

LEGAL ASPECT OF INCOME TAX

Senator Bailey of Texas Devoted Three Hours to a Discussion of Question.

SAYS IT IS INQUISITORIAL.

But Not More So Than Any Other Tax—At Conclusion Congratulated by Democrats and Republicans.

Washington, April 23.—As the last half of his two-day's speech, Senator Bailey devoted nearly three hours in the senate today to a discussion of the legal aspect of his income tax amendment to the tariff bill, citing numerous cases and authorities to maintain the view that such a law would be unconstitutional.

He was interrupted frequently by senators, who at times objected to his position or authorities suggested to sustain it.

Mr. Scott spoke on the tariff with special reference to its effect on the south.

Mr. Gore of Oklahoma denounced the protective tariff.

"Mr. President, I do not wish to be called to order," said Senator Scott, of West Virginia, upon beginning his speech on the tariff today when Vice President Sherman undertook to maintain quiet in the chamber. "I do not expect this argument to change a vote," added Mr. Scott, "and consequently I am entirely indifferent whether several refer to it in their indulgence in conversation, because I do not care what they listen to my remarks or not."

"The chair does care," replied Mr. Sherman.

Mr. Scott's remarks were listened to by many senators who gave him strict attention. He advocated protection.

SCOTT FOR PROTECTION.

Senator Scott declared he advocated protection not only because it honored it was the best policy for his own state, West Virginia, and for the south, but also for the entire country. He asserted that when Congress had completed the enactment of the pending tariff bill, "we will not have nearly so good a bill in my judgment as the present Dingell law." England, for instance, profited in the past, now she is ready for a downward revision of the tariff and for free coal if she can get it. But the southland sees ahead of her nothing but prosperity under the proposed tariff. She has developed more rapidly than any other portion of the country.

He insisted that raw material and cheap fuel still would be lying undeveloped if it had not been for protective tariff, but that a conservative tariff would not injure the coal miners of the coal mining industry. He declared his absolute and utter opposition to a countervailing duty. He declared that if the rate on lumber should be reduced—48 per cent of all the lumber produced in the United States—there would be nothing left for the American lumberman to do but to cut wages. Lower wages also, he said, would follow the cut of tariff rates on iron and steel products. He asserted that the coal miners of the oil industry that less than 10 per cent was produced by the Standard Oil company, and he declared he did not propose "to let any Populist howling influence me in which I see my duty in regard to taking care of the important oil producers in my state."

GORE AGAINST TARIFF.

Upon the conclusion of Mr. Scott's remarks, Senator Gore of Oklahoma engaged both Senators Scott and Elkins in a colloquy concerning wages paid coal miners. Mr. Gore declared he had been reliably informed that in the coal fields of the coal mining areas of West Virginia wages were less than in Nova Scotia and England. This statement was denied by Mr. Elkins, who said the wages of miners in Vancouver were from 20 to 30 per cent less than in the United States, while in Nova Scotia they were about the same or 10 per cent less than in the coal mining areas.

Mr. Gore declared wages in the Pocahontas mines amount to only from 25 to 30 cents a digger.

Mr. Elkins interrupted to say he spoke from his personal knowledge in securing the American coal miner made from three to four times as much as was paid for any other kind of common labor than himself.

Mr. Clark of Wyoming suggested that the coal miners of his state were paid the highest rate of wages paid in any state or country and said that condition of prosperity would be destroyed by free coal.

BAILEY ON TAXATION.

Senator Bailey discussed the nature of direct taxation and said that question had not been satisfactorily settled. He said it was a matter of regret that the framers of the Constitution did not satisfactorily define what a direct tax was.

Mr. Bailey quoted from court opinions and other authorities to substantiate his contention respecting the constitutionality of the income tax. He then denounced the men who resist the income tax as inquisitorial as calculated to make the United States a "nation of slaves."

"That this law is inquisitorial," said Mr. Bailey, "is true, but not more so than any other tax. To compel me to tell the source of my income, or in fact to do in the state in which I live, is in itself inquisitorial. It compels me to tell the source of my income. Every tax must be inquisitorial, because otherwise the honest man would pay it and the dishonest man could escape it."

The rich man, Mr. Bailey said, should be willing to pay for the protection of his property over which he has no control, and which is not his property. For himself, if he were compelled for the rich he said, he would advise them not only to support, but to advocate an income tax law.

"And if they would do that," said Mr. Bailey, "they would do more to silence anarchist than all the police and military forces in the country. For himself, if he were compelled for the rich he said, he would advise them not only to support, but to advocate an income tax law."

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