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RECORD IS HISTORY

Twenty-Fifth Session of the Nebraska Legislature is at an End.

PASSED MANY GOOD BILLS.

Review of the One Hundred and Thirty-Three Bills That Passed Both Houses.

Record Disproves Press Criticism.

The press of the state has generally accused the legislature just closed of being slow and inactive. Its record, however, is to the contrary. More bills were introduced and more became laws than at any other session in the history of the state.

The first to pass was No. 53, introduced by Crow, appropriating \$90,000 to pay the salaries of the members, officers and employes of the legislature.

The second was by Felker, appropriating \$40,000 to pay the incidental expenses. The third was by Dobson, providing for the repeal of the sugar bounty law. The fourth was the Omaha trans-Mississippi bill, appropriating \$100,000 for the exposition. The bill as passed was drawn by Mr. Gaffin. Under the terms of the bill the appropriation is not available until the stockholders of the Trans-Mississippi association have paid into the treasury of that association the sum of \$200,000. There is also a provision that all laborers paid out of the appropriation shall receive not less than \$1.50 per day. The fifth was H. R. 15, by Kapp, for the relief of Boyd county, appropriating \$4,823 to cover the expense incurred by that county in the Barrett Scott case. The sixth was H. R. 69, by Loomis, which provides for public scales if the voters of a township wish to have them erected, and provides the manner of conducting them. The seventh was H. R. 144, by Burket, providing for more severe punishment for the digging up or removing of any dead human body. The eighth was H. R. 185, by Gaylord, legalizing certain acts of the county treasurer of Buffalo county in relation to the payment of certain claims for bounties for gopher and squirrel scalps. The ninth by Kapp provides the commissioner of public lands and buildings may receive and receipt for certain school lands due the state from the Fort Randall military reservation. The tenth, by Felker, provides for the incorporation of the order of the Eastern Star. The eleventh, by Sheldon, provides for increasing the fees charged by the secretary of state and will make the office self supporting besides netting a handsome balance to the state. Among the minor measures it is regarded as one of the best. The twelfth was by Wimberly, in relation to certain funds due the university—merely a formal measure. The thirteenth, by Nesbit, appropriates \$1,392 to reimburse Burt county for costs in the prosecution of George Phillips, ordered to be conducted in that county by Attorney-General Churchill. The fourteenth was senate joint resolution No. 2, instructing John M. Thurston that he should support a bill for the free coinage of silver in accordance with the promise of Mr. Thurston in his speech of acceptance two years ago. The fifteenth was by Senator Murphy, and requests Nebraska congressmen to support the arbitration treaty. The sixteenth, by Dearing, provides for the prosecution of persons who engage in combinations to fix the price of grain. This is commonly known as the anti-elevator trust law.

The seventeenth by Senator Beal provides for the appointment of a committee to investigate the different state offices and report their findings to the governor. The sum of \$10,000 is appropriated to cover the necessary expense of the investigation. The eighteenth was the Lincoln charter. The nineteenth was by Senator Grothman, a bill for the regulation of stock yards. The charges fixed by this act as the maximum limit that can be made are for yarding and weighing cattle, 10 cents per head; yarding and weighing hogs, 4 cents per head; yarding and weighing sheep, 3 cents per head. The maximum price which may be charged by stock yard managers for feed are: For corn, oats, hay and all other grains, double the market price in the village where the stock yards are located. There is a provision that a ton of hay shall weigh 2,000 pounds; a bushel of shelled corn, 56 pounds, and corn in the ear, 70 pounds. The fees allowed to be charged for selling are: Cattle, \$8 per car; hogs, \$5, and sheep, \$4 per car. The penalty for the violation of this act is a fine of \$100 for the first offense, \$200 to \$500 for the second and \$500 to \$1,000 for the third. The governor, signed this March 20th, with the emergency clause attached to it.

The twentieth was senate file No. 392 in relation to the recount. The twenty-first by Senator Ransom provides that a mortgage of household goods shall not be valid unless signed and sworn to by both husband and wife, in the same manner required in the transfer of real estate. The twenty-second was by Ransom to compel the street car companies in Omaha to protect their employes from the inclemencies of the weather by vesting the street cars. The twenty-third was by Senator Furrell in relation to the collection of fees in the office of secretary of state. The twenty-fourth by Graham authorizes the county commissioners of Hitchcock county to pay the sum of \$3,000 on the Culbertson precinct irrigating bonds. The twenty-fifth was the Omaha

charter. The other measures passed were No. 29 by Phelps of Dundey providing for the repeal of the Russian thistle law. No. 253 by Sheldon appropriating \$30,000 to build a building for the state university. No. 89 by Senator Watson providing for granting commissions to graduate cadets of Doane college. No. 312 by Beal providing for the donation of a certain quarter of land to the insane asylum at Lincoln, to be cultivated by the patients. No. 40 by Johnson providing for the organization of Mutual Hail insurance associations. No. 196 to appropriate \$20,000 to rebuild the dormitory of the Peru state normal recently destroyed by fire. House roll 183, a committee bill in relation to the organization of mutual insurance companies to insure city and village property. Senate file 157 by Ransom prohibits the furnishing free to offices any gas light, electric light, water, telephone or telegraph service or free transportation over the street car lines or at a less figure than the same is furnished to other persons. Senate file 207 defining fraternal benefit societies and giving them the powers of corporations. House Roll 4 by Eastman appropriates \$121 for the relief of the Mrs. Rebecca Perkins for school land assessments over paid. H. R. No. 5 by Hull for the recount of the ballots in relation to the constitutional amendment. No. 78 by Steele to allow children under certain conditions to attend school in another district. H. R. 255 by Rich provides for the appropriation of matriculation fees at the Normal school for the use of the library. H. R. 267 by Gaffin prohibits under severe penalty, any company from contributing any money, property help or transportation for the aid of any political party, candidate or organization. Senate file No. 210 by McGann enlarges the rights of cities and villages in relation to school districts. House Roll 224 by Prince appropriates \$25,000 for the purpose of erecting a wing to the Norfolk hospital for the insane. H. R. 140 by Rich providing for the adoption of minor children. H. R. 13 by Uerling provides for the appropriation of \$30,000 for buildings and repairs to the Hastings asylum for the insane. H. R. 31 by Clark authorizing the organization of mutual plate glass insurance companies. H. R. 74 by Lemar provides for a state board of embalming. H. R. 42 allows irrigation districts to disband if they wish after having paid all indebtedness. H. R. 152 by Hull provides that adulterated vinegar may not be sold except it is labeled as adulterated vinegar. H. R. 150 by Hull regulates the sale of cider. H. R. 125 by Burket of Lancaster amends the law for filling claims against estates. No. 244 provides that R. K. companies must maintain track scale at all stations from which 200 cars of grain are shipped in one year. Senate file 292 by Spencer provides for a four year course of study before allowing graduates to practice medicine. Senate file 153 provides that all unused wells must be filled or securely fenced. S. F. 27 authorizes the governor to settle the boundary between Nebraska and South Dakota and sign the contract. S. F. 159 provides for the appointment by the county commissioners of a clerk of the district court under certain conditions. S. F. by Dundas provides that the county commissioners may levy a tax to erect a jail or court house, or other public building upon the petition of one-fourth of the legal voters of the county. S. F. 6 by Murphy allows the district judge to fix the day at which jurors for the term shall be required to report instead of requiring them to report on the first day of the term. S. F. 96 permits county treasurers to invest three-fourths of the sinking fund in state or county warrants or bonds of the county. H. R. 428, by Zimmerman, the bill most severely fought by railroad lobbyists, provides the method of procedure and greatly increases the powers of the state board of transportation. It prevents any dilatory proceedings on the part of the railway companies. It must obey the law or show cause for not doing so within ten days, under severe penalty. H. R. No. 611, by Zimmerman, provides that the governor may appoint a commission to investigate the feasibility of a railroad to the gulf, to confer with like committees appointed by the states of Kansas and Texas and Oklahoma territory. H. R. No. 67, by Taylor of Fillmore, provides that breaking into a chicken coop shall constitute burglary, and be punished by from one to ten years in the penitentiary. It passed with the emergency clause. H. R. 261, by Eager, prohibits the useless waste of artesian water. H. R. 491, by Gaffin, provides that the Home of the Friendless be placed under the control of the governor, in like manner as other institutions. H. R. 519, by R. A. Clark, provides for the payment of \$2,000 to Mrs. Lucius Lawton for the loss of an eye at the governor's review and inspection of the university cadets. H. R. 539 appropriates \$144.36 for Henry Drew's overpayment on school land. H. R. 233, by Zimmerman, provides for consolidating the different funds of the university into a single fund for convenience in bookkeeping. H. R. 359, by Holland, provides for the relief of Wm. Bergen et al. in connection with a school land lease. H. R. 134, by Rich, provides for the sale of stock in corporations and other companies upon execution, and provides the manner for levying thereon. H. R. 283, by Severe, is designed to define the deaf and dumb institutions as schools rather than asylums. H. R. 529 provides for the purchase of a quarter section of land for the use of the Hastings asylum and appropriates \$0,000 for that purpose. H. R. 333 provides for issuing state teachers certificates to graduates of Normal schools, where the school employs five teachers and has \$100,000 or more invested. H. R. 625 to prevent the spread of hog cholera, and regulate the disposal of the carcasses of hogs dying from cholera. H. R. 334 by Gaylord provides for transportation to be furnished

for the benefit of another and could not be sustained in law or equity. The purpose of taxation must be a public purpose; it must have some reference to discharging the debts of the nation or providing for the common defense or the general welfare. If it does not, the tax can not be imposed. What is meant by the payment of the debts and the common defense is clearly understood; it is the payment of those debts incurred in the administration of the government; the building of fortifications, the raising of armies and navies, and equipping them to repel enemies from without and within; in fact securing the absolute safety of the government from all encroachments by foreign powers or insurrectionary organizations within the states. What is meant, however, by the general welfare of the United States is not so well understood, and under this clause many have claimed that it was within the power of the government to impose taxes, to encourage, sustain and promote all things, however remotely connected with the government, that in any manner contributed to the upbuilding and enlightenment of society.

It is very evident that the power to levy taxes must be limited to the revenue line, or that it is entirely without limitation. It seems to me to be preposterous that our ancestors, who designed that all might prosper alike, should be so careful in hedging about the rights of the people by the constitution with so many minor provisions, and leave this unchecked sovereign power to congress—the power to tax without limit, except such as the fairness of that body alone might dictate. I prefer to believe, however much it might conflict with the opinions of others that the constitution carefully guards the power of taxation by prescribing the purposes for which taxes may be levied. I can not and do not believe the framers of that instrument ever contemplated that congress should have unchecked power, either by direct or indirect taxation, or in any other form, or under any guise, to take the property of one citizen without compensation and transfer it to another. If it be not true that the power of congress is limited in this grant to the power of taxing for revenue, then we have the anomalous fact that congress, by a system of exactions called taxes, having no reference to any public purpose and confessedly designed for the promotion of the few,

can transfer by legislation the property of the people into the hands of individuals and use the constitution as a means of centralizing wealth and political power to menace the happiness and prosperity of the people and the very existence of the government itself." Concerning the results obtained by a tariff tax as shown by history, he said: "It may be accounted singular that the manufacturer should desire the benefit of the tariff to come to him in the first instance, that in his magnanimity and generosity he may divide it and give to those who labor their just portion. Men are not ordinarily so generous in their impulses and disinterested in their conduct. That this is a mere pretense on their part is apparent to us and the country at large. It must not be forgotten that the wage earner in whose interest a high tariff is said to be levied remains comparatively poor throughout his life, despite his earnest and manly effort to improve his condition, while those who own and operate the factories accumulate immense fortunes of ancient times."

In concluding, Senator Allen pointed out the fallacies in the claims that the enormously high duties were necessary as a war measure, to prepare the nation to defend itself from invasion. He showed that the effect was not to raise the price of farm products as had been claimed, but that the farmer must meet all competition in the sale of his products and then take his earnings and buy in a market of monopolies. He said:

"I can not refrain from observing that we have fallen on evil days and into degenerated times, and that a spirit of commercialism has led us to set at defiance many of the fundamental doctrines of our constitution and constitutional history. The nation will not be safe from the evils that beset it and seek its destruction until we return to the foundation truths and hold the ship of state steadily to its course, as the faithful mariner holds his ship at sea. Loose methods of thinking, inexact ideas of patriotism and public duty, seasoned with selfishness and personal interest, have wrought incalculable mischief to our government and to our people. The pathway of safety lies in retracing our steps to the firm ground of the constitution, and there fighting for the glory, the integrity, and the security of our country. We can not safely pursue any other course. We owe our best efforts to the people, the whole people and not to the few."

It has been declared by high and solemn authority that "no man can serve two masters, for either he will hate the one and love the other, or else he will hold to the one and despise the other; ye cannot serve God and mammon." Mr. President, we can not serve the people and the money power at the same time. Their interests are deadly antagonistic. What is for the common welfare is against the trusts and the pools. The rights of persons and property must everywhere be respected, the right of the humblest citizen as well as the richest, most intelligent, and most powerful. If we close our ears to the cries of the poor, if we do not heed their wrongs and right them, we will be unjust to our countrymen and unfaithful to our God. When we extend ample protection to all our people, not by the imposition of a high tariff that gives protection to the few, but the equitable laws for the benefit of all, we will have done all that can be asked or expected of us. If we fail, we will be justly reprehensible in the eyes of the world."

It is well settled that the power to impose taxes, duties, imposts, excises is limited by the purpose which is expressed in the same paragraph; that is, to the payment of the debts and providing for the common defense and general welfare of the United States. If a given tax is not imposed for one of the purposes it is unconstitutional; it would be the consecration of the property of one citizen

THE TREASURER'S ACCOUNTS.

Mr. Meserve Gives Out Some Figures Concerning State money.

Treasurer Meserve has paid out nearly a million of dollars since assuming the duties of state treasurer. Last week he submitted his quarterly report to the auditor and allowed it to be made public. As a rule in the past this report has not been made public, but under the present administration all the transactions with the state funds will be open to public inspection and the statements and reports will be published.

We give below the letter and statement sent to the auditor by the treasurer: Hon. John F. Cornell, auditor—Dear Sir: I herewith hand you statement of moneys in suspended banks and also held by J. S. Bartley. We have charged these amounts out of the several funds and put them in one fund, called a suspended account, in order that our funds may show net amount which is available, and I suggest that the same thing be done in your office in order that our books may agree. Respectfully,

J. B. Meserve, State Treasurer.

TREASURER'S STATEMENT.

The following, taken from the treasurer's report for the quarter ending March 31, shows balances on hand when he entered the office, receipts, disbursements and net funds available:

FUNDS.	Balances Jan. 6, 1897.	Receipts.	Payments.	Available fund March 31, 1897.
General	\$ 419,216 53	281,385 25	613,709 16	186,152 78
Sinking	324,062 45	41,608 13	18,568 83	347,101 75
Permanent school	89,568 01	29,281 50	56,879 78	61,969 73
Temporary school	279,308 78	253,449 55	291,958 30	240,800 03
Permanent university	19,775 65	1,584 73	8,969 15	12,391 23
Agricultural college endowment	61,925 15	2,802 17	20,888 71	43,838 61
Temporary university	9,482 01	56,236 13	20,539 87	45,178 27
Penitentiary substitute	17 88	17 88	17 88	17 88
Normal building	13 12	13 12	13 12	13 12
State bonds	16 01	137 59	163 60	149 00
Capitol building	8 42	40 58	1 75	67 25
Reform school building	3,888 01	9,129 24	4,107 71	7,909 54
Institute feeble minded	4,814 48	36 01	1,807 10	3,043 39
Live stock indemnity	1,566 65	9,081 73	16,648 38	6,000 00
State relief	319 19	3,123 32	1,000 00	2,442 51
Hospital for insane	1,316 59	4 85	1,212 74	1,108 70
State library	1,791 73	1,081 16	829 58	2,043 31
University library	1,781 07	100 00	543 42	1,337 65
Normal endowment	18,900 12	864 08	5,904 03	13,860 17
Normal interest	442 93	3,841 58	725 00	3,559 51
Penitentiary labor fund	94 90	94 90	94 90	94 90
Interest charged county treasurer	1 00	1 00	1 00	1 00
Conscience	365 50	365 50	365 50	365 50
Sales fund	2,734 15	2,734 15	2,734 15	2,734 15
Suspended accounts	644,909 50	644,909 50	644,909 50	644,909 50
Totals	\$1,536,304 10	\$ 787,814 92	\$1,479,487 50	\$ 844,131 42

MISSING FUNDS.

The suspended account amounting to \$644,909.50, which is included in bulk in the statement above, is recorded as being in suspended banks, and \$335,878.08 of it is charged directly to ex-Treasurer Bartley, that being the amount which Mr. Bartley has failed to account for. The treasurer's books charge this money to the following sources:

To First National Bank, Alma, general fund	\$ 40,312 48
To Bank Wymore, general fund	6,036 67
To Capital National Bank, Lincoln, general fund	52,416 69
To Capital National Bank, Lincoln, general fund	180,101 75
To Globe Loan and Trust Co., Omaha, temporary school fund	12,892 54
To Buffalo County National Bank, Kearney, temporary school fund	4,499 00
To Bank of Wymore, temporary school fund	8,928 90
To Capital National Bank, Lincoln, live stock indemnity fund	3,843 39
To J. S. Bartley, treasurer, per school fund	270,133 45
To J. S. Bartley, treasurer, per university fund	9,775 93
To J. S. Bartley, treasurer, per agricultural college endowment	43,368 61
To J. S. Bartley, treasurer, per normal endowment	12,600 09
	\$644,909 50

The following is a recapitulation of the treasurer's report:	
Balance shown by books, January 6, 1897	\$1,536,304 10
Receipts	787,814 92
	\$2,324,119 02
Disbursements	834,578 10
Balance	\$1,489,540 92
Suspended account	644,909 50
Leaving available fund	\$844,131 42

ON FEDERAL TAXATION

Senator Allen Shows That a Tariff for Protection Only is Unconstitutional.

CONSTITUTIONAL LIMITATIONS

No Authority to Levy a Tax to Build up Private Fortunes.

Impossible to Serve Two Masters.

Senator Allen secured the floor in the United States senate on March 30 to discuss the constitutional authority by which congress levies a tax to protect manufacturers, beyond that necessary to raise revenue to run the government. He pointed out that at the time of framing the constitution the dominant idea was that the states had reserved to themselves the control of their industrial policies and all rights and privileges not specially granted to the general government by the constitution. He said "the constitution of the United States is a grant and not a limitation, while the constitution of a state is a limitation on an otherwise unlimited and unrestricted power, and is in no sense a grant of power."

He stated that the power to tax granted in the constitution was contained in the following paragraphs: Article 1, section 8, paragraph 1: The congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States. Article 1, section 7, paragraph 1: All bills for raising revenue shall originate

in the house of representatives, but the senate may propose or concur with amendments as on other bills.

Article 1, section 3, paragraph 4: No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

Article 1, section 10, paragraph 3: No state shall, without the consent of congress, lay any duty to tonnage, etc.

He pointed out that the constitution provided for two systems of taxation to raise revenue for government expense the indirect system of the tariff tax and the capitation or direct tax. Referring to the indirect system he said:

"The power of taxation is a sovereign power, and in a government like ours it is the chief power, because we cannot conceive of a civil government existing for any length of time without the right to levy taxes to sustain it. The government must be provided with a large retinue of officers, an army and navy, and all of the paraphernalia necessary and incident to its maintenance, and all these must be sustained by revenue derived by taxation. Taxation is a power that knows no limit save the necessities of the government. Let it be granted that the government may be taxed for a given purpose, and this power becomes limited alone by its necessities in that respect. The power to tax carries with it the power to destroy. It is a delicate power, and therefore the first thought that presents itself to the mind is whether the framers of the constitution left it entirely unchecked and unguarded, or whether the government can declare a purpose which is in no sense a public purpose which is a fit subject to receive the benefit of taxation. By article 1, section 8, paragraph 1, it is declared that "Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States."

It is well settled that the power to impose taxes, duties, imposts, excises is limited by the purpose which is expressed in the same paragraph; that is, to the payment of the debts and providing for the common defense and general welfare of the United States. If a given tax is not imposed for one of the purposes it is unconstitutional; it would be the consecration of the property of one citizen

for the benefit of another and could not be sustained in law or equity. The purpose of taxation must be a public purpose; it must have some reference to discharging the debts of the nation or providing for the common defense or the general welfare. If it does not, the tax can not be imposed. What is meant by the payment of the debts and the common defense is clearly understood; it is the payment of those debts incurred in the administration of the government; the building of fortifications, the raising of armies and navies, and equipping them to repel enemies from without and within; in fact securing the absolute safety of the government from all encroachments by foreign powers or insurrectionary organizations within the states. What is meant, however, by the general welfare of the United States is not so well understood, and under this clause many have claimed that it was within the power of the government to impose taxes, to encourage, sustain and promote all things, however remotely connected with the government, that in any manner contributed to the upbuilding and enlightenment of society.

It is very evident that the power to levy taxes must be limited to the revenue line, or that it is entirely without limitation. It seems to me to be preposterous that our ancestors, who designed that all might prosper alike, should be so careful in hedging about the rights of the people by the constitution with so many minor provisions, and leave this unchecked sovereign power to congress—the power to tax without limit, except such as the fairness of that body alone might dictate. I prefer to believe, however much it might conflict with the opinions of others that the constitution carefully guards the power of taxation by prescribing the purposes for which taxes may be levied. I can not and do not believe the framers of that instrument ever contemplated that congress should have unchecked power, either by direct or indirect taxation, or in any other form, or under any guise, to take the property of one citizen without compensation and transfer it to another. If it be not true that the power of congress is limited in this grant to the power of taxing for revenue, then we have the anomalous fact that congress, by a system of exactions called taxes, having no reference to any public purpose and confessedly designed for the promotion of the few,

can transfer by legislation the property of the people into the hands of individuals and use the constitution as a means of centralizing wealth and political power to menace the happiness and prosperity of the people and the very existence of the government itself." Concerning the results obtained by a tariff tax as shown by history, he said: "It may be accounted singular that the manufacturer should desire the benefit of the tariff to come to him in the first instance, that in his magnanimity and generosity he may divide it and give to those who labor their just portion. Men are not ordinarily so generous in their impulses and disinterested in their conduct. That this is a mere pretense on their part is apparent to us and the country at large. It must not be forgotten that the wage earner in whose interest a high tariff is said to be levied remains comparatively poor throughout his life, despite his earnest and manly effort to improve his condition, while those who own and operate the factories accumulate immense fortunes of ancient times."

In concluding, Senator Allen pointed out the fallacies in the claims that the enormously high duties were necessary as a war measure, to prepare the nation to defend itself from invasion. He showed that the effect was not to raise the price of farm products as had been claimed, but that the farmer must meet all competition in the sale of his products and then take his earnings and buy in a market of monopolies. He said:

"I can not refrain from observing that we have fallen on evil days and into degenerated times, and that a spirit of commercialism has led us to set at defiance many of the fundamental doctrines of our constitution and constitutional history. The nation will not be safe from the evils that beset it and seek its destruction until we return to the foundation truths and hold the ship of state steadily to its course, as the faithful mariner holds his ship at sea. Loose methods of thinking, inexact ideas of patriotism and public duty, seasoned with selfishness and personal interest, have wrought incalculable mischief to our government and to our people. The pathway of safety lies in retracing our steps to the firm ground of the constitution, and there fighting for the glory, the integrity, and the security of our country. We can not safely pursue any other course. We owe our best efforts to the people, the whole people and not to the few."

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can transfer by legislation the property of the people into the hands of individuals and use the constitution as a means of centralizing wealth and political power to menace the happiness and prosperity of the people and the very existence of the government itself." Concerning the results obtained by a tariff tax as shown by history, he said: "It may be accounted singular that the manufacturer should desire the benefit of the tariff to come to him in the first instance, that in his magnanimity and generosity he may divide it and give to those who labor their just portion. Men are not ordinarily so generous in their impulses and disinterested in their conduct. That this is a mere pretense on their part is apparent to us and the country at large. It must not be forgotten that the wage earner in whose interest a high tariff is said to be levied remains comparatively poor throughout his life, despite his earnest and manly effort to improve his condition, while those who own and operate the factories accumulate immense fortunes of ancient times."

In concluding, Senator Allen pointed out the fallacies in the claims that the enormously high duties were necessary as a war measure, to prepare the nation to defend itself from invasion. He showed that the effect was not to raise the price of farm products as had been claimed, but that the farmer must meet all competition in the sale of his products and then take his earnings and buy in a market of monopolies. He said:

"I can not refrain from observing that we have fallen on evil days and into degenerated times, and that a spirit of commercialism has led us to set at defiance many of the fundamental doctrines of our constitution and constitutional history. The nation will not be safe from the evils that beset it and seek its destruction until we return to the foundation truths and hold the ship of state steadily to its course, as the faithful mariner holds his ship at sea. Loose methods of thinking, inexact ideas of patriotism and public duty, seasoned with selfishness and personal interest, have wrought incalculable mischief to our government and to our people. The pathway of safety lies in retracing our steps to the firm ground of the constitution, and there fighting for the glory, the integrity, and the security of our country. We can not safely pursue any other course. We owe our best efforts to the people, the whole people and not to the few."

It has been declared by high and solemn authority that "no man can serve two masters, for either he will hate the one and love the other, or else he will hold to the one and despise the other; ye cannot serve God and mammon." Mr. President, we can not serve the people and the money power at the same time. Their interests are deadly antagonistic. What is for the common welfare is against the trusts and the pools. The rights of persons and property must everywhere be respected, the right of the humblest citizen as well as the richest, most intelligent, and most powerful. If we close our ears to the cries of the poor, if we do not heed their wrongs and right them, we will be unjust to our countrymen and unfaithful to our God. When we extend ample protection to all our people, not by the imposition of a high tariff that gives protection to the few, but the equitable laws for the benefit of all, we will have done all that can be asked or expected of us. If we fail, we will be justly reprehensible in the eyes of the world."