

LABOR LEGISLATION.

AMONG the few labor problems which, nearly all persons are agreed, can be dealt with by legislation, are the two questions of child labor and weekly cash payments of the laborers' wages. No dispute, it is thought, can arise here as to either the wisdom or the efficiency of summary and stringent laws to limit the one and to enforce the other. England and America have gone far to restrict the employment of children in factories, and economists are at one with philanthropists in seeking to extend such legislation by advancing the limit of the child's lawful working age. Equally are they agreed as to the need of some means for abolishing store payments and monthly payments of wages, and substituting the cash system. If there are great difficulties surrounding both these reforms, as to the need of which there is little difference of opinion, should we wonder that the radical philosophers and orators who declaim about the wrongs of labor either take refuge in generalities, when asked to frame bills to carry their ideas into effect, or end in some ridiculous climax like Gov. Hill's recommendation that a new legal holiday be established, to be called Labor Day, and to be set apart for meditating on the subject of labor?

The two questions of child labor and weekly payments form the subjects of the annual report of the Bureau of Labor Statistics of the State of Connecticut. This Bureau has been in the charge of Prof. A. T. Hadley, as Commissioner, a trained thinker, investigator, and statistician, known to the country as the author of the best treatise on another vexed question, commonly called the Railroad Problem. It has been stated in the newspapers that Prof. Hadley's place as Commissioner "is wanted" by some politician or Walking Delegate, and that he is to be removed from office. However that may be, he has left on the public records of the State the most intelligent and painstaking examination of these two labor problems that has been supplied from any American source. That his sympathies are altogether with the laboring man is apparent on every page, but he does not fail to show that the reforms demanded, which upon the whole he favors, can be gained only after much pain and suffering among the wage workers themselves, and at the expense of the poorest and feeblest members of the class.

Connecticut passed a law last year prohibiting the employment of children under thirteen years of age. "If any law is to be obeyed," says the report, "this one ought to be." Yet there has been the greatest resistance to its enforcement. This has come from places where it would be least expected—that is, from the most needy operatives, "to whom the twenty-five cents a day that a child can earn by working in the mills is a present consideration that will outweigh anything else, who will not merely connive at evasions of the law, but make every effort to obstruct its enforcement." The case is cited of a twelve-year-old boy who was actually supporting a family on wages of five dollars a week earned without detriment to his own health and vigor. When the law came in force he was driven out

of the factory by the State inspectors. This case is cited, not as an argument against the law, but as an index to the secret and powerful opposition to its enforcement among the operatives themselves. Prof. Hadley thinks, however, that "the general object to be obtained is so good that we must be prepared to enforce the law even though it may create great hardship in individual cases." He thinks that the thirteen years' limit can be enforced, and that possibly a fourteen years' limit might be, but that beyond this there would be grave doubt whether the State could insure obedience to it. As a general rule applicable to all labor laws, Prof. Hadley remarks that "when workmen are ready to make personal effort to enforce the law in their behalf, it is surprising how little legislation is needed." It is a great mistake to suppose that employers are the ones to suffer from the discontinuance of child labor, or that they are opposed to its abolition. The effective opposition comes from the weakest of the laboring class, since it is upon these that the heaviest burden of the change falls.

The larger part of the report is taken up with the questions of weekly payments, factoring, store pay, the credit system, etc. Here we have not only a large array of statistical information and individual opinion from employers and employees, but also a careful collation of the laws of other States, all forming the foundation of a methodical treatment of the subject. The question is really that of the cash system against the credit system in factory labor. The cash system is the best, of course, because it dispenses with interest on money, and promotes habits of saving and thrift among the operatives. The laboring man is easily enticed, by the facility of obtaining credit, to spend a little more than he would if he had the money in his pocket and was obliged to pay cash down. There is a certain amount of sheer waste in the credit system that amounts to a loss to the whole community. Why not, then, pass a law requiring all employers to pay their workmen weekly? Three leading objections are urged by employers, who are, however, rather the small employers in the villages distant from banks than the large firms and corporations. In so far as there are hardships connected with the system of weekly payments, Prof. Hadley shows by a rigid analysis that they will fall upon the weaker firms, and by so much add to the predominance of the stronger—in other words, create monopolies or enlarge existing ones. The three objections are:

- (1.) In many lines of business it is impossible to ascertain as often as once a week the amount which a man has earned; still less possible is it to pay him for work which is in an unfinished state.
- (2.) In a still larger number of cases payment at frequent intervals, while not absolutely impracticable, seems to involve additional expense and inconvenience on account of the additional clerical force and work which it demands.
- (3.) Other concerns, again, especially in the smaller towns, find it difficult to maintain the necessary cash reserve which weekly payment involves.

All these objections are examined by the light of the statistical and other information gained, and all are set aside as insufficient to rebut the arguments which are urged in support of the proposed law. But when we have

got to the end, we find that we have not, after all, abolished the credit system, which is the real object of attack, since users will step in and lend money to improvident operatives at exorbitant rates of interest, if they are sure of getting paid in the end. This condition would be rather worse than the existing state of things. After considering all the pros and cons, Prof. Hadley concludes and recommends, as a measure better than any arbitrary requirement respecting weekly payments, that a law be passed exempting from legal attachment (prior to the obtaining of judgment and execution) the wages of laboring men, and he favors total rather than partial exemption. Already, exemptions, either total or partial, are embodied in the laws of one-half of the States of the Union. The protection which the right of attachment gives to the storekeeper being taken away, he will give no more credit except to those whose personal character entitles them to it. A law against the assignment of wages would be a necessary corollary, and these two measures are considered to be the only practicable and self-executing means to achieve the ends sought to be reached by the system of weekly payments.

JUDGE GRESHAM'S DECISION IN THE WABASH CASE.

It will be worth the while of any person interested in railroad securities to read the decision of Judge Gresham in the case of the Wabash Railroad (now published in the *Federal Reporter*), resulting in the dismissal of the receivers for breach of duty to the bondholders, and the appointment of a thoroughly competent man, Judge Cooley, as receiver in their place.

It is not hard reading. Like the opinions of most clear-headed lawyers, it is perfectly comprehensible to any one who will have the patience to make himself acquainted with the details of facts. There are no citations of authorities, no parade of aphorisms about moral duties, or repetition of the utterances of other courts, to break the sequence of the argument. Indeed, there is scarcely room for argument—outside of a courtroom, where everything seems arguable—on a question involving the claims of receivers, based on orders obtained from a facile judge to pay debts of the Missouri Pacific Railway by receivers' certificates; which were expected to have priority over the earliest mortgages of the Wabash; while threats of enforcing them as such were used to compel the bondholders to accept a lower rate of interest for bonds which were perfectly secure, if the rights of the holders were respected. These bonds the receivers had greatly depreciated in value, and had rendered apparently insecure by diverting the revenues of the road to other purposes than the payment of the interest on the earlier securities.

Without any rhapsody, the opinion states that an order was obtained directing the receivers to pay a loss of more than three millions of dollars, incurred by the Missouri Pacific in operating the Wabash system as lessees, just as if it was a debt of the Wabash Railroad, when it was, in fact, that of the

lessees to whom the profits would have accrued, and who therefore were responsible for the losses. The Court does not take the trouble to inquire whether such a loss was incurred, or whether it was only a question of book-keeping, but is satisfied to state that it was not a debt of the Wabash which the receivers paid.

Next, it disposes of an order directing the receivers to pay \$2,300,000 of notes of the Wabash Railroad endorsed by Solon Humphreys, one of the receivers, and by Gould, Dillon, and Sage, in the petition for which it appears that the notes were endorsed by sundry individuals of high credit and financial standing. "For the sake of entire frankness," says the Court, "the name of Solon Humphreys was disclosed as one of the endorsers, but the names of Gould, Dillon, and Sage, the other three endorsers, were withheld 'because of the personal inconvenience and injury which might result from the publicity given to their business affairs.'"

It next takes up a most charming arrangement by which the receivers supplied the railroad with coal from a mine owned by Humphreys, one of the receivers, Gould, Dillon, Sage, Hopkins, and Charles Ridgley, all directors of the Wabash, at a price which Judge Gresham could not approve of, and in relation to which the opinion says: "Men with a proper appreciation of their rights and of the rights of others—trustworthy men—are not apt to be found in such inconsistent relations. Gould, Humphreys, Dillon, Sage, Hopkins, and Ridgley are men of stern integrity if their interests in the coal company did not improperly influence their action as directors of the Wabash Company."

Next the Court holds that the minority bondholders who refused to be bullied into accepting a lower rate of interest on their bonds, "if they selfishly stood out against the committee's scheme, and would enter into the most complicated litigation ever known in the rail-roading of this country, with its exasperating delays and endless expense," can have ample redress; dismisses the receiver, and directs the mortgage to be foreclosed for the benefit of the minority bondholders, who have some rights which the law and receivers must respect.

There is certainly a directness and clearness of purpose in this decision which contrasts favorably with the labored productions of some judges, who cannot state the most self-evident result without leaning for support on the decisions of other courts. Probably instances of equally gross malversations of duty have come before other courts. The dealings of the receivers and the directors with their coal mine appear, perhaps, less offensive to those engaged in railroads than to this judge and other men; but the wholesale payment of the loss of one railroad out of the property in the hands of the receivers of another, belonging to the mortgage creditors, is certainly exceptional, and the payment of Humphreys's and Gould's endorsements of unsecured debts may be called unique. It is not often, however, that the offence is so distinctly stated, and the result made to follow so absolutely, and without any apology by the Court to offenders as high in financial circles as these.

With the order dismissing the receivers who did the wrong, and proceeding to give redress

to the minority whose rights were threatened by the Purchasing Committee, the decision ends; For these latter persons there is redress, but what is the redress for those whose timidity or poverty compelled them to sell out at a depreciation? Probably none. That class of people go to the wall, or into smaller rooms and garrets, and trouble syndicates no more in this world.

HOW THE PEOPLE VOTED.

THE Republican press, and that part of the Democratic press whose happiness is increased by any indication that it thinks it can discover of a lack of popular support of President Cleveland, made much use, immediately after the November elections, of the discovery that the Democratic majority in the next House of Representatives would not be so large as is the majority in the present one. No mention was made, of course, of the fact that, at the Congressional election that follows a Presidential election, it has almost uniformly been the case that the representation in the popular legislative body of the party in power has been decreased, and especially was there an omission of any presentation of the vote of the people by States. The official canvass in many of the States is made with deliberateness, and it was not until the announcement was made on Monday of the official vote of Texas that a presentation of the State statistics could be made in official form. Now that they are at hand they are worthy of inspection.

Twenty-four States voted last November for State officers at large. Of these, the official vote of all but one—Colorado—has been declared. There being practically no opposition tickets in either Delaware or South Carolina, and only a judicial contest in North Carolina, these States are omitted from the tables of comparison. The pluralities of the heads of the other State tickets compare as follows with the pluralities for Presidential candidates in 1884; all the States not marked with an asterisk elected a Governor last year:

	PLURALITIES.			
	1886		1884	
	Rep.	Dem.	Rep.	Dem.
Cal.....		652	13,128	
Conn.....		1,898		1,276
*Illinois...	34,705		25,118	
*Indiana...	3,319			6,427
*Iowa.....	14,712		19,773	
Kansas....	33,918		64,274	
Mass.....	9,463		24,372	
Michigan..	7,730		3,308	
Minn.....	2,600		41,620	
Missouri..		50,635		33,059
Neb.....	23,300		22,521	
Nevada...	594		1,615	
N. H.....	485		4,066	
N. J.....		8,020		4,412
*N. Y.....		7,818		1,047
*Ohio.....	11,781		31,802	
Pa.....	42,851		61,019	
Tenn.....		16,801		9,180
Texas....		163,540		125,301
Wis.....	18,718		14,698	
Total....	204,176	249,364	327,314	180,702
Net.....		45,188	146,612	

The changes which this table presents are very striking. It will be seen that the Republican majorities in 1886 show a loss of 123,128, while the Democratic majorities show a gain of 68,662, making a total Democratic gain (or Republican loss) of 191,800.

The total Republican and Democratic vote in the years named was as follows;

	1886.		1884.	
	Rep.	Dem.	Rep.	Dem.
Cal.....	84,318	84,970	102,416	89,288
Conn.....	56,920	58,818	65,923	67,199
Illinois...	275,366	240,661	337,469	312,351
Indiana...	231,922	228,603	238,463	244,990
Iowa.....	180,309	165,597	197,089	177,516
Kansas....	149,615	115,697	154,406	90,132
Mass.....	122,346	112,883	146,724	122,352
Michigan..	181,518	173,788	192,669	189,361
Minn.....	107,064	104,464	111,685	70,065
Missouri..	178,490	229,125	202,929	235,988
Neb.....	75,956	52,656	78,912	54,391
Nevada...	6,463	5,869	7,193	5,578
N. H.....	37,819	37,334	43,249	39,183
N. J.....	101,919	109,939	123,336	127,778
N. Y.....	460,636	468,454	562,001	563,048
Ohio.....	341,095	329,314	401,082	368,280
Pa.....	412,485	369,634	473,804	392,785
Tenn.....	109,837	126,638	124,078	133,258
Texas....	65,236	228,776	93,141	225,309
Wis.....	133,247	114,529	161,157	146,459
Total....	3,312,561	3,357,749	3,814,726	3,655,111

An analysis of this last table shows that, while the Republican vote of 1886 fell off in the twenty States 502,165 as compared with that of 1884, the Democratic vote suffered a loss of only 342,550. Thirteen of these States gave a plurality for Blaine in 1884, and seven of them gave a plurality for Cleveland. In nine of the Republican States the Democrats made gains in 1886, and in a tenth (Wisconsin) the Republican candidate, as is acknowledged, received many votes outside of his party because of his firm stand against the rioters last summer. Every one of the seven States that were Democratic in 1884 increased the Democratic majority last year save one, viz., Indiana. If the Blaine press or the anti-Cleveland Democratic press can find in these figures any grounds for thinking that public opinion is shaping itself in favor of a spoils ticket in 1888, they are welcome to make their plans accordingly.

We add a fuller comparative table of the Prohibition vote of 1884 and 1886 than has been published:

	1886.	1884.
California.....	6,432	2,920
Connecticut.....	4,691	2,305
Illinois.....	19,527	12,074
Indiana.....	9,185	3,028
Iowa.....	578	1,472
Kansas.....	8,094	4,495
Massachusetts.....	8,251	9,923
Michigan.....	25,333	18,403
Minnesota.....	18,966	4,684
Missouri.....	3,504	2,153
Nebraska.....	8,175	2,899
Nevada.....		
New Hampshire.....	2,132	1,571
New Jersey.....	19,808	6,153
New York.....	36,414	24,999
Ohio.....	28,982	11,069
Pennsylvania.....	32,422	15,283
Tennessee.....		1,131
Texas.....	19,186	3,534
Wisconsin.....	17,089	7,656
Total.....	268,769	135,752

Here is an increase of nearly 100 per cent. in the vote of this third party in two years, and an increase so evenly distributed that it has taken place in sixteen out of twenty States.

THE SHARPLES PORTRAITS.

THE comfortable assurance, under which many of our citizens have rested, that we were soon to possess veritable treasures in the so-called Sharples portraits of Washington and his family, now on exhibition and for sale in this country, has received a severe shock from the report on these portraits presented to the Massachusetts Historical Society on January 13 by Mr. Francis Parkman, chairman of a committee appointed by that society to investigate the historical value of these pictures. In November last, Major Walter, who represents the family in England now owning the portraits, and who has published a large and elegant volume entitled 'Memorials of Washington' (see No. 1114 of the Nation