

TRUSTS ASSAILED IN TARIFF FIGHT.

Republicans Forced to Take a Stand Favoring Combinations.

MINORITY'S SHARP TACTICS Battle One of the Most Hotly Contested in House Since Force Bills Days.

MAJORITY WAS CAUGHT NAPPING For Nearly Three Hours the Dingley Measure Was in Mortal Peril Owing to Absence of Friendly Members from Their Seats.

Dingley on the Situation.

By Nelson Dingley, Jr., Chairman of the Ways and Means Committee.

Washington, March 26. The tariff situation is very satisfactory. The vote on the bill will be taken March 31. If the Democrats desire to consummate it they did to-day they are welcome to do so. They have shut out amendments three hours. That is all. The debate to-day was purely for partisan purposes. The party cannot fool the American people. The way to destroy trusts or unlawful combinations—for that is what is meant by trusts—is by direct legislation. The Democrats resort to their scheme to destroy industries while attempting to destroy trusts. You cannot punish the innocent with the guilty. You should not destroy a community because there are a few rogues in it. In all industries there are from 90 to 75 per cent of independent manufacturers. It only places industries on an equality with the industries of other countries. The Democrats know as well as we do that the way to kill trusts is not by putting industries on the free list. They did not do this when they made their tariff law in 1894. To-day's debate was simply for effect; that was all. The majority of the committee will agree to amendments if it seems best. As we are gaining more information, so we are changing the bill. Otherwise the bill will remain as it is.

Washington, March 26.—The Democrats of the house to-day forced the Republicans to take a stand in favor of trusts. Under the leadership of the young Texan, the minority forced the fighting, and were signally successful in their efforts.

The debate on the Dingley bill, under the five-minute clause, commenced at 10 o'clock this morning. The plans of the majority had been most skillfully laid, and depended on the majority always being at the front in the most unexpected moment. The bill, however, was not to be so easily won, and was the most hotly contested seen in the House since the days of the Force Bill.

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It was the only hope, however, left the Republicans. They were in a most awkward position. Nothing else could extricate them. This drastic ruling had to be followed to save the party.

From the time Lapham opened the skirmish until 1 o'clock the majority was kept on the run. Mr. Dingley ate his lunch sitting at his desk, and but few Republican members dared to leave the chamber. Mr. Dingley, of New York, gestured before he earnestly when he offered this resolution as an amendment to the enacting clause:

"Provided, That no article shall be put on the free list until such time as the Secretary of the Treasury that such articles are manufactured, controlled or produced in the United States by a trust or trusts, the important terms of such articles from foreign countries shall be free of duty until such manufacture, control or production shall have ceased, in the opinion of the Secretary of the Treasury."

Challenge to Republicans. He challenged the Republicans to the issue. "We say your bill fosters trusts," he declared. "You deny it. Now join with us and make your own tariff."

In a moment the Republican side of the House was in a tumult. Mr. Dingley, taking surprise, tried to talk on general principles, reserving a point of order. But the minority was persistent and finally forced the Republican leader to take refuge in raising a point of order against the amendment. Having gained this point, the Democrats ridiculed the Republicans on the trust question, and the latter were obliged to try to explain the situation. Charges of all kinds were made by them, only to be answered by the Republicans, if they were earnest in what they said, to come over and join in this effort to give trusts a death blow.

All this while messengers had been scurrying here and there hunting up tardy Republican members. They were brought in from all sides, and the majority was assured and the leaders felt somewhat relieved. During the debate every member's reputation was put to the test. Mr. Blaine, of Maine, and Mr. McMillin, of New York, were the front rank on the Democratic side. Mr. Bailey all the time engineering the movement.

Mr. Blaine's statements roused Gen. Henderson, of Iowa, to an unusual display of temper, and the passage of the bill by these two gentlemen was the warmest of the entire engagement. Mr. Dabzell, of Pennsylvania, tried to straighten out matters for the law, but failed. He would not accept a proposition that the amendment be changed so that the President would decide.

Amendments Ruled Out. When the Ohio majority decided that Mr. Dingley's amendment was out of order, the Democrats had gained their point. The Republicans had been forced to stand

by the trusts. A number of other amendments were proposed by Democrats, but Chairman Sherman had felt the checking of the bill to be holding the majority and minority in a state of suspense out of order without debate. Nearly all of them had bearing on trusts.

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PLATT IS NOT FIGHTING WHITE.

But He Doesn't Want Him Credited Against the State's Patronage.

WHO IS BACKING HIM? Neither, Says the "Easy Boss," Must Colonel Fred Grant Be Charged Up to New York.

FIGHTS FOR APPOINTMENTS. William R. Compton May Be Marshal of the Northern District of the State—Ferdinand Eidman Is the New Revenue Collector.

Washington, D. C., March 26.—The members of the New York delegation in Congress are inquiring of one another, "Who is behind White for the Berlin mission?" No one is able to answer that question, so it is taken for granted that the suggestion has come from outside the State, or from the White House. That which seems to be in favor of White is his past service at Germany's capital, and the Administration may want him back there to work out some reciprocal schemes and head off the New York Congressmen are not fighting White, but they do not want the President to charge him to the delegation. It can be said also that the delegation is not urging the appointment of Colonel Grant for a similar reason.

From an unquestionable source comes the information that another effort is being made in behalf of Bellamy Storer for Assistant Secretary of State to succeed W. W. Rockhill, who would preferably, in that event, be sent as Consul-General to Cuba. When Storer's name was first suggested for the State Department the Administration was notified by Senator Foraker that his confirmation could not be had without a fight. Storer was pulled down, and Rockhill was assured that he might continue. Now that there is some difficulty in selecting a good man for Consul-General to Cuba, Storer's friends are endeavoring to pacify Senator Foraker, so that the ex-Congressman may enter the State Department and permit Rockhill, who is a trained diplomatist, to succeed Fitzhugh Lee. Rockhill's nomination for Havana would be a hard blow to De Lome, who fears his American spirit.

This is a consummation which Senator Foraker will hardly permit without a vigorous protest. He might agree to the nomination of Storer for his home in December to Cuba, but he is opposed to any appointment which will keep his enemy at home.

Ireland's Hand in Appointments. The President has experienced as much trouble in selecting the Italian Ambassador as he has had with a dozen other places. It is now, however, known that the position has been offered to and accepted by General Draper, the Massachusetts millionaire and ex-Congressman. General Draper owes his appointment to the good offices of Archbishop Ireland, Archbishop Ireland was invited to Mr. McKinley's home in December last and asked to state his wishes. The Archbishop indicated that he would be gratified should the Ambassador to Italy be persona grata to himself. His own choice for the position was ex-Governor Merriam or ex-Governor Hubbard, both of Minnesota. He was informed it would be necessary for him to secure the consent of the State Department, and he was either of these gentlemen, Senator Cushman K. Davis announced that he was hostile to Merriam, and that Ireland was informed of the state of affairs and immediately came on to Washington. The President suggested that Governor Hubbard be named, but Ireland was not to be so easily won, and was the most hotly contested seen in the House since the days of the Force Bill.

The appointment of District Attorney and a Marshal for the northern district of New York is a matter now being considered by the delegation. William R. Compton, of Elmira, probably will be the next Marshal. The State Department is looking for a man to fill a vacancy in the office which will exist for a year, unless Marshal Fletcher C. Peck is removed. Reports of irregularities in Peck's office have been coming, but the delegation is disposed to take no notice of them and permit the incumbent to serve his time. The office of District Attorney there is a fight. Emory P. Chase, of Buffalo, has been endorsed by Representatives Mahoney and Alton, and a spirited contest is anticipated. George E. Matthews, of the Buffalo Express, which was one of the first to lead the McKinley fight in the State, but Senator Platt and some leading representatives have endorsed Charles H. Browne, of Belmont, Allegany County, for Attorney, and a spirited contest is anticipated. Both candidates are now in Washington.

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JUSTICE WHITE'S DISSENTING VIEW.

Supreme Court's Anti-Trust Law Decision Hits Labor Unions, He Says.

ATTACKS THE DECISION. ARRANGED IN CAUCUS. Interests of the Many Struck Down, He Adds, to the Advantage of the Few.

WHAT IS "RESTRAINT OF TRADE"? Interpretation of the Statute Makes It Embrace Workmen's Organizations for the Benefiting of Their Conditions.

Washington, March 26.—The dissenting opinion of Justice White, of the Supreme Court of the United States, in the Trans-Missouri Freight Association case, whereby the majority of the court decided Monday last that the Anti-Trust law of 1890 was valid and constitutional, and that the agreement of the association was in restraint of trade and therefore in violation of its provisions, and in which Justices Field, Gray and Chas. Jones, has been made public in full. It is nearly as voluminous as the opinion of the court, delivered by Justice Peckham, and traverses the arguments and conclusions of that document in a vigorous way. Introducing the matter, Justice White says:

The theory upon which the contract is held to be illegal is, even though it be reasonable, and hence valid, under the general principles of law, it is yet void, because it conflicts with the act of Congress. The contract does not so unreasonably restrain trade, and that if it does so unreasonably, it is void under the general law, the decision, substantially, is that the act of Congress is a departure from the general principles of law, and by its terms destroys the right of individuals or corporations to enter into very many reasonable contracts. But this, in my opinion, I submit, is tantamount to an assertion that the act of Congress is itself unreasonable.

"The difficulty of meeting, in a premise of this nature, is frankly conceded, for, of course, where the fundamental proposition is that the act of Congress is unreasonable, it would seem conducive to no useful purpose to invoke reason as applicable to the principles of proper construction of a statute which is admitted to be beyond the pale of reason.

To define the words "in restraint of trade" as embracing every contract which does produce that effect would be violative of reason, because it would include all these contracts which are very numerous, and which are reviewed by the Justice, and he says:

If these obvious rules of interpretation be applied, it seems to me that every contract which is made to restrain trade, or to restrain the free competition of the market, is within the scope of the act of Congress. The act of Congress is a departure from the general principles of law, and by its terms destroys the right of individuals or corporations to enter into very many reasonable contracts. But this, in my opinion, I submit, is tantamount to an assertion that the act of Congress is itself unreasonable.

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