

A TARIFF DREAM.

BY RALPH HOYT.

For several consecutive weeks I had been reading and hearing so much about tariffs and free-trade on account of the Porto Rico question, that after retiring and falling asleep one night recently, I dreamed of the tariff, and in a rather unique way.

I seemed to be seated in a large courtroom where a criminal trial was in progress. I had entered the room late and had missed hearing the evidence in the case, and also the arguments of the eminent attorneys. But I was there in time to hear the judge's charge to the jury and the verdict that followed. It was apparent from the large number of intelligent spectators present, and the intense interest with which they listened to the proceedings, that the case was one of extraordinary importance. In answer to my whispered question a bailiff said it was the great case of "The People versus The Tariff."

Soon the venerable, dignified judge arose, and with manuscript in hand proceeded to read, in a clear, calm voice, his instructions to the jury, while every person in the crowded room listened almost breathlessly. Having a note-book and pencil in my room I wrote down in short-hand, soon after awakening, every word that fell from his honor's lips, and have since transcribed them for publication. They are as follows:

"The charge of robbery against this defendant, The Tariff, is a serious one, and you, the jury, having listened attentively to the evidence and also to the arguments of learned counsel on each side must soon take the case under advisement, and eventually render such a verdict as you may be able to agree upon. You must decide whether the accused is guilty or innocent of robbing the people of vast sums of money, aggregating many millions, by a process of holding up his victims under the forms of law. And so, on behalf of the people I give you these instructions.

"If the jury believe that The Tariff is a tax, that it is an unnecessary tax, that unnecessary taxation is unjust taxation, and that unjust taxation is robbery—that belief will point significantly toward the duty of conviction. If the jury further believe that no moral law yet discovered justifies a civil government in imposing burdens on one class of citizens to benefit another class, that also should bear strongly against the defendant—provided the jury have no doubt that a protective tariff does thus discriminate in favor of one class and against another.

"On the part of the defendant the court gives you these instructions: If the jury believe from the evidence that a tariff is not a tax on the people, or that if it is a tax the foreigner pays it, anyhow, so that the American people are never hurt or hit by it; and that it is

just, wise, noble, and praiseworthy for a great nation like the United States to compel other nations to pay our tariff tax for the privilege of trading with us; that a tax is sometimes not a tax; that a spade, though generally a spade, may, under certain conditions, be something else—as for example, a pitch-fork or a rat-trap—if the jury believe these things you should give the accused the benefit of such belief, even though at the risk of exposing yourselves to the charge of imbecility.

"If the jury further believe, as urged by counsel for the defense, that a protective tariff is the will of God enacted into civil law, you should unhesitatingly acquit the accused, and the court will thereupon issue bench-warrants for the arrest of all persons engaged in this prosecution, on a charge of entering into a conspiracy to defeat a decree of the Almighty.

"If the jury believe that tariff laws make high wages; that protected industries, as a rule, give their employees the benefit of every advance in the selling prices of products consequent upon increased import duties; that tariff duties simultaneously make the same goods dearer for the seller and cheaper for the buyer; that men who can safely be trusted to trade with each other at pleasure and without legal restraint within the boundaries of the United States, cannot be safely trusted to exchange products across an international line—then the jury should acquit.

"And if the jury further believe that intelligent people who carry on interstate commerce successfully, become imbeciles and need the intervention of a paternal government the moment they begin to engage in international commerce, the jury should find a verdict for the defendant.

"If the jury believe that the trading instinct in man is a wicked and dangerous instinct, that ought to be muzzled by legislation; that custom houses are schools of morality rather than temples of perjury; that advocates of tariff machinery never smuggle or think of smuggling any foreign-bought goods into this country when returning from other lands; if you believe these things, then the tariff should be acquitted.

"If you believe that, though freedom is natural and right, and trade is natural and right, if these two factors in civilization were permitted to come together so as to actually constitute free trade, the result would be disastrous to the business interests of the country—if you believe these things, you should unhesitatingly acquit the accused.

"On behalf of the people, I give you these further instructions: The jury should not be misled by the fact that this country has made rapid growth and has advanced in the accumulation of wealth during the existence of the tariff; but you should carefully consider

whether our national prosperity (which is an extremely one-sided kind of prosperity) has not increased in spite of the tariff. You should consider whether, after all, industry is aided by being robbed, even though the robbery is perpetrated under the forms of law, and bears the soft, sweet name—protection.

"If the jury believe that the trading instinct in man is as natural when applied to international commerce as when exercised between states, counties and communities; if you believe every infraction of the natural law of trade by legislation tends to burden industry, increase poverty, and make a mockery of justice; and that the defendant in this case is, beyond a reasonable doubt, guilty of instigating, aiding, abetting, or in any manner encouraging such a scheme you should convict. You should also give due weight to the question whether the tariff was obliged to rob the people, on the ground that there was no other known process by which necessary public revenue could be raised.

"In deliberating on the question of guilt the jury must not inquire into the political faith of the accused, nor that of his ancestors. Robbery is no less than robbery, no matter by whom or what it is committed or how it is disguised.

"The jury are finally instructed that if you acquit the defendant you will simply say in your verdict: 'Not guilty.' If you convict, you should say: 'Guilty, in manner and form as charged in the indictment,' and you will fix the punishment of the accused, which must include a restoration of the billions of dollars he is alleged to have obtained by robbery, and also confinement at hard labor in a penitentiary for a period of not less than nine thousand years.

"The court takes this occasion to also express the hope that, whatever may be the result of this trial, the American people will ere long discover that national prosperity, in its broadest meaning, can never be reached through the rough and thorny road of crooked taxation. Also that they will adopt a system of raising public revenue which shall encourage instead of hamper industry, remove all artificial restrictions from commerce, and recognize the inalienable right of every man to all that his own efforts honestly produce."

At the close of the judge's instructions, the jury retired and were quickly locked in their room to deliberate. The multitude of citizens in attendance felt so anxious as to the result that scarcely anybody left the room, as a speedy verdict was anticipated. After a lapse of only ten minutes the jury, headed by a bailiff, filed into the courtroom and the foreman announced that they had agreed upon a verdict.

The clerk then read the writing handed him by the foreman, as follows:

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