donna was born, practically the whole rown met her at the station, heard her concert and es

LINES TO A SMILE.

"What side will Jenks take in the political debate?" "Being a photographer, I suppose he will take the negative."-Baltimore

American "So you think you will let your son Josh "Yep," answered Farmer Corninger,
"Josh will make a good lawyer. He's got
what I call a legal mind."
"What is that?"
"What is that?" answered Farmer Corntossel.

about anything that suits his particular convenience."-Washington Star.

appearance. In fact, I thought he had a very poor carriage."
"That may be because he is nothing but a hack."—Baltimore American.

"Are you fond of works of imagination?"
"Well, I read the weather reports every morning."—Cleveland Plain Dealer. "He isn't one who 'hides his light under "On the contrary. He thinks he's the

whole electric light plant, and that the whole place would be dark if he shut down for a minute."—Cleveland Leader.

The Boss-I'm afraid I'll have to let you The Employe-I thought you said I was in line of promotion?

The Boss-You misunderstood me. You were right in the firing line,—Cleveland Leader.

Woman of the House (opening the door about six inches)—No, I've got nothing to give to tramps. You've been here before, anyhow, haven't you?
Ruffon Wasts (turning sadly away.)—Now that you mention it ma'am, I think I hev. I reco'nize yer scowl.—Chicago Trib-

THE POET-PAINTER.

Autumn dropped in
And tipped his brush
With violet and gold.
He freely used his clumsy knife,
And tricks of palette bold:
And, as he worked, the golden-rod
And aster grew apace;
He filled odd spaces with vervain,
And dainty Queen Anne's lace;
Short work, made he, of thistle-down
And dandelion heads.
He crammed the uncouth vacancies,
With cardinal-flower, reds,
And, then, as any artist plays

Chicago, Ill. M. ELIZABETH FARSON. WESTON, Ocean-to-Ocean Walker, Said recently: "When you feel down and out, feel there is no use living, just take your bad thoughts with you and walk them off. Before you have walked a mile

Would that in us they too might see Tenderness and humility.

things will look rosier. Just try it." Have you noticed the increase in walking of late in every community? Many attribute it to the comfort which Allen's Foot-Ease, the antiseptic powder to be shaken inta the shoes, gives to the millions now using it. As Weston has said, "It has real merit." It cures tired, aching feet while you walk, 20,000 testimonials. Order a 25c package today of any Druggist and be ready to for you have feet. A trial package of Allen's Poot-Ease sent FREE Address Alien S. Olmstead, Le Roy, N. Y

SATURDAY May Sale of WAISTS Brandeis Stores

When you buy Gold Medal Flour sure it is Washburn-Crosby's Gold Medal Flour. This is important.

A Remarkable Purchase Remarkably Low Price!

Holmes Music Co., Mankato, Minn., sold to Hayden Bros. their entire stock of Musical Instruments, consisting of Pianos, Organs, Piano Players, Player Pianos, Small Instruments, Sheet Music, and Talking Machines.

This entire stock will be on sale Saturday at a enormous savings in price. Watch Daily Papers for Descriptions and Prices.

Don't forget the day of sale, if you wish to secure a real, incomparable bargain-

Saturday, May 8, 1909 Hayden Bros.