ALLEN'S PURSUIT OF MORTON

Senator Hunts the Ex-Secretary Through the Civil Service Commission.

SOUTH OMAHA CASE NOT ALLOWED REST

Resolution Calling for an Investigation and Disclosure of Findings Reintroduced and Made Even More Searching.

WASHINGTON, March 22.—(Special Telegram.)—Senator Allen has reintroduced his resolution calling upon the Civil Service commission to examine and report to the senate the reasons why Dr. W. S. White, William Holmes, John Zeller, Mary A. Dalton, and Mary Flynn were discharged from the service of the Bureau of Animal Industry at South Omaha. The resolution is just a little bit more searching than the former resolution, and seeks to investigate the action of J. Sterling Morton in dismissing the above named persons. Senator Allen also presented a favorable report for the Indian affairs committee restoring the Santee Sioux in Nebraska and the Flandreau Sioux in South Dakota to all rights and privileges enjoyed by them and their ancestors under the treaties of 1837 and 1851. Also a favorable report from the same committee for the relief of homestead settlers on the ceded portions of the great Sioux reservation in Nebraska, North and South Dakota. He presented a petition from the Griswold Seed company of Lincoln, Neb., protesting against that portion of the agricultural appropriation bill, providing for the purchase and distribution of seeds.

Senator Pettigrew, from the committee on public lands, reported favorably today a measure, allowing states in which are included public land to receive 5 per cent of the proceeds of the sale of lands, including all scrip locations. Heretofore scrip locations have been excluded from operation of law. Under the bill as reported all public lands will be held at $1.25 per acre, which means about $500,000 for the state of Nebraska, and quite as much, if not more, for South Dakota should the bill become a law. From the committee on Indian affairs he reported favorably his bill providing free homes on public lands for actual and bona fide settlers and reserving public lands for that purpose.

Representative Greene has introduced a bill for the relief of George M. Anderson of Rock county, Nebraska, permitting him to make a homestead entry. Also a bill granting to the city of Valentine certain lands for improvement purposes. Mr. Greene signalized his advent in the house by making a speech on the tariff tonight, which caught the fancy of his democratic colleagues. He was allowed originally forty minutes, but his time was extended to one hour, and on concluding, he was congratulated by his fellows.

The Nebraska populists in congress propose to get out of their offices all that is coming, and to this end will hold a school of instruction for their clerks on Wednesday evening.

Ex-Congressman Hainer, continues very ill at his home in this city, and his improvement is so slow that there is no telling when he will be able to leave for Nebraska.

Advertisements were sent out today by Assistant Superintendent Hills of the Treasury department, inviting proposals for electric light wiring and laying of conduits for the new public building at Omaha. These bids will be opened April 7.

Comptroller Eckels today declared a second dividend of 20 per cent in favor of the creditors of the First National bank of Hot Springs, S. D., making in all 35 per cent on claims proved, amounting to $14,378. He has also approved the Hanover National bank, New York, as reserve agent for the First National bank, Columbus, Neb., and Third National bank, St. Louis, for the First National bank, Omaha. The comptroller has been notified of the changes in officials of national banks as follows: Saunders County National, Wahoo, Oliff Berggren, vice president, in place of J. M. Lee; First National, Wayne, Frank E. Strahan, vice president, in place of Frank M. Northrop.

POPULISTS DEMAND RECOGNITION.

Members of Congress Address a Letter to Speaker Reed.

WASHINGTON, March 22.—The populist members of the house have held a caucus to discuss the policy of the party in this congress, and as a result have sent to Speaker Reed a letter requesting that they be recognized in debate and through committee appointments as a distinct factor of the minority. There was much dissatisfaction among the populists in the last congress because they were as a party organization ignored and they are planning to wage a campaign for position in congress. The letter to Mr. Reed states that the populist party is well established in every state of the union, based upon clearly enunciated principles, different in many essentials from any other political organization; that at the last election they cast about 2,000,000 votes, or more than one-seventh of that of the United States; that they elected governors in the states of Kansas, Nebraska, South Dakota, Montana, and Washington; have eight senators, namely: Allen, Stewart, Jones of Nevada, Butler, Harris of Kansas, Kyle and Heitfeld; have between twenty-one and twenty-seven members of the present congress, namely: Howard, Barlow, Simpson, Castle, Rollin, Pathers, Sutherland, Rigley, Greene, McCormick, Skinner, Martin, Stroud, Fowler, Kelly, Shuford, Knowles, Gunn and Bell. They also claim Baker of Illinois, Jones of Washington, Maxwell of Nebraska, Todd of Michigan, and one member from Indiana.

News for the Army.

WASHINGTON, March 22.—(Special Telegram.)—The following assignments to regiments of officers recently promoted are announced: Second Lieutenant James W. Clinton to the Seventh infantry, company I, Fort Logan, Colo.; Second Lieutenant Alexander T. Ovenshire to the Seventeenth infantry, company H, Columbus Barracks, O.; Second Lieutenant Seny E. Ames to the Nineteenth infantry, company I, Fort Wayne, Mich.; Second Lieutenant Robert Field to the Fourteenth infantry, company K, Vancouver Barracks, Wash.

Keeps Morton's Old Secretary.

WASHINGTON, March 22.—John Nordhouse of Illinois, formerly private secretary to Secretary Morton, has been appointed by Secretary Wilson to serve in the same capacity.

Daily Treasury Statement.

WASHINGTON, March 22.—Today's statement of the condition of the treasury shows: Available cash balance, $216,050,908; gold reserve, $151,441,444.

Now is when you need Scott's Emulsion, especially if you had the Grippe, and the system is depleted and you are virtually exhausted. A tonic won't do. You need the combined food and tonic properties of Scott's Emulsion of Cod-liver Oil with Hypophosphites and Glycerine. It will give you flesh and strength, and tone up your nervous system in a manner that will almost surprise you. Ask your doctor about it, if you will. His word will strengthen ours.

DISCUSSION OF THE TREATY.

Senate Considers the Document in Executive Session Again.

WASHINGTON, March 22.—The American arbitration treaty was advanced considerably towards ratification today by the senate, and before the long executive session closed all the amendments recommended by the committee on foreign relations were agreed to. These amendments are:

1. To provide that all agreements for arbitration entered into by the executive branch of this government with the British government shall be subject to the ratification of the senate.

2. Striking out the provision constituting members of the United States supreme court permanent members of the proposed tribunal of arbitration; and

3. Eliminating the provision for an umpire, and therefore striking out the provision agreeing upon King Oscar of Sweden and Norway for this office.

The principal debate of the day arose on an amendment to the committee amendment in regard to the supreme court, offered by Senator Morgan, and it was upon this amendment that the only yea and nay vote occurred. Senator Morgan moved to strike out the words "jurists of repute," which the committee proposed to substitute at the points where justices of the United States supreme court were mentioned in articles iii and iv of the treaty.

The debate was participated in on one side by Senator Morgan and on the other side by Senators Davis and Lodge, who opposed the amendment. On the roll call on article iii the vote was 19 to 25, and on that to article iv it was 24 to 26. The reason for the increased vote on the second proposition was the belief on the part of some senators that as the article in regard to territorial claims provides that some of the British members of the arbitration tribunal shall be members of the supreme court of judiciary of Great Britain, the American supreme court should also be recognized to act in the same capacity.

With the committee amendments disposed of, individual senators were recognized to suggest amendments. One of these, presented by Senator Mason, providing that all members of the board of arbitration should be American-born citizens. This was promptly and without debate laid on the table, on the motion of Senator Nelson. Senator Foraker also suggested an amendment providing for a separate tribunal for the settlement of each question as it might arise under the treaty. This amendment was not reached in the discussion, but Senator Bacon said that if it could be adopted he would feel justified in withdrawing his amendment eliminating the claims against southern states from the operation of the treaty.

An amendment offered by Senator Chilton provoked some very spirited speeches toward the close of the day's session. This amendment provides that the senate shall decide in each case what matters shall be submitted to arbitration and declares for the principle of arbitration in settling all international disputes. The amendment was attacked as being calculated to rob the treaty of its distinctive characteristics, and it was asserted that if accepted it would leave the agreement a mere shell of its former self, possessing neither vitality nor character.

In this connection Senator Hoar made an able and eloquent speech in favor of the treaty. In his peroration he spoke of the horrors of war, and made especial reference to those of the late war. Around him, he said, were men who had secured reputations in the battles for the union. That war was for principle, such as all wars should be. Wars of such a character that the young bride gave up her husband and the widowed mother her only son in defense of principle should be welcomed. Senator Stewart followed in the same patriotic vein, but in opposition to the treaty.

Senator Chilton spoke in behalf of his amendment requiring all agreements made to be subject to ratification by the senate. There was some discussion of the Monroe doctrine, and Senator Morgan took the floor to address the senate on this phase of the treaty, when the senate adjourned.

United States in a Dilemma.

WASHINGTON, March 22.—A question has arisen as to our Cuban relations that will require delicate treatment in order to avoid working harm to many Americans. About a year ago the Spanish government by decree suspended the right of creditors to collect debts, in order to avert the threatened ruin of the planters. This action was made the subject of energetic protest by a number of American capitalists, mostly residents in the north, who held Cuban mortgages and other securities and thus saw themselves cut off from their rightful interest. The State department was obliged to make this decree the basis of a formal dissent, thus saving the right to prefer claims for damages later on. Now the decree has expired and the laws for the collection of debt again become operative and there is another protest, this time from the American planters in Cuba and their financial backers who, having been obliged to stop sugar growing and cane grinding by orders of both Spaniards and insurgents, now see themselves threatened with loss of all their property through foreclosure. The point is that if our government protests against this last phase of the case, the first protest will lose force, while if it fails to do so, great hardship will follow.

APPLIES FOR WRIT OF MANDAMUS.

Board of Education Begins Suit Against County Commissioners.

Suit against the county commissioners has been instituted by the Board of Education to compel the members of the former board to immediately take such legal steps as are necessary to recover certain sums of money which, it is alleged, are due the school fund by Frank E. Moores, ex-clerk of the district court. The papers in the suit were filed in the district court yesterday afternoon and the matter will be argued before Judge Slabaugh on March 27 at 9:30 a. m.

The title of the suit is "The State of Nebraska, ex rel the School District of Omaha, in the County of Douglas, in the State of Nebraska, and Board of Education of the School District of Omaha against E. M. Stenberg, William I. Kierstead, Thomas Hoctor, Peter G. Hofeldt and Henry E. Ostrom, County Commissioners." The court is asked to issue a peremptory writ of mandamus to command the county commissioners to institute legal proceedings against Moores. For the Board of Education the papers asking for the writ of mandamus are signed by George W. Covell, attorney, and Jonathan Edwards, president.

FIRE AND POLICE COMMISSION.

Old Board Closes Up Business and Goes Out of Existence.

All of the members of the old Fire and Police commission were at the meeting last night and after transacting some routine business and approving the minutes of the previous meeting adjourned sine die.

Roy A. Perry and W. D. Kelly, firemen, were granted leaves of ten and eight days, respectively. William Burmester, who has been on trial for the period of sixty days, was regularly appointed and assigned to engine company No. 1 for duty.

The members of the new Fire and Police commission will meet at 2 o'clock this afternoon and perfect their organization.

Death of Mrs. Evans.

Mrs. Mary E. Evans, wife of Special Officer Fred Evans of South Omaha and sister of Court Officer Boyle of the police court of this city, died at 8:50 o'clock Sunday morning at her late residence, 2423 South Thirteenth street. The funeral will occur at 9 o'clock this morning from St. Patrick's church. The deceased was 37 years of age and leaves a family consisting of a husband and a 14-year-old son.

FORECAST OF TODAY'S WEATHER.

Fair, Preceded by Local Snows in Southeastern Portion.

WASHINGTON, March 22.—Forecast for Tuesday:

For Nebraska—Fair, preceded by local snows in the extreme southeastern portion; north winds; warmer in the western portion.

For Missouri—Threatening weather and showers; north winds; colder.

For South Dakota—Generally fair; slowly rising temperature; variable winds.

For Iowa—Generally fair, but possibly local snows in the southern portion in the early morning; north winds.

For Kansas—Local snows, followed by clearing weather; colder in the eastern portion; north winds.

For Wyoming—Fair; warmer; east to south winds.

HOLDS AGAINST RAILROADS

Reversal of Decision by Lower Court in a Pooling Case.

ANTI-TRUST LAW APPLIES TO THEM

United States Supreme Court Hands Down an Opinion in the Transmissouri Freight Association Case.

WASHINGTON, March 22.—The supreme court has decided the case of the United States against the Transmissouri Freight association against the railroads. The opinion was read by Justice Peckham, and reverses the decision of the court below and holds the anti-trust law of 1890 to be applicable to railroad transportation, and the traffic agreement of the pool illegal.

Justice Peckham reviewed the history of the case and stated the conclusion in a very few words. He said that the bill had originally been filed by the government for the purpose of securing the setting aside of the agreement operating in the southwest which constituted the association. The bill was filed under the law known as the Sherman anti-trust act of 1890. The defendants had in their answer denied the government's allegations, especially as to the point of improper intent, and upon these showings the case proceeded to a hearing. The court below decided that the Sherman act does not apply to railroads, and therefore refused to sustain the government. It was also held by the lower court that even if the act did apply to them the act was not one looking to the "unreasonable restraint of trade." Continuing, Justice Peckham said that when the case was brought into the supreme court the defendants had moved to dismiss the appeal on the ground that the freight associations had been dissolved, leaving nothing before the court, and also on the allegation that the amount involved was not sufficient to justify the trial of the case in the supreme court of the United States. These motions were both overruled by the court's conclusions announced today. Justice Peckham said that mere dissolution of the association did not determine the question, as there was still relief to be had.

Taking up the case on its merits, he said the court had reached the conclusion that the Sherman act does cover the question of railroad transportation and that the agreement between the various roads is within the prohibition of the act. Hence the decision of the lower court, which was favorable to the contention of the railroad companies, was reversed and the case remanded.

Justices Field, Gray, Shiras and White dissented, Justice White delivering the dissenting opinion.

NOT AUTHORIZED.

Replying to the objection that "there is no language in the anti-trust act which is sufficiently plain to indicate a purpose to repeal the provisions of the interstate commerce act which permit the agreement," the opinion avers that the interstate commerce act does not authorize an agreement of this nature.

"There is, therefore, no repeal in the case," it says, "and both statutes may stand, as neither is inconsistent with the other."

The opinion takes up the assertion that the Sherman act was aimed at only such combinations as the Standard Oil company, the Beef trust and the Whisky trust, and says they were not the only associations controling great combinations of capital which had caused complaint at the time the law was enacted, but that there were "many and loud complaints from some portions of the country regarding the railroads and the prices they were charging for the service they rendered."

"Neither is the statuts," the opinion continues, "uncertain in its meaning, nor is its language vague as to whether it ought to be held applicable to railroads. It prohibits contracts, combinations, etc., in trade or commerce. Transporting commodities is commerce and if from one state to or through another it is interstate commerce."

Summing up on the point of applicability to railroads, the court says: "While the statute prohibits all combinations in the form of trusts or otherwise, the limitation is not confined to that alone. All combinations which are in restraint of trade or commerce are prohibited, whether in the form of trusts or any form whatever. We think, after a careful examination, that the act covers and was intended to cover common carriers by rail."

APPLIES TO RAILROADS.

The court next took up the question of the true construction, assuming that the law applies to railroads. On this point it said: "The claim that one company has the right to charge reasonable rates and that, therefore, it has the right to go into a combination with competing roads to maintain such rates, cannot be admitted. The conclusion does not follow from an admission of the premise. What one company may do in the way of charging reasonable rates is radically different from entering into an agreement with other and competing roads to keep up the rates to that point. If there be any competition the extent of the charge for the service will be seriously affected by the fact. Competition will itself bring charges down to what may be reasonable, while in the case of an agreement to keep prices up, competition is allowed no play; it is shut out and the rate is practically fixed by the companies themselves by virtue of agreement so long as they abide by it."

Concluding this branch, the opinion says: "We conclude that the anti-trust act applies to railroads and that it renders illegal all agreements which are in restraint of trade or commerce."

It is further held that the agreement in the case was of such a nature as to constitute a restraint to trade of sufficient magnitude to render it a violation of the act.

"The effect was to restrain trade, no matter what the intent was on the part of those who signed it." It was stated that the granting of the injunction prayed for was not intended to have a retroactive effect.

DISSENTING OPINION.

Justice White delivered the dissenting opinion on behalf of himself and Justices Field, Gray and Shiras. He said that the agreement in question was not an agreement to fix rates, but to classify freights and prevent an increase or reduction of them, except upon giving notice. Hence the document was not in restraint of trade or commerce. To say that it was so was in effect to follow the letter and not the spirit of the law.

The law officers of the government consider that the effect of the decision will be far-reaching. They think it will result in requiring that all traffic agreements be submitted to the Interstate Commerce commission. They also express the belief that it means a reversal of the opinion delivered in the circuit court of appeals for the second circuit last week in the case of the Joint Traffic association, the opinion in that instance being favorable to the railroad combination.

Diplomatic Nominations Confirmed.

WASHINGTON, March 22.—The senate in executive session has confirmed Powell Clayton of Arkansas to be minister to Mexico, William Osborn of Massachusetts to be consul general at London, J. K. Gowdy of Indiana to be consul general at Paris, Joseph N. Brigham of Ohio to be assistant secretary of agriculture, Sylvestre Peterson of Ada, Minn., to be register of the land office at Crookston, Minn., Major H. C. Dunwoody to be lieutenant colonel, signal corps; Commander C. V. Gridley to be captain in the navy, also some minor naval promotions; also H. L. Martudin, assistant in the United States coast survey, to be a member of the Mississippi river commission.

CASTORIA

For Infants and Children.

The fac-simile signature of Chas. H. Fletcher is on every wrapper.

NOMINATED BY THE PRESIDENT.

Names of Lucky Persons Sent to the Senate for Confirmation.

WASHINGTON, March 22.—The president today sent the following nominations to the senate: State—Joseph G. Bristow of Kansas, to be fourth assistant postmaster general. Interior: Binger Hermann of Oregon to be commissioner of the general land office. Justice: James D. Elliott of South Dakota, to be attorney of the United States for the district of South Dakota. Treasury: Ernest G. Timme of Wisconsin, to be auditor for the state and other departments (fifth auditor.) Navy: Commodore Joseph N. Miller, to be a rear admiral.

Binger Hermann, the new commissioner of the general land office, is a Maryland by birth, 54 years of age, but has lived in Oregon since 1853. He is thoroughly familiar with the land laws and their effect on western interests, having taken an active interest in such matters since his election to the Forty-ninth congress. He received an academic education and later studied and practiced law. He served in the Oregon legislature and as receiver of public moneys in the land office at Rosebud, prior to his election to congress. He served as a member of the house with President McKinley on the river and harbor commission. As a congressman he always looked closely after the congressional interests of his constituents.

DEBATE ON TARIFF

(Continued from First Page.)

would begin sixty days after the enactment of the bill.

Mr. Bell, populist of Colorado, then took

FROM A POPULIST STANDPOINT.

the floor as the spokesman of his party associates. "The populist party," said he, "has not taken any decisive stand on the tariff as a whole, because it has never believed the tariff was the cause of our difficulties. Nevertheless, I think it can be safely stated that populists in general believe that while the government raises its principal revenues by an import tax, such incidental protection should be given to all our industries as will cover the differences between the cost of labor here and abroad, without discrimination against section or individual, whether it or he produces raw material or manufactured products. But the populist party, of course, believes in requiring the wealth of the country to bear its share of the burdens through a graduated income tax."

Mr. Bell dwelt to some extent on the failure of the election to restore prosperity and give work to the idle. He pointed out that as a result of the dissolution of the steel rail pool, which reduced instead of increased prices, thousands of men were given employment, and from this argued that if all the trusts could be destroyed, and if free competition could be again placed in full operation, there could be a better chance for the unemployed than under an increase of taxation, designed to foster and develop trusts. Mr. Bell said the difference in principle between the Wilson bill and this bill was the difference between tweedle-dee and tweedledum. In the main the changes in this bill were opposed to the interests of the masses. The claim that these duties were levied to ocver the differences in the cost of labor, he said, was mere hypocrisy. Statisticians proved that 6 per cent ad valorem would cover this difference and 18 per cent cover the entire labor cost of the articles on the dutiable list in 1880. The ad valorem in this bill would approach 50 per cent.

At 5 o'clock, when Mr. Bell concluded, the house, under the order, took a recess until 8 o'clock.

NIGHT SESSION.

The night session of the house for debate on the tariff bill was to have begun at 8 o'clock. Speaker Reed had designated Mr. Hopkins of Illinois to officiate in his stead, but Mr. Hopkins had forgotten the appointment. Messengers were sent after Mr. Hopkins, and at 20 minutes after 8 he appeared and called the house to order. About seventy-five members were scattered through the house.

Speeches in opposition to the bill were made by Mr. Robinson, democrat of Indiana, Mr. Greene, populist of Nebraska; Mr. Carmack, democrat of Tennessee, and Mr. Buckner, democrat of Michigan. At 10:30 the house adjourned.

MINORITY REPORT ON TARIFF.

Presented to the House by Mr. Bailey of Texas.

WASHINGTON, March 22.—Mr. Bailey of Texas presented to the house tonight the minority report on the tariff bill. The report was signed by all the democratic members of the ways and means committee and gives the grounds of their opposition to the bill. It says:

This bill was framed with the avowed purpose of protecting the manufacturers of the United States against foreign competition, and it is perfectly obvious that if it accomplishes that purpose it must result in compelling the consumers of this country to pay more for their manufactured goods, and for this reason we think it should not pass. We rest our opposition upon the broad principle that congress was invested with the power of taxation as a means of collecting from each citizen his fair proportion toward the support of the government, and that it is a gross perversion of that sovereign power to employ it as a means of enabling favored classes to levy unjust charges upon the great body of the people. We believe that after contributing his proper share toward the maintenance of the government every citizen of this republic is entitled to the full possession and enjoyment of all he can honestly earn; and we deny the right of congress to make or enforce any regulation which requires one man to give any part of his honest earnings toward encouraging the enterprise or increasing the fortune of another.

No man, however blind he may be, would defend a system of taxation under which the government first collected the money and afterwards distributed it among its favorites. It is true that the tariff act of 1890 ventured to this extent in dealing with the sugar growers, but the disapproval of that policy was so overwhelming and so bitter that the advocates of protection have been forced to abandon it, and they have not dared to incorporate any provision for a direct bounty in the present bill.

We are unable, however, to perceive any difference in principle between a law which requires the government to collect the money and distribute it among the protected industries and a law which enables these industries to collect the money directly from the people. If the government has the right to levy taxes upon the people for the purpose of inducing men to establish unprofitable industries or industries which can only be made profitable by compelling the consumers of the United States to pay exorbitant prices for their products, then the bounty system is a more direct and less complex way of attaining that end, and at least has the advantage of directness and simplicity.

The majority of the committee seem to think that taxation can be made a blessing and that the support of the government, instead of being a burden upon taxpayers, can be made to enrich them. If this opinion is well founded then all the struggles for freedom which have revolved around the question of taxation have proceeded upon a false theory; and the American colonists, when they determined that they would not submit to taxation without representation indulged in a mistaken zeal for liberty. The patriotic resolve of our forefathers not to use goods upon which Great Britain had laid an import duty was wrong if the argument for protection is right, because, according to the argument, the British importers were really paying the tax over which the American colonists went to war. There cannot be found in the wide range of economic literature an authority, with few and rare exceptions, which only serve to emphasize the general concurrence, which does not treat taxation, direct or indirect, as a burden; and when we remember that a protective tariff not only collects more for the government than is needed for its economical administration, but that it also enables favored classes to collect more than the government itself, the injustice becomes so clear and so enormous that it would be a reflection on the intelligence of the American people to suppose that it can escape their swift and decisive condemnation.

It follows as a matter of course that a bill based upon a vicious principle must be injurious in its effects, and perhaps no effect could be more pernicious than the extravagance which the bill encourages. The tabulated statement embraced in the report of the committee shows that the bill is expected to raise $113,000,000 more revenue than was collected in customs duties during the last fiscal year; and yet, as is shown by the same report, the difference between the government receipts and disbursements during that year was only $25,000,000. It is well known that the importations of last year were smaller than usual, owing to the general depression that existed in all circles, but even supposing that importations hereafter can be kept at a level with the importations of 1896, the bill will collect from the people more than $90,000,000 annually above the requirements of our present extravagant appropriations.

It may be, however, that the majority should not be arraigned for their open encouragement of extravagance, because it cannot be surprising that gentlemen who think taxes are not a burden should feel that money derived from taxation ought to be lavishly spent. Nothing could better illustrate the vice of the protective system than the fact that there flows from it, as a direct consequence, the habit of treating the expenditure of public money as a benefit rather than as a burden to the people.

It will be cause enough for complaint if the burden were the only result of the extravagance, but a free government extravagance breeds tendencies of the most pernicious character. It not only teaches the people to look to the government for the promotion of all kinds of enterprises, whether for pleasure or for profit, but it makes them impatient against public servants who believe that public moneys are a trust fund and should be jealously guarded. President Jackson hardly overstated the danger of a surplus when he declared it was more dangerous than a standing army; and yet, dangerous as a surplus is, it is not so dangerous as the extravagance which is always resorted to in order to prevent its accumulation. It cannot be forgotten that many of those who now advocate a high tariff and defend the extravagance which it engenders did not hesitate to denounce the administration of President Buchanan because, in its last year, the appropriations exceeded the sum of $60,000,000. Our population at that time was nearly half what it is today, and if the government were now properly and frugally administered our expenditures, including liberal pensions for the soldiers of the late war, ought not to and would not exceed the sum of $350,000,000.

The friends of the protective system know that to keep the taxes high they must find some way of spending the money which has been collected. It is, therefore, the inevitable consequence of collecting more than is proper that improper ways should be devised for spending it. The extravagance which necessitates the billion dollar appropriations which have become a scandal in congress and throughout the country, has its origin in the unjust system of levying taxes for the purpose of enabling private interests to prey upon the public through favoritism of the law.

If the system of unnecessary taxation is indefensible because of the extravagance which it encourages, it is still more so on account of the trusts which it fosters and promotes. It is not more certain that protection encourages extravagance than it is that it breeds unlawful combinations of capital. Indeed, protection is justified upon the avowed theory that competition should be restricted. True enough, it assumes the patriotic pretense that foreign competition ought not to be permitted against our home industries; but they do not understand the selfishness of human nature, and especially they little understand the selfishness of that human nature which relies upon the favoritism of the law to increase its fortune, who suppose that these men, having secured themselves against foreign competition by the favor of conditions, will fail to secure themselves against domestic competition by voluntary combinations among themselves.

It is an old adage, and it is as true as it is old, that "Competition is the life of trade," and whatever tends to restrict competition must tend to restrict trade. The majority of the committee seems to think it an easy matter for us to build a tariff wall about our borders and thus prevent the foreigners from trading with us, but they forget that the same wall which shuts the foreigner out shuts us in, and that regulations to prevent the foreigners from trading with us must at the same time prevent us from trading with the foreigners.

We believe in the principles of competition and we believe that the people of the United States can successfully compete against all other people of the world, and we denounce as a crime against the best interests of our people any law which leaves the consumers of this land subject to the exactions of reckless and corrupt combinations formed to destroy competition and control prices.

The report of the committee on ways and means is singularly silent upon the old pretext that these high tariffs are imposed for the benefit of American labor; and the silence may be taken as conceding the democratic contention that the intelligence and skill of the American factory operative are all the protection which he needs and desires. The labor argument of the protectionists can be reduced to an absurdity which makes it amazing that it should ever have been seriously advanced. To say in one breath that the welfare of labor depends upon its wages, and that its wages in turn depend upon its skill and intelligence, and in the next breath to say that the very intelligent and highly skilled laborers of this country cannot successfully compete with ignorant and unskilled laborers of the old world is equivalent to saying that skill and intelligence are not of great advantage to the laborers who possess them.

To our minds it involves a contradiction in history as well as in economic theory, to hold that the factory labor of a civilized country needs protection against the labor of an uncivilized country. The fact that the unskilled laborers of a half civilized country live more cheaply than the skilled laborers of a highly civilized country is more than counterbalanced by the greater productiveness of the skilled and intelligent laborer. If this view of the question needed further support than the mere statement of it, it can be found in these excellent works which assert that the skill and intelligence of the American laborer are such that he is able to produce seven times as much as the less skilled and less intelligent laborer of continental Europe, and fifteen times as much as the ignorant and unskilled laborer of Asia. Surely it will be admitted that a productive capacity seven times as great as the one and fifteen times as great as the other should be all the American laborer needs to protect himself against the competition of European drudges and Asiatic serfs.

We are unable to offer a substitute for the pending bill, because we have not been allowed a reasonable time to prepare one. Congress convened in extraordinary session on March 15, and the bill was introduced the same day and referred to the committee on ways and means, which met the next morning, and on Thursday it was ordered to be reported to the house. The majority of the committee had spent the three months of the last session of the congress in the preparation of their bill, and yet they refused to allow the minority three weeks in which to prepare a substitute We are unwilling to propose a measure that has not been carefully matured, and we must therefore content ourselves with protesting against the passage of the committee's bill.

GUNS FOR HIGH SCHOOL CADETS.

Plans for Equipping the Boys With Firearms.

The question of securing a supply of rifles continues to agitate the members of the High school cadets. The boys are very anxious to be provided with guns in time to make themselves proficient in the drill before the exposition, but several plans to secure the necessary equipments from the government have failed.

Some time ago congress passed a law which provided for the exchange of the Springfield rifles formerly used in the regular service for the guns of other pattern. It was thought that possibly the cadets might get hold of a supply of the old guns and get them exchanged for the Springfields. Secretary Gillan of the Board of Education has been corresponding with Congressman Mercer with that end in view, but he has now received a letter from Brigadier General Flagler, who states that the law does not apply to guns held by colleges and that it does not contemplate the idea suggested by the secretary. This being the case, the cadets are discussing the possibility of buying guns. A good cadet rifle can be purchased for $2.50, with about $1 extra for the equipment. There is some talk of having some sort of an entertainment to start a fund for the purpose, which might be increased by subscriptions to a point which would leave a comparatively small sum to be made up by the cadets.

The members of the Board of Education and the High school instructors are as anxious as the cadets to have the battalion equipped. It is said that the gun drill would be an excellent exercise in connection with the addition of another interesting feature to the battalion drills. The matter will be actively taken up this spring and an effort made to provide the cadets with the desired equipment.

Beecham's Pills for Stomach and Liver ills.

Cohen Wins His Point.

The restraining order issued from Judge Scott's court, enjoining the owners of the old Farnam Street theater site from evicting Herman Cohen, the bootblack, from the shanty occupied by him on that site, has been made permanent until April 16, the court deciding that under the law Cohen was entitled to thirty days' notice before being disturbed in his possession of the premises. Cohen has stated that all he wanted was thirty days' time in which to secure other quarters and he says that he has secured a new place which will be vacated by the present tenants in the near future.

Only a Step--Mother--

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HE WANTS TO MARRY SYBIL

Ambition of Antonio Terry, a Wealthy Cuban-American-Frenchman.

HIS WIFE BRINGS A SUIT FOR DIVORCE

Ardent Admiration for Miss Sanderson Leads the Husband to Indiscretions with Other Actresses and Ends in Court.

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PARIS, March 22.—(New York World Cablegram—Special Telegram.)—Another legal battle in a sensational American divorce suit, which has been in court nearly four years already, will begin here on the 26th. The petitioner and respondent are, respectively, Mr. and Mrs. Antonio Terry. Mrs. Terry was Grace Dalton Scoor of New York before marriage. Her husband is a Cuban by birth, but became naturalized in New York, where he is known to many, although both he and his wife have resided chiefly (but separately) in Paris many years. Mr. Terry is reputed to be worth $4,000,000. He is short and slight in figure and has a very dark complexion, even for a Cuban. He owns the fastest trotters in Paris and is a good musician.

French journals are not allowed to print the evidence in divorce suits, and little definite is known of this case, although it has been pending so long. Mr. Terry is defending, although, as he has announced his intention to subsequently marry Miss Sybil Sanderson, one would think his wish naturally would be to get it over as soon as possible. It is no secret that Mr. Terry is a great admirer of the charming cantatrice, and is generally to be found in the cities where she is singing—as, for instance, at the present moment in St. Petersburg. It may even be remembered that recently, when in New York, Miss Sanderson said she had come to sing and to wed. It is not surprising, therefore, that Miss Sanderson is one of the persons against whom Mrs. Terry conceives that she has a grievance. Several French actresses are also mentioned, and Mr. Terry is alleged to have been not indifferent to the beauty of Miss Sadie Martinot of New York.

PROCEEDINGS SO FAR.

The divorce proceedings began, as is customary in this country, with an application for temporary alimony, and at first the court granted Mrs. Terry $400 a month and temporary custody of her little daughter and only child, Natica. Mr. Terry, imprudently, as it turned out, appealed from this decision, because the alimony figure was raised to $1,600 a month. In the ordinary course the case would then have been pleaded on the merits of the whole question before a civil court, but Mr. Terry, a defendant in a civil action, tried the most expeditious method of lodging with the police a complaint of misconduct against his wife. The successful rushing through of this plan would have involved the pronouncement of divorce against Mrs. Terry, and it is said that the result hung in the balance at the police court, where the defense was unprepared. Nothing but a similar complaint against Mr. Terry himself procured an adjournment. At a subsequent investigation, the police decided to withdraw from the case, as it was revealed that statements of witnesses were untrue and due to financial influence, and not all to high-minded considerations of morality. Mrs. Terry's counter presumption was also abandoned, the evidence not being of a description to warrant criminal proceedings. Thus, after a long preliminary skirmishing, the final struggle is about to take place on the original ground, the civil tribunal. But after the present hearing and judgment the case may still be carried to a court of appeal and be dragged on for two years longer. Eminent counsel has been engaged on both sides. Mrs. Terry is represented by Maitre Frederic Allain, the leading Franco-American advocate in Paris, who only recently defended the princess de Caraman-Chimay's interests in Brussels. Mr. Terry's legal adviser is now Maitre Waldrek Rousseau, another of the most eloquent speakers of the Paris bar, formerly a minister of state and one of the cleverest politicians in the republican party. The encounter between these two legal luminaries causes the suit, apart from its own interest, to be looked forward to with eager expectation at the Palace of Justice.

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