moval of the import duty by Congress was an advantage to the American consumer, may be shown by the fact that he would otherwise have been compelled to pay the market price of the coffee and a duty besides.

SILVER TOMFOOLERY IN THE SENATE.

NOTHING more discouraging or more unexpected has turned up in the struggle to get rid of the Treasury surplus than the apparent determination of the Senate to fasten upon the Bond Purchase Bill measures for currency inflation and for juggling with silver. Senator Plumb's amendment introduces a new kind of money into the multifarious currency now existing, viz., Treasury notes which are not legal tender except to and from the Government and from one national bank to another. As an oddity in finance, however, this is surpassed by a scheme which Senator Stewart of Nevada has offered as a new amendment, and which proposes to make Government warehouse receipts for silver bullion legal tender, and to require the Government to issue such receipts to all depositors of silver bullion at the current market value of silver; the value to be announced by the Secretary of the Treasury twice each month, by computing the average price of silver during the fifteen days next preceding the announcement.

We remark, in the first place, that the present silver certificates are not legal tender. Consequently, the proposed warehouse receipts are not only different from anything else in our existing currency, or any other that the world ever saw, but they are to be invested with a higher character than the certificates now in circulation. The warehouse certificates are to be redeemed by the Government in gold or silver coin, at the option of the Secretary of the Treasury. This makes the Government the buyer of all the outstanding warehouse certificates whenever the price of silver falls below the price at which they were issued. If, for example, a million dollars' worth of silver is deposited when the price is 46d. per ounce, the holders will keep them as long as the market price is at or above 46d. But whenever the price falls below that figure they will be sent in for redemption. In other words, the Government will, in the language of the Street, issue "puts" on silver to all the world—not sell these "puts," but give them away for nothing; a very convenient form of speculation, and one which ought in fairness to be extended to the owners of all other kinds of portable property. In order that the Treasury may always be in funds to "redeem" these warehouse receipts, it is provided that the Government may coin the silver taken on storage in sufficient quantities to meet the demand for redemption. This simple device transfers the load upon the public in their character as traders and wage-workers. Without this proviso they would carry the load in their character as taxpayers. Mr. Stewart's plan is a roundabout method of insuring the price of silver to all owners and producers thereof in the four quarters of the globe, the United States being the insurer and getting no premium for the risk.

On the 8th of April, 1886, Mr. Bland got a test vote in the House on his bill for free coinage, and was beaten by a majority of 37. Whether he and his followers will accept the Stewart measure, if it ever reaches the House, is doubtful, since it involves an abandonment of the "dollar of the fathers" and the ratio of 16 to 1. It recognizes the market value of silver as the coining rate, the ratio to gold being now about 21 to 1. The real object of the measure is to "steady the market" for silver at the expense of the people of the United States. It must, therefore, be condemned as fraudulent.

Next in the list comes Senator Beck's amendment, which proposes to retire the present gold and silver certificates as fast as they are returned to the Treasury, and to issue hereafter "coin certificates," on the deposit of either gold or silver coin in the Treasury; also to require the Secretary to issue forthwith "coin certificates" for all the surplus gold and silver in the Treasury in excess of the $100,000,000 gold which constitutes the greenback-redemption fund. These coin certificates are to be redeemable in either gold or silver, at the option of the Secretary They are to be paid out for all Government obligations not made specifically payable in other kinds of money, but are not made legal tender. It is easy to see what Mr. Beck's whimsy is. He fancies that a law of this kind will abolish the distinction between gold and silver. But it will do nothing of the kind. The holders of gold certificates will keep them. There are $96,000,000 outstanding. As no more can be issued after Mr. Beck's bill passes, they will command a slight premium, or at least a preference sufficient to induce people to pay other kinds of money at the custom-house. The new "coin certificates" will all be silver certificates under a change of name. The issuing of coin certificates in place of all the coin in the Treasury in excess of $100,000,000 gold will not make the Government any richer. It will be poorer by the cost of engraving and printing the certificates. Putting this money into a new form will not get it out of the Treasury. The surplus will be just as aggravating as before, because more money will be coming in than goes out. We fail to see any point in Mr. Beck's measure, except as a shock to common sense (which is quite needless in his case), and a further scare to the business community, with consequent depression to trade and industry, of which there is more than enough already.

THE MINORITY REPORT.

THE report of the minority of the Ways and Means Committee assumes that the trouble about the surplus in the Treasury is altogether artificial, that it is of the President's making altogether, and that it might now be easily averted by applying the idle money to the "payment" of the public debt. "If," they say, "'the absolute peril' to the business of the country described by the President in his message last December as resulting from an existing and increasing surplus was imminent and well-founded, how easily he could have averted it by the purchase of outstanding bonds with the surplus money in the Treasury—a power which he possessed clear and undoubted under the act of March 3, 1881. To have thus used the surplus would have been direct and business-like, just what a prudent business man would have done with his idle money—called in his creditors and applied it to his debts. . . . If disaster results from the failure of the President to use the surplus now in the Treasury, as the law authorizes him to use it, in *payment* of our existing debts, and if the majority in the House, which alone can originate a bill to reduce the revenue, fails to send to the Senate a bill of that character, the responsibility will rest with them. The minority are powerless."

It is scarcely necessary to say to any well-informed person that this is a deliberate misrepresentation. Everybody knows that the bonded debt cannot be "paid" until it matures, and that the purchase of the bonds depends altogether upon the willingness of the holders to sell. The suggestion that the Government ought to do as private individuals would, *i. e.*, call its creditors together and apply its surplus to the liquidation of its debts, would be applicable to the receiver of a bankrupt estate who was able to pay something less than 100 cents on the dollar. It is not customary for a solvent man of business to call his creditors together at all. He simply pays his debts as they fall due by sending his checks to the holders of his paper. But did anybody ever hear of a merchant calling a mass meeting of his creditors and saying to them: "I wish to pay 125 cents on the dollar of my debts; will you be so kind as to appoint a committee to apportion the money ratably among yourselves, so that nobody may get less than 25 per cent. bonus on his claims"?

A report which carries in it such a manifest falsehood as this, is open to suspicion at every point. Consequently, we cannot be surprised to read a paragraph like the following:

"If the majority desire to insure the handing over of our steel-rail market to our English rivals, the proposed duty of $11 will accomplish this purpose, unless the workingmen who are employed in producing the raw materials and finished products of our steel-rail works are willing to accept still lower wages than they are now receiving, and the railroad companies which transport the raw materials are willing to greatly reduce their freight rates. Have the majority any assurance that the workingmen and the railroad companies are willing to accept these conditions? Neither were heard before the Committee."

What are the facts here? Simply these, that American steel-rail mills are now making contracts at $31.50 per ton, without any change in the tariff; that the English price for rails is $20.50 on the furnace bank, and that if the duty were reduced to $11 per ton, not a rail could be imported, because the freight charge would still amount to an absolute prohibition. Add $11 to $20.50 and we have exactly the price at which steel rails are now turned out by the thousands of tons in western Pennsylvania.

But, says this precious minority report, "the supply of steel rails to the Pacific Coast is now in the hands of foreigners, because of the cheap transportation by water from foreign ports, the existing duty of $17 not being sufficient to enable our manufacturers to compete for that trade." This paragraph is the key to the whole report. It embodies the idea that the buyers of steel rails have no rights—that the consumer must in all cases be sacrificed to the producer. The issue is thus clearly presented. It runs through the report from beginning to end. No article is so necessary to the comfort of the people, nothing so indispensable to daily life, whether to the poor or to the rich, but that the buyers must pay tribute to somebody, and as much tribute as the producer considers an adequate profit to his business. It may be tin plate, which is hardly produced in this country at all, and of which we must have $16,000,000 worth every year, paying a bonus of nearly 34 per cent. on it, or it may be common lime for house building, which has been produced here since the days of the Pilgrims—all must pay a tariff premium to somebody. It must be paid not for revenue, but upon principle—the principle that the consumer has no rights. Nothing could be more explicit than the assertion and definition of this principle. It is in direct contravention of the report of the Republican Tariff Commission of 1883. It is a doctrine that will rend the party in twain, if not this year, surely within a very few years. As we write these words, the Minneapolis *Journal* of March 31 reaches us with a most solemn warning to the Republicans in Congress not to commit themselves to such doctrines, if they desire to save their party from defeat. Says the *Journal*:

"If the Republican leaders of the House were conscious of the real intensity of the feeling among Western Republicans in favor of the Republicans in Congress formulating a liberal tariff-reform measure, and placing the party on record in favor of an honest and intelligent reduction on the necessaries of life, they would not fail to submit some such proposition in Congress. They certainly cannot realize the true state of feeling among Western Republicans, or they would see the serious danger in pursuing the present policy.

"There is no excuse for it. There is no reason why the Republican representatives should not have drawn up and presented to the House, long ago, a measure which should stand as a clear and definite statement of the Republican position with respect to tariff reform. The failure to do so is the most serious aspect of the political situation. It is producing a feeling of restlessness everywhere among Western Republicans that threatens party disintegration. This is not stating the case too strongly."

The feeling described by this Minneapolis paper is not confined to Minnesota. The Western States are honeycombed by it. It is not confined to the West; even New England is torn by it. Tariff-reform clubs are springing up in Massachusetts and Rhode Island which cut across party lines with the utmost impartiality. The public mind will nowhere accept the dogma that the rights of the consumer are to be sacrificed to the producer, at the option of the latter and to the extent that he desires. This is the gospel of robbery. Any party that proclaims it will be annihilated sooner or later.

RECENT AMERICAN LEGISLATION.

No one who reviews the laws passed in the States and Territories of the United States during the past two years, can fail to be struck with the increased conservatism that marks the action of all the legislative assemblies; save only when such conservatism would stand in the way of some interest, real or supposed, of the laboring class, or would check that movement which is said to embody the rights of women. The most reactionary by far of these conservative measures is a stringent statute against the holding of land by aliens. This is so notable and so little realized yet by foreigners, going, as it does in some Northwestern States, beyond the severity of the common law to unjust extremes, that it invites examination in some detail. It invalidates in some cases even the title to real estate already acquired, and the title of home corporations whose stock may yet be chiefly held by American citizens. It may even be stated broadly that *it is now unsafe for a foreigner to attempt to hold land in the West.* Five States—Illinois, Wisconsin, Minnesota, Colorado, and Nebraska—have passed such acts; while the new Florida Constitution and the Territories of Idaho and Arizona have adopted more liberal provisions, both of which latter, however, are now in conflict with U. S. S., 1887, c. 340. Under that statute it is in effect provided that alien persons or corporations may not acquire or hold land, except by inheritance or in the collection of debts, and that domestic corporations of which one-fifth of the stock is held by aliens, may not acquire or hold land at all in any of the Territories or in the District of Columbia. The same law in effect obtains in Minnesota, and in Wisconsin, except as to the provision against domestic corporations, and in Colorado; but the alien has three years in which to sell lands acquired by descent or for debt, and the statute applies to agricultural, arid, or range lands only. The law of Illinois is much more detailed, and stricter, in that it includes even land now already acquired, the alien owner of which has, however, his lifetime in which to sell the same, though only three years is given after foreclosure of a mortgage taken thereon, or, after his death, to his heirs; while in Nebraska, no non-resident alien can acquire or hold land either by purchase or descent; and if an alien now holding land shall die, the land escheats, and his heirs are to be paid only the value thereof, to be fixed by the judge, treasurer, and clerk of the county, the expenses of which appraisement, by way of adding insult to injury, the heirs are made to pay.

The next subject in which a reactionary tendency is shown is that of divorce. Except that in New Mexico new divorce laws have been passed, leaving South Carolina the only State in which there is no divorce, there are few States or Territories in which new causes of divorce have been enacted, and, in many, causes previously existing have been abolished. Thus, in North Carolina, a divorce is granted upon conviction for crime. In Oregon and Idaho the intoxication habit need be continued only one year to be cause for divorce; and failure by the husband to support the wife only one year in Idaho and six months in Arizona; and so desertion need last only one year in Oregon and six months in Arizona. But impotence is no longer a cause for divorce in Idaho and Arizona, nor intoxication on the part of the wife, in Arizona; adultery is a cause, in Arizona, only when the party is taken *in flagrante delicto*. In Oregon a divorce for crime is denied unless prosecuted within one year of the conviction; and in Arizona the "omnibus" clause has been repealed. In Rhode Island and Arizona either party may be a witness in divorce proceedings, and in Maine and Arizona either party divorced has now liberty to marry again at any time; but in Michigan the court may decree against remarriage during a term not exceeding two years. In New Hampshire alimony may now be decreed to the husband. In Arizona divorce from bed and board has been abolished.

Turning now to marriage, we find that it is no longer declared, in Arizona, to be a mere civil contract; but in Idaho, witnesses are no longer necessary. And in Arizona "all persons who have heretofore lived together as husband and wife and shall continue so to live for one year after July 1, 1887," are declared legally married. In Idaho, as in California, neither party is bound to a promise of marriage made in ignorance of the other's want of chastity. The age of consent is made, in New York and Arizona, eighteen in the male and sixteen in the female; and in Illinois and Arizona marriages between first cousins have been forbidden. In Arizona marriages between a white and a negro or mulatto, and in North Carolina marriages between an Indian and a negro, have been made void. In Idaho and Maine either party may marry again without being subject to an indictment for bigamy if the other has been absent and is believed to be dead; though in Maine such party must have been absent seven years.

When we come to the rights of married women, we meet the radical tendency. In Rhode Island and Oregon the woman's suffrage amendment was defeated; but in Massachusetts the office of overseer of the poor, and in Alabama that of notary public, may be held by women. Ohio, Idaho, Minnesota, Dakota, and Arizona have enacted laws changing the entire status of married women. Thus in Ohio and Idaho the California code is now followed, while in Minnesota and Dakota it has been enacted that "A married woman shall retain the same legal existence and personality after marriage as before, and shall receive the same protection of all her rights as a woman which her husband does as a man," and may sue or be sued; but this does not apply to voting or holding office. In Alabama and Ohio neither husband nor wife is liable for the acts of the other, as such. Pennsylvania and Alabama have also enacted new "married women's acts" as to their property and powers; and in these States, as well as Connecticut, Ohio, Nevada, and Arizona, the husband acquires no rights in the property of the wife. In all these, and also in Nebraska, New Mexico, and South Carolina, property acquired by the wife after marriage is her separate property. In Pennsylvania and in Idaho, married women may make wills as if sole; in New York conveyances or liens between husband and wife are made valid, and so, in Ohio and Alabama, as to all contracts between them. In Ohio and Arizona married women may make deeds without the husband's joinder, as if sole.

As bearing on the labor question, we find a great many States reënacting or enlarging their mechanics' lien laws. A most remarkable statute, unprecedented in common-law jurisprudence, has been enacted in Minnesota, that all labor performed by contract upon a building shall be a first lien thereon; and that *the fact that the person performing the labor was not enjoined from so doing is made conclusive evidence of the contract.* A legal holiday, called "Labor Day," has been created in Massachusetts, New York, New Jersey, Colorado, and Oregon. And many States have