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OBSEVATIONS

The verdict in the Outcalt case was received by the public in all serenity. Not one person in the whole state of Nebraska thought Outcalt would be officially found guilty. A few people thought the jury might disagree. The people are accustomed to miscarriages of justice. They see everyday evidences of the saving grace of the peculiar influence known as a "pull." They see safeguards thrown around the guilty, and often they see the innocent oppressed and hemmed in by the weight of power, position, influence. They see the law violated in letter and in spirit and the violator allowed to go free—with sometimes a certificate of good character from judge or jury. They see the state—the people—themselves defrauded and victimized by rings of office holders and political gamblers. To the people who live at Niagara Falls the continual precipitation of the great volume of water is a very ordinary spectacle, and they give no heed to it. Permanent dwellers along the sea shore do not notice the roar of the ocean. So, in Nebraska, corruption has so long held sway, wrong is so often dominant and right so often overthrown, that the people do not make demonstrations when the ends of justice are defeated.

I said not one person in the whole state of Nebraska thought Outcalt would be officially found guilty. But the people of Nebraska are practically a unit in regarding Outcalt as sharing with Mosher the responsibility for the wrecking of the Capital National bank. At this writing it had not been possible to secure a copy of Judge Dundy's instructions to the jury, but it is reported and generally believed that under the instructions, the jury could not

do otherwise than acquit Outcalt. With a jury made up of Thomas H. Benton and eleven others, with a judge who was kindly considerate of the frailties of "poor Mr. Mosher," Outcalt had two strong chances in his favor.

Without going into a consideration of the legal, or technical, aspects of the case, it is reasonable to say that the few persons who accept the judgment of the jury are forced to the conclusion that Outcalt during his incumbency of the office of cashier of the Capital National bank was not in the full possession of his mental faculties. The judge and jury of the federal court have attested to Outcalt's non-participation in Mosher's wrong-doing and lack of knowledge of any wrong-doing. In what light, then, must Outcalt be judged? Was he hypnotized by Mosher? Was he suffering from an aggravated attack of the somnolency induced by the State Journal? Or was he just foolish, incapable of grasping the facts in the management of the bank? The court has cleared Outcalt innocent of all criminal action. But it has not cleared him of the charge of mental irresponsibility. That still rests.

Banks that pay their cashiers a salary of \$3,000 per year should be careful that they are more intelligent men than this man, who allowed himself to be fooled by the wicked Mosher.

Mosher is tired of shoveling coal into the big furnace in the Sioux Falls pen. It is not strange that this is so. Had the foresight of this Napoleon been at all commensurate with his hindsight he never would have confessed his guilt and given himself up. For once in his life this cool-headed operator lost his self-control. Closing the doors of the bank temporarily unsettled his mind. Looking back over the years and months that have intervened since the wreck and reviewing all of the judicial processes in connection with the bank case I am led to believe that Mosher might have escaped punishment of any kind, had he fought with the same spirit displayed by the weak-minded Outcalt. He might have been luxuriating all this time on downy cushions, free as the birds that fly, instead of being penned up at Sioux Falls tossing coal, with great gobs of sweat falling from his grimy face. He did not proceed properly. The same kindly influence that took care of Outcalt and turned him loose with a reflection on his intelligence as his only punishment, would undoubtedly have found a way out for Mosher. And really, if we accept the finding of the federal court in the Outcalt case, we may doubt if "poor Mr. Mosher was guilty after all. Of course, he did some strange and irregular things, but it is quite possible that he, too, was in a hypnotic state or probably weak-minded like Outcalt. And it is pretty hard to be sent to Sioux Falls for being hypnotized or weak-minded.

Mr. Harwood, alias Jerusalem Gustavus Perseverance Hildebrand, has a

very wholesome editorial in the Lincoln Herald entitled "Where Is Your Boy Tonight?" Mr. Harwood is doubtless sorry for having been so profane as to say in the Herald that things went hell-bent and he is atoning by giving his paper a Sabbath school tone that reminds me of the soft and soothing sentiment that flows so unctuously from those reverent gentlemen, Captain P. Paine and Dominick Gewillikens Courtney. The editor says: "From time to time we have called attention to a dangerous habit our boys have of climbing upon moving trains, risking their lives and keeping their parents in a state of constant fear lest some misfortune overtake them. Not a train passes but from one to a dozen boys are seen climbing to the cars 'taking a ride.'" etc., etc. This is what might be called hot stuff. It is more interesting than apotheosizing G. Cleveland, and, if anything, more profitable.

Speaking of Cleveland, Mr. Harwood remarks in the same issue of the Herald: "The president's message is evidently the ablest state paper ever issued by him." Few presidents have had such an excellent opportunity of impressing their statesmanship on the people of the country as had Cleveland in the writing and issuance of this message. The nation is depressed as it has seldom been before, and is involved in foreign complications of the greatest importance. A dozen questions of moment are staring the country in the face. Mr. Cleveland has labored to give himself a reputation for bold, aggressive statesmanship, for independence, fearlessness. He had it in his power and ability to rise to the pressing emergencies of the day, and setting aside convention and political conservatism, point the way fearlessly to the haven of relief. President Cleveland might have admitted the utter failure of his tariff system and foreign policy, and outlined for the future a patriotic, country-developing policy of Americanism. Instead his message was nought but the despairing wail of a mistaken and repudiated prophet. Forced to admit by inference the failure of the government to maintain its prosperity at home and its honor and dignity abroad, he yet clung to the old ideas and principles, and emitted polyablic melancholia. The message was as heavy as lead. It was not characterized by that sprightliness that has marked one or two of his public documents. The president's style, in these waning days of his administration, is turgid and tiresome.

One daily newspaper in this city has expressed itself on the subject of the divorce outrages that are daily committed in the courts of this state, and its expression is sound and forcible. It is lamentably true that divorces should be granted in certain cases. The divorce when properly used is for the benefit of humanity and morality. When misused as it is in Lancaster county and

all over the state of Nebraska it becomes an instrument of crime and immorality. It mocks the marriage state and encourages infidelity. When the judges of our courts proceed more carefully in the granting of divorces and enforce the law against collusion they will find themselves much closer to public sentiment than they are at the present time when an applicant for divorce can enter a court room, get a decree and pass out in one swing of the door.

"When thou prayest enter into thy closet," etc. The spectacular praying for Robert G. Ingersoll is an offense against taste and good sense. Mr. Ingersoll's soul is of no more value than that of any other man's. I doubt if he has ever converted any one to his belief. Hear him once and you are apt to think him honest, eloquent and burning with a desire to liberate humanity. Hear him again he says the same thing in nearly the same words though his theme may be different and he is still in the same frenzy. In the first, second or third time he has not arrived anywhere. His conclusions are weak, his assertions unproved by scripture or experience. Christianity does not need him as much as all this praying seems to indicate. It will continue to help the world to be better whether Robert Ingersoll asks the Lord to forgive him for making a fool of himself or not. The vice of the praying is that it seems to make Mr. Ingersoll a dreaded enemy to Christianity. It makes his feeble blows seem to himself like powerful shocks, it braces him to reject any suggestions from within that the Force that created the universe and keeps an atom from interfering with another atom as carefully as it keeps a world in its own track might just as well be called God.

The news of Mr. Hewitt's acceptance of a call from Columbus, Ohio, is received by all the people with regret. He is a good man. If his character ever had anything narrow or mean about it, the study and practice of Christianity had purified it long before he came to Lincoln. He is a man that follows Christ immediately. There is no church, no creed, no prejudice between him and his master. The people who have known him here, whether of the Episcopal church, an other church, or no church, love him for his simplicity, goodness and manliness. Several years ago when the council of ministers held their weekly meetings they discussed the propriety of allowing the Unitarian minister, Mr. Chapin, to share in their fellowship. It was finally decided, in spite of a vigorous protest from Mr. Hewitt and Mr. Gregory, to ask Mr. Chapin to withdraw. When Mr. Chapin withdrew, these two men, disgusted with such bigotry, went with him. The ministers' meetings have been continued, but as they are in no sense representative, three of the largest congregations in the city being unrepresented, the protests they