

s to deliver the prisoners, the mob fired the Douglas county court house. When firemen attempted to put out the fire the mob cut the hose. At no time was the fire too m
not been hampered by the mob. Prisoners on the roof, believing they were going to be burned, finally delivered the negro to the mob, overrunning Sheriff Clark.

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tion nor the exemption from liability is charged by a small incidental revenue derived from the rental of city buildings used in connection with the public park or the municipal bench.

Williams vs. State. Error, Douglas. Affirmed. Opinion by Morrill.
1. It is not error for a trial court to refuse a requested instruction even though in proper form and supported by competent evidence when he gives substantially the same instruction on his own motion.
2. On the trial of one charged with having committed the crime of murder in the first degree it is the duty of the court to

der cannot predicate error on the refusal of the trial court to require counsel for the state to offer in evidence the dying declaration of the deceased when the record fails to show that such a declaration was made.

Stone vs. State. Error, Douglas. Affirmed. Opinion by Morrill.
A defendant in a felony case has the right to exercise the statutory number of peremptory challenges and in order to exercise this right understandingly it is proper for him to ascertain, as nearly as practicable, the disposition of the juror toward him, and toward the subject-matter of the

magatories propounded on abstract questions is within the sound legal discretion of the court, and where an abuse of such discretion is not shown the ruling of the trial court will be sustained.

Woznak vs. State. Error, Douglas. Reversed and remanded. Linton, Dean and Aldrich dissent to paragraph 5 of the syllabus. Linton dissenting separately. Aldrich and Dean concurring in dissent. Opinion by Sedgwick.
1. An information which charges only that the accused kept intoxicating liquors "for unlawful purposes" is too indefinite to charge a felony under section 11, ch. 187,

served upon the defendant at least one day before the trial.
2. When defendant objects to going to trial because no copy of the information has been given him, and the objection is overruled without any suggestion that such copy has been served, and such ruling cannot be sustained unless the record affirmatively shows such service.
3. If the briefs do not quote nor refer to such evidence in the record, the court will not presume that such evidence exists.
5. A judgment of conviction for felony will not be affirmed unless the record shows that the accused was arraigned and given an opportunity to plead before the trial

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The State Journal.

MORNING EVENING SUNDAY
LINCOLN, NEBRASKA.

C. D. Traphagen J. C. Seacrest
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Entered as second class matter in the
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ous federal government departments and
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stamp for return postage must accompany
each inquiry inquiring direct personal let-
ter reply. State clearly the information
wanted, write plainly and address, The Ne-
braska State Journal, Information Bureau
Washington, D. C.

Mr. Bryan, who keeps close tab on
Washington, gives it out as his be-
lief that the great offensive against
the peace treaty has spent itself and
is now waning. This has been the
consensus of opinion among independ-
ent Washington reporters for now
about a week. The deferring of ac-
tion has meant obviously that the op-
position has not yet been able to ac-
cumulate a majority against the treaty
or any of its substantial parts.

Silver reached 63 pence per ounce
in London the other day. This was the
highest quotation recorded in that mar-
ket since 1859. In New York at the
same time the market went slightly
above \$1.16. It is vastly significant of
the changes that have taken place in
public thought and information in the
last twenty-five years that a doubling
in price of silver should take place

would like to know why the editor, af-
ter coming up somewhat boldly to the
issue veers off at the end without tell-
ing the racial connection of the dis-
turbers. All he does to enlighten us is
to make the statement that the Ital-
ians who are intensely chagrined at
the disposition of Fiume were not the
offenders.

DUST AND ASHES.

Expressions of horror over the lapse
of civilization in Omaha can do no
good now. It is for us to realize the
bare facts and then to act with sober
sense. Thousands of our fellow citi-
zens go upon an insane, blood seeking
spree. They lose for a day the human
form and become ravening wolves,
rending the mayor as readily as the
black man whom they originally
sought. They even destroy their own
property, Omaha's beautiful court-
house. We are nearer to the tiger than
we had thought. We had trusted Ne-
braska was better balanced than
Washington, Chicago, Nashville, or
East St. Louis. The discovery that it
is not is a shock and a humiliation.
But all this is spilt milk. The demand
now is for a way of escape from fur-
ther engulfment in a pit which lies
nearer our feet than we had supposed.

A few people have been warning the
state for years past that the supreme
peril to order, justice, life, liberty, and
property in Nebraska is mob spirit
and mob action. That this is a fact
must now be clear to the slowest
mind. We must begin to build with
this realization as a base.

We cannot make progress without
first recognizing our own share of the
responsibility for the calamity which
has befallen the state. Nebraska has
been long playing with the fire which
has now so bitterly burned it. This
Omaha mob is not Nebraska's first.
There have been numerous outbreaks
on a smaller scale in the last two
years. Most of these have been polit-
ical riots rather than race riots, but
their essence is the same. Some of us
condoned those mobs. We said the
blame was on the people mobbed for

make us willing to give
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to.

Meanwhile Lincoln and
community must face
The people of Omaha
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years. Most of these have been political riots rather than race riots, but their essence is the same. Some of us condoned those mobs. We said the blame was on the people mobbed for doing things calculated to enrage us. This would exculpate also the Omaha mob which murdered two and maybe three men; for certainly the crime which aroused this mob was a frightful one. We have defended our previous mobs with reasoning which excuses any mob. Omaha's burnt-court house and wounded mayor and blackened name is the national product of a kind of talk which has had much support among supposedly responsible men for two or three years past.

We must recognize certain other facts in explanation, not condonation, of the Omaha mob. The press has its share of responsibility. Too many newspapers have joined in excusing mob action when that was directed against objects of their dislike. Whenever the press fosters the passions of the crowd there the press promotes the mob. Some say that the methods of local political warfare had much to do with producing the state of the public mind which gave rise to the Omaha mob.

And there is the charge, now a staple excuse for mob work, that the courts are ineffective. Omaha has been excited by a series of outrages upon women. The charge was current that local authorities and courts had failed to deal adequately with these crimes. The coming constitutional convention should be reminded by this tragedy to look carefully to the removing of such ground as may be for the complaint against the courts.

The state government stands indicted with the rest. The fundamental purpose of an American government is to enforce the substitution of orderly action for mob action. We look in vain for any effective action by the state to uphold this, its fundamental function. No mob has been punished in Nebraska; at least not in recent years. When an unpopular political group asked Governor Neville for protection from mobs he answered in effect that they deserved no protection. This was a plea in bankruptcy for the

more steel than ever will of course be employed.

DAILY DRIFT.

George Bailey: Fire Alarm Hiram Johnson is doing with great gusto what his colleague, Bob La Follette, came very near losing his goat for doing.

We have as yet heard no very convincing argument in favor of higher prices to the milk distributor. He admits scoring net profits of six per cent on his investment, while many of us are running behind twice that much. Slow down or we perish.

'Lethargic encephalitis' is the name the doctors give to a form of flu where the patient becomes comatose and finally winks out. Once in a while you run across a fellow who has the lethargy without the encephalitis, and thinks it a real hardship to have to work for a living.

And now Tom Benton says we said "the destruction of the saloon would eliminate riots." We may have hinted that a man is apt to be soberer when he's sober than he is when he's drunk, but nothing farther. The mob spirit is more easily kindled among men who are in their cups, and that is probably where it had its inception in Omaha Sunday night, but once under headway there is a contagion of emotional insanity and the whole community gets the worst of it.

Emma Goldman is once more free. While the war was on she spoke against the government program of conscription and had to answer in federal court to a serious charge. Then away to jail for many months. There is this to be said for Emma Goldman, she has the courage of her convictions, and she can stump a Philadelphia lawyer with arguments if he will stop and listen to her. She does not favor a government of, by and for the people, but pleads for an ungoverned world where all the people can be free as the birds, and nobody have a chance to get the best of anybody. It is doubtful if her propaganda can do harm among those who think, but she can stir a mob to a fine frenzy by the evident sincerity and earnestness of her anarchistic appeals.

REPROBATION.

I stand for liberty and law,
As solid as a rock,
So when one bellows, "Omaha,"
It gives me quite a shock.
To me the word appears to mean
Mobs, madness, torches, kerosene.
My warning voice I've often raised,
And fiercely did I try,
When Omaha was liquor-crazed,
To put Nebraska dry,
It now seems drunken, more or less,

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its government planning
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dicted with the rest. The fundamental
purpose of an American government
is to enforce the substitution of order-
ly action for mob action. We look in
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function. No mob has been punished
in Nebraska, at least not in recent
years. When an unpopular political
group asked Governor Neville for pro-
tection from mobs he answered in ef-
fect that they deserved no protection.
This was a plea in bankruptcy for the
state government. When Governor
McKelvie was asked last month to
proceed against local officials charged
with neglect in dealing with a mob
he plead lack of power. The Omaha
crisis found the state government im-
potent. We had to fall back upon the
federal government for protection from
ourselves. A municipality cannot han-
dle its own mobs. The state must in-
tervene here. Omaha's mob was so
large that its members can terrorize
thê city and its people into acquies-
cence in the mob's crimes. And the
mob knows that the state government
has consistently extended immunity
to mobs and will probably not trouble
this one. We have no state govern-
ment when it comes to the root busi-
ness of the state. What wonder we
have mobs.

This invitation to anarchy cannot
be let continue. Surely this will stir
us to action.

The safety of the state of Nebraska
requires that government by vindicat-
ed in Omaha. This will have to be
done by the state if it is done. And
if it is done right it will have to be
done with a firmness, vigor and force
hitherto unknown in the state govern-
ment. If the governor hasn't power
to act, it would be worth a special
session of the legislature to see the
power is given. If the legislature were
not willing to give and the govern-
ment to use this power, then we
should give over the pretense of being
a government and give the mobs carte
blanche in lay as they have had it in
fact. But surely the menace of the
mob is now clear enough to us all to

a mob to a fine frenzy by
cerity and earnestness of her anarchistic
appeals.

REPROBATION.

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As solid as a rock,
So when one bellows, "Omaha."
It gives me quite a shock.
To me the word appears to mean
Mobs, madness, torches, kerosene.
My warning voice I've often raised,
And fiercely did I try,
When Omaha was liquor-crazed,
To put Nebraska dry,
It now seems drunken, more or less,
With its infernal cussedness.
Such rioting I never saw
In any other place;
Shame on you, Sister Omaha—
Our state is in disgrace
Because of your plain lack of soul,
Of decency, of self-control.
I've said enough, I'll say no more—
No more is to be said—
In sackcloth I will dress, and pour
Hot ashes on my head,
You mean despiser of the law!
You dambad Indian, Omaha!

Don't waste your substance in riotous
living. This is a story of the prodigal
father. He was known in southern Min-
nesota as "Dad" Gates. He was getting
on in years when he came to the region
and engaged in buying poultry and eggs
for a wholesale house in the east. He re-
ceived adequate compensation for his la-
bor and "blew it with the boys" as one
of them. "Eat, drink and be merry,"
said dad, "for there ain't no tomorrow."
But he was mistaken. He was jogging
along at a very brisk pace when senile
paresis overtook him, and he was taken
to the hospital at St. Peter, where, after
months of treatment, he came to in
a way but with no reserve vitality. Then
he said, "I will go to my son in Detroit,
and say to him, "My boy, I am all in; let
me abide with you until I wink out."
And when he was yet afar off, the boy
saw him coming and autoed out to where
he was and with filial patriotism gathered
him up and took him to the flat he oc-
cupies, saying, "It is all right, dad, and
if you can put up with our accommoda-
tions we'll see you thru." But how
much nicer it would have been for all
concerned if father had prudently hus-
banded his earnings so that he could
have brought home the bacon along with
his aching bones and enfeebled intellect.
This is a lesson we should learn
In life's forbidding game,
To save a part of what we earn
So that when old and lame
We may be thankful to the Lord
That we can pay for clothes and board.

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make us willing to give up the mob
we are inclined to for the sake of es-
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to.

Meanwhile Lincoln and every other
community must face a sober fact.
The people of Omaha are just such
people as the rest of us. There is no
evidence that the mob was made up of
elements peculiar to Omaha, the "ig-
norant foreign element" on which we
co cheerfully cast our sins where there
is a fair chance. Men who have de-
fended Nebraska political mobs on the
ground that they contained soldiers
must prepare to discover that there
were returned soldiers in this mob.
The mental confusion in which the
war has left us has unsettled all com-
munities and classes about alike. Given
a combination of abhorrent crime
and race prejudices to work upon it
and any other Nebraska community
is likely to burst into flame as Omaha
did. This is a possibility which we
cannot afford to be for a day unguard-
ed against.

In recent years jails have been
placed in the top stories of many
city and county buildings. The argu-
ment has been that prisoners would
be safer there than in structures of
the old kind. They would also have
better sanitary conditions and jail od-
ors would be dissipated into the upper
air and cause no inconvenience in the
offices on the lower floors. The possi-
ble burning of a large fire proof public
building by a mob has not been taken
into consideration. The Omaha exper-
ience shows that if this arrangement
is to be continued it will be necessary
to provide these buildings with fire
proof furniture as well as steel and
masonry walls and floors. It is sur-
prising that in a modern structure
like the Douglas county court house
enough inflammable material was used
to bring about so dangerous a situa-
tion. In rebuilding and refurbishing

MORE OR LESS PERSONAL.

The staff reporter who had gone up
to Omaha during the night came back
to Lincoln yesterday afternoon with
more material in his note book and in
his mind than he could possibly use.
"The story of the riot is beyond
me," he said. "Perhaps after I get
some sleep and clear up my mind
a little I will be able to tell what took
place. Just now I can't. When I ar-
rived in Omaha between one and two
o'clock this morning I saw an automo-
bile dragging the body of the negro on
the pavement up and down Farnam
street. I saw the crowd following and
shooting bullets into the corpse.

"I saw a police patrol wagon blaz-
ing in the middle of Fifteenth street. At
4 o'clock this morning I saw the body
of the negro hanging on a lamp post.
The police came and took it down,
and dragged it away behind their
automobile. I saw a great deal more,
but I can't describe it now. This
whole story will come out a piece at a
time. The bloodlust was too terrible
a thing to be written about—and be-
lieved.

"I brought back with me a photo-
graph of the crowd in front of the
courthouse taken at 4 o'clock on Sun-
day afternoon. To me that tells the
story. A great and menacing crowd
was breaking windows in the court-
house at that hour. Why was nothing
done to get the situation in hand?
The negro was not taken and hanged
until 11 o'clock that night. It will be
found that an organized mob was
fighting a disorganized city ad-
ministration. Policemen appointed
under the Tom Dennison regime are
serving under a reform city adminis-
tration, and are protected by civil
service rules.

"I believe that some of the policemen
wanted the mob to capture the prison-
er. I believe that some of the firemen
were not sorry when the hose was
cut and they were prevented from
saving the court house. Look at the
picture taken at 4 o'clock Sunday af-
ternoon and ask why that afternoon
mob wasn't warning enough for a
properly organized city to get help
from some source to prevent the
lynching, which didn't take place un-
til 11 o'clock at night."

states that such a chi
Q. Is the mirage p
regions of the west?

A. Mirages are so
the east. They have
times, for instance, o
avenue in Washingto
treasury and the cap

Q. What are the
the wedding anniversa

A. The first wedd
is the cotton anniver
is paper, third leathe
seventh woolen, tenth
and fine linen, fifteen
tieth china, twenty-fif
eth pearl, fortieth rub
and seventy-fifth diam

Q. I have a matter
the representative o
States in Hamburg,
whom should I write?

A. Your letter sho
to the Spanish consu
Spanish diplomatic co
represent the United
many.

Q. Can I send a p
ing to Poland by pare

A. Parcel post pa
land are not received
States, as Poland is
handle them.

Q. Whom does the
ognize as having be
the army, navy and m
ing the late war?
is for a memorial a
is preparing a list of
for historic purposes

A. The governme
the men who served
in the United States
marine corps, and all
the uniform of any c
of service and rece
pay. This includes
training corps, the r
and West Point w
courses; and were li
for service, and army

Q. What is the a
savings stamps tha
to date? L. McC.

A. The treasury
that \$1,349,626.90 in
have been sold up
last period for which
been computed.