

ance of the function discharged by the engineers, and to the subject of the power of the court to require the making of such a contract as that suggested, Judge Speer said:

Certainly, it follows then that it is in the power of the court, in the interest of public order, and for the protection of the property under the control, to direct a suitable arrangement with its employees or officers to provide compensation and conditions of their employment, and to avoid, if possible, an interruption of their labor and duty, which will be disastrous to the trust, injurious to the property. There is no reason why the receivership in this respect should be conducted in a manner differing from the large preponderance of the successful and prosperous railroads of the country. It appears from the proof that about 90 per cent. of the railroads of the United States make contracts or schedules of rates and regulations for the employment of their operatives, which are agreed to by the representatives of both the parties, and which serve for the guidance of all while they remain in force. Many of these contracts or schedules are in evidence. We are satisfied from these facts that such arrangements, under proper restrictions, are praiseworthy and beneficial to both parties, and we therefore shall no longer hesitate to direct the receiver to enter into an appropriate contract or schedule of rates and regulations with the engineers.

The judge, however, directed that the contract be not restricted to members of the Brotherhood of Locomotive Engineers, though he said that membership of the order was and would be no disqualification to service on railroads under the control of the court, so long as the rules and regulations of the order were treated as subordinate to the law of the land. This at once brought up the question whether rule 12 of the brotherhood, so much discussed of late, was in conformity with the law of the land. This rule was held by the court to be plainly a rule or agreement in restraint of trade or commerce and so obnoxious to the provision of the Federal anti-trust law of 1890, declaring illegal combinations or contracts in restraint of trade or commerce among the several states or with foreign nations, and to other provisions of the federal statutes cited in the opinion.

Judge Speer said, however, that even if there were no statutory enactments upon the subject no court of equity could justifiably direct its receiver to enter into a contract with a body of men who hold themselves bound to repudiate their contract and disregard a grave public duty because of a real or alleged grievance which some other person or corporation, not a party to the contract, inflicts or is alleged to inflict, not upon a party to the contract, but upon somebody else. The engineers, however, having through their counsel declared that upon this as upon every other subject they were willing and anxious to take the direction of the court, this declaration was accepted as made in good faith, and was made part of the contract which the court required the receiver to make. The old contract was ordered to remain in force until the terms of the new contract should be settled.

After specially directing that no engineer or other person in the employ of the railroad should be discharged, or in any way injured in his station on account of the proceeding, or of any part taken therein, Judge Speer laid down this rule as to the right of the engineers to quit the service of the company, namely, that while any engineer may at any time exercise his right as an individual to leave the service of the receiver, he may not do so in such a manner as to injure the properties or impede their proper management by the receiver, and that in case of any issue with the management in which the brotherhood or its members are concerned, and the members in the employ of the receiver shall desire to leave his service in a body or otherwise in such manner as may in any way impede the operations of the road, they will be required to do so on such terms and conditions as the court may think proper for the protection of the interests of the property and the maintenance of justice and fair play to all concerned.

WASHINGTON ITEMS.

WASHINGTON, April 21, 1893.—The administration has this week been passing through just about the same financial condition that confronted the Harrison administration for the last two weeks of its existence, and the cause is believed to be the same—a conspiracy to force an issue of bonds by draining the treasury of gold; and unless Secretary Carlisle is mistaken in his calculations the result will be the same. Bonds will not be issued until everything else shall have failed. Indeed, some of the best lawyers are of the opinion that bonds cannot be legally issued, but Secretary Carlisle does not agree with them, nor did Mr. Foster when he was secretary. The most significant event of the week was Mr. Carlisle's refusal to go to New York to confer with Wall street bankers on the situation, or to invite them to Washington to confer with him. This was particularly pleasing to those who think that Wall street has been wielding more influence than it is entitled to in the management of national finances. Secretary Carlisle has seen of that opinion for many years, and as long ago as 1881, when he was a member of the House of Representatives, he made one of the strongest speeches against Wall street domination ever made in Congress.

The naval review will interrupt the office-seekers for a while. Secretary Herbert leaves here today for Hampton Roads and will remain aboard the Dolphin until the review ends in New York harbor. Next week President Cleveland and the rest of the cabinet will go to New York to assist in the closing ceremonies. The senators and representatives who are still in town, and there are lots of them, will also attend the review, as they can accomplish nothing for their constituents by remaining here when the President and all the heads of departments are away.

"Hawaii will not be annexed," remarked a senator who is a warm personal friend as well as constant associate of President Cleveland, "so long

as annexation is opposed by practically its entire native population, as there are the best reasons for believing that it is now." Although neither Mr. Cleveland nor Secretary Gresham have had a word to say officially about Hawaii since the departure of Commissioner Blount there have been indications visible to those who watch the drift of things beneath the surface that Mr. Cleveland, who was at first in favor of annexation, has been passing through a stage of doubt, and has almost if not entirely changed front on the subject. Nothing official is expected on the question until the return of Commissioner Blount with the information he was sent after, although he is believed to be authorized to negotiate a treaty under certain circumstances, but not for annexation.

The Senate committee on agriculture, which is authorized to investigate the causes of the depression in agricultural products, has decided to divide the subject between two sub-committees, one, composed of Senators George, Bate and Proctor, conducting the inquiry concerning cotton and other fibrous products, and the other, composed of Senators Pepper and Rauch, that concerning grain. Five thousand dollars was appropriated to meet the cost of this investigation.

Those who think that Federal appointments are being very slowly made may extract some consolation, or otherwise, just as they happen to stand, from the fact that the number of Presidential appointments thus far made by Mr. Cleveland is way ahead of the number made during the corresponding period in his first administration, and exceeds the number made in the same period by Mr. Harrison by about thirty, while the appointments of fourth-class postmasters have been unusually large—about 5000 in the six weeks since Fourth Assistant P. M. G. Maxwell assumed office.

It is stated upon apparently good authority that President Cleveland has about decided to abrogate all of the reciprocity treaties and agreements made by the Harrison administration, because of his belief that they have failed to increase our trade with those countries. Secretary Gresham has been talking the matter over with the ministers of the countries interested and they all favor, it is said, abolishment of reciprocity, as inaugurated by Mr. Blaine. It remains to be seen, however, how the idea will be received in this country. Your correspondent believes that this is one of the cases in which Mr. Cleveland will be guided largely by public sentiment, and it is probable that the statement is made at this time for the purpose of feeling the public pulse on the subject.

President Cleveland has made but one appointment since the adjournment of the Senate, and that was a U. S. marshal who had been nominated but failed of confirmation. It is thought that but few more appointments will be made for several weeks, as Mr. Cleveland's time will be fully occupied by other matters.

THERE is a proposition to display the Keeley motor at the World's Fair. That seems to be about all it is good for.