

MR. ROBINSON AGAIN. HE WRITES A LETTER, ANSWERS ONE QUESTION AND IGNORES ALL OTHERS.

Dumb as an Ox on the Analytical Business—Does not seem to know what the Inspectors Do—Admits, by his own Confession, According to "The Custom," all Manufacturers Have Violated the State Law—Will He Listen to Reason, Common Sense and Law?

North Carolina, Department of Agriculture, John Robinson, Commissioner, Raleigh, N. C., July 5, 1891.

In regard to the charge of untagged guano at Oxford, it is only necessary to state that it has been the custom of guano manufacturers to ship goods and then send tags. It is done by parties outside the State. Can the agricultural department deny this?—was intended. It was deemed of no importance as bearing upon the case. I now answer: No fertilizer manufacturer has, within my knowledge, sent a single bag of fertilizer into the State without tags, UNLESS SUCH MANUFACTURER HAS FIRST NOTIFIED THE DEPARTMENT THAT SUCH FERTILIZERS WERE SENT ON SUCH A DAY, TO SUCH A PARTY, AND THAT THE AMOUNT NECESSARY TO PAY FOR THE TAGS WAS ENCLOSED.

It has been the custom of the department to forward tags so ordered to the address given. Had the Durham Company acted thus, no trouble would have resulted so far as tags are concerned. Very respectfully,
JOHN ROBINSON,
Commissioner.

The delay in publishing the above was caused by the absence of the editor in Virginia, in attendance at the bedside of a sick relative, and on our return to Durham we were unable to attend to our duties. The editor's reply, and the whole of it, to our observations and inquiries of June 29th, which appeared in our issue of July 1st, is here published.

with us, the reply that Mr. Robinson utterly fails to answer the inquiries contained in our article of the 29th, such as he failed to answer we can fairly take and consider as admitted by him. But let us see just what the above reply of Mr. Robinson amounts to anyhow.

Is it not a substantial admission, in a dodging sort of way, that what we charged in our question is literally true—that it has been the custom of guano manufacturers to ship goods and then send tags. It is done by parties outside the State. Can the agricultural department deny this?

What is Mr. Robinson's reply? "It was deemed of no importance as bearing upon the case." By whom is such matter deemed of no importance? Why, by the Agricultural Department he means of course.

For what does the Law say on this subject? Does it say a manufacturer may ship his goods and afterwards tag them? Does it sanction the admitted custom of the Department to let a manufacturer ship his goods and afterwards have the Department furnish the tags direct to the agent or consumer having them in charge to put them on the bags or leave them off just as sees fit? Where and upon whom does the law put the responsibility of tagging the bags?

Sec. 2190 of the law plainly reads as follows: "For the purpose of defraying the expenses connected with the inspection of fertilizers and fertilizing materials in this State, there shall be a charge of twenty-five cents per ton on such fertilizers and fertilizing material for each fiscal year ending November 30th, which shall be paid BEFORE DELIVERY TO AGENTS, DEALERS, OR CONSUMERS in this State."

What the law here says is pre-emptory and mandatory on the MANUFACTURER, that is to say, to tag his goods BEFORE DELIVERY to his agent, dealers, and consumers. Mr. Robinson, the head and front of the Agricultural Department, appointed specially and clothed with the duty and authorized to see this law enforced,

says it is of "No importance." And it is the custom of the Department to disregard it.

Yes, just exactly so. And right here all this trouble about the tax on fertilizers begins. The Department has allowed a "custom" contrary to the plainly written law to spring up which has led to confusion in the administration of the law and the developments have shown that the Department having set aside and nullified the law, then undertakes to administer its "custom," so as to oppress the Durham Fertilizer Company and let other Companies in the State do as they please. It is a disgraceful state of things indeed for the law-abiding citizens of the State (p. 112). Most people thought and still think that when the Agricultural Department was established, it was for the sole purpose of protecting the farming class of our people, and behold, how is it administered now? We will soon show that in shipping out the Durham Fertilizer Company for attack for disregarding the "custom" of the Department, the purpose of the law is lost sight of and the farmers are smitten by the hand of one who should be, AND IS PAID A SALARY TO BE, their friend. If Mr. Robinson had done his plain duty, he would have sent out his inspectors and disregarding friend and foe alike, when this law went into effect, he would have seized every bag of fertilizer in the State outside the place of manufacture not having a tag on it, as the law required, and if he had good reason to believe a fraud was intended, he should at once have taken steps to confiscate the property by legal proceedings, and if he had good reason to believe no fraud was intended, he should just as promptly have returned the goods to the owner, the tax. And this should have been the custom, and such a custom would have been sanctioned by the law, which is the foundation upon which our republican institutions are built. When partiality in the administration of a law enters, then oppression begins.

But the very strangest thing about this whole business is, that after allowing this unlawful custom of the Department to spring up and grow, Mr. Robinson, the avowed friend of the farmers, begins, continues and persistently keeps up his fight against the Durham Fertilizer Company, which is well known to be the company above all others which is receiving the patronage of the Farmers' Alliance. If he did this on the complaint of the Farmers' Alliance his conduct would be consistent; but how does he stand when the Alliances that bought the goods pass solemn resolutions denouncing the conduct of the Commissioner? And why is it we see agents of other fertilizer manufacturing concerns taking sides with the Commissioner? In doing so, do other manufacturers and their agents look with gratitude on Mr. Robinson in relieving them of the duty of buying tags beforehand and tagging their own goods BEFORE shipment and running like a duck after a June bug for the Alliance goods? We venture the assertion upon reliable information that 300 bags of guano, without tags on them, were shipped by another manufacturer (other than the Durham Fertilizer Company), since the tag law went into effect, to an agent in Oxford and 280 of those bags were hauled out in wagons from Oxford to the farms of the consumers, before the tags for those bags reached Oxford at all, and when the tags did reach Oxford only 20 bags out of the 300 remained in the hands of the agent at Oxford. This is cited as merely an instance to show how beautifully the "custom" of the department works in disregard of the plain language of the law above quoted requiring the tax to be paid even "before delivery to the agent," to say nothing of his delivery to the consumer who puts the guano out of sight in the ground. Imagine, if you can, some old Gran-

ville farmer, in a hurry to plant his crop, and his guano on his premises ready for use, waiting for the manufacturer to write to Raleigh for tags, and for the department to write to the agent at Oxford and send them, and for the agent at Oxford awaiting to see somebody from the neighborhood to send them by, and the neighbor leaving his own affairs to look after, waiting a convenient time to drop over to see the patiently waiting consumer to deliver to him the tags, and with what alacrity the old Granville farmer having waited so patiently for days, to get the tags, when at last he does receive them, puts them on the guano bags, and in five minutes afterwards he has the bags and begins to scatter his guano. Does the law contemplate such a "custom" as this?

Where is the assurance or guarantee to the department of getting the tag at all under such a "custom"? And above all why single out the Alliance goods and treat them so harshly and at the same time treat the goods of others so leniently?

We have now exhausted our space for this issue, but as sure as the sun shines we stand before leaving the subjects to burn on all the lights until our readers shall see this whole business exposed and put in its true light, and then they will feel sure, when they look at the matter impartially, that this is really a fight against the State Farmers' Alliance, and the Durham Fertilizer Company is only the medium of attack to reach the Alliance. We shall have a few lines on that "Analysis" business to-morrow and pursue this subject to the end, "if it takes all summer."

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