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THE DAILY PICAYUNE—NEW ORLEANS, FRIDAY, AUGUST 16, 1895. 3

...ED DECIDES AGAINST SCHREIBER.

...ish a Cotton Sampler Engaged Abroad

...Entitled to Admission Under the Law.

...Wilkinson Agrees With the Board's Ruling.

...Attorney Kruttschnitt Says the Decree is Wrong and May Appeal.

...United States board of immigra... port yesterday rendered a ... adverse to the Englishman, ... Schreiber, who landed ... yesterday from Liverpool on the ... Legislator under contract with ... cotton manufacturers ... their buyer and sampler. Ac... Immigration Commissioner ... ordered the master of the ... to deport him.

...only stay to be secured to the ex... of this order is through an appeal ... decision to the secretary of the ... Whether or not Mr. Schreiber ... visa was not decided yesterday; ... the results of such a course seem ... doubtful, in case the secretary should ... the decision of the board, the co... of 1895 would be far advanced, ... over, and the Englishman will ... be guided by this fact, or else ... abstract desire to try whether con... against what the board considered ... its restrictive immigration laws.

...R. Kruttschnitt acted as at... for Mr. Schreiber before the board, ... been seen yesterday by a Picayune ... he said he did not know whether ... his client would appeal the case, ... had received no information on the ... from him. "I do not mean to criti... board for its conclusion," said Mr. ... "but judicially, and disclosing to ... to be on the safe side, and to leave ... decision to a higher tribunal, ... certain it is wrong.

"I prepared just at present to ... you a complete review of the ... of the law in the case, but ... to send you one or two extracts ... of the supreme court, as ... bible in their very nature as to be ... of any misconstruction.

"I will previously say, without any ... or reflection, that I had ... landed in New York, where ... Schreiber, under contract ... to accompanying a gentleman ... the law than would naturally be ... by an official here, the presi... in my opinion, would never have ... and Mr. Schreiber would have ... admitted without any question of ... to do.

"Let's look at the decision ... the supreme court, ... Warren, imported under contract ... decision of the Church of the Holy ... decision recites the section, de... the act forbidden: 'Be it enacted ... of representatives ... United States of America ... assembled, that from and after ... passage of this act it shall be un... any person, company, partner... association, in any manner what... prepay the transportation, or ... to assist or encourage the im... or immigration of any alien or ... into the United States, ... territories, or the District of ... Columbia, under contract or ... agreement, express or implied, ... made previous to the importa... migration of such alien or alien... or foreigners, to perform labor ... of any kind in the United States ... territories or the district of ... Columbia.

"It is conceded that the act of ... corporation (Church of the Holy ... Trinity) is within the letter of this act ... for the relation of rector to his ... is one of service, and implies ... the one side with compensation ... one. Not only are the generic ... labor and service both used, but ... it were to guard against any ... interpretation and emphasize a ... meaning, to them is added ... and further, as noticed by ... Warren, 'other similar expressions' ... which makes specific ... among them professional actors, ... lecturers, singers and dancers ... strengthens the idea that every ... of labor and service was in... to be reached by the first section. ... is great force to the reasoning ... cannot think congress intended ... in this present case a transaction ... so plainly within the letter ... that a thing may be within ... of the statute and yet not within ... statute, because not within its ... or within the intention of its ... This has been often asserted and ... are full of cases illustrating ... tation. This is not the substitu... judge for that of ... statute, for frequently words of ... meaning are used in a statute, ... broad to include an act in ... which, if considered by itself, ... not be within the intention of ... in its enactment, or of the ... evils which follow from giving ... meaning to the words, makes ... reasonable to believe that they ... intended to exclude the particular ... case.

"Taking a number of cases sub... to the exception rule, the ex... mentioned at will be seen ... as grounded in reason. The ... application of this act were by that ... limited, and the intent of ... expressed in the act was ... partially, at least, from its ... title. Of this act is, 'An act ... prohibit the importation and ... of foreigners and aliens under ... agreement to perform labor ... United States, and ... purpose of this act is ... expressed in this recital, ... the importation of ... foreign labourers, as dis... from that of the professional ... class.

"Another guide to the meaning ... is found in the evil which ... to remedy; and for this the ... property of the United States ... Congressional Record ... upon the attention of the ... body. The situation ... the statute was briefly but ... by Mr. Justice Brown ... Holy Trinity Church ... decided the case of ... Rev. Crisp: 'The motives ... the act are matters of ... knowledge. The evil ... to be remedied was the ... contract with their agents ... of great numbers of ... and servile class of foreign ... under contracts, by which the ... depended upon the one hand, to ... the labor market, while upon the ... the laborers agreed to work ... for a stipulated time at ... wages. The effect of this ... was to drive down the labor market ... to the level of the assisted ... which was ... the passage of the act ... the evil ... of which was to ... the standard of American ... and not sufficient ... to ... their friends. ... passage.

"I made a characteristic ... I pause here, as if to permit ... to come up as to ... Further, an intelligent ... would be cheerful and ... to the case within the letter ... to be defined. He would read on ... the title of the act. He would ... the long fight ... of congress to ... the evil ... the report of the senate ... committee on labor, recom... the passage of the bill. The ... to amendments which induced ... the report of the committee ... to the report to the report of ... state in their work of training laborers ... the committee of the house. The committee report the bill back without amendment, although there are certain features thereof which might well be changed or modified, in the hope that the bill may not fail of passage during the present session. Especially would the committee have otherwise recommended amendments materially limiting the class of labor and service, whenever they occur in the body of the bill, the words 'manual labor,' or 'manual service,' as sufficiently broad to accomplish the purposes of the bill, and that such amendments would remove objections which perhaps a sharp and unfriendly criticism may urge to the proposed legislation. The committee, however, realizing that the bill in the present form will be construed as including only those whose labor or service is manual in character, and being very desirous that the bill become a law before adjournment, have reported the bill without change.' And the committee of the house, on the same legislation, said: 'It seeks to restrain and prohibit the importation and migration of foreigners and laborers under contract or agreement, whether made through the inducements and allurements of men whose only object is to obtain labor at the lowest possible rates, regardless of the social and material well-being of our own citizens and regardless of the evil consequences which result to American laborers from such immigration. This class of immigrants came crowding about our institutions, and, to use the language of one of the witnesses, of them, they are men whose passage is paid by the importers; they come here under contract to labor for a certain number of years; they are ignorant of our social condition, and that they may remain so they are isolated and prevented from coming into contact with citizens; they are brought cheaply from the lowest social stratum of the most populous ... food and in ... of a character ... before unknown in American workmen. They, as a rule, do not become citizens, and are certainly not a desirable acquisition to the body politic. The ineffable tomfoolery of their presence among us is to degrade American labor and to reduce the level of the imported pauper laborer.

"Again, the house said: 'The extract is an exposition of the intendment of the law under which Mr. Kruttschnitt acted on the case of ... United Englishman, is to be deported—an intendment positive, being decided by the highest tribunal of the United States. Mr. Kruttschnitt acted on the case and the application, but requested not to be quoted thereon yet. His argument was directed to the conclusion that the decision of the board of ... was an absolute perversion of the very spirit of the law and extended a positive hurt to the best interests of the country, discouraging a most desirable class of intelligence from immigrating here and making America its home.

"In this subject Collector Wilkinson remarked:

"The law, as at present amended, says: 'Nor shall the provisions of this act apply to professional actors, artists, lecturers or singers, nor to persons engaged strictly as personal or domestic servants, nor to ministers of any religious denomination, nor to persons belonging to any recognized profession, nor professors for colleges and seminaries.

"The chief contention in the case of Schreiber was that he was a member of a recognized profession, namely, a lecturer. The board overruled a decision of the inspector of immigration held that he did not belong to the recognized classes, and that the occupation of cotton buyer was not specially recognized profession as contemplated by the law.

"This office has been strongly in favor of the enlargement of the scope of the ... subject, and I think the ... of inspectors did not err in deciding that Mr. Schreiber did not belong to a native recognized profession such as the current laws are or admits exceptions as a fact, even members of the Cotton Exchange who were consulted on the subject differed on the question, some holding that a cotton buyer was a recognized profession and others holding a contrary view.

"Yet I see nothing in the ... law were passed by congress since the decision of the supreme court in the Trinity church case."

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EDUCATIONAL—LOCAL OPTION.

A Movement Being Agitated by Prominent Men.

A reporter of the Picayune had a pleasant half hour chat with Prof. H. E. Chambers, of the Boys' Classical School, the Hotel Grunewald, where the latter gentleman has been stopping for several days past. He is by no means a stranger in this community, for he is a native Orleanian, taught school here for several years before removing to Monroe, and more latterly he resided in Shreveport, a mass meeting that was held in the academy of Music several months ago by the Ballot Reform League.

There is scarcely any other man in the state who has more deeply at heart the advancement of the educational interests of Louisiana than Prof. Chambers. He has also traveled over every section of the state, gathering data for a treatise on the subject, which has received much attention, and it is with regret that he notes that the extreme prevailing ignorance lacking and far behind those of other states. The state expenditure for this has been often asserted and cited, and are full of cases illustrating ... tation. This is not the substitu... judge for that of ... statute, for frequently words of ... meaning are used in a statute, ... broad to include an act in ... which, if considered by itself, ... not be within the intention of ... in its enactment, or of the ... evils which follow from giving ... meaning to the words, makes ... reasonable to believe that they ... intended to exclude the particular ... case.

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