

THE OMAHA BEE

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JURIES AND JURYMEN.

In the North American Review for July, Judge Robert C. Pitman presents an article on "Juries and Jurymen," in which he says that "the theoretical qualifications of jurors in all the states are reasonably high." This may be true, but the fault lies in the practice of selecting jurors without regard to the proper qualifications. Such indeed has been the practice all over the country, and particularly in Omaha, until quite recently. The fault lies with the officials and not with the laws providing for the manner of selection. It is a gratifying fact, however, that in Omaha there has been during the last two or three years a gradual and perceptible improvement in the selection of grand and petit jurors. The reform so far has been in response to the demand of the people, who are tired of seeing the professional jurymen and the irresponsible nobodies constantly filling the jury box simply to pass away time and draw pay. Such jurors cannot, and will not do justice, and hence their ridiculous or outrageous verdicts, as the case may be, while causing little or no surprise, excite great indignation. Such juries afford a profitable occupation for the professional jury fixer. It seems, however, that the commissioners are at last beginning to realize the importance of selecting grand and petit jurors with some reference to their moral and business standing in the community; and if they succeed as well in the future as they have in choosing the jurors of the present term of court, the public will have no reason to find fault with them.

It is too often the case that reputable business men, when drawn as jurors, endeavor to avoid their duty to the public, and the court is too apt to accept their excuses and dismiss them. Such men should remember that if they will not perform jury duty they become responsible to a large extent for the poor composition of juries. Upon this point Judge Pitman says: "It is a current notion that the reason why so few first class business men are found upon our juries is that they are excused by the courts. The returns we have given show that such men rarely get upon the jury lists. In the exceptional cases, where such men are returned to serve, it is no doubt one of the most important duties of a judge to brace himself up against yielding to any but the best excuses. Boards of trade would do well not only to indicate as a point of honor that none of their members should seek to shirk this grave public duty, but to see to it that their class be properly represented. And here let me add that the general hardship of the jury duty is over-estimated. I have repeatedly had business men, at the end of a term, confess to me not only the satisfaction they have felt in performing this function, and the interest they have felt in their work, but their surprise that it was so little onerous."

Judge Pitman very properly advocates the better treatment of jurors so that their duty will be performed under more agreeable circumstances and more comfortable surroundings. However, improvements in this respect are gradually being made, and the discomforts of jury service are not half so severe as they were some years ago. In the olden times the jurors were kept without food or fire until they agreed, and it was only at a comparatively recent date that jurors were allowed to separate during the trial of a criminal case.

The judges of the superior, circuit and county courts, in Chicago, propose to hold a conference this week to discuss a proposition to improve the jury system by calling for the attendance of jurors during only one session each day, from 1 to 5 p. m. Under the present system the courts open at 10 o'clock, and at least an hour is taken up in the hearing of motions, granting orders, and other business, before the regular trials begin. Thus the jurymen are compelled to lose nearly the whole morning, which they might profitably devote to their own business. It is the same in Omaha, and the Chicago plan no doubt would be found to work equally as well here. It is a matter worth considering by the judges and the members of the bar. Under the proposed plan the Chicago courts will devote the morning to motions, orders, &c., and the afternoon to jury trials. It is believed that by this division of the day, business will be expedited, and jury duty will be less onerous, and consequently business men will not be so apt to make excuses for not serving as jurymen. This of course will be the means of securing a better class of jurors. The Chicago News, in urging the adoption of this plan, says that the advantages are so obvious that it is difficult to understand why it should meet with any opposition; the whole judicial system will be benefited by it; lawyers will have the morning to devote to office work or motions, judges to the hearing of motions and the examination of a authorities, and jurors to their own business.

THE BOYCOTTERS ONCE MORE

The protest, filed with the city council, against letting the city advertising contract to THE BEE is another specimen of the feeble attempts to boycott this paper. The protest is signed by nineteen persons, who are put forward as the representatives of the entire organized labor element of Omaha. Upon its face the remonstrance bears evidences of the utter disregard for truth and common sense. It is alleged that THE BEE is a "rat" office and does not pay fair wages. The fact is that the printers in THE BEE office get better wages than those employed in any other newspaper office in Omaha. We pay 34 cents per thousand, while the Herald and Republican only pay 33 cents, and the aggregate amount of

WEST OF THE MISSOURI.

The statistics from the records of the county assessors of the state, published recently in THE BEE, furnish a variety of interesting information concerning our rapid growth in wealth and population. The reports covered twenty-five counties, from Buffalo on the west to the Missouri river, and from Richardson on the south to Knox on the north. They embrace a majority of the best counties in the state. The assessed valuation of real estate in these counties shows an increase of \$4,811,617 over that of 1883, while personal property increased in the same period \$2,325,686, or a total increase in taxable property of \$7,137,303. This is certainly a remarkable showing for one year. Estimating this to be one-fourth the actual value of the property assessed, we have a total increase of \$28,549,212 in the general wealth of twenty-five counties. Taking it for granted that the counties referred to represent one half the wealth of the state, a low estimate, the total increase would be \$57,098,424, or \$156,434.14 per day.

The increase in wealth is the natural result of the vast number of emigrants from the crowded east and the old world who have settled in the state during the past year. The government census of 1880 gave the state a population of 452,492, and the school census of last spring showed a population of 690,000. The reports of the assessors show a population of 453,649 in forty counties, while the census of 1880 gave the same counties 321,747, an increase in four years of 131,902, or an average of 32,925 a year. Should this ratio of increase continue until 1890 the population of the state will reach 1,100,000.

One important feature of these statistics is the fact that the cultivation of wheat is rapidly decreasing. In the twenty-five counties referred to there has been a decrease in the area of wheat planted, the former of 10,596 acres, and the latter of 36,534. The total increase in land under cultivation in twenty-five counties foots up 3,846,160 acres. In 1880 there were 5,504,702 acres cultivated, and it is safe to estimate, from the above figures, that fully 10,000,000 are under cultivation the present year. These figures speak louder than columns of words in showing the rapid growth in population and wealth.

A correspondent at Bordeaux, Sioux county, Neb., writes: "Where is the Omaha Indian reservation? Is it sold or being sold to settlers and how are they settling on the homestead or pre-emption lands? Are the lands good? What is the price of them? and who sells them?" The Omaha reservation lands, situated between Burt and Dakota counties, were opened to pre-emption settlement last April. The lands were first appraised at prices ranging from \$6 to \$20 per acre, according to quality and location. The terms of the government were the appraised price of the land filed on, one fourth cash and the balance in five acre blocks. A large number of people have already settled on the land and doubtless the cream of it is taken. The land is among the best in the state, well watered and suitable for all kinds of farming. The Neligh land office has charge of it.

Reports from Cheyenne indicate that the Burlington will tap the Union Pacific at that point. This is not surprising for scarcely a week passes that the pushy and progressive "Q" people do not drive a wedge into a root of its mommoth Hudson on the present line to Cheyenne, a distance of forty miles. The new boom following on the heels of the Yellowstone road makes the magic city broaden at her girth and feel as if the rest of the world was doing homage to her greatness. But Cheyenne deserves her good fortune. For pluck and perseverance she takes the lead. The leader says of the new road: "General Manager Potter, of the Chicago Burlington & Quincy road, said to one of the leading citizens of Cheyenne, a gentleman who has very large interests both in Cheyenne and Laramie county, and indeed the whole territory, that he was anxious to see the city of Cheyenne as a business being done in Cheyenne, and it would be for the interest of his road to extend their line at once to this city. This substantially is what he said, they intend to do and to do the right way, just as soon as the necessary arrangements can be made and consummated. Of the fact that this company will then prepare to build out their line, and that the city there can have no reasonable doubt. At the present time it is less than sixty miles from the Colorado line to the northern terminus of the Burlington & Missouri road and it is therefore plainly to be seen that just so soon as the authorities of that road are convinced (as they appear to be now) of the fact that it is for the interests to run their road to Cheyenne they can and will do so at once."

Hon. John Dillon, the well known Irish agitator and ex-member of parliament, who moved to Colorado last spring, has started a colonization scheme, backed a number of prominent Irishmen of the west and east. It is proposed to purchase 100,000 acres of land in the Ogden Valley, Utah, which will be colonized with immigrants from the Emerald Isle. The details of the scheme are not made public. This is a praiseworthy undertaking and one which will result in much practical good to his fellow countrymen. Mr. Dillon has devoted the greater portion of his life to improving the condition of the people of Ireland, and extorting from an unwilling, alien government a few half civilized laws saddled with coercion. One of the strangest features of Irish immigration to this country is the fact that at home the majority of them struggle against high rents to make a living off a few acres of ground, yet in this country where land can be had for a gift, they crowd the tenements of large cities instead of taking advantage of the nation's bounty and making for themselves a home and competing on a farm, free of rent and rapping landlords.

The Denver papers are handling President Lovejoy, of the Rio Grande road,

without gloves and contrary to all pugilistic rules.

It will be remembered that Lovejoy came from the east as a railroad reformer, and the result of his management of the Rio Grande property is to be found in the fact that the road defaulted the July interest on its bonds and a receiver has been appointed. Lovejoy signified the close of his career by tearing up one mile of the road where it joins the Denver & Rio Grande Western, in a spirit of spleen because the latter road, being operated under a lease, would not knock down to his whims. Speaking of his rise and fall the Denver Opinion says: "The probabilities are that President Lovejoy, of the Rio Grande, will never come back. In any event, he will not come back as president."

It has been a lamentable illustration of the folly of placing an ass in a place of power. At no time has he known anything about the road. Utterly ignorant as a railroad man, he has depreciated the property to an extraordinary extent. Frequently in a state of beastly intoxication, he has been unable to devote even the small intelligence he may be possessed of in his sober moments to its affairs. He has been the most disastrous fizzle in the railroad history of this country. "His order to tear up the track of his road is an illustration of his theory of fighting. An ordinary president would have been content with having the track washed away through his own ignorance and carelessness. He would not wish to add to the damage by hiring men to steal money from the stock and bond-holders by committing malicious mischief. Mr. Lovejoy appears to be an ass of originality, however. He has a fertility of fancy. Or, perhaps, he was drunker than usual when he wrote the dispatch to rob the stock-holders by destroying their property."

NOTABLE VICE-PRESIDENTS.

The Records of Those Who Worthily Filled the Important Office.

Chicago Herald. The office of vice-president was intended by the founders of our government to be an office of great dignity and importance. Under the mode of election as at first contrived, the vice president was to be, in fact, the second choice of the electors for president. The electors were to assemble at the same place for two persons, the votes were to be transmitted to the senate and there opened. The person having a majority of the electoral votes was to be the president, and the person having the next highest number of votes, was to be vice-president. At the first election Washington received the unanimous vote of the electoral college, but John Adams received only thirty-four votes out of sixty-nine, not a majority but the next highest number.

One of the first questions that Adams addressed his mind to was to the titles which should go with the offices of president and vice president. Sturdy patriot and great man that he was, he liked the trappings and the aut of office. He appeared on the streets accompanied by four sword-bearers, and he thought and said that the chief officers of the nation should be surrounded with splendor and pageantry. "High Mightiness and Protector of our Liberties" was the very lowest designation he could think of with which to approach the president. As to his own title he was undecided. At the inauguration of Washington the arranged ceremony was that the president-elect should be received by the senate and be escorted by it to the house of representatives, where the oath was to be administered. This three Adams into great perplexity, and he addressed the senate as follows: "Gentlemen, I do not know whether the framers of the constitution had in view the two kings of Sparta, the two consuls of Rome, or the two sultans of Carthage when they formed it—the one to have all the power while he held it and the other to be nothing. Gentlemen, I feel great difficulty how to act. I am possessed of two separate powers—the one in case the other is absent. I am vice president. In this I am nothing, but I may be everything. But I am president also of the senate. When the president comes into the senate what shall I be? I wish, gentlemen, to think what I shall be."

A solemn silence ensued, though the noise of the ridiculous was so strong that it nearly burst into laughter. Then Ellsworth arose, with most profound gravity, and said: "I have looked over the constitution and I find, sir—it is evident and clear, sir—that wherever the senate is to be there, sir, you must be at the head of them; but further, sir, I shall not pretend to say." The senate then took a recess and the president and his house of representatives would not listen to it, and it was finally ordered that the president should be addressed by his official title only—Mr. President. As to the vice president, he had no designation whatever.

Adams continued vice president during the year of Washington's administration, and he succeeded to the presidency when he followed in the vice presidential chair by Jefferson. It was during the latter's incumbency that he composed the manual of parliamentary rules that lies at the foundation of parliamentary law of the United States. Aaron Burr succeeded Jefferson after that memorable contest for the presidency of 1800, which led to a change in the method of choosing the vice president. It was while he was vice president that his duel with Hamilton took place. One of the best presiding officers that ever filled that chair, he is described as having "the impartiality of an angel, and the rigor of a devil." His farewell to the senate at the close of his term was an unexpected and profound sensation. At its conclusion the whole senate was in tears and so unmannered that it was some time before they could recover themselves sufficiently to come to order and choose a vice president pro tem.

To Burr succeeded George Clinton, the famous war governor of New York, during the revolution. He was an able, energetic, self-willed man, very popular, but despotic in his nature. He was one of the strongest opponents to the federal constitution, and came near defeating it in the New York convention. He was a very imposing figure in the politics of his time, but he is known less as vice president of the United States than as governor of New York. Governor Clinton he was to the end of his days. He was vice president under Jefferson's second term and Madison's first term. He gave the

casting vote against the renewal of the United States bank charter in 1811.

He died in the office at Washington in April, 1812.

The next vice-president was Elbridge Gerry, signer of the declaration of independence and a member of the constitutional convention, minister to France and governor of Massachusetts, a witty and adroit politician, whose name is now chiefly remembered because of association with gerrymandering, a political device that he invented. He also died in office in Washington in 1814.

Daniel D. Tompkins, of New York, was vice-president for eight years, from 1817 to 1825. He had been the governor of New York during the war of 1812, and as such had rendered great service to his country. At the close of his term of vice-president he was one of the most prominent candidates for the presidency, but unfortunately for him, the carelessness with which he kept his accounts during the war governorship gave rise to accusations of default against him, and he sank into an obscurity so profound that even his vice-presidency is hardly remembered.

The next was John C. Calhoun, better known as a senator than as vice-president. He was in fact a leading candidate for president in 1824, with Crawford, Adams, Jackson and Clay, but his friends prevailed upon him to take the second place, with a chance for the succession afterward. But for him that time never came, owing to Jackson's hostility, and then it was that he began to brood over secession schemes. He delivered his casting vote against Van Buren's confirmation as minister to England, whereupon Old Hickory swore that Van Buren should be the next vice-president, with succession to the presidency. All which happened in accordance with the iron will of that old despot. Van Buren was succeeded by "Col. Johnson, who killed Tecumseh," Richard M. Johnson, of Kentucky. His case was the first where the senate was called upon to elect a vice-president, there being no choice by the electors. He was an amiable and somewhat glib old ignoramus, who won the people of Kentucky delighted to honor with high office. His lucky shot at Tecumseh made his everlasting fame. The evidence in regard to that same shot, pro and con, delivered before the people in 1840, when he was again a candidate, would fill many bushel baskets. It is not agreed by the historians that it is entitled to the honor. But no Whig would believe it in 1850, "Fugate" and Tyler, too," laid out Van Buren and Johnson.

John Tyler was the first vice-president that succeeded to the presidency in the constitutional method, and it is generally agreed that he did not increase his fame by his acts thereafter. The people laid down the rule in his case, which he confirmed in three succeeding ones, that his ascendancy shall not become his excellency by vote of theirs. George M. Dallas, of Pennsylvania, next succeeded, a man of dignity and character, but of no great ability. He had been United States Senator and had held other offices. He was afterward minister to England under Buchanan. As vice president he gave the casting vote in favor of the tariff of 1846, a free trade measure, much to the disgust of his Pennsylvania constituents. He has also entered the realms of the great obscure. The remaining incumbents for the great office are noted chiefly for the respectability of their mediocrity. Fillmore, King, Breckenridge, Hamlin, Johnson, Colfax, Wilson, Wheeler and Arthur are names that will certainly never be historic in any very high sense. Johnson will always remain the most notorious as well as the most celebrated. His only act of vice president was to take the oath of office while excessively drunk, and then to deliver himself in an inaugural speech that shocked everybody both here and abroad. As to the other names, well might the dignified ghost of old John Adams repeat to itself, "I wish, gentlemen to think what I shall be."

Contract Labor.

The bill prohibiting the importation of foreign laborers under contract to work for a stated time at stated wages, or paying their ocean passage, has passed the house. The spirit of this bill is right. It is the first attempt at any real protection to the American workmen. It does not forbid any of God's creatures from seeking a home in any portion of His domain. It will, if successful, simply prevent an unnatural migration, now carried on to the detriment of earlier settlers and the derangement of the social organizations naturally growing up among them. This unnatural, congested migration is like the slave trade or the coolie immigration, a thing to be deprecated without prejudice to natural migration.

We all believe in the payment of the public debt. But those who have studied the matter more closely are convinced that a too rapid payment of public debts, especially when, as is our case the debt is interwoven into the business of the country, is injurious. But while this unnatural migration is a bad thing, and while the framers of the law against it mean well, and may do some good, we fear that they have underestimated the matter. There are some things which plainly ought to be done if possible, which are yet provokingly impossible. There are others which plainly ought to be done if convenient—that is, if their doing would not involve collateral damages of injustice equal to or greater than the benefits and rights to be conserved.

We very much fear, while hoping for the best, that in one of these classes will fall the attempt to restrict the importation of laborers. It may be downright impossible; it may be only inexpedient. For one thing, certainly, it will grievously disappoint its friends. The laborer under contract is only a tithing of what comes in, to compete with a mercenary labor. There are a thousand other ways of unnaturally stimulating immigration, which are beyond the reach of law. And if not one of them were used, cheap ocean passage, increasing war burdens, and increasing population there, breeding social disturbances, all taken together, will inevitably force upon us for years to come an immigration which it will be idle to attempt to stem. So while we welcome any attempt to do what seems feasible in that direction, we are satisfied that the protection of the workman, or the farmer, to amount anything, is an utter impossibility. It is because we realize this impossibility that we so hate the injustice and carelessness of a protection which from the very nature of the case must be one-sided.

CONVINCING.

The proof of the pudding is not in chewing it, but in having an opportunity to test the article directly. In this regard, Dr. Tanner's Compound Syrup is a free trial bottle of Dr. Tanner's Compound Syrup for each and every one who is afflicted with Croup, Croup, Asthma, Consumption or any Lung Affection.

BILIOUSNESS.

Bilious symptoms invariably arise from indigestion, such as furred tongue, vomiting of bile, giddiness, sick headache, irregular bowels. The liver secretes the bile and acts like a filter or sieve, to cleanse impurities of the blood. By irregularity in its action or suspensions of its functions the bile is liable to overflow into the blood, causing jaundice, sallow complexion, yellow eyes, bilious diarrhoea, a languid, weary feeling and many other distressing symptoms. Biliousness may be properly termed an affection of the liver, and can be thoroughly cured by the grand regulator of the liver and bilious organs BURDOCK BLOOD BITTERS. Act upon the stomach, bowels and liver, making healthy bile and pure blood, and opens the culverts and sluiceways for the outlet of disease. Sold everywhere and guaranteed to cure.

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